

**FULL AUTHORITY MEETING
ON-LINE TELECONFERENCE**

**Thursday, May 21, 2020
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) Approval of the Minutes of the Special Full Authority meeting dated April 16, 2020

Page # 1

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

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4. CORRESPONDENCE

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

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

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5. PRESENTATIONS

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

6. DELEGATIONS

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

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7. CONSENT ITEMS

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

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- b) Report No. FA-16-20 RE: Water Quality Monitoring Program Summary Report for the Year 2019

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

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

8. DISCUSSION ITEMS

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

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- f) Report No. FA-15-20 RE: NPCA Planning / Permitting Policy Housekeeping Amendment No. 2

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

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

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

9. COMMITTEE REPORTS

9.1 Audit and Budget Committee

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

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9.1.2 Items for Approval of the Board

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

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

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9.1.3 Items for Information of the Board

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

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10. NOTICES OF MOTION

11. NEW BUSINESS

12. CLOSED SESSION (IF REQUIRED)

13. ADJOURNMENT

**SPECIAL FULL AUTHORITY
ONLINE TELECONFERENCE
MEETING MINUTES
Thursday, April 16, 2020
9:30 A.M.**

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

MEMBERS PRESENT:

- B. Johnson (Chair)
- S. Beattie
- R. Brady
- D. Bylsma
- B. Clark
- D. Coon-Petersen
- D. Cridland
- L. Feor
- R. Foster
- J. Hellinga
- K. Kawall
- B. Mackenzie
- W. Rapley
- R. Shirton
- B. Steele
- M. Woodhouse
- B. Wright

MEMBERS ABSENT:

- D. Huson
- J. Ingrao
- J. Metcalfe
- E. Smith

STAFF PRESENT:

- C. Sharma, CAO / Secretary – Treasurer
- G. Bivol, Executive Co-ordinator to the C.A.O./Board
- R. Bisson, Manager, Communications and Public Relations
- A. Christie, Director, Operations and Strategic Initiatives
- D. Deluce, Senior Manager, Planning and Regulations
- M. Ferrusi, Manager, Human Resources
- L. Gagnon, Director, Corporate Services
- E. Gervais, Procurement Specialist
- D. MacKenzie, Director, Watershed Management
- S. Miller, Senior Manager, Water Resources
- E. Navarro, Communications Specialist
- T. Proks, Source Water Protection Co-ordinator
- R. Petruzzo, Multimedia Specialist

K. Royer, Co-ordinator, Community Outreach and Volunteers
G. Verkade, Senior Manager, Integrated Watershed Planning and
Information Management

OTHERS: B. Hodgson, Chair, Niagara Peninsula Source Protection Committee

The Chair called the meeting to order at 9:31 a.m..

1. APPROVAL OF AGENDA

Resolution No. FA-37-20
Moved by Board Member Beattie
Seconded by Board Member Brady

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

CARRIED

2. DECLARATIONS OF CONFLICT OF INTEREST

None declared.

3. DISCUSSION ITEMS

- a) Report No. FA-21-20 RE: Administrative By-law Amendments and Adoption of Emergency Provisions for Electronic Meetings and Teleconferencing

Resolution No. FA-38-20
Moved by Board Member Bylsma
Seconded by Board Member Clark

1. **THAT** Report No. FA-21-20 RE: Administrative By-Law Amendments and Adoption of Emergency Provisions for Electronic Meetings and Teleconferencing **BE RECEIVED**.
2. **THAT** the Board **ADOPTS** the following provisions for inclusion in the Administrative By-Law under Section C – Meeting Procedures to be numbered accordingly:

“Declared State of Emergency

During any period where an emergency has been declared to exist, in all or part of an area over which the Authority has jurisdiction, under Section 4 or 7.0.1 of the Emergency Management and Civil Protection Act, that may prevent the General Membership from meeting in person, a Member may participate in meetings electronically and shall have the ability to:

- a. register a vote;*
- b. be counted towards determining quorum; and*
- c. participate in meetings closed to the public.*

During any period where an emergency has been declared to exist, in all or part of an area over which the Authority has jurisdiction, under Section 4 or 7.0.1 of the Emergency Management and Civil Protection Act, that may prevent the General Membership from meeting in person, any date or timeline requirement

established under any Section in this By-Law shall be postponed until such time as the General Membership can reasonably address the issue.

During any period where an emergency has been declared to exist, in all or part of an area over which the Authority has jurisdiction, under Section 4 or 7.0.1 of the Emergency Management and Civil Protection Act, the Authority shall implement best practices to make meetings of the Authority open to the public in accordance with Subsection 15(3) of the Act. Where possible, the Authority will provide for alternative means for the public to participate in meetings electronically.

During any period where an emergency has been declared to exist, in all or part of an area over which the Authority has jurisdiction, under Section 4 or 7.0.1 of the Emergency Management and Civil Protection Act, that may prevent the General Membership from meeting in person, any hearing or appeal dealt with in this By-Law may be conducted electronically with provisions for applicants and their agents to participate if the Authority decides to hold any such hearing or appeal.”

3. **THAT** in a Declared State of Emergency, unless under extenuating circumstances as otherwise determined by the Chair in consultation with the C.A.O./ Secretary - Treasurer, any and all Delegations to the Board **SHALL BE** only in the form of written submissions.
4. **THAT** with regard to closed sessions for electronic meetings and teleconferences held during a Declared State of Emergency, the Board **SHALL ADOPT AND ADHERE** to Appendix 2 of Report FA-21-20 entitled “Excerpt from Conservation Ontario Procedural Best Practices #1 for CA Board Meetings Further to Minister’s Direction (March 26, 2020)”.
5. **THAT** any pre-existing provisions of the Administrative By-Law inconsistent with the aforementioned amendments **BE DEEMED** superseded and/or revised accordingly.
6. **AND FINALLY, THAT** the aforementioned amendments and all other previously approved changes to the NPCA Administrative By-Law **BE INCORPORATED** into a final document to be brought forward to the Board for formal ratification in the Fall of 2020.

CARRIED

4. ADJOURNMENT

Resolution No. FA-39-20

Moved by Board Member Coon-Petersen

Seconded by Board Member Cridland

THAT this meeting **BE** hereby **ADJOURNED** at 9:38 a.m..

CARRIED

Brenda Johnson
Chair
Niagara Peninsula Conservation Authority

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

**FULL AUTHORITY
ONLINE TELECONFERENCE
MEETING MINUTES
Thursday, April 16, 2020
9:50 A.M.**

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

MEMBERS PRESENT:

B. Johnson (Chair)
S. Beattie
R. Brady
D. Bylsma
B. Clark
D. Coon-Petersen
D. Cridland
L. Feor
R. Foster
J. Hellinga
J. Ingrao (attended 9:57 a.m.)
K. Kawall
B. Mackenzie
W. Rapley
R. Shirton (departed 10:26 a.m.)
B. Steele
M. Woodhouse
B. Wright

MEMBERS ABSENT:

D. Huson
J. Metcalfe
E. Smith

STAFF PRESENT:

C. Sharma, C.A.O. / Secretary – Treasurer
G. Bivol, Executive Co-ordinator to the C.A.O./Board
R. Bisson, Manager, Communications and Public Relations
A. Christie, Director, Operations and Strategic Initiatives
D. Deluce, Senior Manager, Planning and Regulations
M. Ferrusi, Manager, Human Resources
L. Gagnon, Director, Corporate Services
E. Gervais, Procurement Specialist
D. MacKenzie, Director, Watershed Management
S. Miller, Senior Manager, Water Resources
E. Navarro, Communications Specialist
T. Proks, Source Water Protection Co-ordinator
R. Petruzzo, Multimedia Specialist

The Chair called the meeting to order at 9:51 a.m.

1. APPROVAL OF AGENDA

Resolution No. FA-40-20

Moved by Board Member Feor

Seconded by Board Member Foster

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

CARRIED

2. DECLARATIONS OF CONFLICT OF INTEREST

None declared.

3. APPROVAL OF MINUTES

- a) Approval of the Minutes of the Full Authority meeting dated February 19, 2020
- b) Approval of the Closed Session Minutes of the Full Authority meeting dated February 19, 2020 (under separate cover)
- c) Approval of the Minutes of the Governance Committee Meeting dated February 26, 2020
- d) Approval of the Minutes of the Audit and Budget Committee Meeting dated March 12, 2020

Resolution No. FA-41-20

Moved by Board Member Hellinga

Seconded by Board Member Kawall

THAT the following minutes **BE ADOPTED** and any recommendations therein **APPROVED**:

- Minutes of the Full Authority meeting dated February 19, 2020;
- Closed Session Minutes of the Full Authority meeting dated February 19, 2020 to remain private and confidential;
- Minutes of the Audit and Budget Committee Meeting dated March 12, 2020; and
- Minutes of the Public Advisory Committee Meeting dated March 12, 2020.

CARRIED

- e) Approval of the Minutes of the Public Advisory Committee Meeting dated March 12, 2020

Resolution No. FA-42-20

Moved by Board Member Beattie

Seconded by Board Member Brady

THAT the minutes of the Governance Committee Meeting dated February 26, 2020 **BE ADOPTED** and all recommendations therein **BE APPROVED** save and except Recommendation GC-09-2020 to **BE DEFERRED** until the first regular meeting immediately after the termination of the State of Emergency.

CARRIED

4. DISCUSSION ITEMS

- a) Ratification of Appointments to the Audit and Budget Committee and the Strategic Planning Committee

Resolution No. FA-43-20

Moved by Board Member Bylsma

Seconded by Board Member Clark

1. **THAT** Member John Metcalfe **BE APPOINTED** to the Audit and Budget Committee.
2. **THAT** Member Diana Huson **BE APPOINTED** to the Strategic Planning Committee.

CARRIED

- b) Report No. FA-10-20 RE: Restoration Project Approvals February 14th Intake – Discussion ensued. G. Verkade was requested to bring back a report evaluating the success of the projects at year end.

Resolution No. FA-44-20

Moved by Board Member Coon-Petersen

Seconded by Board Member Cridland

1. **THAT** Report No. FA-10-20 RE: 2020 Restoration Project Approvals – February 14th 2020 Intake **BE RECEIVED**.
2. **THAT** the restoration projects selected during the February 14, 2020 intake, as appended, (Appendix 1) **BE APPROVED**.

CARRIED

- c) Report No. FA-18-20 RE: NPCA Procurement Policy – Member Kawall introduced the report as Chair of the Audit and Budget Committee. The C.A.O. reiterated comments submitted in writing by Member Smith.

Resolution No. FA-45-20

Moved by Board Member Kawall

Seconded by Board Member Feor

1. **THAT** Report No. FA-18-20 RE: NPCA Procurement Policy **BE RECEIVED**.
2. **THAT** the NPCA Procurement Policy, as appended in Report No. FA-18-20 **BE APPROVED**.

CARRIED

- d) Report No. FA-19-20 RE: Delegation of Authority Policy – Member Kawall spoke to the report. Discussion ensued. Ms. Sharma indicated that she would report in annually on the delegation of authority in the procurement of goods and services.

Resolution No. FA-46-20

Moved by Board Member Foster

Seconded by Board Member Hellinga

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1. **THAT** Report No. FA-19-20 RE: Delegation of Authority Policy **BE RECEIVED**.
2. **THAT** the Delegation of Authority Policy, as appended in Report FA-19-20 **BE APPROVED**.

CARRIED

Resolution No. FA-47-20

Moved by Board Member Foster

Seconded by Board Member Clark

THAT staff **BE DIRECTED** to prepare a report back to the Board quarterly on capital project disbursements.

CARRIED

5. NEW BUSINESS

- a) Update from Chandra Sharma, C.A.O. RE: Continuity of NPCA Operations - Ms. Sharma tabled a document for the Board. Discussion ensued.

Resolution No. FA-48-20

Moved by Board Member Ingrao

Seconded by Board Member Mackenzie

THAT the report tabled by Chandra Sharma, C.A.O. RE: Continuity of NPCA Operations **BE RECEIVED**.

CARRIED

- b) Other: Member Foster updated the Board on Foundation activities. Member Rapley spoke on the possible removal of pollution controls.

6. ADJOURNMENT

Resolution No. FA-49-20

Moved by Board Member Rapley

Seconded by Board Member Wright

THAT this meeting **BE** hereby **ADJOURNED** at 10:46 a.m..

CARRIED

Brenda Johnson
Chair
Niagara Peninsula Conservation Authority

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

The Honourable Doug Ford,
Premier
Premier's Office
Room 281
Legislative Building, Queen's Park
Toronto, ON
M7A 1A1

April 27, 2020

Dear Premier Ford,

We, the 112 undersigned organizations, call on the Government of Ontario to retain the current mandate of the province's 36 Conservation Authorities in protecting, restoring and managing the watersheds where 95 percent of Ontarians reside. Their functions and responsibilities with respect to land use planning and permitting, monitoring, stewardship and education must be maintained, for the reasons outlined below.

Our Conservation Authorities are a unique and widely respected Ontario innovation. They were established in the 1940s in response to concerns expressed by agricultural, environmental and sports groups about the unhealthy state of the province's lands and waters as a result of poor resource management practices. The combined impacts of drought and deforestation had led to extensive soil loss and flooding, pointing to the need for a regional approach to managing Ontario's watersheds, for the safety and well-being of communities.

Today, Conservation Authorities provide a much-valued bridge across municipal boundaries to understand and address environmental concerns, such as flooding. Because they operate at the watershed level, they are ideally positioned to encourage science-based collaborative strategies and decision-making.

The Flood Advisor's report showed strong support for the Conservation Authority model in protecting Ontario from the impacts of climate change. Their role in flood mapping, hazard assessment and monitoring is critical to protecting life and property. This model only works, however, if Conservation Authorities have the necessary regulatory power, appropriate staffing and adequate funding to intervene in planning decisions and development applications. Their vital role in land use planning and permitting must be retained to ensure that development does not put communities at risk from flooding and other climate change impacts through loss of wetlands, woodlands and farmland.

The monitoring initiatives implemented by Conservation Authorities are necessary for delivery of flood mitigation and drinking water protection programs. Additionally, they support broader environmental protections including land conservation (including areas of importance to protecting water resources), biodiversity conservation, water quality protection and ecological restoration. This monitoring role is essential to evidence-based decision-making and should be maintained.

Conservation Authorities are locally based organizations that have a solid track record in responding innovatively and effectively to community needs and priorities. They support multiple municipalities and partner with conservation groups, farmers, other landowners and other community members. They deliver regionally significant projects and provide on-the-ground expertise and funding. Such projects include, for example, implementation of agricultural best practices and wetland restoration or creation.

The province's Conservation Authorities are the second largest landowner in Ontario, protecting significant natural areas and hydrological features in our watersheds. They also own and manage conservation areas that are open to the public and provide highly valued nature-based opportunities for recreation and leisure for millions of Ontarians. Here and across their watersheds Conservation Authorities deliver valuable education and outreach programs, serving youth and enriching communities across Ontario.

Any effort to reduce or constrain the mandate of Conservation Authorities is contradictory to the interests of the people of Ontario who are facing enormous risks and costs as a result of climate change and ongoing biodiversity loss. The roles and responsibilities of Conservation Authorities are critical in protecting the lands, waters and wildlife which benefit businesses and communities across Ontario, and upon which our health and well-being ultimately depend.

None of us can afford to ignore the tragic history of poor watershed management and over-exploitation which led to the creation of Conservation Authorities in the last century. Now more than ever we need their expertise to respond effectively to the challenges ahead.

Yours truly,



Caroline Schultz
Executive Director
Ontario Nature



Tim Gray
Executive Director
Environmental Defence



Theresa McClenaghan
Executive Director
Canadian Environmental Law Association

Cc: Jeff Yurek, Minister of the Environment, Conservation and Parks
Cc: John Yakabuski, Minister of Natural Resources and Forestry
Cc: Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs
Cc: Steve Clark, Minister of Municipal Affairs and Housing
Cc: Jerry DeMarco, Commissioner of the Environment

This letter is endorsed by the following national, provincial and local organizations:



Environmental Stewardship
Luke Wilson
Chief Executive Officer
A Rocha Canada



A2A

Algonquin to
Adirondacks
Collaborative

David Miller
Executive Director
**A2A- Algonquin to Adirondacks
Collaborative**



Terry Bradt
Past-President
Bancroft Field Naturalists



**BAY AREA
RESTORATION
COUNCIL**

Chris McLaughlin
Executive Director
Bay Area Restoration Council



Deb Sherk
President
Bert Miller Nature Club



Liz Purves
Director, Ontario
Birds Canada



Lawrence Gunther
President
Blue Fish Canada



Norman Wingrove
Acting President and Secretary
Blue Mountain Watershed Trust

BurlingtonGreen
Together we make a difference

Amy Schnurr
Executive Director
**BurlingtonGreen
Environmental Association**



Raj Gill
Great Lakes Director
Canadian Freshwater Alliance



Tom Wilson
President
Carden Field Naturalists



Dr. Dawn Bazely, Chair
Michelle Kanter, Executive
Director
Carolinian Canada Coalition



Citizens Environment Alliance

Derek Coronado
Coordinator

**Citizens Environment Alliance of
Southwest Ontario**



Bruce Craig
Chair

**Concerned Citizens of King
Township**



Michael Douglas
Spokesperson

Concerned Citizens of Ramara



Rachel Plotkin
Boreal Project Manager
David Suzuki Foundation



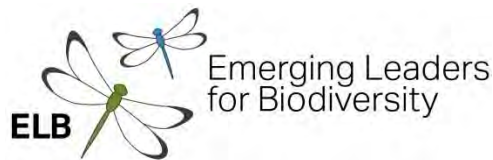
Lois Gillette
President
Durham Region Field Naturalists



Amber Ellis
Executive Director
Earthroots



Paul Mero
Executive Director
EcoSpark



Thomas McAuley-Biasi
Chair
Emerging Leaders for Biodiversity



Bob Barnett
Executive Director
**Escarpment Biosphere
Conservancy**



Pat Learmonth
Director
Farms at Work



Geoff Kettel
President
**Federation of Urban
Neighborhoods**



Raymond Metcalf
President
Four Seasons Conservancy



Kristy Meyer
Associate Director
Freshwater Future



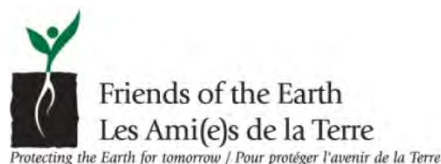
Susan Moore
President
Friends of Salmon River



Peter Kannar
President
Friends of Second Marsh



Thomas McClenaghan
President
Friends of the Coves Subwatershed Inc.



Beatrice Olivastri
CEO
Friends of the Earth Canada



Libby Racansky
President
Friends of the Farewell



Rupert Kindersley
Executive Director
Georgian Bay Association



Susan Bryant
Co-Chair
Grand River Environmental Network



Graham Flint
President
Gravel Watch Ontario



Richard Witham
Chair
Greater Sudbury Watershed Alliance



Jennifer Court
Executive Director
Green Infrastructure Ontario Coalition



Giuliana Casimirri
Executive Director
Green Venture



Haldimand Stewardship Council Inc.

1/6 Chesapeake St. P.O. Box 7141, New 7294 Chesapeake, ON N0B 1E0

Phone: 905 772-1393 Fax: 905 772-1459
Email: dan@haldimandstewardshipcouncil.org
Website: www.haldimandstewardshipcouncil.org

Dan Romanoski
President

Haldimand Stewardship Council



Haliburton
Highlands
Land Trust

*Protecting the land we love
for future generations*

Mary-Lou Gerstl
Chair

Haliburton Highlands Land Trust



Halton/North Peel
Naturalist Club

Don Scallen
President (Acting)

**Halton/North Peel Naturalist
Club**



Hamilton
Naturalists'
Club

Chris Motherwell
President

Hamilton Naturalist Club



HIGH PARK
nature

Sharon Lovett
Co-Chair
High Park Nature



Sheila Fleming
President

Ingersoll District Nature Club

*Junction Creek
Stewardship Committee*



Miranda Virtanen
Executive Director

**Junction Creek Stewardship
Committee**



Arthur Gladstone
President
Kawartha Field Naturalists



Mary Delaney
Chair

Land Over Landings



Janet McKay
Executive Director

**Local Enhancement and
Appreciation of Forests**



Susan Hirst
President

**Midland-Penetanguishene Field
Naturalists Club**



Don Ciparis
President

**National Farmers Union –
Ontario**



Dorothy McKeown
President
Nature Barrie



Rose Feather
President
Nature League



Gordon Neish
President
Nature London



Joyce Sankey
Conservation Director
Niagara Falls Nature Club



Dorothy Wilson
Communications Officer
Nith Valley EcoBoosters



Cara Gregory
President
North Durham Nature



Karen Brock
President
Oakvillegreen Conservation Association Inc.



Steve Hounsell
Chair
Ontario Biodiversity Council



Kathryn Enders
Executive Director
Ontario Farmland Trust



ONTARIO LAND TRUST ALLIANCE
Alison Howson
Executive Director
Ontario Land Trust Alliance Inc.

Grace Gong

Ontario Nature Youth Council



ONTARIO PARKS ASSOCIATION
*Protecting Tomorrow Today**

Jim Pitman
President, OPA Board of Directors
Ontario Parks Association



Linda Heron
Chair
Ontario Rivers Alliance



Stuart Atkinson
Lead, Policy and Government
Relations
**Ontario Society of Professional
Engineers**



Ian McLaurin
Chair
**Ontario Soil Regulation Task
Force**



Sandy Donald
Director
Ontario Wildlife Rescue



Environmental Education
in Classrooms and Communities

Liz Benneian
Executive Director
**Ontariogreen Conservation
Association**



Denis Paccagnella
President
Orillia Naturalists Club



Elizabeth Logue
Riverkeeper
Ottawa Riverkeeper



Donna DuBreuil
President
Ottawa-Carleton Wildlife Centre



Dave Harvey
Executive Director
Park People



Tianna Burke
Vice President
Parry Sound Nature Club



Matt Brown
Manager
Patagonia Toronto



Marg Reckahn
President
**Penokean Hills Field
Naturalists**



Steve LaForest
President
Pickering Naturalists



Dr. John Bacher
Researcher
Preservation of Agricultural Lands Society



Sandra Dowds
President
Prince Edward County Field Naturalists

Dr. Simon Courtenay
Professor and Director
School of Environment, Resources and Sustainability – University of Waterloo

Dr. Merrin MacRae
Professor and Academic
University of Waterloo



Roger Goulet
Executive Director
Protecting Escarpment Rural Land



Lenka Holubec
Position Member
ProtectNatureTO



Edeltraud Neal
President
Provincial Council of Women of Ontario



George Thomson
President
Quinte Field Naturalists



Tom Woodcock
Planning Ecologist
rare Charitable Research Reserve



Jean L. Williams
Chair
Ratray Marsh Protection Association



Angus Inksetter
President
Saugen Nature



Jan Beveridge
Save Our Water



Lino Grima
Chapter Chair
Sierra Club of Ontario



Rosemary Keenan
Chair
Sierra Club of Ontario – Peel
Group



Margaret Prophet
Executive Director
Simcoe County Greenbelt Coalition



Paul Harpley
President
South Lake Simcoe Naturalists
Thames Talbot Land Trust
André Lachance
President
Thames Talbot Land Trust



Mark Cranford
President
South Peel Naturalists' Club
The Couchiching Conservancy
Mark Bisset
Executive Director
The Couchiching Conservancy



Bryan Smith
Chair
The Oxford Coalition for Social
Justice



Ellen Schwartzel
Co-Vice President
Toronto Field Naturalists



David Cork
Executive Director
TREC

Karen Peterson
President
Trout Lake Campers Association

Fran Fendelet
Co-Chair
Tyandaga Environmental Coalition
Inc.

Raymond Metcalfe
President
Upper Ottawa Valley Nature
Club



John Peach
Executive Director
Upper St. Lawrence Riverkeeper



Jenna Quinn
President
Waterloo Region Nature

wellington
Water
watchers.ca
Arlene Slocombe
Executive Director
Wellington Water Watchers



Katie Krelove
Ontario Campaigner
Wilderness Committee

Tim Tottenham
President
Willow Beach Field Naturalists

Windfall
ecology centre
Brent R. Kopperson
Founder & Executive Director
Windfall Ecology Centre



Cassie Barker
Executive Director
**Women's Healthy Environment
Network**



Elizabeth Hendricks
VP, Freshwater
World Wildlife Fund Canada



YORK REGION
ENVIRONMENTAL ALLIANCE
Gloria Marsh
Executive Director
**York Region Environmental
Alliance**



Jeanne Beneteau
President
York Simcoe Nature Club



May 12, 2020

Resource Development Coordinator
Ministry of Natural Resources and Forestry
Natural Resources Conservation Policy Branch
300 Water Street
Peterborough, ON
K9J 3C7

Re: Conservation Ontario's comments on "Proposed amendments to Ontario Regulation 244/97 and the Aggregate Resources of Ontario Provincial Standards under the *Aggregate Resources Act*"

Thank you for the opportunity to provide comments on the "Proposed amendments to Ontario Regulation 244/97 and the Aggregate Resources of Ontario Provincial Standards under the *Aggregate Resources Act*". Conservation Ontario is the network of Ontario's 36 conservation authorities (CAs). These comments are not intended to limit consideration of comments shared individually by CAs through this review and consultation process.

Under Section 28(11) of the current *Conservation Authorities Act* (Section 28(2) of the unproclaimed sections of the Act), areas licensed for aggregate extraction under the *Aggregate Resources Act* are exempt from CA permitting activities. However, there are other means through which CAs may bring local environmental and watershed knowledge into the application review process. CAs may review and provide comments on applications submitted under the *Aggregate Resources Act*, either directly to the Ministry or through their participating municipalities. Additionally, CAs may review applications for proposed new or expanded aggregate operations submitted pursuant to the *Planning Act*, and comment in an advisory capacity to municipalities making decisions on *Planning Act* applications. CAs may also provide comments in an advisory capacity on *Clean Water Act* considerations. Further, upon notification from municipalities, source protection authorities may assess whether certain activities such as aggregate extractions are considered transport pathways under the *Clean Water Act* and advise the applicant of policies that apply. Conservation authorities bring an important lens to the review of applications and amendments to existing licenses. As watershed resource management agencies, CAs have scientific information on local environmental conditions and can assess the potential for environmental effects of an application. CA comments generally focus on natural hazards (e.g. floodplains, river valley slopes and wetlands) and comments are provided to ensure that public health and safety is not compromised by the creation of new hazards.

Conservation Ontario is generally supportive of the proposals to amend O. Reg 244/97 and the Aggregate Resources of Ontario provincial Standards under the *Aggregate Resources Act*, including the Province's objective to modernize the way aggregate resources are managed and to promote economic growth within the aggregate industry while also protecting the environment and addressing community impacts. Many of the proposals would clarify requirements for applicants, permit or licence holders and agencies involved in the review of applications made under the *Aggregate Resources Act*. Conservation

Ontario offers the following general comments which apply to a variety of proposals made in the consultation paper. More detailed comments on individual proposals are included following this section.

General Comments

Proposals to amend O.Reg 224/97 and the Aggregate Resources of Ontario provincial Standards under the *Aggregate Resources Act*

1. Need for Cumulative Effects Assessments

Conservation Ontario notes that at this time, no proposals have been made to consider cumulative environmental effects for aggregate extraction activities. It is recommended that the application process be enhanced to require below water table expansions and new proposals to be supported by a cumulative impact assessment. The Province may consider reviewing the 2010 Cumulative Effects Assessment (Water Quality and Quantity) Best Practices Paper for Below-Water Sand and Gravel Extraction Operations in Priority Subwatersheds in the Grand River Watershed completed by the Grand River Conservation Authority (GRCA), Ministry of Natural Resources and Forestry (MNRF) and the Ontario Stone, Sand & Gravel Association (OSSGA). The paper provides best practices, outlining a reasonable, consistent and scientifically-defensible approach to assessing potential cumulative effects of below-water sand and gravel extraction as part of MNRF's review and approval process under the *ARA*. Many of the best practices found in the paper could be considered in the development of a provincial framework for cumulative effects assessments. Copies of the paper are available through the GRCA.

Cumulative effects assessments would be of particular importance in areas where there is a concentration of existing licenses or new applications for extractions below the water table or in drinking water vulnerable areas under the *Clean Water Act*. These assessments would facilitate the consideration of potential significant impacts to groundwater from multiple operations that may otherwise not be deemed significant if assessed individually/on an individual basis. The cumulative effects assessments could further be used to demonstrate that there will be no offsite or onsite impacts to the quantity and quality of local water resources that sustain natural environment features and municipal drinking water sources.

2. Notification and Consultation Requirements

Section 1.3 of the consultation companion document outlines a number of proposals related to notification and consultation requirements. Conservation Ontario is generally supportive of the inclusion of more direction around commenting responsibilities and circulation requirements to avoid duplication and streamline the review of aggregate applications. Section 1.3.4 (Circulating New Applications to Agencies) provides the example of an applicant being required to circulate an application to a conservation authority (where one exists) to "determine whether the proposed site is within an area regulated by the Conservation Authority, and if it is, **whether the application has the potential to impact the control of flooding, erosion or other natural hazards**". As proposed new or expanded aggregate operations applications may be subject to review under the *Planning Act*, CAs would review these applications per their delegated responsibility to represent the Provincial interest on matters in planning exercises pertaining to Natural Hazards (encompassed by Section 3.1 of the Provincial Policy Statement). The above example is interpreted to be a reference to this delegated responsibility. It should be further noted that in addition to this role, CAs may be involved in the application review process in a number of ways. For example, CAs may provide additional comments to municipalities

through a service agreement or Memorandum of Understanding (i.e. CAs may advise municipalities on consistency with other sections of the PPS, such as Natural Heritage or Water). CAs may also provide comments in an advisory capacity on *Clean Water Act* considerations, and, upon notification from municipalities, source protection authorities may assess whether certain activities such as aggregate extractions are considered transport pathways under the *Clean Water Act* and advise the applicant of policies that apply. It is recommended that the Provincial Standards include reference to the various commenting capacities of CAs to provide clarity to applicants and review agencies.

Regarding the proposed amendments to the notification and consultation process, Conservation Ontario recommends that pre-consultation with agencies such as conservation authorities and municipalities be included as a mandatory requirement to ensure that any “terms of reference” for technical reports are completed for new pits and quarries. Effective pre-consultation would ensure that applications include the required technical information prior to municipal and agency review, and would allow applications to then be reviewed in a timely manner.

Lastly, the Ministry is proposing to make amendments to existing notification and consultation timeframes to extend the existing “notification period” to 60 days and increase the timeframe for the Ministry to deem an application complete from 15 days to 20 for an application on Crown Land. Conservation Ontario notes that the timeframe is presented in calendar days for the notification period and business days for the Ministry service times. To ensure consistency and clarity for applicants, Conservation Ontario recommends the Ministry utilize a consistent timeframe format for all review periods.

3. Accessibility of Data

In addition to cumulative effects assessments, the 2010 paper developed by the MNRF, GRCA and the OSSGA (referenced above) included a proposal to develop a common data collection database which would sort and merge data from all licensed operations. It was proposed that the database would be used to collect, compile and merge data collected from each operation with historical data, to be made available to government agencies, local operators and municipalities to assist in any assessment of groundwater and surface water regimes. Conservation Ontario recommends that the Ministry work to establish a publicly accessible data portal which would allow new applicants and existing permit/licence holders to electronically submit all relevant information (e.g. site plans, annual compliance and monitoring data, etc.) which would then be accessible to other interested parties. Such a platform would provide an opportunity for greater transparency and would support the Ministry’s proposal to allow a qualified person to use existing information on the site or adjacent sites to make a determination of the maximum predicted water table elevation (Section 1.1.1). To support such a platform, the Standards should include a requirement that all information be submitted electronically (including supporting technical reports) and an agreement that information will be made accessible to other parties.

Detailed Comments

Section 1

Proposed Changes for Applications to Establish a New Site

Part 1.1: Study and Information Requirements

Water Report

Conservation Ontario is supportive of some of the proposed changes, including clarification of the required qualifications for individuals who may prepare the Water Report as well as the new requirement for the report to summarize how local source water protection plans and policies are addressed. In addition to the proposed changes to the content of a water report, it is recommended that additional consideration be given to downstream environmental effects, particularly as they relate to flooding and erosion in wetlands and watercourses, with the report requiring avoidance or mitigation of impacts if possible, rather than the “feasibility of mitigation”. The Standards and technical guides will need to ensure that appropriate criteria is put in place to protect quality and quantity of water in communities and assess and/or prevent any potential threat to source water and the supply of local municipal drinking water. It is recommended that the assessment of impacts be defined with the same criteria as the current Growth Plan requirements for natural resource systems and assessment of water resource systems. These areas include “key hydrological features” such as all wetlands, including unevaluated wetlands.

Regarding the proposed changes to how the water table is established, Conservation Ontario is concerned that the proposed site monitoring of the ground water table for a “minimum of one year” may not produce an accurate assessment of the water table due to variations in the natural environment from year to year. Many technical reports to support planning applications require two to five years of data collection. It is recommended the Province increase the monitoring timeframe to a minimum of two years to account for annual variations in the natural environment. Conservation Ontario further notes that the proposal states that if information sources already exist on or adjacent to the site, a determination of the maximum predicted water table elevation could be made by a qualified professional with the submission of supporting data. It is requested that the Province further refine criteria for this approach to clarify limitations of the age of data used, as well as requirements for what would classify as an “adjacent site”. Depending on the age of data and the distance of the adjacent site, this approach may not allow the qualified person to make an accurate determination of the maximum predicted water table on site.

Conservation Ontario supports the new requirement to be added to the water report that would identify source protection vulnerable areas and activities and that would summarize how local source protection plans and policies are addressed. The standards should include the identification of the presence of an aquitard to a municipal drinking water supply on or near the site and a detailed assessment on how the application will avoid any impacts to the aquitard. It is recommended that Wellhead Protection Area (WHPA) - C and D also be considered in the water report, besides WHPA-A and B. Activities at the site may involve the handling and storage of dense non-aqueous phase liquids (DNAPLs), which could be a significant drinking water threat in WHPA-C. Moderate and low threat risks could also occur in WHPA-D. It is also recommended that further clarity be provided around the different responsibilities of the applicant, the source protection plan policy implementing body, municipality and source protection authority as described below.

- The applicant should identify all of the types of activities included with the application (e.g. fuel, DNAPLs or salt storage). While this information helps to determine if the proposed activities could be significant level threats to drinking water sources, it is up to the designated implementing body to make this determination based on the applicable local plan policies as well as the comprehensive risk assessment framework under the *Clean Water Act*.
- The municipality, upon review of an application, may flag activities as potential “transport pathways” which have the potential to change vulnerability within a vulnerable area. If activities are flagged, the municipality will provide the local source protection authority (SPA) and the source protection committee (SPC) notice of the proposal and other information per *Clean Water Act* O. Reg. 287/07 S. 27. A copy of the notice is provided to the applicant. The SPA will evaluate whether or not the transport pathway would impact the WHPA by either increasing the vulnerability or expanding the boundaries of these areas. This evaluation is not the applicant’s responsibility.

As described above, the applicant would need to not only provide information, but also obtain information from various stakeholders in order to summarize how local source protection plans and policies are addressed. Further clarification is needed.

Lastly, Conservation Ontario is supportive of the proposed inclusion of a water budget in the water report. It is recommended that the content for the water report include clear criteria for when a water budget is required. A technical guideline for water budget analysis is required which should be adopted by reference into the regulation.

Natural Environment Report

The proposed approach to update the requirements in the natural environment report is welcomed, however, Conservation Ontario recommends that a broader approach be taken which would include the impacts of proposed development on all natural heritage features (e.g. all wetlands, including unevaluated wetlands). It is recommended that this report be prepared with consideration for hydrogeological and water budget components of on-site or adjacent wetlands and watercourses, and associated natural heritage features / functions.

Summary Statement

Conservation Ontario is pleased to note that applications proposing extraction would be required to identify activities proposed at the site that are significant threats to source water, and they would be required to reference existing source water protection policies approved under the *Clean Water Act* on the site plan. As identified earlier in the comments on the Water Report, it is recommended that clarity be provided around the different responsibilities of the applicant, the source protection plan policy implementing body, municipality and source protection authority.

Further, the Ministry is proposing that the summary statement for all proposed pits and quarries on private land and Crown land contain planning and land use considerations. Further detail is required on what planning and land use considerations will be included in the Summary Statement, and how proposed site operations will be addressed should they not align with applicable planning and land use considerations. It is recommended that the summary statement indicate whether the application is consistent with the Provincial Policy Statement and, if other provincial plan policies apply, indicate how they were addressed.

Application Requirements for Extraction from Land under Water

The proposed approach involves customized information, notification and consultation requirements for each site. It is recommended that conservation authorities be identified as an agency for review of applications for extraction under water, where a local conservation authority may exist. Early consultation with conservation authorities is recommended in order to obtain relevant local information which may assist applicants with technical assessments and/or reporting requirements associated with an application.

Part 1.2: Site Plan and Licence/Permit Conditions

Site Plan Standards – Improving Flexibility

The approach under this section and Section 3.1 proposes to remove the requirement for site plans to include details for how trees and stumps will be disposed of or used, and instead, a new operating requirement would specify that trees and stumps need to be properly disposed of. It is recommended that the amended site plan standards clearly outline what would constitute “proper disposal”.

Further, the proposed approach outlines a requirement that the site plan speak to the location of a list of elements on site (e.g. buildings and structures, scrap storage areas, etc.). Under this approach, licence and permit holders would still be required to ensure these items are not located within setbacks specified in the Operations Standards. In addition to these setbacks, it is recommended that the listed items should still be required to not be located within natural heritage features.

Site Plan Standards – Modernization

If a new pit or quarry imports excess soil to facilitate rehabilitation on site and is located within a Wellhead Protection Area, the standard will need to specify that excess soil importation must be ‘clean’ fill that will not impact source water quality.

Section 2 **Prescribed Rules for Minor Excavations**

Part 2.1: Excavation from Private Land or Land Owned by a Farm Business

The proposal in Section 2.1 would allow persons or farm operations on private lands to undertake aggregate extraction without needing to obtain a licence from the Ministry, provided rules set out in the regulations are followed. As one of the conditions, the proposed approach stipulates that excavation does not occur within an area where development is **prohibited** by a conservation authority. It is strongly recommended that this wording be changed to state that excavation does not occur within “an area which is regulated by a conservation authority, unless written approval has been obtained by the local conservation authority to undertake proposed works”.

Additionally, conditions for the excavation would require the individual or farm business to ensure that “sediment from the excavation is prevented from entering any water body”. It is recommended that this bullet be expanded to prevent sedimentation in wetlands, as well as water bodies, to ensure the hydrologic functions of wetlands are not impaired by excavation activities. While some specific issues relating to sediment and erosion control may be enforced through the CA Section 28 permitting process, additional detail regarding how the Ministry will ensure compliance with the proposed approach is requested.

Lastly, while the proposed approach outlines restrictions related to tonnage and area of extraction, Conservation Ontario recommends that a limit be placed on the amount of times this type of extraction can take place on a single lot area. This additional condition may be best represented as a percentage amount of the total lot area. The note that is provided which states that “once rehabilitated, a site excavated under this rule could not be excavated again” is not clear. It is requested that the Ministry clarify whether a “site” is the disturbed area or the overall parcel / lot.

Part 2.2: Excavation within a Highway Right of Way for Road Construction

Conservation Ontario is supportive of the Province clarifying conditions in regulation for excavation within a highway right of way for road construction. It is recommended that in addition to the proposed conditions, measures be put in place to ensure that excavation within a right of way would not negatively impact flooding or erosion and would not have a negative impact for adjacent wetlands and watercourses.

Proposed Changes to How New and Existing Sites are Managed and Operated

Part 3.3: Site Plan Amendments

Site plan Amendment Process

Conservation Ontario is supportive of the Ministry clarifying information, submission and circulation requirements for the site plan amendment process. The proposed approach for site plan amendments outlines that circulation of proposed amendments may be required to municipalities, other agencies and interested parties for comment. However, the Ministry would continue to only forward copies of the revised site plans to local municipalities where the pit or quarry is located. It is requested that the proposed approach be amended, such that the Ministry would be required to circulate revised site plans to all agencies that participated in the initial review of the proposed amendments.

Additionally, it is recommended that the Province be able to initiate site plan amendments, particularly in cases where new information becomes available. For example, in cases where an existing licence has been inactive for some time, technical reports may be outdated or, in some cases, were never required. The Ministry should have the ability to require licensees or permit holders to complete new technical assessments to address new and changing information.

Amendment to Expand an Existing Site Below the Water Table

The proposed amendment outlines information and notification requirements for amendment applications to expand an existing pit or quarry on private land below the water table. Conservation Ontario is pleased to note that applicants would be required to prepare and submit a hydrogeological (“water”) report, prepared by a qualified person, requiring all of the same information that an application for a new pit or quarry to extract below the water table would need to prepare. It is further recommended that any application for extraction below the water table should only be approved with an established adaptive management program that would cease ongoing extraction if negative environmental impacts occur.

Conservation Ontario appreciates the proposed requirement for applicants to circulate the amendment application to the conservation authority in whose jurisdiction the site is located. Conservation authorities generally review these applications with regard to natural hazards which may not be captured in the municipal review.

Further, item B) under this section proposes that “if no new surface area would be disturbed as a result of the amendment, the applicant would usually not need to prepare a new natural environment report...”. It is recommended that applicants be required to prepare a new environment report for applications to expand an existing pit or quarry on private land below the water table, as expanding extraction may have adverse impacts on natural heritage features and their functions (e.g. fish habitat).

Lastly, item H) under this section proposes that the “applicant would need to submit documentation of the notification and consultation process to the ministry within two years of notifying landowners and agencies of the proposal”. No additional details have been provided as to what happens after this two year period, other than that the Ministry may refer outstanding objections to the LPAT. It is recommended that the proposal clearly outline how and when the Ministry must make a decision on the site plan amendment and criteria which would be used to refer outstanding objections to the LPAT. If possible, a mediation process should be established to address any outstanding objections prior to referring the application to LPAT. This could result in potential time and cost savings if a resolution can be achieved using an objective third party.

Thank you for the opportunity to review and provide comments on the “*Proposed amendments to Ontario Regulation 244/97 and the Aggregate Resources of Ontario Provincial Standards under the Aggregate Resources Act*”. It is anticipated that the concepts outlined in the consultation companion document will be incorporated into the draft Standards. As a next step, Conservation Ontario would encourage the Province to provide the final proposed draft Standards for public and agency consultation. This would provide an opportunity for a comprehensive review to determine if any components of the draft Standards require clarification to achieve the desired results of reducing regulatory burdens while also maintaining strong environmental protections. Should you have any questions about this letter please feel free to contact myself at extension 229.

Sincerely,



Nicholas Fischer
Policy and Planning Officer

c.c. All CA CAOs/GMs

Leo Leong, Manager, Water Policy, Ministry of Environment, Conservation and Parks

TO: Brenda Johnson (Chair) and Members of the NPCA Board of Directors
FROM: SAVE WAINFLEET – KEEPING IT RURAL
DATE: May 8, 2020

Our original intention was to come in person to apprise you of the situation at a Lakeshore property owned by Lakewood Beach Properties Ltd. and the NPCA, municipal address 11705 Lakeshore Rd. in Wainfleet.

As you likely know, there has been significant damage to properties all along the Lake Erie shore as the result of higher than normal/previous water levels, high winds and Lake Erie not freezing this winter. The ongoing problem of repeated flooding and high winds have done significant damage to properties, particularly those in lower lying areas, and/or closer to the shore line. Lake Erie continues to re-shape the shoreline on a daily basis.

The existing development plan for this particular property, which has not as yet received final approval, is to build 41 units under the Condominium Act along the shoreline of Lake Erie. Given the erosion and the continued flooding risks the proposed design is no longer viable. In fact, had the development been built last year as planned, the foundations would be chronically flooded and any units along the shoreline would have sustained significant property damage as other properties have in the area. We believe now is the time to re-evaluate the development plans and to provide safer and sustainable recommendations that address the current reality.

This project has been controversial from its inception. The process of approval has been repeatedly questioned by the community and the Township (see details in the binder). There have been numerous amendments to the Official Plan of Wainfleet for zoning, by-laws and regulations to accommodate this project. Approval of a project like this is complex and involves various Ministries as well as the Region, the NPCA and the Township of Wainfleet. However, there is no comprehensive, overall co-ordination or oversight of projects that ensures the recommendations are not in conflict with each other (see Fowler Toad Habitat precluding the building of a break wall.)

To address this, we are suggesting that all former approvals be reviewed by the experts to re-assess the flooding, erosion and safety risks. The NPCA in particular plays a major role in several of the recommendations for this development plan and therefore has an interest in ensuring that it is done safely.

Currently, there are 61 Conditions that have to be met before final approval can be given. Most importantly are the Storm and Waste Water Management plans and the Communal Water and Wastewater System that are nearing their final stages but are based on pre-high water information.

We have prepared a comprehensive binder with the background information to assist in the understanding of all the issues and to gain an appreciation for the urgency of the need for re-evaluation.

The following will give you some context:

1. Approximately 50 acres of lakefront property was sold in 2006 to the developer for \$3.125 M. The Zoning was originally designated 'Open Space' which meant for recreational use, with minimal housing structures for summer use only.
2. Twenty-six acres were designated as 'hazard land'.
3. In 2014, approximately 15 acres/6 hectares of the 'hazard land' were sold to the NPCA for a reported, but disputed, amount of \$2.2M. One of our ASKs is for the NPCA to investigate that sale.
4. The elevation of the property goes from 174.5 m above sea level near the shoreline up to 176.6 m near the road. The past two years have seen water levels in Lake Erie averaging 174.6 m. (Maps are in the binder)
5. The storm last fall on October 31st had recorded waves of 16.5 feet/5m or over reaching 180 metres above sea level. This property was inundated with water.
6. The maps in the binder will show that the property is surrounded by water hazards: Casey Drain on the West, which is regulatory flood plain; in the East, by the NPCA's 6 hectares of marsh and swamp, now wetland; and in the South by Lake Erie.
7. The approved location for 35 of the 41 units is directly behind the designated Fowler's Toad Protected Habitat. This means that **no break-wall or retaining wall is permitted** to be built to protect the homes. A meager 1 foot increase in elevation was approved by the NPCA in 2010 to mitigate flooding and is now washed away with much of the Habitat area.
8. Lake Erie Storms causes surge effects up the Casey Drain that abuts the west side of the property. Water overflows Lakeshore Road to the properties in the North, the East and the West, in some cases requiring the residents to evacuate.

9. The information in the binder will show, using the Developers' designs for the beach access, that the proposed structures would have been inundated with water. Our experience on our own properties tells us that the beach access structures would have been washed away.

Once you have reviewed the material we have provided we believe the NPCA will conclude, as we have, that this **is a vulnerable property**. It appears that the shoreline has eroded inland past the NPCA mapped 100 year event Erosion Hazard Limit. The development plan needs to be re-evaluated.

The recent storms have created a new urgency for this property to be reviewed, not just by the NPCA, but by ALL the engineers, professionals and experts who have made recommendations in preparation for a final approval by the Township of Wainfleet Council. Councilors and planners rely on these professionals' expertise and their recommendations.

We have nine ASKs which cover the whole spectrum of 'contributors' to the approval process.

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

Specifically ...

- **WE ASK** that positioning of the homes so close to the shoreline be addressed. **This is a potential property damage issue.**
- **WE ASK** the Fowler's Toad Habitat be re-defined. **This is an environmental protection issue.**
- **WE ASK** that the configuration of the Casey Drain be re-engineered. It is a flooding issue for the neighbours as well as for Lakewood. **This is a health and safety issue.**
- **WE ASK** that the contents of the Septic holding tanks be tested for non-biodegradable medications before the full removal of the systems under the Environmental Protection Act and Ontario Cleanup Guidelines. **This is a groundwater protection issue.**

- **WE ASK** that the NPCA reverse the policy passed in 2013 that reduced their area of influence from a significant wetland from 120 m to 30 m. **This is a regulatory issue.**
- **WE ASK** that the NPCA add their purchased Lakeshore property to their Restoration Projects 2020 list. **This is a conservation issue**
- **WE ASK** the NPCA assist this process by updating the Watershed mapping along the Lake Erie Coastline as soon as possible. **This is an administrative and mandate issue.**
- Finally, **WE ASK** that the whole approval process for this property be reviewed, from initial approval to build under the Condominium Act, to the sale of property to NPCA in 2014, and to each amendment made to accommodate this project. **This is an integrity issue.**

As a final note, because the lakeshore changes daily, much has happened since January when we had hoped to be a delegation. Therefore, we are providing you with some updated, comparison photos attached to this letter.

We urge you to read the documents that we have provided to fully appreciate our Asks. We thank you for your time and interest.

Report To: Board of Directors

Subject: Provincial Policy Statement 2020 Update

Report No: FA-13-20

Date: May 21, 2020

Recommendation:

1. **THAT** Report No. FA-13-20 RE: Updates to Provincial Policy Statement **BE RECEIVED** for information.

Purpose:

The purpose of this report is to provide the Board with a brief synopsis of the new 2020 Provincial Policy Statement (PPS) updates.

Background:

On February 28, 2020 the Province posted its decision to approve a revised PPS, which took effect May 1, 2020. Key changes to the PPS include:

- adding further references to support a changing climate and green infrastructure;
- adding policy direction responding to the recommendations of the province's Special Advisor on Flooding;
- increasing the minimum requirement for housing land supply to 15 years;
- clarifying policies related to market-based housing by adding a reference to affordable housing;
- providing flexibility for municipalities to consider residential development on rural lands that is locally appropriate, including lot creation; and
- enhancing land use compatibility policies for sensitive land uses.

In response to feedback, a number of policy proposals were not included. These include:

- "fast-tracking" municipal approvals;
- requiring agricultural impact assessments for non-agricultural uses in prime agricultural areas and for settlement area boundary expansions;
- a voluntary wetland mitigation hierarchy approach for wetlands that are not provincially significant wetlands; and

- clarifying that rehabilitation plans for aggregate extraction can contribute to the demonstration of no negative impacts in some natural heritage features.

Protecting Public Health and Safety

In response to the Special Advisor on Flooding's recommendation dealing specifically with the PPS, the province incorporated the following natural hazard policy changes in the 2020 PPS to better show the linkages between land use planning and natural hazard management (underlined text indicates added):

Added reference to the "impacts of a changing climate" in the Section 3.0 Preamble to highlight the unknown realities of our changing climate and the need to consider heightened awareness of these realities in natural hazard planning decisions;

Acknowledged in the Section 3.0 Preamble, the role conservation authorities (CAs) play in preparing and protecting against the risk of natural hazards:

'Mitigating potential risk to public health or safety or of property damage from natural hazards, including the risks that may be associated with the impacts of a changing climate, will require the Province, planning authorities, and conservation authorities to work together.'

Added a reference in the infrastructure policy section (1.6.4) to ensure the natural hazard policies are considered when locating infrastructure and public service facilities:

'Infrastructure and public service facilities should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety in accordance with the policies in Section 3.0: Protecting Public Health and Safety.'

Strengthened the linkage between the PPS natural hazard policies and the provincial technical guides, which outline direction set by the province for implementing the natural hazard policies (revised policy 3.1.1):

'Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of...'

Enhanced existing stormwater management policies to support commitments in the government's Made-in-Ontario Environment Plan to protect water and support climate resilience (see revised policy 1.6.6.7).

Discussion:

The updated PPS now acknowledges the role of CAs in protecting against the risk of natural hazards, further highlights the need to consider the impacts of a changing climate in making land use planning decisions (e.g. infrastructure planning, natural heritage protection, and natural hazard and water management), and strengthens the linkage between the PPS and provincial technical guides.

A key activity for NPCA staff will be to continue to work with provincial, municipal, Conservation Ontario and Greater Golden Horseshoe CA staff, including all stakeholders, to prepare for

implementing these updates – including updates to technical guidelines and policy documents, as necessary.

Financial Implications:

There are no financial implications from this report.

Links to Policy/Strategic Plan:

The PPS is used to help provide direction for the NPCA's own Planning and Permitting Policies.

Related Reports and Appendices:

Appendix 1 – 2020 PPS (track changes version)

Authored by:

Original Signed By:

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Senior Manager, Planning & Regulations

Reviewed by:

Original Signed By:

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Submitted by:

Original Signed By:

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

Part I: Preamble

The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Policy Statement sets the policy foundation for regulating the development and use of land. It also supports the provincial goal to enhance the quality of life for all Ontarians.

The Provincial Policy Statement provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. The Provincial Policy Statement supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The policies of the Provincial Policy Statement may be complemented by provincial plans or by locally-generated policies regarding matters of municipal interest. Provincial plans and municipal official plans provide a framework for comprehensive, integrated, place-based and long-term planning that supports and integrates the principles of strong communities, a clean and healthy environment and economic growth, for the long term.

Municipal official plans are the most important vehicle for implementation of this Provincial Policy Statement and for achieving comprehensive, integrated and long-term planning. Official plans shall identify provincial interests and set out appropriate land use designations and policies.

Official plans should also coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions. Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas. In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Provincial Policy Statement.

Zoning and development permit by-laws are also important for implementation of this Provincial Policy Statement. Planning authorities shall keep their zoning and development permit by-laws up-to-date with their official plans and this Provincial Policy Statement.

Land use planning is only one of the tools for implementing provincial interests. A wide range of legislation, regulations, policies and programs may ~~also~~ apply to decisions with respect to Planning Act applications and affect planning matters, and assist in implementing these interests.

Within the Great Lakes – St. Lawrence River Basin, there may be circumstances where planning authorities should consider agreements related to the protection or restoration of the Great Lakes – St. Lawrence River Basin. Examples of these agreements include Great Lakes agreements between Ontario and Canada, between Ontario and Quebec and the Great Lakes States of the United States of America, and between Canada and the United States of America.

This is an unofficial comparison of the changes from the PPS 2014 to the PPS 2020, prepared by [Osler Hoskin Harcourt LLP](#). Green text indicates policies that have been moved from one part of the PPS to another.

Part II: Legislative Authority

The Provincial Policy Statement is issued under the authority of section 3 of the *Planning Act* and came into effect on ~~April 30, 2014~~May 1, 2020.

In respect of the exercise of any authority that affects a planning matter, section 3 of the *Planning Act* requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act.

Comments, submissions or advice that affect a planning matter that are provided by the council of a municipality, a local board, a planning board, a minister or ministry, board, commission or agency of the government “shall be consistent with” this Provincial Policy Statement.

Part III: How to Read the Provincial Policy Statement

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The Provincial Policy Statement supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

Read the Entire Provincial Policy Statement

The Provincial Policy Statement is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation. When more than one policy is relevant, a decision-maker should consider all of the relevant policies to understand how they work together. The language of each policy, including the Implementation and Interpretation policies, will assist decision-makers in understanding how the policies are to be implemented.

While specific policies sometimes refer to other policies for ease of use, these cross-references do not take away from the need to read the Provincial Policy Statement as a whole.

There is no implied priority in the order in which the policies appear.

Consider Specific Policy Language

When applying the Provincial Policy Statement it is important to consider the specific language of the policies. Each policy provides direction on how it is to be implemented, how it is situated within the broader Provincial Policy Statement, and how it relates to other policies.

Some policies set out positive directives, such as “settlement areas shall be the focus of growth and development.” Other policies set out limitations and prohibitions, such as “development and site alteration shall not be permitted.” Other policies use enabling or supportive language, such as “should,” “promote” and “encourage.” The choice of language is intended to distinguish between the types of policies and the nature of implementation. There is some discretion when applying a policy with enabling or supportive language in contrast to a policy with a directive, limitation or prohibition.

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Geographic Scale of Policies

The Provincial Policy Statement recognizes the diversity of Ontario and that local context is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld.

While the Provincial Policy Statement is to be read as a whole, not all policies will be applicable to every site, feature or area. The Provincial Policy Statement applies at a range of geographic scales.

Some of the policies refer to specific areas or features and can only be applied where these features or areas exist. Other policies refer to planning objectives that need to be considered in the context of the municipality or planning area as a whole, and are not necessarily applicable to a specific site or development proposal.

Policies Represent Minimum Standards

The policies of the Provincial Policy Statement represent minimum standards.

Within the framework of the provincial policy-led planning system, planning authorities and decision-makers may go beyond these minimum standards to address matters of importance to a specific community, unless doing so would conflict with any policy of the Provincial Policy Statement.

Defined Terms and Meanings

Except for references to legislation which are italicized, other italicized terms in the Provincial Policy Statement are defined in the Definitions section. For non-italicized terms, the normal meaning of the word applies. Terms may be italicized only in specific policies; for these terms, the defined meaning applies where they are italicized and the normal meaning applies where they are not italicized. Defined terms in the Definitions section are intended to capture both singular and plural forms of these terms in the policies.

Guidance Material

Guidance material and technical criteria may be issued from time to time to assist planning authorities and decision-makers with implementing the policies of the Provincial Policy Statement. Information, technical criteria and approaches outlined in guidance material are meant to support but not add to or detract from the policies of the Provincial Policy Statement.

Relationship with Provincial Plans

The Provincial Policy Statement provides overall policy directions on matters of provincial interest related to land use planning and development in Ontario, and applies province-wide, except where this policy statement or another provincial plan provides otherwise.

Provincial plans, such as the Greenbelt Plan, ~~the~~ [A Place to Grow](#); Growth Plan for the Greater Golden Horseshoe and the Growth Plan for Northern Ontario, build upon the policy foundation

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provided by the Provincial Policy Statement. They provide [additional](#) land use planning policies to address issues facing specific geographic areas in Ontario.

Provincial plans are to be read in conjunction with the Provincial Policy Statement. They take precedence over the policies of the Provincial Policy Statement to the extent of any conflict, except where the relevant legislation provides otherwise.

Where the policies of provincial plans address the same, similar, related, or overlapping matters as the policies of the Provincial Policy Statement, applying the more specific policies of the provincial plan satisfies the more general requirements of the Provincial Policy Statement. In contrast, where matters addressed in the Provincial Policy Statement do not overlap with policies in provincial plans, the policies in the Provincial Policy Statement must be independently satisfied.

Land use planning decisions made by municipalities, planning boards, the Province, or a commission or agency of the government must be consistent with the Provincial Policy Statement. Where provincial plans are in effect, planning decisions must conform or not conflict with them, as the case may be.

Part IV: Vision for Ontario's Land Use Planning System

The long-term prosperity and social well-being of Ontario depends upon planning for strong, sustainable and resilient communities for people of all ages, a clean and healthy environment, and a strong and competitive economy.

Ontario is a vast province with diverse urban, rural and northern communities which may face different challenges related to diversity in population, economic activity, pace of growth and physical and natural conditions. Some areas face challenges related to maintaining population and diversifying their economy, while other areas face challenges related to accommodating and managing the development and population growth which is occurring, while protecting important resources and the quality of the natural environment.

~~Ontario~~The Province's rich cultural diversity is one of its distinctive and defining features. ~~The Provincial Policy Statement reflects Ontario's diversity~~Indigenous communities have a unique relationship with the land and its resources, which ~~includes~~continues to shape the ~~histories~~history and ~~cultures~~economy of ~~Aboriginal peoples, and is based on good land use planning principles that apply in communities across Ontario~~the Province today. Ontario recognizes the unique role Indigenous communities have in land use planning and development, and the contribution of Indigenous communities' perspectives and traditional knowledge to land use planning decisions. The Province recognizes the importance of consulting with Aboriginal communities on planning matters that may affect their ~~rights and interests~~section 35 Aboriginal or treaty rights. Planning authorities are encouraged to build constructive, cooperative relationships through meaningful engagement with Indigenous communities to facilitate knowledge-sharing in land use planning processes and inform decision-making.

The Provincial Policy Statement focuses growth and development within urban and rural settlement areas while supporting the viability of rural areas. It recognizes that the wise management of land use change may involve directing, promoting or sustaining development. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns and avoiding significant or sensitive resources and areas which may pose a risk to public health and safety. Planning authorities are encouraged to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs.

Efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing, including affordable housing, employment, recreation, parks and open spaces, and transportation choices that increase the use of active transportation and transit before other modes of travel. They ~~also~~ support the financial well-being of the Province and municipalities over the long term, and minimize the undesirable effects of development, including impacts on air, water and other resources. They also permit better adaptation and response to the impacts of a changing climate, which will vary from region to region.

Strong, liveable and healthy communities promote and enhance human health and social well-being, are economically and environmentally sound, and are resilient to climate change. The Province's natural heritage resources, water resources, including the Great Lakes, agricultural resources, mineral resources, and cultural heritage and archaeological resources provide

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important environmental, economic and social benefits. The wise use and management of these resources over the long term is a key provincial interest. The Province must ensure that its resources are managed in a sustainable way to conserve biodiversity, protect essential ecological processes and public health and safety, provide for the production of food and fibre, minimize environmental and social impacts, [provide for recreational opportunities \(e.g. fishing, hunting and hiking\)](#) and meet its long-term needs.

It is equally important to protect the overall health and safety of the population, [including preparing for the impacts of a changing climate](#). The Provincial Policy Statement directs development away from areas of natural and human-made hazards. This preventative approach supports provincial and municipal financial well-being over the long term, protects public health and safety, and minimizes cost, risk and social disruption.

Taking action to conserve land and resources avoids the need for costly remedial measures to correct problems and supports economic and environmental principles.

Strong communities, a clean and healthy environment and a strong economy are inextricably linked. Long-term prosperity, human and environmental health and social well-being should take precedence over short-term considerations.

The fundamental principles set out in the Provincial Policy Statement apply throughout Ontario. To support our collective well-being, now and in the future, all land use must be well managed.

Part V: Policies

1.0 Building Strong Healthy Communities

Ontario is a vast province with urban, rural, and northern communities with diversity in population, economic activities, pace of growth, service levels and physical and natural conditions. Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Accordingly:

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including ~~second~~single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- d) avoiding development and land use patterns that would prevent the efficient expansion of *settlement areas* in those areas which are adjacent or close to *settlement areas*;
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
- f) improving accessibility for persons with disabilities and older persons by ~~identifying, preventing and removing~~addressing land use barriers which restrict their full participation in society;
- g) ensuring that necessary ~~infrastructure, electricity generation facilities and transmission and distribution systems~~, and *public service facilities* are or will be available to meet current and projected needs; ~~and~~
- h) promoting development and land use patterns that conserve biodiversity; ~~and consider~~
i) preparing for the regional and local impacts of a changing climate.

1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to ~~20~~25 years, informed

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by provincial guidelines. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a *provincial plan*, that time frame may be used for municipalities within the area.

Within *settlement areas*, sufficient land shall be made available through *intensification* and *redevelopment* and, if necessary, *designated growth areas*.

Nothing in policy 1.1.2 limits the planning for *infrastructure* ~~and~~ *public service facilities* and employment areas beyond a ~~20~~25-year time horizon.

1.1.3 Settlement Areas

Settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets. Ontario's settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

The vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

1.1.3.1 *Settlement areas* shall be the focus of growth and development, ~~and their vitality and regeneration shall be promoted.~~

1.1.3.2 Land use patterns within *settlement areas* shall be based on ~~a~~ densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) prepare for the impacts of a changing climate;
- e) support *active transportation*;
- f) are *transit-supportive*, where transit is planned, exists or may be developed; and
- g) are *freight-supportive*; ~~and~~

b. Land use patterns within settlement areas shall also be based on a range of uses and opportunities for *intensification* and *redevelopment* in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

~~Intensification and redevelopment shall be directed in accordance with the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.~~

1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

1.1.3.5 Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. However, where provincial targets are established through provincial plans, the provincial target shall represent the minimum target for affected areas.

1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and ~~shall~~should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

1.1.3.7 Planning authorities ~~shall~~should establish and implement phasing policies to ensure:

- a) that specified targets for intensification and redevelopment are achieved prior to, or concurrent with, new development within designated growth areas; and
- b) the orderly progression of development within designated growth areas and the timely provision of the infrastructure and public service facilities required to meet current and projected needs.

1.1.3.8 A planning authority may identify a settlement area or allow the expansion of a settlement area boundary only at the time of a comprehensive review and only where it has been demonstrated that:

- a) sufficient opportunities ~~for~~to accommodate growth and to satisfy market demand are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon;
- b) the infrastructure and public service facilities which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment;
- c) in prime agricultural areas:
 - 1. the lands do not comprise specialty crop areas;
 - 2. alternative locations have been evaluated, and

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- i. there are no reasonable alternatives which avoid *prime agricultural areas*; and
 - ii. there are no reasonable alternatives on lower priority agricultural lands in *prime agricultural areas*;
- d) the new or expanding *settlement area* is in compliance with the *minimum distance separation formulae*; and
- e) impacts from new or expanding *settlement areas* on agricultural operations which are adjacent or close to the *settlement area* are mitigated to the extent feasible.

~~In determining the most appropriate direction for expansions to the boundaries of *settlement areas* or the identification of a *settlement area* by a planning authority, a planning authority shall apply the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.~~

In undertaking a *comprehensive review*, the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary expansion or development proposal.

1.1.3.9 Notwithstanding policy 1.1.3.8, municipalities may permit adjustments of *settlement area* boundaries outside a *comprehensive review* provided:

- a) there would be no net increase in land within the *settlement areas*;
- b) the adjustment would support the municipality's ability to meet *intensification* and *redevelopment* targets established by the municipality;
- c) *prime agricultural areas* are addressed in accordance with 1.1.3.8 (c), (d) and (e); and
- d) the *settlement area* to which lands would be added is appropriately serviced and there is sufficient reserve *infrastructure* capacity to service the lands.

1.1.4 Rural Areas in Municipalities

Rural areas are important to the economic success of the Province and our quality of life. Rural areas are a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas. Rural areas and urban areas are interdependent in terms of markets, resources and amenities. It is important to leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy.

Ontario's rural areas have diverse population levels, natural resources, geographies and physical characteristics, and economies. Across rural Ontario, local circumstances vary by region. For example, northern Ontario's natural environment and vast geography offer different opportunities than the predominately agricultural areas of southern regions of the Province.

1.1.4.1 Healthy, integrated and viable *rural areas* should be supported by:

- a) building upon rural character, and leveraging rural amenities and assets;
- b) promoting regeneration, including the redevelopment of *brownfield sites*;
- c) accommodating an appropriate range and mix of housing in rural *settlement areas*;

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- d) encouraging the conservation and *redevelopment* of existing rural housing stock on *rural lands*;
- e) using rural *infrastructure* and *public service facilities* efficiently;
- f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;
- g) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;
- h) conserving biodiversity and considering the ecological benefits provided by nature; and
- i) providing opportunities for economic activities in *prime agricultural areas*, in accordance with policy 2.3.

1.1.4.2 In *rural areas*, rural *settlement areas* shall be the focus of growth and development and their vitality and regeneration shall be promoted.

1.1.4.3 When directing development in rural *settlement areas* in accordance with policy 1.1.3, planning authorities shall give consideration to rural characteristics, the scale of development and the provision of appropriate service levels.

1.1.4.4 Growth and development may be directed to *rural lands* in accordance with policy 1.1.5, including where a municipality does not have a *settlement area*.

1.1.5 Rural Lands in Municipalities

1.1.5.1 When directing development on *rural lands*, a planning authority shall apply the relevant policies of Section 1: Building Strong Healthy Communities, as well as the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.

1.1.5.2 On *rural lands* located in municipalities, permitted uses are:

- a) the management or use of resources;
- b) resource-based recreational uses (including recreational dwellings);
- c) ~~limited~~ residential development, including lot creation, that is locally appropriate;
- d) *agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;*
- e) home occupations and home industries;
- f) cemeteries; and
- g) other rural land uses.

1.1.5.3 Recreational, tourism and other economic opportunities should be promoted.

1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.

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- 1.1.5.5 Development shall be appropriate to the *infrastructure* which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this *infrastructure*.
- 1.1.5.6 Opportunities should be retained to locate new or expanding land uses that require separation from other uses.
- 1.1.5.7 Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.

~~1.1.5.8 Agricultural uses, agriculture related uses, on farm diversified uses and normal farm practices should be promoted and protected in accordance with provincial standards.~~

- 1.1.5.8 New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.

1.1.6 Territory Without Municipal Organization

- 1.1.6.1 On *rural lands* located in territory without municipal organization, the focus of development activity shall be related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings).
- 1.1.6.2 Development shall be appropriate to the *infrastructure* which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this *infrastructure*.
- 1.1.6.3 The establishment of new permanent townsites shall not be permitted.
- 1.1.6.4 In areas adjacent to and surrounding municipalities, only development that is related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings) shall be permitted. Other uses may only be permitted if:
 - a) the area forms part of a planning area;
 - b) the necessary *infrastructure* and *public service facilities* are planned or available to support the development and are financially viable over their life cycle; and
 - c) it has been determined, as part of a *comprehensive review*, that the impacts of development will not place an undue strain on the *public service facilities* and *infrastructure* provided by adjacent municipalities, regions and/or the Province.

1.2 Coordination

- 1.2.1 A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier

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municipal boundaries, and with other orders of government, agencies and boards including:

- a) managing and/or promoting growth and development that is integrated with infrastructure planning;
- b) economic development strategies;
- c) managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;
- d) ~~infrastructure, electricity generation facilities and transmission and distribution systems, multimodal transportation systems, public service facilities~~ and waste management systems;
- e) ecosystem, shoreline, watershed, and Great Lakes related issues;
- f) natural and human-made hazards;
- g) population, housing and employment projections, based on *regional market areas*; and
- h) addressing housing needs in accordance with provincial policy statements such as the ~~Ontario Housing~~ Policy Statement: Service Manager Housing and Homelessness Plans.

1.2.2 Planning authorities ~~are encouraged to~~ shall engage with Indigenous communities and coordinate on land use planning matters ~~with Aboriginal communities~~.

1.2.3 Planning authorities should coordinate emergency management and other economic, environmental and social planning considerations to support efficient and resilient communities.

1.2.4 Where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with lower-tier municipalities shall:

- a) identify, ~~coordinate~~ and allocate population, housing and employment projections for lower-tier municipalities. Allocations and projections by upper-tier municipalities shall be based on and reflect *provincial plans* where these exist and informed by provincial guidelines;
- b) identify areas where growth or development will be directed, including the identification of nodes and the corridors linking these nodes;
- c) identify targets for *intensification* and *redevelopment* within all or any of the lower-tier municipalities, including minimum targets that should be met before expansion of the boundaries of *settlement areas* is permitted in accordance with policy 1.1.3.8;
- d) where major transit corridors exist or are to be developed, identify density targets for areas adjacent or in proximity to these corridors and stations, including minimum targets that should be met before expansion of the boundaries of *settlement areas* is permitted in accordance with policy 1.1.3.8; and
- e) ~~identify and~~ provide policy direction for the lower-tier municipalities on matters that cross municipal boundaries.

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- 1.2.5 Where there is no upper-tier municipality, planning authorities shall ensure that policy 1.2.4 is addressed as part of the planning process, and should coordinate these matters with adjacent planning authorities.

1.2.6 Land Use Compatibility

- 1.2.6.1 *Major facilities and sensitive land uses* ~~should~~shall be planned ~~to ensure they are appropriately designed, buffered and/or separated from each other and developed to prevent~~avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of *major facilities* in accordance with provincial guidelines, standards and procedures.

1.2.6.2 Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:

- a) there is an identified need for the proposed use;
- b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
- c) adverse effects to the proposed sensitive land use are minimized and mitigated; and
- d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated.

1.3 Employment

- 1.3.1 Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment ~~and~~and broader mixed uses to meet long-term needs;
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;
- d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and
- e) ensuring the necessary *infrastructure* is provided to support current and projected needs.

1.3.2 Employment Areas

1.3.2.1 Planning authorities shall plan for, protect and preserve *employment areas* for current and future uses and ensure that the necessary *infrastructure* is provided to support current and projected needs.

1.3.2.2 At the time of the official plan review or update, planning authorities should assess *employment areas* identified in local official plans to ensure that this designation is appropriate to the planned function of the *employment area*.

Employment areas planned for industrial and manufacturing uses shall provide for separation or mitigation from *sensitive land uses* to maintain the long-term operational and economic viability of the planned uses and function of these areas.

1.3.2.3 Within *employment areas* planned for industrial or manufacturing uses, planning authorities shall prohibit residential uses and prohibit or limit other *sensitive land uses* that are not ancillary to the primary employment uses in order to maintain land use compatibility.

Employment areas planned for industrial or manufacturing uses should include an appropriate transition to adjacent non-*employment areas*.

1.3.2.4 Planning authorities may permit conversion of lands within *employment areas* to non-employment uses through a *comprehensive review*, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

1.3.2.5 Notwithstanding policy 1.3.2.4, and until the official plan review or update in policy 1.3.2.4 is undertaken and completed, lands within existing *employment areas* may be converted to a designation that permits non-employment uses provided the area has not been identified as provincially significant through a provincial plan exercise or as regionally significant by a regional economic development corporation working together with affected upper and single-tier municipalities and subject to the following:

- a) there is an identified need for the conversion and the land is not required for employment purposes over the long term;
- b) the proposed uses would not adversely affect the overall viability of the *employment area*; and
- c) existing or planned *infrastructure* and *public service facilities* are available to accommodate the proposed uses.

1.3.2.6 Planning authorities shall protect *employment areas* in proximity to *major goods movement facilities and corridors* for employment uses that require those locations.

1.3.2.7 Planning authorities may plan beyond ~~20~~²⁵ years for the long-term protection of employment areas provided lands are not designated beyond the planning horizon identified in policy 1.1.2.

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1.4 Housing

1.4.1 To provide for an appropriate range and mix of *housing ~~types~~options* and densities required to meet projected requirements of current and future residents of the *regional market area*, planning authorities shall:

- a) maintain at all times the ability to accommodate residential growth for a minimum of ~~10~~15 years through *residential intensification* and *redevelopment* and, if necessary, lands which are *designated and available* for residential development; and
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment, and land in draft approved and registered plans.*

Upper-tier and single-tier municipalities may choose to maintain land with servicing capacity sufficient to provide at least a five-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

1.4.2 Where planning is conducted by an upper-tier municipality:

- a) the land and unit supply maintained by the lower-tier municipality identified in policy 1.4.1 shall be based on and reflect the allocation of population and units by the upper-tier municipality; and
- b) the allocation of population and units by the upper-tier municipality shall be based on and reflect *provincial plans* where these exist.

1.4.3 Planning authorities shall provide for an appropriate range and mix of *housing ~~types~~options* and densities to meet projected ~~requirements~~market-based and affordable housing needs of current and future residents of the *regional market area* by:

- a) establishing and implementing minimum targets for the provision of housing which is *affordable* to *low and moderate income households* and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
- b) permitting and facilitating:
 - 1. all ~~forms of~~ *housing options* required to meet the social, health, economic and well-being requirements of current and future residents, including *special needs* requirements and needs arising from demographic changes and employment opportunities; and
 - 2. all ~~formstypes~~ of *residential intensification*, including ~~second~~additional residential units, and *redevelopment* in accordance

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with policy 1.1.3.3;

- c) directing the development of new housing towards locations where appropriate levels of *infrastructure* and *public service facilities* are or will be available to support current and projected needs;
- d) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation* and transit in areas where it exists or is to be developed;
- e) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and
- f) establishing development standards for *residential intensification*, *redevelopment* and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

1.5 Public Spaces, Recreation, Parks, Trails and Open Space

1.5.1 Healthy, active communities should be promoted by:

- a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate *active transportation* and community connectivity;
- b) planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for *recreation*, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;
- c) providing opportunities for public access to shorelines; and
- d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.

1.6 Infrastructure and Public Service Facilities

1.6.1 ~~Infrastructure, electricity generation facilities and transmission and distribution systems~~, and *public service facilities* shall be provided in ~~a coordinated~~, an efficient and cost-effective manner that ~~considers~~ prepares for the impacts ~~from~~ of a changing climate-change while accommodating projected needs.

Planning for ~~infrastructure, electricity generation facilities and transmission and distribution systems~~, and *public service facilities* shall be coordinated and integrated with land use planning and growth management so that they are:

- a) financially viable over their life cycle, which may be demonstrated through asset management planning; and
- b) available to meet current and projected needs.

1.6.2 Planning authorities should promote *green infrastructure* to complement

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infrastructure.

- 1.6.3 Before consideration is given to developing new *infrastructure* and *public service facilities*:
- a) the use of existing *infrastructure* and *public service facilities* should be optimized; and
 - b) opportunities for adaptive re-use should be considered, wherever feasible.
- 1.6.4 *Infrastructure* and *public service facilities* should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety in accordance with the policies in Section 3.0: Protecting Public Health and Safety.
- 1.6.5 *Public service facilities* should be co-located in community hubs, where appropriate, to promote cost—effectiveness and facilitate service integration, access to transit and *active transportation*.

1.6.6 Sewage, Water and Stormwater

1.6.6.1 Planning for *sewage and water services* shall:

- a) ~~direct and~~ accommodate ~~expected~~forecasted growth ~~or development~~ in a manner that promotes the efficient use and optimization of existing:
 - 1. *municipal sewage services* and *municipal water services*; and
 - ~~2.~~ 2. *private communal sewage services* and *private communal water services*, where *municipal sewage services* and *municipal water services* are not available or feasible;
- b) ensure that these systems are provided in a manner that:
 - 1. can be sustained by the water resources upon which such services rely;
 - 2. prepares for the impacts of a changing climate;
 - 3. is feasible; and financially viable ~~and complies with all regulatory requirements over their lifecycle~~; and
 - 4. protects human health and safety, and the natural environment;
- c) promote water conservation and water use efficiency;
- d) integrate servicing and land use considerations at all stages of the planning process; and
- e) be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5. For clarity, where municipal sewage services and municipal water services are not available, planned or feasible, planning authorities have the ability to consider the use of the servicing options set out through policies 1.6.6.3, 1.6.6.4, and 1.6.6.5 provided that the specified conditions are met.

1.6.6.2 *Municipal sewage services* and *municipal water services* are the preferred form of servicing for *settlement areas* to support protection of the environment and minimize

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potential risks to human health and safety. ~~Intensification and redevelopment~~

Within *settlement areas* ~~on~~with existing municipal sewage services and municipal water services ~~should~~, intensification and redevelopment shall be promoted, wherever feasible to optimize the use of the services.

1.6.6.3 Where *municipal sewage services* and *municipal water services* are not ~~provided~~available, ~~municipalities may allow the use of~~ planned or feasible, *private communal sewage services* and *private communal water services* are the preferred form of servicing for multi-unit/lot development to support protection of the environment and minimize potential risks to human health and safety.

1.6.6.4 Where *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services* are not ~~provided~~available, planned or feasible, *individual on-site sewage services* and *individual on-site water services* may be used provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*. In *settlement areas*, ~~these~~individual on-site sewage services and individual on-site water services may ~~only~~ be used for infilling and minor rounding out of existing development.

At the time of the official plan review or update, planning authorities should assess the long-term impacts of individual on-site sewage services and individual on-site water services on the environmental health and the character of rural settlement areas. Where planning is conducted by an upper-tier municipality, the upper-tier municipality should work with lower-tier municipalities at the time of the official plan review or update to assess the long-term impacts of individual on-site sewage services and individual on-site water services on the environmental health and the desired character of rural settlement areas and the feasibility of other forms of servicing set out in policies 1.6.6.2 and 1.6.6.3.

1.6.6.5 *Partial services* shall only be permitted in the following circumstances:

- a) where they are necessary to address failed *individual on-site sewage services* and *individual on-site water services* in existing development; or
- b) within *settlement areas*, to allow for infilling and minor rounding out of existing development on *partial services* provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.

Where *partial services* have been provided to address failed services in accordance with subsection (a), infilling on existing lots of record in *rural areas* in municipalities may be permitted where this would represent a logical and financially viable connection to the existing *partial service* and provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*. In accordance with subsection (a), the extension of *partial services* into *rural areas* is only permitted to address failed *individual on-site sewage* and *individual on-site water services* for existing development.

1.6.6.6 Subject to the hierarchy of services provided in policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5, planning authorities may allow lot creation only if there is

confirmation of sufficient *reserve sewage system capacity* and *reserve water system capacity* within *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services*. The determination of sufficient *reserve sewage system capacity* shall include treatment capacity for hauled sewage from *private communal sewage services* and *individual on-site sewage services*.

1.6.6.7 Planning for stormwater management shall:

- a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;
- b) minimize, or, where possible, prevent increases in contaminant loads;
- c) minimize erosion and changes in water balance, and ~~erosion~~ prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;
- d) ~~not increase~~ mitigate risks to human health ~~and~~, safety ~~and~~, property ~~damage~~ and the environment;
- e) maximize the extent and function of vegetative and pervious surfaces; and
- f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.

1.6.7 Transportation Systems

- 1.6.7.1 *Transportation systems* should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.
- 1.6.7.2 Efficient use ~~shall~~ should be made of existing and planned *infrastructure*, including through the use of *transportation demand management* strategies, where feasible.
- 1.6.7.3 As part of a *multimodal transportation system*, connectivity within and among *transportation systems* and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries.
- 1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and *active transportation*.

~~1.6.7.5 Transportation and land use considerations shall be integrated at all stages of the planning process.~~

1.6.8 Transportation and Infrastructure Corridors

- 1.6.8.1 Planning authorities shall plan for and protect corridors and rights-of-way for *infrastructure*, including transportation, transit and electricity generation facilities and transmission systems to meet current and projected needs.

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1.6.8.2 *Major goods movement facilities and corridors* shall be protected for the long term.

1.6.8.3 Planning authorities shall not permit *development* in *planned corridors* that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified. New *development* proposed on *adjacent lands* to existing or *planned corridors* and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities.

1.6.8.4 The preservation and reuse of abandoned corridors for purposes that maintain the corridor's integrity and continuous linear characteristics should be encouraged, wherever feasible.

1.6.8.5 The co-location of linear *infrastructure* should be promoted, where appropriate.

1.6.8.6 When planning for corridors and rights-of-way for significant transportation, electricity transmission, and *infrastructure* facilities, consideration will be given to the significant resources in Section 2: Wise Use and Management of Resources.

1.6.9 Airports, Rail and Marine Facilities

1.6.9.1 Planning for land uses in the vicinity of *airports*, *rail facilities* and *marine facilities* shall be undertaken so that:

- a) their long-term operation and economic role is protected; and
- b) *airports*, *rail facilities* and *marine facilities* and *sensitive land uses* are appropriately designed, buffered and/or separated from each other, in accordance with policy 1.2.6.

1.6.9.2 *Airports* shall be protected from incompatible land uses and development by:

- a) prohibiting new residential *development* and other sensitive land uses in areas near *airports* above 30 NEF-/NEP-;
- b) considering redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses in areas above 30 NEF-/N.EPNEP only if it has been demonstrated that there will be no negative impacts on the long-term function of the *airport*; and
- c) discouraging land uses which may cause a potential aviation safety hazard.

1.6.10 Waste Management

1.6.10.1 *Waste management systems* need to be provided that are of an appropriate size and type to accommodate present and future requirements, and facilitate, encourage and promote reduction, reuse and recycling objectives. ~~Planning authorities should consider the implications of development and land use patterns on waste generation, management and diversion.~~

Waste management systems shall be located and designed in accordance with provincial legislation and standards.

1.6.11 Energy supply

1.6.11.1 Planning authorities should provide opportunities for the development of energy supply including electricity generation facilities and transmission and distribution systems, ~~to accommodate current~~ district energy, and ~~projected needs~~.

~~1.6.11.2 Planning authorities should promote renewable energy systems and alternative energy systems, where feasible, in accordance with provincial and federal requirements to~~ accommodate current and projected needs.

1.7 Long-Term Economic Prosperity

1.7.1 Long-term economic prosperity should be supported by:

- a) promoting opportunities for economic development and community investment-readiness;
- b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;
- c) optimizing the long-term availability and use of land, resources, ~~infrastructure, electricity generation facilities and transmission and distribution systems,~~ and *public service facilities*;
- d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;
- e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including *built heritage resources* and *cultural heritage landscapes*;
- f) promoting the redevelopment of *brownfield sites*;
- g) providing for an efficient, cost-effective, reliable *multimodal transportation system* that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people;
- h) providing opportunities for sustainable tourism development;
- i) sustaining and enhancing the viability of the agricultural system through protecting agricultural resources, minimizing land use conflicts, providing opportunities to support local food, and ~~promoting maintaining and improving the sustainability of agri- food and agri- product businesses by protecting agricultural resources, and minimizing land use conflicts~~ network;
- j) promoting energy conservation and providing opportunities for ~~development of renewable~~ increased energy ~~systems and alternative energy systems, including district energy supply;~~
- k) minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature; and
- l) encouraging efficient and coordinated communications and telecommunications infrastructure.

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1.8 Energy Conservation, Air Quality and Climate Change

- 1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate ~~change adaptation~~ through land use and development patterns which:
- a) promote compact form and a structure of nodes and corridors;
 - b) promote the use of *active transportation* and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;
 - c) focus major employment, commercial and other travel-intensive land uses on sites which are well served by transit where this exists or is to be developed, or designing these to facilitate the establishment of transit in the future;
 - d) focus freight-intensive land uses to areas well served by major highways, *airports, rail facilities and marine facilities*;
 - e) encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;
 - f) promote design and orientation which ~~1-~~ maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation; and ~~2- maximizes opportunities for the use of renewable energy systems and alternative energy systems~~ green infrastructure; and
 - g) maximize vegetation within *settlement areas*, where feasible.

2.0 Wise Use and Management of Resources

Ontario's long-term prosperity, environmental health, and social well-being depend on conserving biodiversity, protecting the health of the Great Lakes, and protecting natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources for their economic, environmental and social benefits.

Accordingly:

2.1 Natural Heritage

- 2.1.1 Natural features and areas shall be protected for the long term.
- 2.1.2 The diversity and connectivity of natural features in an area, and the long-term *ecological function* and biodiversity of *natural heritage systems*, should be maintained, restored or, where possible, improved, recognizing linkages between and among *natural heritage features and areas, surface water features and ground water features*.
- 2.1.3 *Natural heritage systems* shall be identified in Ecoregions 6E & 7E¹, recognizing that *natural heritage systems* will vary in size and form in *settlement areas, rural areas, and prime agricultural areas*.

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2.1.4 *Development and site alteration shall not be permitted in:*

- a) *significant wetlands* in Ecoregions 5E, 6E and 7E¹; and
- b) *significant coastal wetlands*.

2.1.5 *Development and site alteration shall not be permitted in:*

- a) *significant wetlands* in the Canadian Shield north of Ecoregions 5E, 6E and 7E¹;
- b) *significant woodlands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)¹;
- c) *significant valleylands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)¹;
- d) *significant wildlife habitat*;
- e) *significant areas of natural and scientific interest*; and
- f) *coastal wetlands* in Ecoregions 5E, 6E and 7E⁺¹ that are not subject to policy 2.1.4(b)

unless it has been demonstrated that there will be no *negative impacts* on the natural features or their *ecological functions*.

¹ Ecoregions 5E, 6E and 7E are shown on Figure 1.

2.1.6 *Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.*

2.1.7 *Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.*

2.1.8 *Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.*

2.1.9 Nothing in policy 2.1 is intended to limit the ability of *agricultural uses* to continue.

2.2 Water

2.2.1 Planning authorities shall protect, improve or restore the *quality and quantity of water* by:

- a) using the *watershed* as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative

- impacts of development;
- b) minimizing potential *negative impacts*, including cross-jurisdictional and cross-watershed impacts;
- c) evaluating and preparing for the impacts of a changing climate to water resource systems at the watershed level;
- d) identifying water resource systems consisting of *ground water features, hydrologic functions, natural heritage features and areas*, and *surface water features* including shoreline areas, which are necessary for the ecological and hydrological integrity of the *watershed*;
- e) maintaining linkages and related functions among *ground water features, hydrologic functions, natural heritage features and areas*, and *surface water features* including shoreline areas;
- f) implementing necessary restrictions on *development* and *site alteration* to:
 1. protect all municipal drinking water supplies and *designated vulnerable areas*; and
 2. protect, improve or restore *vulnerable* surface and ground water, *sensitive surface water features* and *sensitive ground water features*, and their *hydrologic functions*;
- g) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality;
- h) ensuring consideration of environmental lake capacity, where applicable; and
- i) ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces.

2.2.2 *Development and site alteration* shall be restricted in or near *sensitive surface water features* and *sensitive ground water features* such that these features and their related *hydrologic functions* will be protected, improved or restored.

Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore *sensitive surface water features, sensitive ground water features*, and their *hydrologic functions*.

2.3 Agriculture

2.3.1 *Prime agricultural areas* shall be protected for long-term use for agriculture.

Prime agricultural areas are areas where *prime agricultural lands* predominate. *Specialty crop areas* shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the *prime agricultural area*, in this order of priority.

2.3.2 Planning authorities shall designate *prime agricultural areas* and *specialty crop areas* in accordance with guidelines developed by the Province, as amended from time to time.

Planning authorities are encouraged to use an *agricultural system* approach to maintain and enhance the geographic continuity of the agricultural land base and the functional and economic connections to the *agri-food network*.

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2.3.3 Permitted Uses

- 2.3.3.1 In *prime agricultural areas*, permitted uses and activities are: *agricultural uses*, *agriculture-related uses* and *on-farm diversified uses*.

Proposed *agriculture-related uses* and *on-farm diversified uses* shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.

- 2.3.3.2 In *prime agricultural areas*, all types, sizes and intensities of *agricultural uses* and *normal farm practices* shall be promoted and protected in accordance with provincial standards.

- 2.3.3.3 New land uses in prime agricultural areas, including the creation of lots, and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.

2.3.4 Lot Creation and Lot Adjustments

- 2.3.4.1 Lot creation in *prime agricultural areas* is discouraged and may only be permitted for:

- a) *agricultural uses*, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
- b) *agriculture-related uses*, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*;
- c) a *residence surplus to a farming operation* as a result of farm consolidation, provided that:
 - 1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*; and
 - 2. the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective; and
- d) *infrastructure*, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.

- 2.3.4.2 Lot adjustments in *prime agricultural areas* may be permitted for *legal or technical reasons*.

2.3.4.3 The creation of new residential lots in *prime agricultural areas* shall not be permitted, except in accordance with policy 2.3.4.1 (c).

2.3.5 Removal of Land from Prime Agricultural Areas

2.3.5.1 Planning authorities may only exclude land from *prime agricultural areas* for expansions of or identification of *settlement areas* in accordance with policy 1.1.3.8.

2.3.6 Non-Agricultural Uses in Prime Agricultural Areas

2.3.6.1 Planning authorities may only permit non-agricultural uses in *prime agricultural areas* for:

- a) extraction of *minerals, petroleum resources* and *mineral aggregate resources*, ~~in accordance with policies 2.4 and 2.5~~; or
- b) limited non-residential uses, provided that all of the following are demonstrated:
 - 1. the land does not comprise a *specialty crop area*;
 - 2. the proposed use complies with the *minimum distance separation formulae*;
 - 3. there is an identified need within the planning horizon provided for in policy 1.1.2 for additional land ~~to be designated~~ to accommodate the proposed use; and
 - 4. alternative locations have been evaluated, and
 - i. there are no reasonable alternative locations which avoid *prime agricultural areas*; and
 - ii. there are no reasonable alternative locations in *prime agricultural areas* with lower priority agricultural lands.

2.3.6.2 Impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands are to be mitigated to the extent feasible.

2.4 Minerals and Petroleum

2.4.1 *Minerals* and *petroleum resources* shall be protected for long-term use.

2.4.2 Protection of Long-Term Resource Supply

2.4.2.1 *Mineral mining operations* and *petroleum resource operations* shall be identified and protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.

2.4.2.2 Known *mineral deposits*, known *petroleum resources* and *significant areas of mineral potential* shall be identified and *development* and activities in these resources or on *adjacent lands* which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

- a) resource use would not be feasible; or
- b) the proposed land use or development serves a greater long-term public interest; and
- c) issues of public health, public safety and environmental impact are addressed.

2.4.3 Rehabilitation

- 2.4.3.1 Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased. Progressive rehabilitation should be undertaken wherever feasible.

2.4.4 Extraction in Prime Agricultural Areas

- 2.4.4.1 Extraction of *minerals* and *petroleum resources* is permitted in *prime agricultural areas* provided that the site will be rehabilitated.

2.5 Mineral Aggregate Resources

- 2.5.1 *Mineral aggregate resources* shall be protected for long-term use and, where provincial information is available, *deposits of mineral aggregate resources* shall be identified.

2.5.2 Protection of Long-Term Resource Supply

- 2.5.2.1 As much of the *mineral aggregate resources* as is realistically possible shall be made available as close to markets as possible.

Demonstration of need for *mineral aggregate resources*, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of *mineral aggregate resources* locally or elsewhere.

- 2.5.2.2 Extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts.
- 2.5.2.3 *Mineral aggregate resource conservation* shall be undertaken, including through the use of accessory aggregate recycling facilities within operations, wherever feasible.
- 2.5.2.4 *Mineral aggregate operations* shall be protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing *mineral aggregate operations* shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the *Planning Act*. Where the *Aggregate Resources Act* applies, only processes under the *Aggregate Resources Act* shall address the depth of extraction of new or existing *mineral aggregate operations*. When a license for extraction or operation ceases to exist, policy 2.5.2.5 continues to apply.

2.5.2.5 In known *deposits of mineral aggregate resources* and on *adjacent lands*, *development* and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

- a) resource use would not be feasible; or
- b) the proposed land use or development serves a greater long-term public interest; and
- c) issues of public health, public safety and environmental impact are addressed.

2.5.3 Rehabilitation

2.5.3.1 Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land use and approved land use designations into consideration.

2.5.3.2 *Comprehensive rehabilitation* planning is encouraged where there is a concentration of mineral aggregate operations.

2.5.3.3 In parts of the Province not designated under the *Aggregate Resources Act*, rehabilitation standards that are compatible with those under the Act should be adopted for extraction operations on private lands.

2.5.4 Extraction in Prime Agricultural Areas

2.5.4.1 In *prime agricultural areas*, on *prime agricultural land*, extraction of *mineral aggregate resources* is permitted as an interim use provided that the site will be rehabilitated back to an *agricultural condition*.

Complete rehabilitation to an *agricultural condition* is not required if:

- a) outside of a *specialty crop area*, there is a substantial quantity of *mineral aggregate resources* below the water table warranting extraction, or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible;
- b) in a *specialty crop area*, there is a substantial quantity of *high quality mineral aggregate resources* below the water table warranting extraction, and the depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible;
- c) other alternatives have been considered by the applicant and found unsuitable. The consideration of other alternatives shall include resources in areas of Canada Land Inventory Class 4 through 7 lands, resources on lands identified as *designated growth areas*, and resources on *prime agricultural lands* where rehabilitation is feasible. Where no other alternatives are found, *prime agricultural lands* shall be protected in this

- order of priority: *specialty crop areas*, Canada Land Inventory Class 1, 2 and 3 lands; and
- d) agricultural rehabilitation in remaining areas is maximized.

2.5.5 Wayside Pits and Quarries, Portable Asphalt Plants and Portable Concrete Plants

- 2.5.5.1 *Wayside pits and quarries, portable asphalt plants and portable concrete plants* used on public authority contracts shall be permitted, without the need for an official plan amendment, rezoning, or development permit under the *Planning Act* in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

2.6 Cultural Heritage and Archaeology

- 2.6.1 *Significant built heritage resources and significant cultural heritage landscapes* shall be *conserved*.
- 2.6.2 *Development and site alteration* shall not be permitted on lands containing *archaeological resources* or *areas of archaeological potential* unless *significant archaeological resources* have been *conserved*.
- 2.6.3 Planning authorities shall not permit *development and site alteration* on *adjacent lands* to *protected heritage property* except where the proposed *development and site alteration* has been evaluated and it has been demonstrated that the *heritage attributes* of the *protected heritage property* will be *conserved*.
- 2.6.4 Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.
- 2.6.5 Planning authorities shall engage with Indigenous communities and consider ~~the~~their interests ~~of Aboriginal communities in conserving~~when identifying, protecting and managing cultural heritage and archaeological resources.

3.0 Protecting Public Health and Safety

Ontario's long-term prosperity, environmental health and social well-being depend on reducing the potential for public cost or risk to Ontario's residents from natural or human-made hazards.

Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.

Mitigating potential risk to public health or safety or of property damage from natural hazards, including the risks that may be associated with the impacts of a changing climate, will require the Province, planning authorities, and conservation authorities to work together.

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Accordingly:

3.1 Natural Hazards

- 3.1.1 Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of:
- a) *hazardous lands* adjacent to the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes* which are impacted by *flooding hazards*, *erosion hazards* and/or *dynamic beach hazards*;
 - b) *hazardous lands* adjacent to *river, stream and small inland lake systems* which are impacted by *flooding hazards* and/or *erosion hazards*; and
 - c) *hazardous sites*.
- 3.1.2 *Development and site alteration* shall not be permitted within:
- a) the *dynamic beach hazard*;
 - b) *defined portions of the flooding hazard along connecting channels* (the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers);
 - c) areas that would be rendered inaccessible to people and vehicles during times of *flooding hazards*, *erosion hazards* and/or *dynamic beach hazards*, unless it has been demonstrated that the site has safe access appropriate for the nature of the *development* and the natural hazard; and
 - d) a *floodway* regardless of whether the area of inundation contains high points of land not subject to flooding.
- 3.1.3 Planning authorities shall ~~consider~~prepare for the ~~potential~~ impacts of a changing climate-change that may increase the risk associated with natural hazards.
- 3.1.4 Despite policy 3.1.2, *development and site alteration* may be permitted in certain areas associated with the *flooding hazard along river, stream and small inland lake systems*:
- a) in those exceptional situations where a *Special Policy Area* has been approved. The designation of a *Special Policy Area*, and any change or modification to the official plan policies, land use designations or boundaries applying to *Special Policy Area* lands, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources and Forestry prior to the approval authority approving such changes or modifications; or
 - b) where the *development* is limited to uses which by their nature must locate within the *floodway*, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.
- 3.1.5 *Development* shall not be permitted to locate in *hazardous lands* and *hazardous sites* where the use is:
- a) an *institutional use* including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;

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- b) an *essential emergency service* such as that provided by fire, police and ambulance stations and electrical substations; or
- c) uses associated with the disposal, manufacture, treatment or storage of *hazardous substances*.

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

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

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

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

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

3.2 Human-Made Hazards

3.2.1 Development on, abutting or adjacent to lands affected by *mine hazards*; *oil, gas and salt hazards*; or former *mineral mining operations*, *mineral aggregate operations* or *petroleum resource operations* may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.

3.2.2 Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no *adverse effects*.

[3.2.3 Planning authorities should support, where feasible, on-site and local re-use of excess soil through planning and development approvals while protecting human health and the environment.](#)

4.0 Implementation and Interpretation

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4.1 This Provincial Policy Statement applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after ~~April 30~~May 1, 20142020.

4.2 ~~In accordance with section 3 of the *Planning Act*, a decision of the council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government, including the Municipal Board, in respect of the exercise of any authority that affects a planning matter, “shall be consistent with” this Provincial Policy Statement~~This Provincial Policy Statement shall be read in its entirety and all relevant policies are to be applied to each situation.

~~Comments, submissions or advice that affect a planning matter that are provided by the council of a municipality, a local board, a planning board, a minister or ministry, board, commission or agency of the government “shall be consistent with” this Provincial Policy Statement.~~

4.3 This Provincial Policy Statement shall be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the *Constitution Act, 1982*.

4.4 This Provincial Policy Statement shall be ~~read~~implemented ~~in its entirety and all relevant policies are to be applied to each situation~~a manner that is consistent with Ontario Human Rights Code and the Canadian Charter of Rights and Freedoms.

4.5 In implementing the Provincial Policy Statement, the Minister of Municipal Affairs and Housing may take into account other considerations when making decisions to support strong communities, a clean and healthy environment and the economic vitality of the Province.

~~4.6 This Provincial Policy Statement shall be implemented in a manner that is consistent with the Ontario Human Rights Code and the Canadian Charter of Rights and Freedoms.~~

4.6 The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans.

Official plans shall identify provincial interests and set out appropriate land use designations and policies. To determine the significance of some natural heritage features and other resources, evaluation may be required.

~~Official plans should also coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions. Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas.~~

In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Provincial Policy Statement. The policies of this Provincial

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Policy Statement continue to apply after adoption and approval of an official plan.

~~4.8 Zoning and development permit by laws are important for implementation of this Provincial Policy Statement. Planning authorities shall keep their zoning and development permit by laws up to date with their official plans and this Provincial Policy Statement.~~

~~4.9 The policies of this Provincial Policy Statement represent minimum standards. This Provincial Policy Statement does not prevent planning authorities and decision makers from going beyond the minimum standards established in specific policies, unless doing so would conflict with any policy of this Provincial Policy Statement.~~

~~4.10 A wide range of legislation, regulations, policies, and plans may apply to decisions with respect to *Planning Act* applications. In some cases, a *Planning Act* proposal may also require approval under other legislation or regulation, and policies and plans issued under other legislation may also apply.~~

4.7 In addition to land use approvals under the *Planning Act*, *infrastructure* may also require approval under other legislation and regulations. An environmental assessment process may be ~~applied to~~required for new *infrastructure* and modifications to existing *infrastructure* under applicable legislation.

~~There may be circumstances where land use~~Wherever possible and practical, approvals under the *Planning Act* ~~may be integrated with approvals under and~~ other legislation, ~~for example, integrating the planning processes and approvals under the *Environmental Assessment Act* and the *Planning Act*, or regulations should be integrated~~ provided the intent and requirements of both ~~Acts~~processes are met.

~~4.12 Provincial plans shall be read in conjunction with this Provincial Policy Statement and take precedence over policies in this Provincial Policy Statement to the extent of any conflict, except where legislation establishing provincial plans provides otherwise. Examples of these are plans created under the *Niagara Escarpment Planning and Development Act*, the *Ontario Planning and Development Act, 1994*, the *Oak Ridges Moraine Conservation Act, 2001*, the *Greenbelt Act, 2005* and the *Places to Grow Act, 2005*.~~

~~4.13 Within the Great Lakes – St. Lawrence River Basin, there may be circumstances where planning authorities should consider agreements related to the protection or restoration of the Great Lakes – St. Lawrence River Basin. Examples of these agreements include Great Lakes agreements between Ontario and Canada, between Ontario, Quebec and the Great Lakes States of the United States of America, and between Canada and the United States of America.~~

4.8 The Province, in consultation with municipalities, Indigenous communities, other public bodies and stakeholders shall identify performance indicators for measuring the effectiveness of some or all of the policies. The Province shall monitor their implementation, including reviewing performance indicators concurrent with any review of this Provincial Policy Statement.

4.9 Municipalities are encouraged to ~~establish performance indicators to~~ monitor and report on the implementation of the policies in their official plans in accordance with

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any reporting requirements, data standards and any other guidelines that may be issued by the Minister.

5.0 Figure 1. Natural Heritage Protection Line

(NOTE: In PPS 2014, Chapter 5 was Figure 1. No Chapter 5 or Figure 1 was included in the PPS version released February 28, 2020)

6.0 Definitions

Access standards: means methods or procedures to ensure safe vehicular and pedestrian movement, and access for the maintenance and repair of protection works, during times of *flooding hazards, erosion hazards and/or other water-related hazards*.

Active transportation: means human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed.

Adjacent lands: means

- a) for the purposes of policy 1.6.8.3, those lands contiguous to existing or planned corridors and transportation facilities where *development* would have a negative impact on the corridor or facility. The extent of the *adjacent lands* may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives;
- b) for the purposes of policy 2.1.8, those lands contiguous to a specific *natural heritage feature or area* where it is likely that *development* or *site alteration* would have a *negative impact* on the feature or area. The extent of the *adjacent lands* may be recommended by the Province or based on municipal approaches which achieve the same objectives;
- c) for the purposes of policies 2.4.2.2 and 2.5.2.5, those lands contiguous to lands on the surface of known *petroleum resources, mineral deposits, or deposits of mineral aggregate resources* where it is likely that *development* would constrain future access to the resources. The extent of the *adjacent lands* may be recommended by the Province; and
- d) for the purposes of policy 2.6.3, those lands contiguous to a *protected heritage property* or as otherwise defined in the municipal official plan.

Adverse effects: as defined in the *Environmental Protection Act*, means one or more of:

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant or animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any person;
- f) rendering any property or plant or animal life unfit for human use;
- g) loss of enjoyment of normal use of property; and
- h) interference with normal conduct of business.

Affordable: means

- a) in the case of ownership housing, the least expensive of:
 - 1. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for *low and moderate income households*; or
 - 2. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the *regional market area*;
- b) in the case of rental housing, the least expensive of:
 - 1. a unit for which the rent does not exceed 30 percent of gross annual household

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- income for *low and moderate income households*; or
2. a unit for which the rent is at or below the average market rent of a unit in the *regional market area*.

Agricultural condition: means

- a) in regard to *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored, the same range and productivity of specialty crops common in the area can be achieved, and, where applicable, the microclimate on which the site and surrounding area may be dependent for specialty crop production will be maintained or restored; and
- b) in regard to *prime agricultural land* outside of *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored.

Agricultural System: A system comprised of a group of inter-connected elements that collectively create a viable, thriving agricultural sector. It has two components:

- a) An agricultural land base comprised of *prime agricultural areas*, including *specialty crop areas*, and *rural lands* that together create a continuous productive land base for agriculture; and
- b) An *agri-food network* which includes *infrastructure*, *services*, and *assets* important to the viability of the agri-food sector.

Agricultural uses: means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on- farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

Agri-food network: Within the *agricultural system*, a network that includes elements important to the viability of the agri-food sector such as regional *infrastructure* and *transportation networks*; *on-farm buildings* and *infrastructure*; *agricultural services*, *farm markets*, *distributors*, and *primary processing*; and *vibrant, agriculture-supportive communities*.

Agri-tourism uses: means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

Agriculture-related uses: means those farm- related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

Airports: means all Ontario airports, including designated lands for future airports, with Noise Exposure Forecast (NEF)/Noise Exposure Projection (NEP) mapping.

Alternative energy system: means a system that uses sources of energy or energy conversion processes to produce power, heat and/or cooling that significantly reduces the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

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Archaeological resources: includes artifacts, archaeological sites, marine archaeological sites, as defined under the *Ontario Heritage Act*. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*.

Areas of archaeological potential: means areas with the likelihood to contain *archaeological resources*. ~~Methods~~Criteria to identify archaeological potential are established by the Province, ~~but municipal approaches which achieve the same objectives may also be used~~. The *Ontario Heritage Act* requires archaeological potential to be confirmed ~~through archaeological fieldwork~~by a licensed archaeologist.

Areas of mineral potential: means areas favourable to the discovery of *mineral deposits* due to geology, the presence of known *mineral deposits* or other technical evidence.

Areas of natural and scientific interest (ANSI): means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

Brownfield sites: means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

Built heritage resource: means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an ~~Aboriginal~~Indigenous community. *Built heritage resources* are ~~generally~~ located on property that ~~has been~~may be designated under Parts IV or V of the *Ontario Heritage Act*, or that may be included on local, provincial, federal and/or ~~federal~~international registers.

Coastal wetland: means

- a) any *wetland* that is located on one of the Great Lakes or their connecting channels (Lake St. Clair, St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers); or
- b) any other *wetland* that is on a tributary to any of the above-specified water bodies and lies, either wholly or in part, downstream of a line located 2 kilometres upstream of the 1:100 year floodline (plus wave run~~—~~up) of the large water body to which the tributary is connected.

Comprehensive rehabilitation: means rehabilitation of land from which *mineral aggregate resources* have been extracted that is coordinated and complementary, to the extent possible, with the rehabilitation of other sites in an area where there is a high concentration of *mineral aggregate operations*.

Comprehensive review: means

- a) for the purposes of policies 1.1.3.8, 1.1.3.9 and ~~1.3.2.2~~1.3.2.4, an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which:
 - 1. is based on a review of population and employment projections and which reflect projections and allocations by upper-tier municipalities and *provincial plans*, where

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- applicable; considers alternative directions for growth or development; and determines how best to accommodate the development while protecting provincial interests;
- 2. utilizes opportunities to accommodate projected growth or development through *intensification* and *redevelopment*; and considers physical constraints to accommodating the proposed development within existing *settlement area* boundaries;
- 3. is integrated with planning for *infrastructure* and *public service facilities*, and considers financial viability over the life cycle of these assets, which may be demonstrated through asset management planning;
- 4. confirms sufficient water quality, quantity and assimilative capacity of receiving water are available to accommodate the proposed development;
- 5. confirms that sewage and water services can be provided in accordance with policy 1.6.6; and
- 6. considers cross-jurisdictional issues.
- b) for the purposes of policy 1.1.6, means a review undertaken by a planning authority or comparable body which:
 - 1. addresses long-term population projections, *infrastructure* requirements and related matters;
 - 2. confirms that the lands to be developed do not comprise *specialty crop areas* in accordance with policy 2.3.2; and
 - 3. considers cross-jurisdictional issues.

In undertaking a *comprehensive review* the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary or development proposal.

Conserved: means the identification, protection, management and use of *built heritage resources*, *cultural heritage landscapes* and *archaeological resources* in a manner that ensures their cultural heritage value or interest is retained ~~under the Ontario Heritage Act~~. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

Cultural heritage landscape: means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an ~~Aboriginal~~ Indigenous community. The area may ~~involve~~ include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. ~~Examples may include, but are not limited to, heritage conservation districts designated~~ Cultural heritage landscapes may be properties that have been determined to have cultural heritage value or interest under the Ontario Heritage Act; villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by, or have been included on federal and/or international ~~designation authorities (e.g. a National Historic Site or District designation registers, and/or a U.N.E.S.C.O. World Heritage Site)~~ protected through official plan, zoning by-law, or other land use planning mechanisms.

Defined portions of the ~~one hundred year flood level~~ floodings hazard along connecting channels: means those areas which are critical to the conveyance of the flows associated with the *one hundred year flood level* along the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence

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Rivers, where *development* or *site alteration* will create *flooding hazards*, cause updrift and/or downdrift impacts and/or cause adverse environmental impacts.

Deposits of mineral aggregate resources: means an area of identified *mineral aggregate resources*, as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using evaluation procedures established by the Province for surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction.

Designated and available: means lands designated in the official plan for urban residential use. For municipalities where more detailed official plan policies (e.g. secondary plans) are required before development applications can be considered for approval, only lands that have commenced the more detailed planning process are considered to be *designated and available* for the purposes of this definition.

Designated growth areas: means lands within *settlement areas* designated in an official plan for growth over the long-term planning horizon provided in policy 1.1.2, but which have not yet been fully developed. *Designated growth areas* include lands which are *designated and available* for residential growth in accordance with policy 1.4.1 (a), as well as lands required for employment and other uses.

Designated vulnerable area: means areas defined as vulnerable, in accordance with provincial standards, by virtue of their importance as a drinking water source.

Development: means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the *Planning Act*, but does not include:

- a) activities that create or maintain *infrastructure* authorized under an environmental assessment process;
- b) works subject to the *Drainage Act*; or
- c) for the purposes of policy 2.1.4(a), underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as under the *Mining Act*. Instead, those matters shall be subject to policy 2.1.5(a).

Dynamic beach hazard: means areas of inherently unstable accumulations of shoreline sediments along the *Great Lakes - St. Lawrence River System* and *large inland lakes*, as identified by provincial standards, as amended from time to time. The *dynamic beach hazard* limit consists of the *flooding hazard* limit plus a dynamic beach allowance.

Ecological function: means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.

Employment area: means those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

Endangered species: means a species that is ~~listed or categorized~~classified as ~~an~~ “Endangered

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Species” on the ~~Ontario Ministry of Natural Resources' official~~ Species at Risk [in Ontario](#) List, as updated and amended from time to time.

Erosion hazard: means the loss of land, due to human or natural processes, that poses a threat to life and property. The *erosion hazard* limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

Essential emergency service: means services which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion.

Fish: means fish, which as defined in the *Fisheries Act*, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

Fish habitat: as defined in the *Fisheries Act*, means spawning grounds and any other areas, including nursery, rearing, food supply, and migration areas on which *fish* depend directly or indirectly in order to carry out their life processes.

Flood fringe: for *river, stream and small inland lake systems*, means the outer portion of the *flood plain* between the *floodway* and the *flooding hazard* limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the *floodway*.

Flood plain: for *river, stream and small inland lake systems*, means the area, usually low lands adjoining a watercourse, which has been or may be subject to *flooding hazards*.

Flooding hazard: means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

- a) along the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes*, the *flooding hazard* limit is based on the *one hundred year flood level* plus an allowance for *wave uprush* and *other water- related hazards*;
- b) along *river, stream and small inland lake systems*, the *flooding hazard* limit is the greater of:
 1. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
 2. the *one hundred year flood*; and
 3. a flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources [and Forestry](#);except where the use of the *one hundred year flood* or the actually experienced event has been approved by the Minister of Natural Resources [and Forestry](#) as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard).

Floodproofing standard: means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate *flooding hazards*, *wave uprush* and *other water- related hazards* along the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes*, and *flooding hazards* along *river, stream and*

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small inland lake systems.

Floodway: for river, stream and small inland lake systems, means the portion of the flood plain where development and site alteration would cause a danger to public health and safety or property damage.

Where the one zone concept is applied, the floodway is the entire contiguous flood plain.

Where the two zone concept is applied, the floodway is the contiguous inner portion of the flood plain, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the two zone concept applies, the outer portion of the flood plain is called the flood fringe.

Freight-supportive: in regard to land use patterns, means transportation systems and facilities that facilitate the movement of goods. This includes policies or programs intended to support efficient freight movement through the planning, design and operation of land use and transportation systems. Approaches may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

Great Lakes - St. Lawrence River System: means the major water system consisting of Lakes Superior, Huron, St. Clair, Erie and Ontario and their connecting channels, and the St. Lawrence River within the boundaries of the Province of Ontario.

Green infrastructure: means natural and human-made elements that provide ecological and hydrological functions and processes. Green infrastructure can include components such as natural heritage features and systems, parklands, stormwater management systems, street trees, urban forests, natural channels, permeable surfaces, and green roofs.

Ground water feature: ~~refers to~~ means water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

Habitat of endangered species and threatened species: means

- ~~a. with respect to a species listed on the Species at Risk in Ontario List as an endangered or threatened species for which a regulation made under clause 55(1)(a) habitat within the meaning of Section 2 of the Endangered Species Act, 2007 is in force, the area prescribed by that regulation as the habitat of the species;~~
 - ~~b. with respect to any other species listed on the Species at Risk in Ontario List as an endangered or threatened species, an area on which the species depends, directly or indirectly, to carry on its life processes, including life processes such as reproduction, rearing, hibernation, migration or feeding, as approved by the Ontario Ministry of Natural Resources; and~~
- ~~places in the areas described in clause (a) or (b), whichever is applicable, that are used by members of the species as dens, nests, hibernacula or other residences.~~

Hazardous forest types for wildland fire: means forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ontario

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Ministry of Natural Resources [and Forestry](#), as amended from time to time.

Hazardous lands: means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the *Great Lakes - St. Lawrence River System*, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the *flooding hazard*, *erosion hazard* or *dynamic beach hazard* limits. Along the shorelines of *large inland lakes*, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the *flooding hazard*, *erosion hazard* or *dynamic beach hazard* limits. Along *river, stream and small inland lake systems*, this means the land, including that covered by water, to the furthest landward limit of the *flooding hazard* or *erosion hazard* limits.

Hazardous sites: means property or lands that could be unsafe for *development* and *site alteration* due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

Hazardous substances: means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

Heritage attributes: means the principal features or elements that contribute to a *protected heritage property's* cultural heritage value or interest, and may include the property's built [constructed](#), or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting ([including e.g.](#) significant views or vistas to or from a *protected heritage property*).

High quality: means primary and secondary sand and gravel resources and bedrock resources as defined in the Aggregate Resource Inventory Papers (ARIP).

Housing options: means a range of housing types such as, but not limited to single- detached, semi-detached, rowhouses, townhouses, stacked townhouses, multiplexes, additional residential units, tiny homes, multi- residential buildings. The term can also refer to a variety of housing arrangements and forms such as, but not limited to life lease housing, co- ownership housing, co-operative housing, community land trusts, land lease community homes, affordable housing, housing for people with *special needs*, and housing related to employment, institutional or educational uses.

Hydrologic function: means the functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

Impacts of a changing climate: means the present and future consequences from changes in weather patterns at local and regional levels including extreme weather events and increased climate variability.

Individual on-site sewage services: means sewage systems, as defined in [O. Reg. 332/12](#) under

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the *Building Code Act, 1992*, that are owned, operated and managed by the owner of the property upon which the system is located.

Individual on-site water services: means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

Infrastructure: means physical structures (facilities and corridors) that form the foundation for development. *Infrastructure* includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

Institutional use: for the purposes of policy 3.1.5, means land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion.

Intensification: means the development of a property, site or area at a higher density than currently exists through:

- a) *redevelopment*, including the reuse of *brownfield sites*;
- b) the development of vacant and/or underutilized lots within previously developed areas;
- c) infill development; and
- d) the expansion or conversion of existing buildings.

Large inland lakes: means those waterbodies having a surface area of equal to or greater than 100 square kilometres where there is not a measurable or predictable response to a single runoff event.

Legal or technical reasons: means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

Low and moderate income households: means

- a) in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the *regional market area*; or
- b) in the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the *regional market area*.

Major facilities: means facilities which may require separation from *sensitive land uses*, including but not limited to airports, [manufacturing uses](#), transportation infrastructure and corridors, *rail facilities*, *marine facilities*, sewage treatment facilities, *waste management systems*, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.

Major goods movement facilities and corridors: means transportation facilities and corridors associated with the inter- and intra- provincial movement of goods. Examples include: inter-modal facilities, ports, *airports*, *rail facilities*, truck terminals, freight corridors, freight facilities, and haul routes and primary transportation corridors used for the movement of goods. Approaches that are

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freight- supportive may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

Marine facilities: means ferries, harbours, ports, ferry terminals, canals and associated uses, including designated lands for future *marine facilities*.

Mine hazard: means any feature of a mine as defined under the *Mining Act*, or any related disturbance of the ground that has not been rehabilitated.

Minerals: means metallic minerals and non- metallic minerals as herein defined, but does not include *mineral aggregate resources* or *petroleum resources*.

Metallic minerals means those minerals from which metals (e.g. copper, nickel, gold) are derived.

Non-metallic minerals means those minerals that are of value for intrinsic properties of the minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g. asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

Mineral aggregate operation: means

- a) lands under license or permit, other than for *wayside pits and quarries*, issued in accordance with the *Aggregate Resources Act*;
- b) for lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- c) associated facilities used in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products such as asphalt and concrete, or the production of secondary related products.

Mineral aggregate resources: means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*.

Mineral aggregate resource conservation:

means

- a) the recovery and recycling of manufactured materials derived from mineral aggregates (e.g. glass, porcelain, brick, concrete, asphalt, slag, etc.), for re-use in construction, manufacturing, industrial or maintenance projects as a substitute for new mineral aggregates; and
- b) the wise use of mineral aggregates including utilization or extraction of on-site *mineral aggregate resources* prior to development occurring.

Mineral deposits: means areas of identified *minerals* that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction.

Mineral mining operation: means mining operations and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently

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rehabilitated to another use.

Minimum distance separation formulae: means formulae and guidelines developed by the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

Multimodal transportation system: means a transportation system which may include several forms of transportation such as automobiles, walking, trucks, cycling, buses, rapid transit, rail (such as commuter and freight), air and marine.

Municipal sewage services: means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that is owned or operated by a municipality, [including centralized and decentralized systems](#).

Municipal water services: means a municipal drinking-water system within the meaning of section 2 of the *Safe Drinking Water Act, 2002*, [including centralized and decentralized systems](#).

Natural heritage features and areas: means features and areas, including *significant wetlands*, *significant coastal wetlands*, other *coastal wetlands* in Ecoregions 5E, 6E and 7E, *fish habitat*, *significant woodlands* and *significant valleylands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St.

Marys River), *habitat of endangered species and threatened species*, *significant wildlife habitat*, and *significant areas of natural and scientific interest*, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

Natural heritage system: means a system made up of *natural heritage features and areas*, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include *natural heritage features and areas*, federal and provincial parks and conservation reserves, other natural heritage features, lands that have been restored or have the potential to be restored to a natural state, areas that support hydrologic functions, and working landscapes that enable ecological functions to continue. The Province has a recommended approach for identifying *natural heritage systems*, but municipal approaches that achieve or exceed the same objective may also be used.

Negative impacts: means

- a) in regard to policy 1.6.6.4 and 1.6.6.5, [potential risks to human health and safety and](#) degradation to the *quality and quantity of water*, *sensitive surface water features* and *sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development*. *Negative impacts* should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;
- b) in regard to policy 2.2, degradation to the *quality and quantity of water*, *sensitive surface water features* and *sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development* or *site alteration* activities;
- c) in regard to *fish habitat*, any permanent alteration to, or destruction of *fish habitat*, except where, in conjunction with the appropriate authorities, it has been authorized under the *Fisheries Act*; and

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- d) in regard to other *natural heritage features and areas*, degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive *development* or *site alteration* activities.

Normal farm practices: means a practice, as defined in the *Farming and Food Production Protection Act, 1998*, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. Normal farm practices shall be consistent with the *Nutrient Management Act, 2002* and regulations made under that Act.

Oil, gas and salt hazards: means any feature of a well or work as defined under the *Oil, Gas and Salt Resources Act*, or any related disturbance of the ground that has not been rehabilitated.

On-farm diversified uses: means uses that are secondary to the principal agricultural use of the property, and are limited in area. *On-farm diversified uses* include, but are not limited to, home occupations, home industries, *agri- tourism uses*, and uses that produce value- added agricultural products. [Ground-mounted solar facilities are permitted in prime agricultural areas, including specialty crop areas, only as on-farm diversified uses.](#)

One hundred year flood: for *river, stream and small inland lake systems*, means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

One hundred year flood level: means

- a) for the shorelines of the Great Lakes, the peak instantaneous stillwater level, resulting from combinations of mean monthly lake levels and wind setups, which has a 1% chance of being equalled or exceeded in any given year;
- b) in the connecting channels (St. Mary¹s, St. Clair, Detroit, Niagara and St. Lawrence Rivers), the peak instantaneous stillwater level which has a 1% chance of being equalled or exceeded in any given year; and
- c) for large inland lakes, lake levels and wind setups that have a 1% chance of being equalled or exceeded in any given year, except that, where sufficient water level records do not exist, the one hundred year flood level is based on the highest known water level and wind setups.

Other water-related hazards: means water- associated phenomena other than *flooding hazards* and *wave uprush* which act on shorelines. This includes, but is not limited to ship-generated waves, ice piling and ice jamming.

Partial services: means

- a) *municipal sewage services* or *private communal sewage services* ~~and~~ [combined with individual on-site water services](#); or
- b) *municipal water services* or *private communal water services* ~~and~~ [combined with individual on-site sewage services](#).

Petroleum resource operations: means oil, gas and salt wells and associated facilities and other drilling operations, oil field fluid disposal wells and associated facilities, and wells and facilities for the underground storage of natural gas and other hydrocarbons.

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Petroleum resources: means oil, gas, and salt (extracted by solution mining method) and formation water resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation. This may include sites of former operations where resources are still present or former sites that may be converted to underground storage for natural gas or other hydrocarbons.

Planned corridors: means corridors or future corridors which are required to meet projected needs, and are identified through *provincial plans*, preferred alignment(s) determined through the *Environmental Assessment Act* process, or identified through planning studies where the Ontario Ministry of Transportation, [Metrolinx, Ontario Ministry of Energy, Northern Development and Mines or Independent Electricity System Operator \(IESO\) or any successor to those ministries or entities](#) is actively pursuing the identification of a corridor. Approaches for the protection of *planned corridors* may be recommended in guidelines developed by the Province.

Portable asphalt plant: means a facility

- a) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Portable concrete plant: means a building or structure

- a) with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

Prime agricultural area: means areas where *prime agricultural lands* predominate. This includes areas of *prime agricultural lands* and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* may be identified by the Ontario Ministry of Agriculture and Food using guidelines developed by the Province as amended from time to time. A *prime agricultural area* may also be identified through an alternative agricultural land evaluation system approved by the Province.

Prime agricultural land: means *specialty crop areas* and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection.

Private communal sewage services: means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that serves six or more lots or private residences and is not owned by a municipality.

Private communal water services: means a non-municipal drinking-water system within the meaning of section 2 of the *Safe Drinking Water Act, 2002* that serves six or more lots or private residences.

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Protected heritage property: means property designated under Parts IV, V, or VI of the *Ontario Heritage Act*; property subject to a heritage conservation easement under Parts II or IV of the *Ontario Heritage Act*; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and ~~U.N.E.S.C.O~~ [UNESCO](#) World Heritage Sites.

Protection works standards: means the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by *flooding hazards, erosion hazards and other water-related hazards*, and to allow access for their maintenance and repair.

Provincial and federal requirements: means

- ~~a. in regard to policy 1.6.11.2, legislation, regulations, policies and standards administered by the federal or provincial governments for the purpose of protecting the environment from potential impacts associated with energy systems and ensuring that the necessary approvals are obtained;~~
- a) in regard to policy 2.1.6, legislation and policies administered by the federal or provincial governments for the purpose of fisheries protection (including *fish and fish habitat*), and related, scientifically established standards such as water quality criteria for protecting lake trout populations; and
 - b) in regard to policy 2.1.7, legislation and policies administered by the provincial government or federal government, where applicable, for the purpose of protecting species at risk and their habitat.

Provincial plan: means a provincial plan within the meaning of section 1 of the *Planning Act*.

Public service facilities: means land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, [long-term care services](#), and cultural services. *Public service facilities* do not include *infrastructure*.

Quality and quantity of water: is measured by indicators associated with hydrologic function such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime.

Rail facilities: means rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated lands for future *rail facilities*.

Recreation: means leisure time activity undertaken in built or natural settings for purposes of physical activity, health benefits, sport participation and skill development, personal enjoyment, positive social interaction and the achievement of human potential.

Redevelopment: means the creation of new units, uses or lots on previously developed land in existing communities, including *brownfield sites*.

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Regional market area: refers to an area that has a high degree of social and economic interaction. The upper or single-tier municipality, or planning area, will normally serve as the *regional market area*. However, where a *regional market area* extends significantly beyond these boundaries, then the *regional market area* may be based on the larger market area. Where *regional market areas* are very large and sparsely populated, a smaller area, if defined in an official plan, may be utilized.

Renewable energy source: means an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy and tidal forces.

Renewable energy system: means a system that generates electricity, heat and/or cooling from a *renewable energy source*.

Reserve sewage system capacity: means design or planned capacity in a centralized waste water treatment facility which is not yet committed to existing or approved development. For the purposes of policy 1.6.6.6, reserve capacity for *private communal sewage services* and *individual on-site sewage services* is considered sufficient if the hauled sewage from the development can be treated and land-applied on agricultural land under the *Nutrient Management Act*, or disposed of at sites approved under the *Environmental Protection Act* or the *Ontario Water Resources Act*, but not by land-applying untreated, hauled sewage.

Reserve water system capacity: means design or planned capacity in a centralized water treatment facility which is not yet committed to existing or approved development.

Residence surplus to a farming operation: means an existing habitable farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

Residential intensification: means intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:

- a) redevelopment, including the redevelopment of *brownfield sites*;
- b) the development of vacant or underutilized lots within previously developed areas;
- c) infill development;
- d) [development and introduction of new housing options within previously developed areas;](#)
- e) the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and
- f) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, ~~secondary suites and~~ [additional residential units,](#) rooming houses, [and other housing options.](#)

River, stream and small inland lake systems:

means all watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

Rural areas: means a system of lands within municipalities that may include rural *settlement areas*, *rural lands*, *prime agricultural areas*, natural heritage features and areas, and resource areas.

Rural lands: means lands which are located outside *settlement areas* and which are outside *prime*

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agricultural areas.

Sensitive: in regard to *surface water features* and *ground water features*, means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

Sensitive land uses: means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby *major facility*. *Sensitive land uses* may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

Settlement areas: means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:

- a) built up areas where development is concentrated and which have a mix of land uses; and
- b) lands which have been designated in an official plan for development over the long term planning horizon provided for in policy

1.1.2. In cases where land in *designated growth areas* is not available, the *settlement area* may be no larger than the area where development is concentrated.

Sewage and water services: includes *municipal sewage services* and *municipal water services*, *private communal sewage services* and *private communal water services*, *individual on-site sewage services* and *individual on-site water services*, and *partial services*.

Significant: means

- a) in regard to *wetlands*, *coastal wetlands* and *areas of natural and scientific interest*, an area identified as provincially significant by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the Province, as amended from time to time;
- b) in regard to *woodlands*, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria established by the Ontario Ministry of Natural Resources and Forestry;
- c) in regard to other features and areas in policy 2.1, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*;
- d) in regard to *mineral* potential, an area identified as provincially significant through evaluation procedures developed by the Province, as amended from time to time, such as the Provincially Significant Mineral Potential Index; and
- e) in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for the important contribution they make to our understanding of the history of a place, an event, or a people determining cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act.

Criteria for determining significance for the resources identified in sections (c)-(ed) are

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recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used.

While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

Site alteration: means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

For the purposes of policy 2.1.4(a), *site alteration* does not include underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as in the *Mining Act*. Instead, those matters shall be subject to policy 2.1.5(a).

Special needs: means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of *special needs* housing may include, but are not limited to, [long-term care homes, adaptable and accessible housing, and](#) housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons.

Special Policy Area: means an area within a community that has historically existed in the *flood plain* and where site-specific policies, approved by both the Ministers of Natural Resources [and Forestry](#) and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning *development*. The criteria and procedures for approval are established by the Province.

A *Special Policy Area* is not intended to allow for new or intensified *development* and *site alteration*, if a community has feasible opportunities for *development* outside the *flood plain*.

Specialty crop area: means areas designated using guidelines developed by the Province, as amended from time to time. In these areas, specialty crops are predominantly grown such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil, usually resulting from:

- a) soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both;
- b) farmers skilled in the production of specialty crops; and
- c) a long-term investment of capital in areas such as crops, drainage, infrastructure and related facilities and services to produce, store, or process specialty crops.

Surface water feature: means water-related features on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

Threatened species: means a species that is ~~listed or categorized~~ [classified](#) as a “Threatened

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Species” on the ~~Ontario Ministry of Natural Resources' official~~ Species at Risk [in Ontario](#) List, as updated and amended from time to time.

Transit-supportive: in regard to land use patterns, means development that makes transit viable, [optimizes investments in transit infrastructure](#), and improves the quality of the experience of using transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities, [including air rights development, in proximity to transit stations, corridors and associated elements within the transportation system](#). Approaches may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

Transportation demand management: means a set of strategies that result in more efficient use of the *transportation system* by influencing travel behaviour by mode, time of day, frequency, trip length, regulation, route, or cost.

Transportation system: means a system consisting of facilities, corridors and rights-of-way for the movement of people and goods, and associated transportation facilities including transit stops and stations, sidewalks, cycle lanes, bus lanes, high occupancy vehicle lanes, *rail facilities*, parking facilities, parkⁿ-ride lots, service centres, rest stops, vehicle inspection stations, inter-modal facilities, harbours, *airports*, *marine facilities*, ferries, canals and associated facilities such as storage and maintenance.

Two zone concept: means an approach to *flood plain* management where the *flood plain* is differentiated in two parts: the *floodway* and the *flood fringe*.

Valleylands: means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.

Vulnerable: means surface and/or ground water that can be easily changed or impacted.

Waste management system: means sites and facilities to accommodate solid waste from one or more municipalities and includes recycling facilities, transfer stations, processing sites and disposal sites.

Watershed: means an area that is drained by a river and its tributaries.

Wave uprush: means the rush of water up onto a shoreline or structure following the breaking of a wave; the limit of wave uprush is the point of furthest landward rush of water onto the shoreline.

Wayside pits and quarries: means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Wetlands: means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

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Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

WildlifeWildland fire assessment and mitigation standards: means the combination of risk assessment tools and environmentally appropriate mitigation measures identified by the Ontario Ministry of Natural Resources and Forestry to be incorporated into the design, construction and/or modification of buildings, structures, properties and/or communities to reduce the risk to public safety, infrastructure and property from wildland fire.

Wildlife habitat: means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non- migratory species.

Woodlands: means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels. Woodlands may be delineated according to the Forestry Act definition or the Province's Ecological Land Classification system definition for "forest".

Report To: Board of Directors

Subject: Water Quality Monitoring Program Summary Report for the Year 2019

Report No: FA-16-20

Date: May 21, 2020

Recommendations:

1. **THAT** Report No. FA-16-20 RE: Water Quality Monitoring Program Summary Report for the Year 2019 **BE RECEIVED**.
2. **THAT** the report **BE PLACED** on the NPCA website in order to update the Summary Report for the Year 2018.
3. **THAT** a copy of the Report be **DISTRIBUTED** to the Region of Niagara, its lower tier municipalities, the City of Hamilton, the County of Haldimand, all associated Public Health Departments, the local Ontario Ministry of Environment, Conservation and Parks office and Conservation Ontario.

Purpose:

The purpose of this report is to provide an update on NPCA's 'Water Quality Monitoring Program Summary Report for the Year 2019' and associated next steps.

Background:

The NPCA Water Quality Monitoring Program was implemented in 2001 and is operated in partnership with the Ministry of Environment, Conservation and Parks (MECP), the Regional Municipality of Niagara, Haldimand County, and the City of Hamilton. The NPCA collects and analyzes hundreds of water samples each year from the streams, rivers and groundwater resources within the watershed. From this information, the NPCA can identify sources of pollution, track water quality trends, and help to assess and direct NPCA environmental programs. As well, the long-term data collected serves as a baseline by which to compare the success of various water quality improvement initiatives being undertaken by different organizations throughout the watershed. Further, data collected through this program is utilized for watershed report cards and updated to NPCA watershed plans.

Discussion:

The NPCA Water Quality Report for the Year 2019 summarizes the results of the NPCA's surface water and groundwater monitoring program. The NPCA collects monthly surface water quality samples (during the ice-free season) at 80 monitoring stations and analyzes them using several indicator parameters including chloride, nitrate, total phosphorus, total suspended solids, copper, lead, zinc, and *E. coli*. These indicator parameters are used to calculate the Canadian Water Quality Index (WQI) which provides a descriptive water quality rating for each station.

The NPCA also monitors surface water quality using benthic invertebrates (aquatic insects and animals) as indicators of stream health. Due to their restricted mobility and habitat preferences benthic invertebrates usually remain in a localized area. As a result, they are continuously subjected to the effects of all pollutants and environmental stream conditions, and as such can provide a broad overview of water quality related problems. They are abundant in all types of aquatic systems and can be easily collected and identified.

For surface water, the biological and chemical monitoring results indicate that most of Niagara's watersheds have poor or impaired water quality. Total phosphorus, *E. coli*, suspended solids, and chlorides from non-point sources (agricultural and livestock operations, faulty septic systems, winter de-icing operations) and point sources (combined sewer overflows, urban stormwater runoff) continue to be the major causes of impairment in the NPCA watershed. Twelve Mile Creek continues to have the best water quality rating in the NPCA watershed.

Since 2003, the NPCA has also been collecting water quality data and water level data from 15 Provincial Groundwater Monitoring Network (PGMN) monitoring wells in partnership with the MECP. This data is important to assess the ambient conditions of several bedrock and overburden aquifers found in NPCA watershed. For groundwater, monitoring results indicate that water quality generally meets Ontario Drinking Water Standards. Reported groundwater quality exceedances were mainly related to naturally occurring bedrock conditions.

The NPCA Water Quality Monitoring Program continues to provide valuable information about the health of the watershed. The poor surface water quality in the NPCA watershed has been caused by decades of environmental degradation. However, water quality programs that improve how nutrients are managed, serve to increase riparian buffers, and improve forest cover can begin to address these impacts. It will likely take many years of implementing these programs before the water quality in the NPCA watershed improves to the point where it is able to meet federal and provincial water quality guidelines. As such, the Water Quality Monitoring Report recommends that the NPCA continue to monitor both our surface water and groundwater to ensure that there is up-to-date current water quality information available, be able to quantify trends, and continue to identify sources of contamination within the NPCA watershed.

Financial Implications:

The Water Quality Monitoring Program is funded as part of the general NPCA operation levy.

Related Reports and Appendices:

Appendix 1 – Water Quality Ratings in 2015-2019

Appendix 2 – Slide Summary of 2019 Report

Authored by:

Original Signed By:

Joshua Diamond, M.Sc.
Water Quality Specialist

Prepared by:

Original Signed By:

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

Reviewed by:

Original Signed By:

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Director, Watershed Management

Submitted by:

Original signed by:

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



Appendix 1 - Water Quality Ratings in 2015-2019

Water Quality Monitoring Program Summary Report of the Year 2019



NPCA Board of Directors Meeting

May 21 2020

Joshua Diamond & Eric Augustino

NPCA Water Quality Monitoring Program implemented in 2001 with a mandate to:

1) Assess water quality in local watersheds

- Surface water quality
- Groundwater quality

2) Report water quality information to stakeholders

- Water quality reports
- Data Sharing



What does the NPCA look at in our water?

Indicator	Sources	Impacts
Chloride	Road salt, sewage	Ecological toxicity
Phosphorus	Fertilizers, sewage	Excess algae growth
Nitrate	Septic systems, fertilizers	Human health
Suspended Solids	Erosion, urban and agricultural runoff	Loss of habitat
<i>E. coli</i>	Sewage, manure	Beach closures, boil water advisories
Metals	Industrial effluents, pesticides, storm water runoff	Ecological toxicity
Benthic Animals	Both rural and urban pollutants	Ecological toxicity Loss of habitat



NPCA Groundwater Monitoring



Additional Services NPCA Provided in 2019

1. Queen's Royal Beach Niagara River Remedial Action Plan

-Water quality sampling and technical support

2. Niagara Coastal Collaborative Committee

- Initiated Lorraine Bay Nutrient Trackdown Study

3. Upper Twelve Mile Creek Water Temperature Monitoring

-Identified and monitored critical Brook Trout habitat

4. Hamilton Airport Biological Monitoring Study

-Tracked impacts of airport de-icing activities in the upper Welland River

5. Niagara Region_South Niagara Falls Waste Water Treatment Plant

-NPCA provided background water quality data as part of study

6. Lake Niapenco *E.coli* Source Tracking

-Investigated and identified sources of *E.coli* contamination





Spill Investigations

MOVING WATER FORWARD

NOTICE OF STUDY COMMENCEMENT
SOUTH NIAGARA FALLS WASTEWATER SOLUTIONS
SCHEDULE 'C' CLASS ENVIRONMENTAL ASSESSMENT

WHAT IS THIS STUDY ALL ABOUT?
There is significant residential and commercial growth planned for Niagara Region and specifically for South Niagara, including areas in Niagara Falls and Thorold. South Niagara is a new town to be created by the amalgamation of the municipalities of Niagara Falls and Thorold. The study is about assessing the needs of growth with the protection and preservation of natural and heritage resources. It is also about the Niagara Region's commitment to reduce its own greenhouse gas emissions and to reduce its own carbon footprint.

WHY IS A NEW WASTEWATER TREATMENT PLANT NEEDED?
Niagara Region's current wastewater treatment plant is at capacity. A new wastewater treatment plant is needed to meet the needs of the growing population and to protect the environment. The study is about assessing the needs of growth with the protection and preservation of natural and heritage resources. It is also about the Niagara Region's commitment to reduce its own greenhouse gas emissions and to reduce its own carbon footprint.

WHAT IS THE PROCESS FOR THIS STUDY?
The study is being undertaken in accordance with the Environmental Assessment Act (EAA) and the Environmental Assessment Regulations (EAR). The study is being undertaken in accordance with the EAA and the EAR. The study is being undertaken in accordance with the EAA and the EAR.

HOW CAN I PARTICIPATE IN THIS STUDY?
It is expected that the study will take approximately six months to complete. Public input and comments are encouraged throughout the study. The study is being undertaken in accordance with the EAA and the EAR. The study is being undertaken in accordance with the EAA and the EAR.

Nutrient Trackdown in Beaver Creek and Big Fort Creek Watersheds in the Niagara River Area of Concern in Support of the Beneficial Use Impairment: Eutrophication and Undesirable Algae

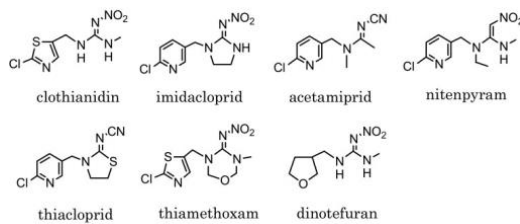
The Welland River Remediation Study in the Niagara River Area of Concern in Support of the Beneficial Use Impairment: Eutrophication and Undesirable Algae

WATER QUALITY ASSESSMENT
Buckhorn Creek and the Welland River
In the Vicinity of the Glanbrook Landfill

Hamilton International Airport
Biological Assessment of Water Quality



Neonicotinoid Insecticides



Consultants

UNIVERSITY OF WATERLOO

Assessing the level of correlation amongst biological indices and water chemistry parameters from 2005-2013 in the Effingham Tributary of Twelve Mile Creek, Pelham, Ontario

ERS 411 Senior Honours Thesis

Jaclyn Hart 20388605

Thank You!

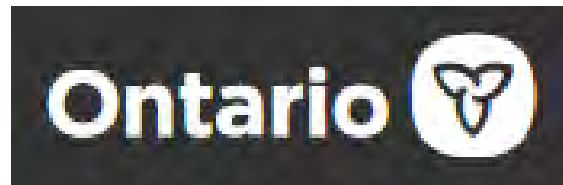


Eric Augustino
Water Quality Technician



Ryan Kitchen
Water Resources Technician

Key Partnerships



Report To: Board of Directors

Subject: Update on Auditor General Progress Report

Report No: FA-22-2020

Date: May 21, 2020

Recommendation:

THAT Report No. FA-22-2020 RE: Auditor General Progress Update Report to the Board **BE RECEIVED** for information.

Purpose:

The purpose of this report is to inform the Board of Directors about a request from the Auditor General's office for a mid-point progress report on the status of recommendations from the *Special Audit of the Niagara Peninsula Conservation Authority, September 2018*.

Background:

The Auditor General of Ontario attended the May 3, 2019 Board of Directors' meeting to present her findings as detailed in the *Special Audit of the Niagara Peninsula Conservation Authority, September 2018*. The Auditor General advised the Board that she and her team would return in 2020 to undertake an additional review to ensure her recommendations were addressed. Staff at the NPCA have been in communication with the Office of the Auditor General of Ontario (OAGO) throughout 2019 and 2020 and maintain a collaborative open dialogue with the OAGO staff assigned to the NPCA file. On February 12, 2020, the NPCA received a request from the Office of the Auditor General for a mid-point progress update on the implementation of recommendations contained in the *Special Audit*.

Discussion:

Appendix A as attached is the progress summary report submitted to the Office of the Auditor General of Ontario on April 1, 2020. Subsequent to that, at the end of April, the NPCA received a follow-up inquiry from the OAGO requesting additional background documentation. At the time of writing this report, NPCA staff have provided initial follow-up documentation and are in the process of compiling further information for submission to the Auditor General in the coming weeks.

At present, the recommendations of the Auditor General have been completed to varying degrees. Much of the work undertaken to date addressed the immediate issues identified by the Auditor General. In many instances, it is the intent of the organization to further build upon and refine the processes implemented to date as it continues to refocus and reorganize.

Financial Implications:

There are no direct financial implications to addressing requests for documentation from the Auditor General. The draft 2020 budget addresses recommendations of the Auditor General that require funding submissions, including addressing staffing gaps and capital projects.

Links to Policy/Strategic Plan:

This report aligns with those aspects of the NPCA's Mission Statement to ensure that the NPCA remains a responsive, innovative and accountable organization.

Related Reports and Appendices:

Appendix 1: Follow Up of OAGO's Recommendations Issued in The Special Report Tabled in 2018

Authored by:

Original Signed By:

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

Submitted by:

Original Signed By:

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

FOLLOW UP OF OAGO's RECOMMENDATIONS ISSUED IN THE SPECIAL REPORT TABLED IN 2018

Ministry / Agency: **NIAGARA PENINSULA CONSERVATION AUTHORITY**

Report Title: **SPECIAL AUDIT OF THE NIAGARA PENINSULA CONSERVATION AUTHORITY**

Rec #	Recommendation	Implementation Status of Each Action in the Recommendation (see note below) and Steps Taken to Support the Status	Documentation Provided to Support the Implementation Status of Each Action	Work Outstanding (if action not fully implemented)	Estimated Implementation Date for Each Action Not Fully Implemented Month & Year
2	To ensure that the Niagara Peninsula Conservation Authority (NPCA) Board of Directors has the necessary independence and objectivity to oversee the NPCA's activities effectively, we recommend that the NPCA Board:				
	* adhere to its Code of Conduct, which states that Board members are to refrain from unduly influencing staff, being respectful of staff's responsibility to use their professional expertise and corporate perspective to perform their duties; and	(1) Fully Implemented	Report No. GC-02-19 Recommendation GC-05-19 Recommendation GC-10-2019 Recommendation GC-11-2019	Subject to Board approval Annual reviews will occur	
	* update its Code of Conduct to clearly define the circumstances and relationships that could lead to an actual or perceived conflict of interest beyond those defined in the Municipal Conflict of Interest Act.	(1) Implemented	Current Code of Conduct is updated. Putting the Code of Conduct into practice has been a learning process. Board member information session was organized on Feb 19th 2020 with a legal expert.	Staff are working with the Governance Committee to finalize principles to be appended to the Code of Conduct. A training session was organized for March 2020 but cancelled due to COVID-19.	
3	To ensure that members of the Niagara Peninsula Conservation Authority (NPCA) Board of Directors collectively have the skills, experience and training necessary to oversee the NPCA's activities effectively, we recommend that the NPCA Board:				
	* determine the types of skills and experience required on the Board based on the NPCA's mandate, and develop and implement a strategy to address any gaps;	(1) Fully Implemented	FA-Mar 20/19 GC-04-19 GC-06-19 Report FA-107-19		

Note: Implementation Status: (1) Fully Implemented; (2) In Process of Being Implemented; (3) Little or No Progress; (4) Will Not Be Implemented; (5) No Longer Applicable

2

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	* work with the NPCA's funding municipalities to ensure that their Board appointment processes consider skills and experience requirements;	(1) Fully Implemented	Apr 17/19 FA-Resolution CAO met with Niagara Region CAO & Senior staff Jun 5/19	Current NPCA Board has significant experience and a diverse range of skills. Board members are very engaged and have been very effective in achieving the goals and priorities established for this term. Staff to work with the Board and municipal staff to review and refine the process (if needed) for the next round of municipal appointments	
	* assess the current role of its advisory committee to determine whether it is sufficient in fulfilling any gaps in Board skills and competencies, and revise as necessary; and	(1) Fully Implemented	Report No. FA-83-19 Jun 27		
	* identify initial and ongoing Board governance training needs.	(1) Fully Implemented	Aug 14/19 training program implemented.		Ongoing. Future training needs continually identified and implemented
5	To ensure that the Niagara Peninsula Conservation Authority (NPCA) Board of Directors has all the information it needs to effectively oversee the NPCA and improve its oversight when needed, we recommend that the NPCA Board: * regularly evaluate the performance of the NPCA's Chief Administrative Officer, as required by its policies;	(1) Fully Implemented (2) in Process of Being Implemented for the new CAO in 2020	Completed In-Camera Report August 14, 2019	New CAO's assumed responsibility in Jan 2020. Goals and Priorities have been established. A mid-year evaluation will be completed by the Chair and Board	Q2 2020

Note: Implementation Status: (1) Fully Implemented; (2) In Process of Being Implemented; (3) Little or No Progress; (4) Will Not Be Implemented; (5) No Longer Applicable

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5	* develop performance indicators to facilitate the Board's evaluation of its oversight processes and activities; and	(1) Fully Implemented	Report GC-06-19 - Oct. 22	FA	
	* regularly evaluate both its collective performance and the performance of individual Board members.	(2) In Process of Being Implemented	Report GC-13-19 Oct. 22	Staff to work with the Governance Committee to determine next steps	Fall 2020
6	To ensure that per diem payments to Board members are reasonable and transparent, we recommend that the Niagara Peninsula Conservation Authority: * clarify its Board policies to specify the meetings and other functions for which Board members may receive per diem payments in the future; and	(1) Fully Implemented	Resolution GC-05-19 Feb 4/2019 Administrative By-law Updated	Ongoing continuous improvement	
	* continue to publish information on actual Board per diems and other expenses annually online.	(1) Fully Implemented	Published quarterly on the NPCA Website		
7	To ensure that the Niagara Peninsula Conservation Authority (NPCA) has complete and up-to-date information about flood risks within its watershed, we recommend that the NPCA:				

Note: Implementation Status: (1) Fully Implemented; (2) In Process of Being Implemented; (3) Little or No Progress; (4) Will Not Be Implemented; (5) No Longer Applicable

4

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7	* assess the risk to communities around the unmapped watercourses;	(2) In Process of Being Implemented	As of 2018, the NPCA had completed floodplain mapping for 42% of the watershed. A Risk Assessment has been undertaken and the status of the high priority projects are described in this section. The NPCA has recently completed floodplain mapping along 135km of the Welland River. This floodplain mapping study received Board approval in December 2019 (Board Resolution FA-261-19).	The NPCA continues to undertake floodplain mapping studies in an effort to address this recommendation. Current high priority studies include Walker's Creek and Beaver Creek in the City of St. Catharines, 6 watercourses in the Town of Grimsby and 3 watercourses in the town of Lincoln. The work plan beyond these immediate studies is described in Recommendation 7.2.	The Walker's Creek and Beamer Creek floodplain mapping study is estimated to be completed in Q2, 2020. The Grimsby and Lincoln floodplain mapping studies are estimated to be completed in Q3, 2020
	* determine the time and cost for completing and updating floodplain maps;	(2) In Process of Being Implemented	A five-year capital forecast for the remaining 58% of mapping to be completed has been placed in the 2020 budget and beyond. A minimum of \$200,000 per year over 5 to 7 years will be required to address the mapping deficiency. This cost and the associated schedule was outlined in Board Report No. FA-89-19 and approved (Resolution FA-194-19).	Ongoing	Ongoing
	* schedule this work, based on its risk assessment and for the watercourses for which the Ministry of Natural Resources and Forestry recommends floodplain maps be prepared.	(2) In Process of Being Implemented	A Risk Assessment has been undertaken and the proposed work has been scheduled accordingly. The cost and the associated schedule was outlined in Board Report No. FA-89-19 and approved (Resolution FA-194-19).	Ongoing	Ongoing

Note: Implementation Status: (1) Fully Implemented; (2) In Process of Being Implemented; (3) Little or No Progress; (4) Will Not Be Implemented; (5) No Longer Applicable

5

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9	To ensure that development is directed away from areas of natural hazards where there is an unacceptable risk to public health and safety or of property damage, we recommend that the Niagara Peninsula Conservation Authority (NPCA) :				
	* finalize, as soon as possible, its policies for reviewing development proposals and work permit applications;	(1) Fully Implemented	Policy Document approval Sep 18 and became effective Nov 18. Report FA-60 June 19/19 & FA-74-19 Aug 14/19	Policies will be further updated (as needed for conformity) following Bill 108 regulations from the Province in 2020, additionally for service improvement.	Additional Service Improvement Action: a Client Services Standard for Planning and Permit Review is also being brought forward in May 2020 for Board Approval.
	* in finalizing such policies, ensure that the criteria for where development is allowed is consistent with Section 3.1 of the Provincial Policy Statement and the Conservation Authorities Act.	(1) Fully Implemented	NPCA policies are consistent with Sec. 3.1 of Provincial Policy Statement.		Additional Service Improvement Action: Planning and Policy Procedural Manual to be initiated in Q3 2020.
10	To ensure that staffing decisions are focused on improving the operations of the Niagara Peninsula Conservation Authority (NPCA) to fulfill its legislative mandate and provide effective and efficient services, we recommend that the NPCA: * develop a human resources (HR) plan that identifies current and future HR needs, as they relate to the strategic direction of the NPCA;	(1) Current Needs - Fully Implemented (2) Future Needs - In the Process of Being Implemented	A Human Resources Plan was approved by the Board at their September 18, 2019 meeting. Current HR Plan ongoing Lunch and Learn Programs and the development of a Corporate Culture Plan. A Corporate Culture Workshop was held for staff on December 16, 2019	A full assement of future HR gaps and assessment of skills gaps is being initiated in 2020 A skills development and training program to be put in place along with a staff recognition program.	

Note: Implementation Status: (1) Fully Implemented; (2) In Process of Being Implemented; (3) Little or No Progress; (4) Will Not Be Implemented; (5) No Longer Applicable

6

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10	* in developing such an HR plan, review its staffing mix to determine the appropriate level of administrative and corporate support staff;	(1) Current Needs - Fully Implemented (2) Future Needs - In the Process of Being Implemented	Report FA-123-19 was considered at the September 18, 2019 Board of Director's meeting. The 2020 NPCA budget identified staffing gaps in four areas: compliance, restoration, planning and finance.	Organizational Structure to be reviewed as part of Strategic Plan Operationalization	HR Plan to be updated based on HR Gap Assessment and Strategic Plan in 2021
	* base future HR decisions on its HR plan; and	(2) In the Process of being Implemented		Investing in NPCA staff for a highly skilled and motivated work force will be an objective of the New NPCA Strategic Plan being launched in 2020. This will be operationalized in 2021.	This will be operationalized in 2021. All future HR decisions will be based on this Future HR Plan
	* provide information about planned re-structuring decisions, including their financial implications, to the NPCA Board prior to implementing such decisions.	(1) Fully Implemented for 2019- 2020	Organization review was discussed and approved April 17, 2019 & June 19, 2019 This was accompanied by a financial assessment.	Any restructuring affecting the strategic direction of the organization will be brought to the Board prior to implementation along with financial implications.	
11	To ensure that reports of possible and known violations are appropriately addressed in a timely manner, we recommend that the Niagara Peninsula Conservation Authority:				

Note: Implementation Status: (1) Fully Implemented; (2) In Process of Being Implemented; (3) Little or No Progress; (4) Will Not Be Implemented; (5) No Longer Applicable

7

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11	* determine the number of enforcement staff necessary to address violations on a timely basis and staff accordingly;	(1) Fully Implemented	Supervisor hired March/19 Report No. FA-47-19	Ongoing annual assessment will be completed.	
	* ensure that enforcement staff obtain the necessary training to discharge their responsibilities;	(1) Fully Implemented	All staff have received Level 1 Conservation Ontario Compliance Training	Ongoing annual assessment will be completed.	
	* revise its enforcement policy to provide guidance on the progressive actions enforcement staff should take to address violations taking into consideration the significance of the violations;	(2) In Process of Being Implemented	A Draft Manual has been updated by Conservation Ontario (Conservation Authority Regulatory Compliance Guidelines: Sample Policies and Procedures). The Manual will be implemented when the Province has approved regulations under Bill 108.	NPCA to utilize the Conservation Ontario manual, once approved, to create an NPCA centric version. This will form part of the overall Policy Procedural Manual to be developed by NPCA for Plan & Permit Review	Q3 2020 or aligned with the Regulations issued as part of Bill 108
	* revise its enforcement policy to require that enforcement activities be sufficiently documented and ensure that staff adhere to the policy;	(2) In Process of Being Implemented	BMP's will be included in the NPCA version of the updated Compliance Guidelines along with training of staff by the Supervisor.	The NPCA centric version of the Compliance manual will form part of the overall Policy Procedural Manual to be developed by NPCA for Plan & Permit Review and will allow for audits by the Manager to ensure staff adhere to the policy	Q3 2020 or aligned with the Regulations issued as part of Bill 108
	* use CityView to track reports of possible violations.	(2) In Process of Being Implemented	Workflow configuration to be scheduled later in 2020. The new version along with the training will significantly help address this issue going forward and maximize CityView's potential.	CityView has been updated to newest version to allow more flexibility to record information.	Final training and utilization in progress and anticipated completion Q3 2020.

Note: Implementation Status: (1) Fully Implemented; (2) In Process of Being Implemented; (3) Little or No Progress; (4) Will Not Be Implemented; (5) No Longer Applicable

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12	To ensure that the Niagara Peninsula Conservation Authority (NPCA) can proactively identify unlawful activities before they result in risk to people, property and the environment, we recommend that the NPCA: * institute a mandatory reporting mechanism for landowners to notify the NPCA that approved work has been completed in compliance with the conditions of the permit, and follow up with landowners who fail to report;	(1) Fully Implemented	A dedicated e-mail has been placed on the landowners permit for applicants to send notifications to the NPCA. The NPCA will also be instituting a permit completion checklist in 2020 to ensure proper closure of permits.		
	* develop a risk-based plan to conduct site visits to ensure that landowners have completed the approved work in compliance with the conditions of the permit; and	Phase 1 (1) Fully Implemented Phase 2 (2) In Process of Being Implemented	Report FA-59-19 While the plan has been finalized, staff is waiting on the new Conservation Authority Regulatory Compliance Guidelines: Sample Policies and Procedures in order to align risk-based activities.	While NPCA staff are waiting for the new guidelines, staff are utilizing portions of the new guidelines along with the current 2011 guideline and the BMP from Report FA-59-19 to assess risk.	Phase 2 Q3 2020
	* update its website to provide information to the public about activities that are prohibited under the Conservation Authorities Act and how the public can report suspected violations to the NPCA.	(1) Fully Implemented	A Fact Page has been created and posted on the website. Public calls are accepted directly by enforcement managers, communications, front desk as well as the CAO, as needed.	For continuous improvement, the website has been identified as needing redesign in general and a Request for Information to determine cost to create a new website is being proposed for Q2. New website is not anticipated until 2021	

Note: Implementation Status: (1) Fully Implemented; (2) In Process of Being Implemented; (3) Little or No Progress; (4) Will Not Be Implemented; (5) No Longer Applicable

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13	To ensure that restoration funding is directed toward projects that best achieve the goals of the restoration program, we recommend that the Niagara Peninsula Conservation Authority, regardless of its chosen program delivery model, develop and implement a strategy to better target areas of the watershed based on water quality monitoring and other information on the health of the watershed.	(1) Fully Implemented	Restoration Program Guidelines and a 2019 workplan were considered and approved by the Board of Directors on June 19/19.		
14	To ensure that funding from Ontario Power Generation (OPG) helps improve the health of the Welland River as agreed to, we recommend that the Niagara Peninsula Conservation Authority (NPCA) : * seek clarification with OPG regarding its expectations for how the remaining funds are to be spent;	(1) Fully Implemented	Quarterly meetings between NPCA and OPG staff are now in place including updates on projects and finances.		
	* revise, as necessary, the formal agreement between the NPCA and OPG to outline such expectations; and	(1) Fully Implemented	Final Memorandum of Understanding was approved on June 19/19 Report FA-55-19		
	* develop and implement a plan that identifies the projects and their locations for which the remaining funds will be spent, ensuring that such projects focus efforts on areas of concern based on the watershed plans that have been developed for the Welland River.	(1) Fully Implemented	The approved MOU included a plan that identifies projects and their locations, ensuring focus on priority areas of concern.		
15	To ensure that lands are acquired to help the Niagara Peninsula Conservation Authority (NPCA) fulfill its mandate, we recommend that the NPCA : * review and revise its land acquisition goals—both in its latest 2015 plan and in its 100-year plan—for reasonableness and to reflect the NPCA's responsibilities under the natural hazard policies of the Provincial Policy Statement;	(2) In Process of Implementation	Draft Land Acquisition Strategy including updated criteria for land acquisition was presented for Board's consideration in Dec 2019. Further Consultation Scheduled in Q1 2020 .	Board consultation and Strategy completion currently underway.	Q2 2020

Note: Implementation Status: (1) Fully Implemented; (2) In Process of Being Implemented; (3) Little or No Progress; (4) Will Not Be Implemented; (5) No Longer Applicable

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15	* improve its current land acquisition criteria to provide clear direction on which lands should be acquired;	(1) Fully Implemented	Land acquisition criteria has been developed.		
	* prioritize its current land acquisition criteria to reflect the revised goals;	(1) Fully Implemented	Staff have recommended ranking to be approved by the Board of Directors.	Awaiting Board review, updates and approval	Q2 2020
	* determine the total cost of its land acquisition plan and how it will fund the acquisitions;	(2) In Process of Being Implemented		A Funding Strategy will be developed	Q2 2020
	* develop and implement a plan to achieve its land acquisition goals; and	(2) In Process of Being Implemented		Land Acquisition Strategy will include an implementation plan.	Q3 2020
	* monitor and report to the NPCA Board of Directors on land acquisition progress.	(1) Fully Implemented- Process in place	Report FA-125 was considered by the Board of Directors of potential acquisition.	Ongoing updates will continue	
16	To enable the Niagara Peninsula Conservation Authority (NPCA) to assess its performance in fulfilling its mandate, we recommend that the NPCA:				
	* develop performance indicators that are tied to its mandate and overall program goals;	(1) Fully Implemented - watershed based report card indicators (2) In Process of Being Implemented -Broader set of organizational and Program KPI's	NPCA is part of Conservation Ontario's Watershed Report Card System which includes key performance indicators.	Broader set of Program related KPI's will be developed as part of the new Strategic Plan	Q4 2020
	* establish targets against which each indicator will be assessed;	(2) In Process of Being Implemented			Q4 2020

Note: Implementation Status: (1) Fully Implemented; (2) In Process of Being Implemented; (3) Little or No Progress; (4) Will Not Be Implemented; (5) No Longer Applicable

11

This document constitutes an audit working paper and is deemed confidential under Section 19 of the Auditor General Act.

Rec #	Recommendation	Implementation Status of Each Action in the Recommendation (see note below) and Steps Taken to Support the Status	Documentation Provided to Support the Implementation Status of Each Action	Work Outstanding (if action not fully implemented)	Estimated Implementation Date for Each Action Not Fully Implemented Month & Year
16	* regularly collect and analyze information about the impact of its programs and services on the Niagara Peninsula watershed to help adjust programs on an ongoing basis; and	(1) Fully Implemented	Staff assess and analyze programs quarterly using interim matrix and measures - Reports are presented to the Board and data coalated for annual report.		ongoing
	* review, and revise as necessary, its annual and quarterly reports to better reflect how the NPCA's initiatives and projects are helping the NPCA fulfill its mandate and overall program goals.	(1) Fully Implemented	The Annual Reports will be refined to outline how NPCA's projects are fulfilling our mandate and goals .		Q2 2020 Annual Report
17	To ensure that the Niagara Peninsula Conservation Authority (NPCA) follows fair and transparent recruitment and promotion processes, and that the best-qualified individuals are hired and promoted, we recommend that the NPCA: * update its recruitment policies to include the steps and documentation required to support hiring decisions and eliminate situations of real or perceived conflict of interest in recruitment and hiring;	(1) Fully Implemented	Report No. FA-68-19 Jun 19/19		
	* update its promotion policies to include the decision-making process required to be followed and documented for promotions and appointments;	(1) Fully Implemented	Report No. FA-69-19 Aug 14/19		
	* assess staff's performance annually, as required by its policies; and	(1) Fully Implemented	Policy has been updated Report No. FA-148-19. All staff will receive a Performance Review on their anniversary date.		Ongoing

Note: Implementation Status: (1) Fully Implemented; (2) In Process of Being Implemented; (3) Little or No Progress; (4) Will Not Be Implemented; (5) No Longer Applicable

12

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Rec #	Recommendation	Implementation Status of Each Action in the Recommendation (see note below) and Steps Taken to Support the Status	Documentation Provided to Support the Implementation Status of Each Action	Work Outstanding (if action not fully implemented)	Estimated Implementation Date for Each Action Not Fully Implemented Month & Year
17	* provide quarterly updates to the NPCA Board of Directors on staffing changes and performance.	(1) Fully Implemented	Quarterly updates on all program areas are provided to the Board of Directors including human resources updates.		Ongoing
18	To ensure compliance with the <i>Occupational Health and Safety Act</i> , the <i>Ontario Human Rights Code</i> and the Ministry of Labour's Code of Practice, we recommend that the Niagara Peninsula Conservation Authority (NPCA) : * for every harassment or discrimination complaint or grievance filed, fully assess and document whether an investigation is required and, if it is, conduct it in an appropriate and timely manner;	(1) Fully Implemented	Report FA-67-19 June 19/19		
	* use its ability, under its workplace harassment policy, to appoint an external investigator or develop mechanisms to ensure that complaints against the CAO are investigated by a party who does not report directly to the CAO; and	(1) Fully Implemented	A Whistleblower Policy (Report No. FA-173-19) was approved by the Board in Dec 2019 along with Work Place Harassment Policy . (harassment policy FA-67-19)	Process for CAO complaints will engage an external investigator.	
	* provide additional information on grievances, staff complaints and investigations, including their subject and financial implications, as part of confidential updates to the NPCA Board of Directors.	(1) Fully Implemented	Provided to Board of Directors Quarterly in closed session.		
19	To ensure the Niagara Peninsula Conservation Authority (NPCA) operates as effectively and productively as possible, without workplace issues hindering its operations unnecessarily, we recommend that the NPCA:				
	* develop and implement an action plan to address workplace concerns;	(1) Fully Implemented	Report FA-123-19		

Note: Implementation Status: (1) Fully Implemented; (2) In Process of Being Implemented; (3) Little or No Progress; (4) Will Not Be Implemented; (5) No Longer Applicable

13

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Rec #	Recommendation	Implementation Status of Each Action in the Recommendation (see note below) and Steps Taken to Support the Status	Documentation Provided to Support the Implementation Status of Each Action	Work Outstanding (if action not fully implemented)	Estimated Implementation Date for Each Action Not Fully Implemented Month & Year
19	* present this action plan and related timeline to the NPCA Board of Directors for review and approval; and	(1) Fully Implemented	Report FA-123-19		
	* report on its progress in implementing the actions within the approved timeline.	(2) In Process if Being Implemented	Progress will continue to be reported through Quarterly Reports to the Board of Directors	Ongoing feedback will be solicited from employees on at least an annual basis and action plans will be updated accordingly highlighting areas of improvement along with areas of focus.	Ongoing
20	To ensure that the Niagara Peninsula Conservation Authority (NPCA) receives value for money spent on goods and services, we recommend that the NPCA:				
	* follow its procurement policies for the acquisition of goods and services;	(1) Fully Implemented	Report FA-18-20 Mar 25/20		
	* revise its procurement policies to require that any needed services associated with unsolicited proposals be obtained in a transparent and competitive manner;	(1) Fully Implemented	Report FA-18-20	Awaiting Board approval on April 15th 2020	
	* assess the benefits of establishing continuity and achieving cost savings from contracting with a preferred law firm for each field of law it requires services; and	(1) Fully Implemented	Report FA-73-19 Report FA-146-19		
	* revise its procurement policies for legal services to implement the results of the above assessment.	(2) In Process of Being Implemented		The NPCA will issue a Request for Proposal to establish vendors of record to handle it's legal services.	Q2 2020

Note: Implementation Status: (1) Fully Implemented; (2) In Process of Being Implemented; (3) Little or No Progress; (4) Will Not Be Implemented; (5) No Longer Applicable

14

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Rec #	Recommendation	Implementation Status of Each Action in the Recommendation (see note below) and Steps Taken to Support the Status	Documentation Provided to Support the Implementation Status of Each Action	Work Outstanding (if action not fully implemented)	Estimated Implementation Date for Each Action Not Fully Implemented Month & Year
21	To ensure that funds are available and that critical capital projects are completed in a timely manner, we recommend that the Niagara Peninsula Conservation Authority (NPCA):				
	* update the information in its asset management system to reflect the actual replacement cost of assets (when this information is available) and the estimated useful life of assets based on their condition;	(2) In Process of Being Implemented		A Capital Asset Management Plan and associated management system is being currently developed.	Q3 2020 completion
	* obtain reliable information to support replacement cost estimates and cost estimates for planned capital projects;	(2) In process of Being Implemented		RFP for Asset Management Software completed. Work to begin immediately	Q2 2020
	* prioritize capital projects using an objective assessment of needs;	(2) In process of being Implemented		This will be further facilitated by Asset Management Software mentioned above. The Fixed Asset and Capital Asset Planning modules will inform the 10 year capital plan. A policy will also be developed to address prioritization and long term funding.	Q4 2020
	* identify how the NPCA will obtain funding to undertake these projects; and	(2) In process of Being Implemented		The Capital Asset Management Plan along with an Implementation and Funding Plan to be approved by the Board	Q4 2020
	* refine the capital plan, based on the above action items, and present it to the NPCA Board for approval.	(1) Implemented	2020 Operating and Capital Budget Guideline. A capital project proposals were developed through business cases for the Board and municipal approval.		Implemented in 2020 and ongoing for future years

Note: Implementation Status: (1) Fully Implemented; (2) In Process of Being Implemented; (3) Little or No Progress; (4) Will Not Be Implemented; (5) No Longer Applicable

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Report To: Board of Directors

**Subject: Removal of Proposed Variance Procedure for NPCA Policy Document:
Policies for the Administration of Ontario Regulation 155/06 and the
Planning Act – Update**

Report No: FA-14-20

Date: May 21, 2020

Recommendation:

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

Purpose:

The purpose of this report is to provide the Board with an update on a previous initiative to explore creating a “variance” procedure for the NPCA Policy Document: Policies for the Administration of Ontario Regulation 155/06 and the Planning Act (NPCA’s Policy Document) and seek the Board’s direction to remove Section 12.7.4 from the document.

Background:

At the June 19, 2019 Board meeting, NPCA staff advised the Board of exploring the possibility of creating a variance process for the NPCA’s Policy Document. Currently, the NPCA’s Policy Document has a placeholder for such a process (Section 12.7.4). The intent behind the variance process was to create a standard procedure whereby the Board could provide staff direction on how to proceed with a Work Permit application that does not fully meet the NPCA’s Policies. This would have negated the need to go to a formal Hearing under Section 28(12) of the *Conservation Authorities Act* in situations where a proposal is reasonable, technically acceptable but does not meet the NPCA’s Policies.

Discussion:

NPCA staff have researched what other Greater Golden Horseshoe Conservation Authorities (GGHCAs) do in similar situations. The Conservation Authorities reviewed included: Central Lake Ontario Conservation Authority, Halton Conservation, Credit Valley Conservation, Ganaraska Region Conservation Authority, Grand River Conservation Authority, Hamilton Conservation Authority, Kawartha Conservation Authority, Lake Simcoe Region Conservation Authority, Nottawasaga Valley Conservation Authority, Toronto and Region Conservation Authority, and the Upper Thames River Conservation Authority. In all cases, no other Conservation Authority has a variance procedure and instead rely on the use of the Hearing process in the *Conservation Authorities Act*.

The concept of a variance process was originally conceived during the previous Policy Document review. The idea at the time was to establish a process in which Board approval of a Work Permit could be obtained without having to go through the formality of a Hearing. It was only intended to be used in situations where staff and an applicant were in agreement over a proposed solution to a problem but for policy reasons, could not be supported. In further considering the need for such a process, staff have determined that it is unnecessary at this time as the formal Hearing process under Subsection 28(12) of the *Conservation Authorities Act* already allows for this. Moving forward, staff will continue to monitor the NPCA's Policies to ensure policies maintain appropriate standards and bring forward amendments for the Board's consideration, where required.

Financial Implications:

There are no financial implications to the recommendation of this report.

Links to Policy/Strategic Plan:

The NPCA's Policy Document contained a placeholder for a variance process. In the absence of a variance process, the formal Hearing process provides the statutory appeal right for an applicant. This is consistent with the NPCA's Policies and the *Conservation Authorities Act*.

Related Reports and Appendices:

None.

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Report To: Board of Directors

Subject: NPCA Planning/Permitting Policy Housekeeping Amendment No. 2

Report No: FA-15-20

Date: May 21, 2020

Recommendation:

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

Purpose:

The purpose of this report is to recommend option 3 (based on discussion below) to defer several housekeeping amendments to “Section 8.2.3.5 Proposed New Development within 30 metres of a Wetland in the NPCA’s Planning and Permitting policies”.

Background:

NPCA staff presented a report (FA-60-19) to the Board in June 2019 that outlined a proposed amendment to the *NPCA Policy Document: Policies for the Administration of Ontario Regulation 155/06 and the Planning Act* (the Policy Document) for new septic systems within 30 metres of a wetland. The amendment contemplated reducing the required 30 metre setback for new septic systems to as low as 15 metres where it could be demonstrated that there is no negative impact to the wetlands ecological and hydrological function. Since that time, NPCA staff have completed a consultation process that included a link on the NPCA’s website to an online form where comments could be left. In addition, a notice was placed in the Niagara-this-Week newspaper and ran on September 12, 2019. The comment period was open for over three weeks.

NPCA staff have reviewed the appropriate background information and have prepared options for the Board’s consideration.

Discussion:

The Policy Document includes a policy prohibiting new residential septic systems within 30 metres of a wetland. During consultations with landowners seeking to construct a new dwelling on vacant properties, frustration has been expressed about the restrictiveness of this policy. The prohibition does not afford an applicant the opportunity to demonstrate how a reduced setback would not interfere with the hydrologic function of a wetland. It also does not take into account site-specific circumstances that could support a reduced setback.

NPCA staff conducted a review of 12 other Conservation Authority policies to see how they approach septic systems in relation to wetlands. The 12 Conservation Authorities were selected from the Greater Golden Horseshoe (GGH) as well as other areas that would experience substantial rural development on private services. Table 1 summarizes the policy comparison:

Table 1

Conservation Authority	Setback from wetlands for Septic Systems	Comments	Section
Hamilton CA	30 metres	No new septic systems within 30 metres; replacement systems may be entertained as long as does not encroach closer than existing	3.1.7(i)
Toronto & Region CA	30 metres	New development is not permitted within 30 metres of a wetland; replacement of existing development can be entertained Creation of new lots has to be completely outside of Natural System (which includes buffers)	7.4.4.1.1 (Underground Infrastructure) 7.5.2.4 (ZBA, Subdivisions/Condos and Consents) 8.7 (Development/interference in wetlands) 8.9 (Infrastructure)
Credit Valley Conservation	15 metres/0.9 metres above water table	Development may be allowed through an EA	7.3 (e)

Central Lake Ontario Conservation Authority	15 metres/0.9 metres above water table	Requires an EIS to assess hydrologic and ecological impact to wetland; Specific to a single detached dwelling	6.4.2 (6) (e)
Lake Simcoe Region Conservation Authority	No minimum specified	Septic systems are treated as development and allowed where there is no negative impact to the hydrologic function; Requires an EIS	8.4.4
Grand River Conservation Authority	15 metres/0.9 metres above water table	Requires an EIS to assess hydrologic and ecological impact to wetland; Specific to a single detached dwelling	8.4.9
Kawartha Conservation	30 metres where feasible	Septic systems are treated as development and allowed where there is no negative impact to the hydrologic function; Requires an EIS	4.6.2.2(2)
Nottawasaga Valley Conservation Authority	15 metres/0.9 metres above water table	Requires an EIS to assess hydrologic impact to wetland; Specific to a single detached dwelling	4.7.4.2.1 (5)
Otonabee Region Conservation Authority	No minimum specified (lot creation); No minimum for development on existing lots	120 metres and 30 metres are starting points for PSW/non-PSW respectively but can be reduced to 0 based on an EIS;	2.2.2 (4) – Lot Creation 7.2. (2) – Existing development near PSWs 7.2. (4) – Existing development near non-PSWs
Lower Thames Valley Conservation Authority	No minimum specified	Septic systems are treated as development and allowed where away from sensitive features; Requires an EIS	N/A
Upper Thames River Conservation Authority	30 metres for PSWs/15 metres for non-PSWs	No new septic systems within 30 metres of PSWs/15 metres for non-PSWs; Replacement system allowed within 30	4.2.4 (3)

		metres/15 metres where there is no feasible alternative and does not encroach closer than the existing system	
Ganaraska Region Conservation Authority	15 metres/0.9 metres above water table	The minimum setbacks do not require an EIS; the policy appears to allow entertaining a further setback reduction where an EIS is provided to address hydrologic impacts	4.3.4

Most other CAs reviewed use a 30 metre buffer as a starting point but allow a reduction. Both Hamilton Conservation Authority and the Toronto Region Conservation Authority do not allow any septic system within 30 metres of a wetland. The information requirement to support a buffer reduction was generally an Environmental Impact Study (EIS) to demonstrate no negative impact to the hydrologic function of a wetland. Some CAs had no minimum buffer for septic systems or did not have specific policy requirements for septic systems. In the latter case, a septic system is treated in the general category of development.

NPCA staff received ample feedback on the proposed policy change. Of the 30 comments that were made five comments were supportive of a reduction of the 30 metre setback for septic systems, seven comments did not say whether or not they were supportive and the remaining comments opposed any reduction to the setback.

Potential impacts of a septic system near a wetland include pollution (particularly if the septic system fails) as well as hydrological impacts if there is a disruption to drainage to the wetland. The impact of prohibiting new septic systems within 30 metres of a wetland are that some parcels of land may be rendered undevelopable.

As a result, there are **THREE OPTIONS** for the Board to consider:

1. Do not support the housekeeping amendment and leave the policy as written
2. Approve the housekeeping amendments as presented
3. Defer the proposed policy changes to Section 8.2.3.5 and subsequently review all wetland policies following the establishment of a new Regulation by the Province

Currently the Province is working on an updated Regulation for all Conservation Authorities, which is anticipated to be released in the first half of this year, however, it is unknown exactly what the content of the new Regulation will be. When staff initiated this proposed amendment, there was no reliable timeframe for the new Regulation which is now imminent.

Given these factors, staff recommend deferring the proposed amendment and instead address this as part of an overall review of the wetland policies (Section 8 of the NPCA Policies) following the establishment of a new Regulation. This would mean the 30 metre setback for new septic systems would remain in place and reviewed later.

Financial Implications:

If the Board decides to choose either Option 1 or 3, there may be an increase in the number of Board Hearings to deal with Section 28 Permit applications that cannot be supported by staff. This would have a financial impact for legal costs and staff time.

Links to Policy/Strategic Plan:

The recommendation in this report is consistent with the Guiding Principles set out in Section 3 of the NPCA Policy Document. It takes into consideration the protection of natural systems through a science-based approach that manages human activities and natural resources across the watershed.

Related Reports and Appendices:

Appendix 1 – Proposed Policy Changes

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Chief Administrative Officer/Secretary-Treasurer

Current Policy:

8.2.3.5 Proposed New Development within 30 metres of a Wetland

Where no new development exists within 30m (98 feet) of any wetland:

- a) For new residential development, no new septic systems are permitted within 30m of any wetland.
- b) For replacement septic systems where residential development is already established, septic systems shall not be permitted within 30 metres of any wetland, except where no alternative location outside of 30 metres exists in proximity to the residence. In this case the replacement septic system shall be placed as far from the wetland as possible.
- c) For major development (as determined by the NPCA) including, but not limited to; plans of subdivision; extensions of draft approval for existing plans; and, major commercial, industrial, or institutional uses, no new development is permitted within 30m of a PSW. Reductions will only be considered based on a site specific evaluation by NPCA staff to determine whether a reduction is warranted, depending on scale, nature and proximity of the proposed development, the following may be taken into consideration:
 - i. The nature of the proposed development/site alteration;
 - ii. The proximity to the wetland;
 - iii. Adjacent land use;
 - iv. The condition of the 30 metre Regulated area;
 - v. The extent of existing natural buffer;
 - vi. Restoration of buffer functions;
 - vii. Presence of existing roads;
 - viii. Removal of invasive species;
 - ix. Presence of sensitive ecological features; and,
 - x. Other ecological or hydrological function considerations specific to the site; and,
 - xi. Other items as required.

Proposed Policy (changes in red):

8.2.3.5 Proposed New Development within 30 metres of a Wetland

Where no new development exists within 30m (98 feet) of any wetland:

- a) For new residential development, no new septic systems are permitted within **15 metres** of any wetland.
- b) For replacement septic systems where residential development is already established, septic systems shall not be permitted within **15 metres** of any wetland, except where no alternative location outside of **15 metres** exists in proximity to the residence. In this case the replacement septic system shall be placed as far from the wetland as possible.
- c) For major development (as determined by the NPCA) including, but not limited to; plans of subdivision; extensions of draft approval for existing plans; and, major commercial, industrial, or institutional uses, no new development is permitted within 30 metres of a PSW. Reductions will only be considered based on a site specific evaluation by NPCA staff to determine whether a reduction is warranted, depending on scale, nature and proximity of the proposed development, the following may be taken into consideration:
 - i. The nature of the proposed development/site alteration;
 - ii. The proximity to the wetland;
 - iii. Adjacent land use;
 - iv. The condition of the 30 metre Regulated area;
 - v. The extent of existing natural buffer;
 - vi. Restoration of buffer functions;
 - vii. Presence of existing roads;
 - viii. Removal of invasive species;
 - ix. Presence of sensitive ecological features; and,
 - x. Other ecological or hydrological function considerations specific to the site; and,
 - xi. Other items as required.

Report To: Board of Directors

Subject: Final Draft Client Service Standards for Plan and Permit Review

Report No: FA-17-20

Date: May 21, 2020

Recommendation:

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

Purpose:

The purpose of this report is to seek Board approval of the final draft of the NPCA focused Conservation Ontario Client Service Standards for Plan and Permit Review guidance document and adopt the document for NPCA's Plan and Permitting Review Program.

Background:

As part of Conservation Authority Act related legislative changes, Conservation Authorities, through Conservation Ontario, have prepared Guidance Documents on client service and streamlining approvals processes.

A draft of each of these Guidance Documents were made available for review by Conservation Ontario (CO) to Conservation Authorities (CAs) on April 11, 2019 along with background information on the CO Client Service and Streamlining Initiative. Following the review period by CAs, the

Guidance Documents were provided to municipal and industry stakeholders (AMO, BILD, OHBA and RESCON) for review. Comments received from both review periods were incorporated into the final documents.

On June 24, 2019, CO Council voted to endorse the three guidance documents, which included a revised timeline for CA permit applications below the current standards set out in "Policies and Procedures for CA Plan Review and Permitting Activities (2010), as a best practice. The NPCA Chair, who is the voting delegate on Conservation Ontario Council participated in this vote to endorse the documents.

At the August 14, 2019 NPCA Board of Directors meeting, Report No. FA-88-19 was received for information and carried by Resolution No. FA-191-19. This report provided the Board with the 3 Guidance Document Templates to be modified and utilized by the NPCA.

Subsequently at the September 18, 2019 NPCA Board of Directors meeting, Report No. FA-91-19 was received for consideration and carried by Resolution No. FA-190-19. This report directed staff to circulate the draft document to each municipality within NPCA's jurisdiction and to post it on the NPCA website for commenting. The comment period was open from February 3, 2020 to March 6, 2020. During that time, NPCA received 1 set of comments that have been reviewed and incorporated into the final draft document.

Discussion:

The Final Draft Client Service Standards for Plan and Permit Review utilizes best practices for client service standards and is a tool to assist NPCA staff and applicants through the planning and permit review process.

During the review period, NPCA received 1 comment in relation to ensuring municipalities are notified of NPCA permit applications and permit issuance to ensure proper collaboration between agencies and to reduce the time to return calls and e-mails from residents from 48 hours to 24 hours. Having reviewed these requests, NPCA will be advising municipalities when permit applications are submitted and issued, however, based on current staffing levels, it was decided to leave time frames for first response to residents within 48 hours.

As part of the operationalization of this document, staff will continue to monitor the volume of inquiries to determine proper staffing levels to provide exceptional customer service to our stakeholders.

To operationalize this document, a number of items need to be addressed:

- Staff to track response timelines to ensure NPCA is meeting the new requirements set out by Conservation Ontario both for permit issuance and customer contact
- Annual reports regarding meeting the new timelines to be submitted to both the NPCA Board and Conservation Ontario
- An updated comprehensive fee policy will need to be completed and presented to the Board for approval once the updated Regulation (as part of Bill 108) has been issued. Ideally, annual fee reviews are completed to ensure 100% service recovery. In the interim, staff will bring forth a request in Q4 to address any immediate gaps for 2021.
- The guidance document, once approved, will also form part of a new Procedure Manual that is being developed to help administer the NPCA Policy Document (Ontario Regulation 155/06

or as amended). This manual will be submitted to the Board for approval and adoption at a date yet to be determined.

- The updating of the NPCA Client Service Delivery Charter is required to ensure exceptional customer service organization wide. This update is included in within the document.

Financial Implications:

NPCA planning and permitting fees are to be reviewed annually to ensure 100% recovery for services rendered. By ensuring proper fees are collected allows for NPCA to staff accordingly to provide continued exceptional customer service within the department.

Unfortunately, NPCA has not reviewed its fee schedule since 2016 and is currently out of date. A new comprehensive fee policy will be presented to the Board once the updated Regulation as part of Bill 108 has been issued. In the interim, staff will bring forth a request in Q4 2020 to address any immediate gaps for 2021.

Appendices:

Appendix 1 – Final Draft NPCA Client Service Standards for Plan and Permit Review

Authored by:

Original Signed By:

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Submitted by:

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Chandra Sharma MCIP RPP
Chief Administrative Officer/Secretary-Treasurer



Draft NPCA Client Service Standards for Plan and Permit Review

To Be Endorsed: Draft

Draft NPCA Client Service Standards Plan and Permit Review

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Background

In April 2019, Conservation Ontario (CO) Council endorsed the CO Client Service and Streamlining Initiative. This initiative identifies actions to be taken by CAs, in order to help the Province achieve its objective of increasing housing supply while protecting public health and safety, and the environment. These actions include: a) Improve Client Service and Accountability, b) Increase Speed of Approvals, and c) Reduce Red Tape and Regulatory Burden.

In June 2019, (and amended at CO Council in December 2019 based on further input from the Association of Municipalities of Ontario) CO developed three documents to support the initiative:

1. CA-Municipality MOU Template for Planning and Development Reviews;
2. Guideline for Client Service Standards for Conservation Authority Plan and Permit Review; and
3. Guideline for CA Fee Administration Policies for Plan Review and Permitting.

It is important to note that a number of CAs already have comprehensive service delivery standards, MOUs, and fee structures and associated fee policies/guidelines in place. The 2019 CO documents supplement existing CA documents to support the Province's objective as noted above.

CO used existing CA resources to form a guideline that includes best practices for client service standards. The CO guideline includes several best practices to assist CAs and applicants through the CA approval process. Local CA client service procedures and policies should be consistent with this CO guideline.

NPCA has utilized the CO Client Service Standards for Conservation Authority Plan and Permit Review guidance document to create a localized standard within the watershed.

Conservation Authority Roles and Activities

The role of the NPCA in plan input and review (i.e. Planning), and in permit review (i.e. Permitting) is summarized below.

Planning – Plan Input and Review

The NPCA is involved in the review of planning applications under the *Planning Act* in five ways: as an agency with provincially delegated responsibility for the natural hazard policies of the Provincial Policy Statement (PPS); as a municipal technical advisor; as a public body under various regulations made under the *Planning Act*; as a watershed-based resource management agency and as landowners.

- The NPCA is delegated responsibility under the Provincial One Window Planning System for Natural Hazards. NPCA reviews municipal policy documents and development applications under the *Planning Act* and ensures they are consistent with the natural hazard policies of the PPS. This delegated provincial responsibility is also typically included in local CA- Municipal Memorandum of Understandings (MOUs) for municipal plan review. In this delegated role, Conservation Authorities represent the “Provincial Interest” in planning exercises with respect to natural hazards.
- The NPCA may also provide technical advice to municipalities for planning applications through service agreements or MOUs. In this capacity, NPCA staff may provide technical input on potential environmental impacts and how impacts can be avoided or minimized. Comments may apply to a range of matters according to the MOU including, but not limited to: natural hazards, natural heritage, water quality and quantity, stormwater management, and other Provincial Plans such as the Niagara Escarpment Plan, Greenbelt Plan, Growth Plan for the Greater Golden Horseshoe; *Great Lakes Protection Act*, and *Clean Water Act*; as well as local Official Plan policy and zoning by-law implementation.
- *Planning Act* Regulations require municipalities to give notice to the NPCA regarding changes to policy documents such as Official Plans and Zoning By-laws and planning applications, such as plans of subdivision.
- The NPCA provides additional comments related to local watershed management as a watershed-based resource management agency.
- The NPCA is also a landowner, and as such, may become involved in the planning and development process either as a proponent or in a third-party capacity as an adjacent landowner.

Generally, municipalities act as planning approval authorities and are responsible for the planning process. It is recognized that the NPCA may not have a role in all *Planning Act* applications, but for purposes of this guideline and the identification of best practices, it is assumed that there is a review role for the NPCA. A summary of the roles of the NPCA in plan review is included below in **Table 1**.

Table 1: NPCA Role in Plan Review

Role	Type of Role	Required, Through Agreement or Voluntary	Representing	Result
Regulatory Agency (S. 28 of the <i>Conservation Authorities Act</i>)	Decision Making	Required	Provincial Interests	CA responsible for decision
Delegated "Provincial Interest"	Review/ Commenting	Required	Provincial Interest	Comments must be considered by municipality
Public Bodies	Review/ Commenting	All	Authority Interests	Comments should be considered by municipality
Service Provider	Service	Through Agreement	Terms of Agreement (MOU)	Dependent upon terms of the agreement
Landowners	Review/ Commenting / Proponents	Voluntary	Authority Interests	Comments may be considered by the municipality

Permitting – Permit Review

The CA issues permissions (permits) under Section 28 (S. 28) of the *Conservation Authorities Act*. Section 28 allows the CA to regulate development and activities in or adjacent to river or stream valleys, shorelines of the Great Lakes-St. Lawrence River system and inland lakes, watercourses, hazardous lands (e.g. unstable soil, bedrock, and slopes), wetlands and other areas around wetlands. Development taking place on these lands may require permission from the CA to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not negatively affected.

The CA also regulates the straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream, and watercourse or for changing or interfering in any way with a wetland.

Upon proclamation of the new S. 28 under the *Conservation Authorities Act*, the NPCA would also consider whether the activity is likely to create conditions or circumstances that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property.

As CAs are responsible for the review of S. 28 permit applications, they have greater control over the timeliness of approvals as compared to their role in plan input and review.

Guideline: Client Service Standards for Plan and Permit Review

This guideline, on client service standards for plan and permit review, is divided into the following **key matters** that support process streamlining, efficiency and transparency:

- **Online decision support tools**
- **Application management and review**
- **Level of service**
- **Performance evaluation and reporting.**

In addition to the above, **Appendix A** includes the “general complete application submission for S. 28 permit applications”, with important footnotes and **Appendix B** includes the NPCA client service delivery charter.

1. Online Decision Support Tools

The NPCA will ensure that decision support tools are available to the public on the NPCA website and at the NPCA main office. These tools and documents include:

- Online screening maps for regulated features
- CA-Municipal MOU or technical service agreements
- CA plan review and regulation approvals policies, procedures and guidelines
- CA technical checklist for planning applications
- CA complete application requirements for S. 28 permit applications
- CA fee policies and schedules for planning and permit applications
- CA Client Service Standards Commitment/Policy.

1.1 Online screening maps

Planning applications are typically examined by NPCA staff (including planners and water resources engineers). Applications may be reviewed by other technical staff such as hydrogeologists, geotechnical engineers, ecologists, regulations officers, etc. Critical advice with regards to projects/proposals is provided to applicants using the best available and most up to date science and information.

It is important to recognize that technical mapping will be periodically updated for various reasons, for example, site- specific studies or new and updated guidelines will influence the mapping. In the “Made-in-Ontario Environment Plan”, the Province has also identified the need to support environmental planning and to update natural hazard technical guidelines to reflect climate change.

Online screening maps allow clients to efficiently screen development projects, while also supporting transparency and public access to essential information. The following best practices will help manage online screening maps, with a priority placed on the NPCA regulated area screening map:

- The NPCA will ensure that a Board approved screening map for the NPCA regulated areas is available to watershed municipalities and the public.
- The screening map will allow for users to view the NPCA regulated areas as a separate data layer [map showing the overall NPCA S. 28 Regulation Limits].
- The NPCA regulated area maps shall be updated per the “Procedure for Updating Section 28 Mapping: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations”, endorsed by Conservation Ontario Council April, 2018 (**Appendix E**).
- The NPCA regulated area maps will be reviewed and updated on an annual basis (at minimum) for housekeeping changes; and from time to time to maintain accuracy, for example when new provincial technical guidelines are available.
- The updated mapping shall be approved by the NPCA Board in a timely fashion, prior to making it available to the public.
- The NPCA shall ensure accurate reporting of mapping updates, public consultation (to provide information and receive comments), and notification to the Ministry of Natural Resources and Forestry (MNRF) per the “Procedure for Updating Section 28 Mapping: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations”, endorsed by Conservation Ontario Council April, 2018. The NPCA will notify the public of changes to mapped regulated areas.
- The NPCA regulated area screening map shall be searchable by municipal address and ARN if possible.
- The applicable criteria for the map showing areas regulated by the NPCA, (i.e. provincial technical guidelines), shall be made available on the NPCA website if the guideline is a public document. If the guideline is not made public, then the NPCA will provide general contact information such that the user can request further information from the organization or agency that issued the guideline.

- The NPCA will have an agreement that includes a clear disclaimer statement for users of the available map layers. The agreement should appear on top of the map layer such that the user must click “Accept” before being able to view the map layer. See the **Example Disclaimer Introduction box in Appendix C**, which as a best practice can be inserted at the beginning of the disclaimer statement for improved clarity. Note the following important matters regarding click-wrap and data sharing agreements:
 - There may be general clauses in the disclaimer that apply to all CAs, but the dataset-specific inclusions will vary from region to region depending on the source of the data, who owns the Intellectual Property (IP), and other variables. This variation will apply to each unique layer that the CA includes in their web mapping application.
 - Data layers such as natural feature mapping etc. are typically obtained from external sources; therefore diligence is required while displaying these. Links may be added to where additional data may be obtained beyond NPCA regulated area mapping such as Natural Heritage Information Centre (NHIC) etc. for wetland data, Areas of Natural and Scientific Interest (ANSI) etc.
 - NPCA has access to the Assessment Parcel layer as sub- licensees through the Ontario Parcel Alliance (OPA), which is administered by the Province of Ontario through Land Information Ontario (LIO). The OPA is an agreement between the Province, Municipal Property Assessment Corporation (MPAC) and Teranet and sets out specific requirements that need to be met before parcel data can be used on a web mapping application. (Note: a schedule needs to be completed and signed and the NPCA must display certain language in the application as a condition of use).
 - Orthophotography comes to the NPCA from a variety of sources – one of which is municipal partners. Each of these would come with their own specific agreement that would include various rights and obligations. Provincial acquisitions (like SWOOP, SCOOP, FRI and DRAPE), for example, stipulate that these images cannot be displayed on public facing web mapping applications under any circumstances within a two-year period following their capture. They then can be used with acknowledgment of the Crown copyright, etc.
 - A best practice for NPCA is to strive toward making NPCA owned data available for direct download through an open data licence and if possible, will be made available on the website and easily accessible by the public.

- At the discretion of the NPCA, other information layers may also be provided, for example: floodlines, wetlands, parcel boundaries, source protection areas, intake protection zones, wellhead protection areas, etc. The NPCA must ensure that relevant best practices are followed for all displayed layers.
- Mapping which informs plan review and technical services can be very complicated, and the services provided by each CA vary depending on their MOU with each municipality. The NPCA website and fee schedules will, if possible, include plain language descriptions of the types of services and mapping provided by the NPCA.

1.2 Other relevant documents

As a best practice, the NPCA will post relevant decision support tools and documents on the website. NPCA-Municipal/Regional/County MOUs or technical service agreements will be posted on the NPCA website to allow the public to understand how the NPCA works with local municipalities for plan review and technical services. In addition, the NPCA website will include other decision support tools such as: NPCA plan review policies/guidelines; CA Act regulation approvals policies/guidelines; NPCA technical checklist for planning applications; and NPCA complete application requirements and checklists for S. 28 permit applications. NPCA fee policies and schedules and the Client Service Standards Commitment/Policy will also be publicly available on the website.

2. Application Management and Review

2.1 Application Management

The following are best practices to ensure that applications are managed efficiently:

- The NPCA will implement an internal application tracking system to support efficiency and transparency. Applications are prioritized based on factors such as the order in which they are submitted, complexity, and whether the permit applications are complete or resubmissions required. Planning applications may be prioritized based on discussions with and in agreement with the associated municipality.
- The NPCA will identify a senior planning and permitting staff member as a one-point contact to be the 'client service facilitator' for issues management around plan review and/or permit applications. The senior NPCA staff person working in this capacity should participate in regular meetings with the development community in the watershed. For the NPCA this contact person will be the Director, Watershed Management or their designate.

- The NPCA will prioritize S. 28 permit applications for emergency works to respond to circumstances that pose a risk to life and/or property. The NPCA will note this (if required) in MOU's with the Region of Niagara, City of Hamilton and Haldimand County and any additional MOU's which may be required.

Each application differs on specifics of the project, location, and the nature, scale and scope of the proposed development. Applications also may have various supporting technical studies. The different types of applications that are received by the NPCA may include, for example:

- *Planning Act* Applications (Official Plan Amendments, Zoning By-law Amendments, Minor Variances, Plans of Subdivision and Condominium, Site Plan Control, etc.)
- Permissions under S. 28 of the *Conservation Authorities Act* (soil placement/re-grading, industrial development, construction of homes, relocations of watercourses, construction of accessory structures such as sheds, etc.).

Developments may undergo both planning and permitting review from the NPCA. Although there is a need to ensure that *Planning Act* applications are coordinated with S. 28 permit applications, these are **two distinct application processes**. *Planning Act* applications must meet requirements under the *Planning Act*, Provincial Policy Statement, Official Plans and any applicable provincial plan, whereas S. 28 applications need to meet the requirements of the *Conservation Authorities Act* and NPCA Regulation 155/06 (or as amended).

The emphasis should be on **land use planning first**, which must consider the same land use constraints that the NPCA regulates through the S.28 regulations. **Involvement of the NPCA in the planning process supports good land use planning, which in turn helps to avoid situations where an application is approved under the *Planning Act* that may not be approved under S.28 of the *Conservation Authorities Act*.**

2.2 Application Categories

2.2.1 Plan Input and Review Activities under the Planning Act

Municipalities circulate the following types of planning documents and applications made under the *Planning Act* to the NPCA:

- Official Plans and Plan amendments
- Zoning By-laws and amendments, Holding By-laws, Temporary Use By-laws and Interim Control By-laws
- Plans of Subdivision or Condominium
- Site Plan Control
- Consents/Land Division
- Minor variances

2.2.1a Plan Input

Under the CO/MNRF/MMAH MOU on CA Delegated Responsibilities, NPCA has responsibility for representing the “Provincial Interest” for natural hazard policies (Section 3.1) of the Provincial Policy Statement, 2014 (PPS) under the *Planning Act*. The MOU with the Province commits all CAs to review policy documents and development proposals processed under the *Planning Act*. NPCA also has a commenting role in approval of new or amended ‘Special Policy Areas’ for flood plains under S. 3.1.3 of the PPS, where such designations are feasible.

Many CAs enter into technical service agreements or MOUs with municipalities for plan input advisory services. As a best practice, a CA-Municipal MOU would mutually establish service standards which should include the timelines for circulation and review of planning documents. NPCA MOU’s can be reviewed at <https://npca.ca/administration/permits>.

2.2.1b Plan Review

Some applications require significant NPCA staff involvement for review. These may include highly complex projects requiring technical review and comprehensive analysis, or smaller, site specific applications with complex technical reviews. Some applications involve large developments with significant natural hazards, environmental impacts, or multiple approvals. Generally, these include Plans of Subdivision and Condominium, and complex Site Plan Control applications often coupled with Official Plan or Zoning By-law amendments.

Some projects have less of an environmental impact than major projects. They could require scoped technical studies. These projects typically have a lower level of hazard risk. Based on the proximity of the project to regulated areas, these planning applications are reviewed by NPCA staff and generally require standard recommendations to the municipality.

The NPCA determines the fees for each planning application in accordance with approved fee schedules. The fee schedules are based on the complexity of the application and technical review required, which influences the staff time and resources needed for the review. To review NPCA's current planning & regulation fee schedule, please visit <https://npca.ca/administration/permits>.

Certain activities proposed under planning applications may also trigger the need for a CA Act S. 28 permit (see below).

2.2.2 Permit Application Streams

As per the CO guideline, NPCA defines permit applications as “major”, “minor” or “routine”, to support the streamlining of the application review process. This is aligned with or exceeds the standards of the [“Policies and Procedures for Conservation Authority Plan Review and Permitting Activities”](#), published by the Ministry of Natural Resources and Forestry in 2010.

It is recognized that many CAs divide permit applications into more streams than the three described in this guideline, for example: minor, standard/routine, complex, compliance (where works have been undertaken or are in process of being undertaken without prior approval from the CA), restoration (where works have been undertaken that do not comply with the CA S. 28 policies and procedures, and restoration/remediation measures are required), etc.

It is also recognized that some CAs divide permit applications into different streams for the purpose of determining appropriate fees, or separately for the purpose of determining the permit decision timeline.

In the CA service standards, the CA will clearly define and distinguish streams that are for determining fees and streams that are for determining permit decision timelines. The NPCA, as a best practice, will provide a break-down of fees within each category of application to clarify fees or timelines for application submissions. For the purpose of determining permit decision timelines, the applications will be categorized into the three main streams of: **major, minor and routine permit applications**. This supports an easier understanding by the public and streamlining of the process.

- **Major applications** for S. 28 permits require significant staff involvement. These applications involve highly complex projects, for example, large subdivisions requiring technical review supported by comprehensive analysis, or smaller scale site specific applications that require complex technical reviews. The proposals may involve developments with significant natural hazards, environmental impacts, or multiple approval processes requirements. Generally, these would include Plans of Subdivision and Condominium, large Site Plan Control applications, and major infrastructure development. Major applications could also include those where works have been undertaken, or are in process of being undertaken, without prior approval from the NPCA; and those where works have been undertaken that do not comply with the CA S. 28 policies and restoration/remediation measures are required.

- Permit applications for development projects may be considered **minor** in nature due to the project size, level of risk, location, and/or other factors. These applications have minor impacts on the control of flooding, erosion, dynamic beaches, pollution or the conservation of land. Based on the proximity of the project to the hazard, the minor permit applications are reviewed by NPCA staff and generally require standard recommendations or conditions. Minor permit applications could be those involving, for example, minor fill; minor development; and minor site alteration where there is a high degree of certainty that issues associated with natural hazards are minimal.
- **Routine** permit applications are activities that are documented through another approval process or are determined to have limited impacts on the control of flooding, erosion, dynamic beaches, pollution or the conservation of land. Routine permit applications may be those involving, Standard Compliance Requirements under the Drainage Act and Conservation Authorities Act Protocol and non-habitable buildings and structures that are less than 10 m² in size.

A list of the Major, minor and routine permits are included in the permit application package located on the NPCA website at <https://npca.ca/administration/permits>. (**Appendix D**)

It is recommended that as part of the annual reporting to the NPCA Board of Directors on timelines, NPCA may further refine the descriptions of the permit categories based on the hazards found within the watershed and common development applications received.

Upon proclamation of the new S. 28 under the *Conservation Authorities Act*, the CA would also consider whether the activity is likely to create conditions or circumstances that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property.

2.3 Pre-consultation

2.3.1 Integrated Pre-consultation for Planning Applications

Generally, municipalities act as planning approval authorities and are responsible for the planning process, including pre-consultation under the *Planning Act*. As NPCA has a provincially delegated responsibility related to S. 3.1 of the PPS, it is important that NPCA is circulated applications well in advance of review deadlines to ensure that natural hazard matters are addressed.

Therefore, **integrated pre-consultation with the Planning Approval Authority is a best practice, best achieved through the CA-Municipal MOU by including provisions to involve the CA in pre-consultation** and associated meetings on *Planning Act* applications. This supports clarity and certainty on the extent of the NPCA review and responsibilities under

the *Planning Act*, and also under S. 28 of the *Conservation Authorities Act*. For complex projects, it is recommended that other relevant approval agencies, such as the Ministry of Transportation, participate in the integrated pre-consultation with the planning approval authority (see example of collaborative and efficient planning in text box below). For less complex planning applications, pre-consultation could be conducted through phone calls, emails, and a review of online screening maps.

As a best practice, the NPCA will, if possible, ensure that the comments provided as part of the pre-consultation are included in the municipal record. For complex projects, the initial pre-consultation meeting should include a discussion of major milestones with projected timelines, as well as a commitment to ongoing discussion throughout the process. As a best practice, the NPCA will document any follow-up technical meetings with the applicant and provide them with a copy to ensure clarity (including information related to projected timelines, process, checklists etc.). This will help to streamline the process for both the applicant and the NPCA.

The NPCA will work with municipalities and other agencies to ensure the pre-consultation processes are effective in specifying the application requirements, encouraging quality submissions, and meeting circulation timelines. Other best practices that support streamlined planning processes include allowing the NPCA to pre-screen natural hazard technical studies from an application prior to a municipality deeming it complete, including NPCA technical checklists as part of complete application requirements found within a municipality's Official Plan, establishment of clear submission guidelines, etc. For very complex projects, the NPCA may consider the use of a design charrettes involving all parties, which is an expanded and more intense version of a pre-consultation. Design charrettes can be quite successful when appropriate ground rules are established and sufficient information about the application and the site is available prior to the meeting.

It is recognized that substantial changes to a proposal or new information from a site visit after pre-consultation may warrant further pre-consultation and/or changes to the NPCA technical checklist for studies.

2.3.2 Pre-consultation for Permit Applications

Pre-consultation provides an opportunity for the NPCA and applicant to discuss the proposal; for the NPCA to determine whether the application is major, minor or routine; and to notify the applicant of complete application requirements for our review of the application. However, as mentioned earlier, as CAs are responsible for the review of S. 28 permit applications, there is greater control over the timeliness of approvals.

Applicants are strongly encouraged to engage in pre-consultation with the NPCA prior to submitting an application. **It is the applicant's responsibility to ensure an appropriate level of pre-consultation has occurred to avoid unnecessary delays in the review of their application.** Standard application review periods assume that pre-consultation has been conducted and that the application meets the requirements as outlined in the CA S.28 permit review guidelines.

The NPCA should ensure that staff resources are provided to offer timely pre-consultation opportunities. A best practice for NPCA is to ensure that the landowner or authorized agent is included in pre-consultation meetings or at a minimum receives correspondence regarding their application. This ensures clear communication with the agent/consultant, landowner and NPCA. At the pre-consultation meeting, the staff shall review the technical checklist with the applicant to identify the studies/technical information which may be required for the proposal.

The NPCA is responsible for the review of S. 28 permit applications, including arranging pre-consultation meetings, site visits, permit decision timelines, etc. As per the [“Policies and Procedures for Conservation Authority Plan Review and Permitting Activities”](#), published by the Ministry of Natural Resources and Forestry in 2010 the NPCA will determine whether the permit application is major or minor and outline any additional or outstanding information requirements **within 21 days of the pre-consultation meeting**, as indicated in **Table 2**. It is recognized that substantial changes to a proposal or new information from a site visit after pre-consultation may warrant further pre-consultation and/or changes to the NPCA complete application requirements.

Often because of the level of pre-consultation undertaken prior to submission of an application, the NPCA moves seamlessly towards processing the application and issuing the permit. NPCA may choose to only notify applicants where the application is determined to be major (for the purpose of permit decision timelines), or the application is incomplete within 21 days. There is no need to notify an applicant that the application is complete if the permission can be issued prior to end of the 21 day period.

The NPCA will document and track comments provided during the pre-consultation and thereafter. Details will be provided to the applicant to ensure everything is clear from the onset (expectations, process, checklists etc.) to streamline the process for both the applicant and the NPCA.

2.4 Application Submission Quality

Applicant requirements will be scoped based on the complexity of the project. For applications requiring technical studies, applicants are strongly encouraged to ensure that these studies are properly scoped through pre-consultation before planning and permit applications are submitted. Specific guidance in this regard will need to be sought from NPCA staff. Properly developed technical studies will support timely review by the NPCA. Guidelines for review timelines cannot be adhered to when submissions are incomplete, and information is received in an uncoordinated fashion.

Technical submissions by the applicant must meet good practice and industry standards to minimize resubmissions and avoid unnecessary delay. As a best practice NPCA should consider requiring the applicant, as part of the covering letter, to have a professional confirm

that an application is complete (where warranted). Ultimately, quality control is the responsibility of the applicant, to ensure studies are consistent and properly referenced.

2.4.1 Planning Application Submissions

The commitment to review timelines assumes that application submissions are complete. Some Official Plans stipulate the complete application requirements. Planning applications will be deemed complete by the municipality, not by the NPCA, however consultation with NPCA staff before deeming an application complete is a best practice when the NPCA will be reviewing technical studies and/or plans in support of an application submission.

As a best practice, the NPCA will work with the municipality to get NPCA technical checklists included as part of complete application requirements in municipal Official Plans. Therefore, municipalities would inform the applicant about the NPCA technical checklists as part of municipal complete application requirements.

The NPCA should request the municipality to require the applicant to include a sign off sheet with the technical work to confirm that the work meets good practice and acceptable, current industry standards for technical studies and was completed by persons with relevant qualifications and experience. This best practice may help ensure adequate quality of technical studies, which supports NPCA review.

During the review of the application, NPCA staff may request additional information if it has been determined that the application does not contain sufficient and/or good quality technical analysis. Note that reviews may be done by “peer reviewers” as well as NPCA staff. Delays in timelines for decision making may occur due to requests for additional information to address errors or gaps in information submitted for review.

2.4.2 Permit Application Submissions

Upon receipt of an application, NPCA staff will review the application requirements for the specific project. **Within 21 business days of receipt** of a permit application, the NPCA will either issue the permit or for more complex projects, notify the applicant in writing whether the application has been deemed complete or not, as indicated in **Table 2**. In order to make the determination of a complete application the NPCA checks if the application meets submission requirements. The complete application determination does not mean that the application meets all of the tests of the S. 28 regulation. A general list of recommended requirements for a complete application for S. 28 permits is provided in **Appendix A**.

The NPCA will require the applicant to confirm all technical work adheres to current industry standards for technical studies. This confirmation must be completed by persons with relevant qualifications and experience (i.e. a certificate of completion by a Professional Engineer). This will help ensure adequate quality of technical studies, which supports NPCA review.

If the applicant disagrees with the complete application decision the applicant may first contact the senior NPCA staff serving as a 'client service facilitator' for applications issue management. If not satisfied, the applicant may request an administrative review by the NPCA Chief Administrative Officer and then if not satisfied, the NPCA Board. The review will be limited to a complete application review only and will not include review of the technical merits of the application. During this review, this list of required information will be assessed, and a determination will be made.

During the review of the application, NPCA staff may request additional information if it has been deemed that the application does not contain sufficient technical analysis. Delays in timelines for decision making may occur due to requests for additional information to address errors or gaps in information submitted for review. A S. 28 permit application may be put in abeyance or returned to the applicant, pending the receipt of further information leading to a re-submission. If necessary, this could be confirmed between both parties in correspondence or in an email or as a signed "Agreement to Defer Decision", to clarify mutually agreeable tasks and timelines, and avoid premature refusals of permits due to inadequate information.

2.5 Re-submission

Amendments to previous submissions or additional information such as technical analysis required as a result of the review process or site inspection may affect the application review timelines and/or categorization of the permit application. Re-submissions are different between plan review and permitting. As NPCA manages the S. 28 permitting process, there are best practices that NPCA can use to ensure better quality submissions that help streamline the process.

Some best practices are summarized below.

- When a planning or permit application is determined to be incomplete, the NPCA will provide a document containing a detailed list of information needed. The applicant must describe how each item is addressed in a covering letter upon re-submission, to indicate that all deficiencies have been addressed and itemized. This will help expedite the subsequent review process.
- Meeting with NPCA staff to review substantial changes to an application is a positive step and can decrease review times.
- If a re-submission also modifies other areas of a report or plans that affect an area of interest to the NPCA, it is a best practice for an applicant or consultant to identify these new changes as well.
- The NPCA will adopt a 'start and stop' best practice, whereby the decision timeline for a **permit application** is stopped - until a re-submission is made.

Re-submissions affect the Level of Service timelines for permit decisions. Re-submissions that are the result of insufficient studies/submissions may be subject to additional fees, which shall be clearly laid out in the NPCA Board approved fee schedule.

Re-submissions can be minimized through: pre-consultation and meeting the NPCA complete submission requirements - for S. 28 permit applications; and meeting the municipal complete application requirements as well as the NPCA technical checklist for planning applications. This message should be reiterated to applicants at the pre-consultation stage.

3. Level of Service

NPCA is committed to meeting timelines for development applications, and meeting service standards. The key steps that form the cornerstone of an efficient and effective review process are provided in **Table 2** below.

Table 2: Steps to an Efficient and Effective Conservation Authority Review Process

	Planning Act Application	S. 28 Permit Application
Pre-consultation	Integrated pre-consultation with the Planning Approval Authority	Pre-consultation with the applicant
Application circulation/submission	<p>Consultation with NPCA staff prior to municipality deeming applications complete. Complete circulation of the planning application, including the necessary technical reports and plans by the municipality to the NPCA well in advance of the review deadline set by the municipality.</p> <p>Consultation with NPCA staff before deeming an application complete is a best practice when the NPCA will be reviewing technical studies and/or plans in support of an application submission.</p>	Complete submission of the S. 28 application, including the necessary technical reports.
Quality of submission	Good-quality applications including submission of all components, such as technical studies, requested during pre-consultation.	

An overarching best practice is preparing a schedule and taking a project management approach where all parties commit to meeting the schedule.

3.1 Planning Applications Timelines

Decision making timelines for municipal planning are set out in the *Planning Act*. It is important to note that each municipality has its own planning process; therefore, the standardization of NPCA comment timelines for planning applications may not be consistent across the watershed or even the province.

As a best practice, the CA-Municipal MOU would mutually establish service standards which would include the timelines for circulation and review of planning applications. Refer to the CO template for CA-Municipal MOU. There may be some modification to these review timelines for individual applications with discussion and agreement amongst the applicant, municipal and NPCA staff during the pre-consultation stage and provided that the requirements of the *Planning Act* are met.

To achieve a streamlined approval process, the NPCA relies heavily on each municipality to include the CA in pre-consultation meetings, consult with the CA prior to deeming applications complete; and to circulate the planning application, technical reports and plans well in advance of the NPCA review deadline set by the municipality. This, along with the NPCA participation during pre-consultation and the applicant meeting the NPCA technical checklist with good quality studies, is vital to the NPCA meeting level of service timelines for planning applications.

Other best practices for the NPCA include ensuring that front line staff are trained to understand the tight planning turnaround times and the importance of good information and data management.

3.2 Permit Applications Timelines

Service standards for Section 28 permit applications are specified by the Ministry of Natural Resources and Forestry (MNRF) in the [“Policies and Procedures for Conservation Authority Plan Review and Permitting Activities \(2010\)”](#). As part of the commitment to improve client service and accountability and increase speed of approvals, Conservation Ontario has created the **Client Service Standards for Conservation Authority Plan and Permit Review Guideline**. This CO guideline recommends new service standards for S.28 approvals that NPCA is supportive of.

As a best practice, the NPCA will make every effort to be consistent with the timelines shown in **Table 3**. It is important to note that the NPCA has the ability to identify a target timeline for completion that is reduced from these timelines.

**Table 3: Level of Service for CA Review of S. 28
Permit Applications**

Note: The timelines contained within this table have been developed as best-practices for the NPCA. The timeline guideline is recommended as a client service target for CAs and represents a significant improvement to the timelines provided in the MNRF 2010 Guideline entitled “[Policies and Procedures for Conservation Authority Plan Review and Permitting Activities](#)”. The timeline guidelines for major permits change from a total of 132 to 63 calendar days and for minor permits change from a total of 72 to 42 calendar days. **All timelines presented exclude statutory holidays and the time required for the applicant to respond to NPCA comments on an application.**

Application Process Step	Timeline
Notification of complete application requirements for the purpose of review of the permit application by the NPCA, start of documentation, and discussion of timelines and fees – Pre-consultation	<ul style="list-style-type: none"> • Major permit applications: Within 14 days of the pre- consultation meeting. • Minor permit applications: Within 7 days of the pre- consultation meeting. <p>This will include confirmation of whether the application is considered major or minor, if the applicant has provided adequate information (including the scope and scale of the work) for the NPCA to make that determination. NPCA will only notify applicants where the application is determined to be major. This eliminates unnecessary paperwork for minor applications. Substantial changes to a proposal or a site visit after pre-consultation may impact this timeline.</p>
Notification whether the permit application is considered complete (i.e. it has met submission requirements) for the purpose of NPCA review	<ul style="list-style-type: none"> • Major permit applications: Within 21 days of the application being received. • Minor permit applications: within 14 days of the application being received. NPCA will only notify applicants where the application is determined to be major. This eliminates unnecessary paperwork for minor applications. • Routine permit applications: within 10 days of the applications being received. NPCA will only notify applicants where the application is determined to be major. This eliminates unnecessary paperwork for minor applications. • NPCA may issue a permit prior to the end of the 21 day period. In that case, no notification of complete application would be received. • Note that if the application is incomplete, the decision timeline does not begin.

Decision (recommendation to approve or refer to a hearing) or Comments to Applicant – Major application	<ul style="list-style-type: none"> • Within 28 days after a complete application is received. • Within 30 additional days upon each re-submission made to address CA comments.
Decision (recommendation to approve or refer to a hearing) or Comments to Applicant – Minor application	<ul style="list-style-type: none"> • Within 21 days after a complete application is received. • 15 additional days upon each re-submission made to address CA comments.
Decision (recommendation to approve or refer to a hearing) or Comments to Applicant – Routine application	<ul style="list-style-type: none"> • Within 14 days after a complete application is received. • 7 additional days upon each re-submission made to address CA comments.

If the NPCA has not made a decision with regard to an application made under S.28 within the appropriate timeframes noted above, the applicant may first contact the 'client service facilitator' for applications issue management first. If the applicant is not satisfied with the response from the client service facilitator, the applicant can submit a request for administrative review by the Chief Administrative Officer, and then if not satisfied, the NPCA Board. The review will be limited to a complete application review and timeframe review only and will not include review of the technical merits of the application. It should be noted that the review timelines may be affected by unexpected circumstances. Clear communication is essential in these situations to establish expectations and new timelines if warranted.

3.3 Summary of Best Practices

Table 4 summarizes the best practices provided within this guideline to support the streamlining of NPCA review of planning and permit applications. It is divided into those best practices that support the NPCA review of planning applications or permitting applications or both. It is important to refer to the sections identified for the full context and applicability of the practice.

Table 4: Summary of Best Practices

No.	Summary of Best Practices	Section
CA Review of <i>Planning Act</i> Applications		
1.	The CA-Municipal MOU would include provisions to involve the NPCA in pre-consultation	2.3.1 Pre-consultation for Planning
2.	The NPCA should work with the municipality to get CA technical checklists included as part of complete application requirements in municipal Official Plans	2.4.1 Planning Application Submissions
3.	The NPCA should request the municipality to: include a signoff sheet with the technical work to confirm that the work meets good practice and acceptable, current industry standards for technical studies and was completed by persons with relevant qualifications and experience.	2.4.1 Planning Application Submissions
4.	The CA-Municipal MOU would mutually establish service standards which would include the timelines for plan review applications	3.1 Planning Application Timelines
CA Review of applications made under S. 28 of the <i>Conservation Authorities Act</i>		
1.	A map showing areas regulated by the NPCA will be displayed as a separate data layer in the online screening map	1.1 Online Screening Maps
2.	<p>The NPCA will ensure that an approved and updated screening map showing areas regulated by the NPCA is available to watershed municipalities and the public.</p> <p>The updates will be done per the “Procedure for Updating Section 28 Mapping: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations”, endorsed by Conservation Ontario (April, 2018).</p>	1.1 Online Screening Maps

No.	Summary of Best Practices	Section
3.	The screening map will be searchable by municipal address if possible.	1.1 Online Screening Maps
4.	The NPCA will make the mapping rationale available.	1.1 Online Screening Maps
5.	The NPCA will have an agreement that includes a clear disclaimer statement.	1.1 Online Screening Maps
6.	NPCA website and fee schedules shall include plain language descriptions of the types of services and mapping provided by the NPCA.	1.1 Online Screening Maps
7.	The NPCA will define permit applications as “major”, “minor” or “routine”	2.2.2 Permit Application Streams
8.	The NPCA should try to ensure that the landowner or authorized agent is included in pre-consultation meetings or as a minimum receive correspondence regarding their application	2.3.2 Pre-consultation for Permit Applications
9.	The NPCA will require the applicant to: confirm all technical work adheres to current industry standards for technical studies. This confirmation must be completed by persons with relevant qualifications and experience (i.e. a certificate of completion by a Professional Engineer). This will help ensure adequate quality of technical studies, which supports NPCA review.	2.4.2 Permit Application Complete Submissions
10.	The NPCA will make every effort to be consistent with the suggested process and timelines provided in the Ministry of Natural Resources and Forestry (MNRF) publication “Policies and Procedures for Conservation Authority Plan Review and Permitting Activities (2010)” and this CO guideline.	3.2 Permit Application Timelines
11.	The NPCA should review the technical checklist for studies to applicants at the pre-consultation meeting	2.5 Re-submission

No.	Summary of Best Practices	Section
CA Review of <i>Planning Act</i> and S. 28 Applications		
1.	The NPCA will manage applications efficiently by: <ul style="list-style-type: none"> Implementing an internal application tracking system. Identifying a senior NPCA staff contact to be the 'client service facilitator' for plan review and/or permit applications issue management. The NPCA will strive to prioritize applications for emergency works to respond to circumstances that pose a risk to life and/or property. The NPCA will note this in the local CA- Municipal MOU. 	2.1 Application Management
2.	The NPCA will post all online decision support tools online.	1. Online Decision Support Tools (and 1.1,1.2)
3.	The NPCA will identify a senior CA staff serving as a 'client service facilitator' for planning and permit applications issue management	2.1, 2.4.2, 3.2, Appendix B

4. Annual Reporting to the NPCA Board of Directors

Beginning in 2020, high growth CAs (such as NPCA) should report at least annually to their Board of Directors on the timeliness of their approvals under Section 28 of the *Conservation Authorities Act*. ***NPCA is committed to reporting this information to the Board of Directors at minimum annually.*** NPCA has implemented processes to report on the timeliness of our reviews and will constantly review and enhance this information. Once the Board has received the information, the annual report will be placed on the NPCA's website, as part of the client-centric checklist material. **Table 5** summarizes how the report may be presented to ensure comparability between CAs. CA staff may choose to include in their report common reasons for variance from the timeline guidelines. This could assist with the development of future guidance material to address these areas of variance.

Table 5: Annual Reporting on Timelines for Permissions under Section 28 of the Conservation Authorities Act

Conservation Authority	Number of Permits Issued Within Policy and Procedure timeline(i)		Number of Permits Issued Outside of Policy and Procedure Timeline		Reason for Variance from Policy and Procedure (Optional)	
	Major	Minor	Major	Minor	Major	Minor
	Number of Permits Issued Within CO Guideline timeline		Number of Permits Issued Outside of CO Guideline timeline		Reasons for Variance from Guidelines (Optional)	
	Major	Minor	Routine	Major	Minor	Routine

4.1 Annual Reporting to Conservation Ontario Council

As per the CO Council endorsed Client Service and Streamlining Initiative Workplan, for 2020 two interim reports for high growth CAs (such as the NPCA), will be brought to CO Council for information purposes. These reports will be sent to Conservation Ontario staff in May and November. These interim reports from CAs to CO will assist with identifying any issues with the reporting template early on in the process. The final report on annual timeliness will be received by Conservation Ontario Council in April, 2021. For annual reporting from high growth CAs for 2021 and beyond, CAs will be requested to provide annual reporting in February for consideration by Conservation Ontario Council at their AGM.

4.2 Reporting on Level of Service for Applications Made Under the *Planning Act*

CAs are deeply embedded and integrated within the planning system and must work closely with their municipal partners to ensure that their service expectations are being met. As stated previously however, while CAs have multiple roles in the Planning regime, generally, municipalities act as planning approval authorities under the *Planning Act* and are responsible for the planning process.

As municipalities are adjusting their processes to respond to new timeline requirements under the *Planning Act* and new requirements are anticipated to be established for CAs related to the creation of municipal MOUs and a hazard program and service regulation, Conservation Ontario (and the NPCA) will await additional information from the Province prior to establishing any supplemental guidance related to reporting on *Planning Act* timelines and there will be no requirement for high growth CAs to report to CO Council.

Sources of Information

- Provincial Direction:
 - [Policies and Procedures for Conservation Authority Plan Review and Permitting Activities. Ministry of Natural Resources and Forestry. 2010.](#)
- Conservation Ontario Council endorsed procedures:
 - Procedure for Updating Section 28 Mapping: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations. Conservation Ontario Section 28 Regulations Committee. 2018
- CA Policy and Procedural Manuals:
 - Planning and Development Procedural Manual. Toronto and Region Conservation Authority. 2010.
 - Plan Review Manual. Lower Trent Region Conservation Authority. March 2019.
 - Planning and Development Administrative Procedural Document. Credit Valley Conservation Authority. 2011.
 - Rules of Procedure for Permit Application Review and Approval in Accordance with Ontario Regulation 180/06 as amended by Ontario Regulation 63/13 made under Section 28 of the Conservation Authorities Act. Lakehead Region Conservation Authority. July 2018.
 - Ontario Regulation 163/06 Policy document. Lower Trent Region Conservation Authority. October 2018.
 - [NPCA Policy Document: Policies for the Administration of Ontario Regulation 155/06 and the Planning Act](#)
- Performance Reporting:
 - CA Staff Report to Board on Customer Service Plan for the Planning and Regulations Program. Long Point Region Conservation Authority. June 17, 2017.
- CA-Municipal Memoranda of Understanding:
 - Memorandum of Understanding Between The Regional Municipality of Halton, City of Burlington, Town of Halton Hills, Town of Milton, Town of Oakville, Halton Region Conservation Authority, Credit Valley Conservation Authority, and Grand River Conservation Authority. For An Integrated Halton Area Planning System. July 16, 2018.
- Online Mapping Resources:
 - Lake Simcoe Region Conservation Authority. Ontario Regulation 179/06 Regulated Areas Mapping. Available at: <https://maps.lsrca.on.ca/EH5Viewer/index.html?viewer=LSRCARegulations>
 - NPCA Ontario Regulation 155/06 Regulated Areas Mapping. Available at: <https://npca.ca/administration/permits>

Appendix A: General Submission for a S. 28 Permit Application

A signed and dated Application for Permit form (complete with the applicant's contact information) shall be submitted, along with the other applicable information. This application can be submitted either in digital or hard copy. If the property owner is not applying, then obtain a letter from the property owner identifying that the applicant can act as the agent. The scale and complexity of the proposal will determine which of the studies, reports or design drawings will be needed for the application. A listing of potential studies that may be required can be found at <https://npca.ca/administration/permits>. The level of detail required for most of the studies and reports can vary widely depending on the property and the proposal. In some situations, a single-page letter from a qualified expert will be sufficient, while in other cases a major study will be necessary.

Permission to Develop

A signed application may contain, but is not limited to the following information:

- 2 hard copies and one digital copy of the plan of the area showing the type and location of the development
- the proposed use of the buildings and structures following completion of the development; including clarification of municipal or private services (before and after development)
- the approximate start and completion dates of the development
- the elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development
- access/egress on the plan (before and after development)
- drainage details before and after development
- a complete description of the type of fill proposed to be placed or dumped
- signed landowner authorization for the NPCA to enter the property*
- technical studies/plans as required to meet the regulatory provisions of CA Act S.28**.
- submission of the prescribed fee set by the NPCA for review of the application.

Permission to Alter

The NPCA may grant a person permission to straighten, change, divert, or interfere with an existing channel of a river, creek, stream, or watercourse or to change or interfere with a wetland. A signed application may contain, but is not limited to the following information:

- 2 hard copies and one digital copy of the plan of the area showing plan view and cross-section details of the proposed alteration
- a description of the methods and equipment to be used in carrying out the alteration and access/egress to do the work if applicable
- the start and completion dates of the alteration
- a statement of the purpose of the alteration
- signed landowner authorization for the NPCA to enter the property
- technical studies/plans as required to meet the regulatory provisions of CA Act S.28**
- submission of the prescribed fee set by the NPCA for review of the application.

*May not be applicable for works completed under the *Drainage Act*-see *Drainage Act* and *Conservation Authorities Act* Protocol for more details.

** These should include a sign off sheet with the technical work to confirm that the work meets good practice and acceptable, current industry standards for technical studies and was completed by persons with relevant qualifications and experience.

DRAFT

Customer Service Charter

Mission:

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

"Our success in meeting our mission is dependent upon working in collaboration with our partners in conservation. Ensuring the future viability of the Niagara Peninsula watershed is a shared responsibility."

Values:

To the landowners, stakeholders and communities affected by our actions, we value:

1. Integrity
2. Respect
3. Compassion
4. Collaboration

The Niagara Peninsula Conservation Authority (NPCA) aims to provide a high standard of effective and efficient service to all its customers. This charter explains the NPCA's commitment to customer service excellence.

Who are our customers?

- Clients of all programs and services
- Landowners, legal staff, real estate staff, engineering firms & consultants
- Key stakeholders from the agricultural, environmental and development communities
- Municipal, provincial and federal governments
- The public, including visitors to NPCA conservation areas
- Members of the NPCA Board of Directors and Staff

In our commitment to our customers, we will:

- Provide customer service that is timely, welcoming and helpful
- Provide knowledgeable, professional and courteous service
- Treat customers with respect, fairness, openness and equality
- Ensure it is easy and convenient to contact us
- Maintain customer confidentiality and abide by all privacy legislation
- Work to provide accessible services and to the provision of alternate formats consistent with the *Accessibility Standards for Customer Service*
- Ensure our customer service locations are accessible, safe and healthy environments
- Provide a clear process to manage and resolve

For our customer service standards, we will:

- Answer telephone calls to our main reception in person whenever possible during office hours
- Outside of office hours or when it is not possible to answer a call in person, ensure that messages are forwarded to appropriate staff **within two business days**
- Ensure all staff provide a courteous and accurate voicemail greeting indicating when they will be available to respond to messages
- Acknowledge receipt of (e)mail, and voicemail **within two business days**
- Review NPCA Permit (Section 28) applications **per timelines specified in the Client Service Standards** and planning applications **per municipal and provincial guidelines**
- Keep customers informed of timelines and advise if there will be a delay
- **Post notice of service disruptions on our website, telephone system and within our e-mail signatures**
- Respect our customers' time by keeping scheduled appointments, and strive to attend to general counter queries from customers without appointments **within three business days**
- Use plain language wherever possible, and provide more detail or explanation when asked
- **Post tools online** including NPCA regulated area maps & open data, policies, procedures and guidelines, technical checklist for planning applications, complete application requirements for Section 28 NPCA permit applications, fee policies and schedules, and the NPCA Client Service Standards for Plan and Permit Review
- Explain our processes and provide a time estimate on all work

For continuous improvement, we will:

- Ensure that all customers have the opportunity to provide feedback on the service received through an NPCA feedback form
- Monitor feedback, review performance regularly, and provide an annual report to our customers via our website
- Respond to all feedback (when required) if accompanied by contact information
- Continuously review our commitments and customer service standards at least annually

What we expect from our customers:

We ask that you please:

- Behave courteously towards our Board of Directors, Staff and other customers
- Be respectful of posted rules including those regarding parking, entry fees, smoking, motorized vehicles, wildlife, pets, etc.
- Respect our 'no gifts' policy

What we expect from our customers for Plan & Permit Reviews:

- All items already mentioned above
- Active participation in pre-consultation meetings
- Provide quality technical submissions and complete applications
- Provide requested information or technical resubmissions within the mutually agreed timeframe

Endorsed by the NPCA Board of Directors May 20, 2020 Resolution FA-XX-20

Appendix C: Example Disclaimer Introduction Box for Mapping

The mapping is for information screening purposes only, and shows the **approximate** regulation limits. The text of Ontario Regulation 155/06 supersedes the mapping as represented by this data layer. This mapping is subject to change. A site specific determination may be made by the NPCA.

This layer is the approximate limit for areas regulated under Ontario Regulation 155-06 – NPCA: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses, which came into effect May 4, 2006 and was amended February 7, 2013. The Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation affects what and where a Conservation Authority can regulate. Specifically, this regulation allows the Conservation Authority to:

- 1) Prohibit, regulate or provide permission for development if the control of flooding, erosion, dynamic beaches, pollution or the conservation of land may be affected by the development.
- 2) Prohibit, regulate or provide permission for straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream, watercourse or changing or interfering with a wetland.

¹ Ministry of Natural Resources and Forestry. *Policies and Procedures for Conservation Authority Plan Review and Permitting Activities*. 2010

Appendix D: NPCA Application Package

PERMIT APPLICATION PACKAGE

NPCA WORK PERMIT PRE-CONSULTATION REQUEST FORM

Given that the Niagara Peninsula Conservation Authority (NPCA) has the responsibility to regulate activities in natural and hazardous areas, if you are planning to do any works or development near rivers, streams, wetlands, slopes, or the shores of Lakes Ontario or Erie, you may require a permit.

A pre-consultation meeting is strongly encouraged prior to submitting an application as per the NPCA Client Service Standards for Plan and Permit Review Policy. Pre-consultation provides an opportunity for the NPCA and applicant to discuss the proposal; for the NPCA to determine whether the application is major, minor or routine in nature; clarify the application process; and to provide the applicant with complete application requirements needed for our review of the application. The pre-consultation is held at the NPCA main office.

It is the applicant's responsibility to ensure an appropriate level of pre-consultation has occurred to avoid unnecessary delays in the review of their application. Standard application review periods assume that pre-consultation has been conducted and that the application meets the requirements as outlined in the Conservation Authorities Section 28 permit review guidelines.

The NPCA will ensure that staff resources are provided to offer timely pre-consultation opportunities. NPCA encourages that the landowner or authorized agent is included in pre-consultation meeting(s) or at a minimum receives correspondence regarding their application. This ensures clear communication with the agent/consultant, landowner and NPCA. At the pre-consultation meeting, staff will review the technical checklist with the applicant to identify the appropriate studies/technical information which may be required for the proposal.

Applicant requirements will be scoped based on the complexity of the project. For applications requiring technical studies, the submissions must meet good practice and industry standards and applicants are strongly encouraged to ensure that these studies are properly scoped through pre-consultation before permit applications are submitted. Specific guidance in this regard will need to be sought from NPCA staff. Properly developed technical studies will support timely review by the NPCA. Guidelines for review timelines cannot be adhered to when submissions are incomplete, and information is received in an uncoordinated fashion.

Technical submissions must meet good practice and industry standards to minimize re-submissions and avoid unnecessary delay. It is recommended that as part of the covering letter, to have a professional confirm that an application is complete (where warranted). Ultimately, quality control is the responsibility of the applicant, to ensure studies are consistent and properly referenced (e.g. location, city).

The NPCA shall document and track comments provided during the pre-consultation and thereafter. This will be provided to the applicant to ensure everything is clear from the onset (expectations, process, checklists etc.) to streamline the process for both the applicant and the NPCA.

Submission Requirements for Pre-Consultation:

- No later than 5 business days prior to the requested meeting, the applicant and/or their representatives must submit this form and provide two (2) copies of a drawing (no larger than 11x17) in hardcopy and in PDF format which illustrates the following:
- Location of property and immediate surroundings (including property dimensions)
- Use of adjoining lands
- Location of existing and proposed structures and features such as pedestrian and vehicular access, parking, septic system and water supply (well or cistern), road allowances, rights of way, streets and highways, watercourses, drainage ditches and natural features (trees and vegetation)
- The proposed use of the buildings and structures following completion of the development
- Other relevant information, as appropriate, to assist staff in understanding the proposal

Timing and Record of Pre-Consultation

Complete and return the pre-consultation request form and the supporting submission material to the Permit & Compliance department. Upon receipt of a completed form and submission material, NPCA staff will schedule a pre-consultation meeting between the applicant/agent and the relevant NPCA staff. Pre-consultation meetings are held on the second and fourth Wednesday of the month between 9 am and 4 p.m. (no meetings will be scheduled between 12:00p.m. and 1:00p.m.). Your submission will allow staff the opportunity to prepare for and gather any information necessary to properly consider the proposal and make appropriate recommendations at the pre-consultation meeting.

Within 21 days of the pre-consultation meeting, NPCA will provide the applicant/agent with a signed Record of Pre-Consultation. The Record of Pre-Consultation will contain a list of information and material that will be required to process the subject application(s). The Record of Pre-Consultation must be submitted with the application along with all of the required information and materials to be considered a complete application. It is recognized that substantial changes to a proposal or new information from a site visit after pre-consultation may warrant further pre-consultation and/or changes to the NPCA complete application requirements.

FOR STAFF USE ONLY	
Pre-Consultation Meeting Request Accepted By:	Date of Submission:
Date of Pre-Consultation Meeting:	Time of Pre-Consultation Meeting:
Required NPCA Staff:	



SECTION 1 – CONTACT INFORMATION

Owner Information

Registered Owner(s):

Mailing Address (Street address, unit number, city and postal code):

Phone Number:

Fax Number:

Email Address:

Applicant/Authorized Agent Information (if applicable)

Owner's Authorized Agent:

Mailing Address (Street address, unit number, city and postal code):

Phone Number:

Fax Number:

Email Address:

SECTION 2 – PROJECT INFORMATION

Have you had any previous discussions with NPCA staff with respect to this proposal?

☐ Yes

☐ No

If yes, who did you consult with? _____

Municipal Address:

Assessment Roll Number:

Municipality Property Located in:

Please provide a detailed description of the proposal (use additional sheet(s) if necessary):

Section 4 – Additional Attendees for the Applicant

Discipline	Name of Consultant	Name of Firm
Engineer		
Agent		
Project Manager		
Landscape Architect		
Contractor		
Architect		
Other:		
Other:		

Section 5 - Declaration

I, _____, certify that the information provided in this document is true to the best of my knowledge and that all required supporting documentation has been enclosed and submitted with this form.

Signature

Date

APPLICATION CHECKLIST

To ensure that your application will be processed in a timely manner, you must provide a complete application package that includes (check all applicable boxes*):

- ☐ A signed Record of Pre-Consultation
- ☐ A completed application form signed and dated
- ☐ Application fee
- ☐ 2 hard copies and one digital copy of the plan of area showing the type and location of development
- ☐ A drawing of the proposal that includes the following (either as part of the illustration or as notes:
 - Name of applicant and legal description of the property (e.g. municipal street address, lot, concession, municipality);
 - Scale, date and directional arrow;
 - Dimensions of the property (a copy of the legal survey is highly recommended);
 - Location and dimensions of all existing or proposed structures, grading, filling, excavation, and the distance to any waterbody (e.g. wetlands, streams, lakes, etc.), valley, floodplain, slope, shoreline and beach on or adjacent to the property;
 - Existing and proposed metric geodetic elevations of the property and of the lowest opening(s) in any new buildings, or additions to buildings (as applicable);
 - Proposed use of each floor, including basement, in any new buildings, or additions to buildings (as applicable);
 - Drainage details before and after development
 - Location and type of sediment and erosion control measures (e.g. silt fence);
 - Soil stabilization measures proposed (e.g. seeding, sodding, planting);
 - Construction equipment and access routes to be used;
 - Location of cross section(s) indicated on the plan view drawing;

- ☐ A complete description of the type of fill proposed to be placed
- ☐ Photographs are highly recommended (electronic format only)
- ☐ Signed Application Checklist form
- ☐ Completed Landowner Authorization Form (required if owner is assigning another party to act as an agent for the project);
- ☐ The following technical studies as identified in the pre-consultation meeting:
 - ☐ _____
 - ☐ _____
 - ☐ _____
 - ☐ _____
- ☐ A description of the methods and equipment to be used in carrying out the alteration and access/egress to the work (if applicable)
- ☐ A signed Application Checklist
- ☐ A pdf of the entire application package.

Notes:

1. The applicant is encouraged to submit copies of documents as originals may not be returned;
2. Calculations and notes from a qualified engineer or a licensed surveyor may be requested by the NPCA to support the application at the cost of the applicant;
3. The applicant is responsible for ensuring compliance with all other applicable federal, provincial, regional and municipal statutes, regulations or by-law.
4. A copy of this application will be forwarded to the municipality the works are to occur in.

Signature of Owner/Agent

Date

[illegible]

Permit Application Categories

As per the NPCA 2020 Client Service Standards, Section 28 permit application review timelines are determined based on the complexity of the review and the feature being impacted. Timelines assume that pre-consultation has taken place with NPCA staff, a complete application has been submitted and no amendments or re-submissions are required. There are three different review categories: Major, Minor and Routine.

Major Permit applications can require up to 28 days to complete a full review. Major Permit applications may include but are not limited to:

- All works within the Lake Erie and Lake Ontario Shoreline
- Applications with 1 or more technical studies
- Any application where the volume of the submission warrants a longer review time (as determined during pre-consultation)

Minor Permit applications can require up to 21 days to complete a full review. Minor Permit applications may include but are not limited to:

- Works not involving a technical study
- All works related to the Drainage Act not covered by the DART protocol

Routine Permit applications can require up to 14 days to complete a full review. Routine Permit applications may include but are not limited to:

- Any application where the staff review time is minimal (as determined during the pre-consultation)

Please note that the determination of time frame of the submission is separate to the fee associated with the application. Fees are approved by the NPCA Board as part of our fee schedule and available on our website. To ensure proper fees, please confirm during your pre-consultation.

Review times for permit renewals or amendments to active permits default to the timelines of the original submission unless there is a requirement for new or updated studies. In these instances, pre-consultation would be required again, and the review time would not commence until a new completed application is received.



Application for Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Permit (Ontario Regulation 155/06)

OFFICE USE ONLY	
Date Application Received	
Date Payment Received	
Date of Pre-consultation	
Date of Complete Application	
Major/Minor/Routine Permit	
Courier of Permit? Y/N	
CityView File Number	

Please be advised normal review time for a permit that has completed pre-consultation is:

Major Permit – 28 days after a complete application is received with no re-submission

Minor Permit – 21 days after a complete application is received with no re-submission

Routine Permit – 14 days after a complete application is received with no re-submission

However, more complex applications may take longer and will be discussed with the applicant.

Note, an acceptance of a complete application does not constitute permit approval.

Owner Information

Name			
Mailing Address			
City/Province		Postal Code	
Home Phone		Mobile	
Business Phone		Facsimile	
Email address			

Agent Information

Name			
Mailing Address			
City/Province		Postal Code	
Business Phone		Mobile	
Facsimile			
Email address			

Property Information

Address	
Municipality	
Assessment Role Number (ARN)	

Application is hereby made to carry out one or ore of the following works:

- ☐ **New Structure**
- ☐ **Alteration/Addition to Existing Structure**
- ☐ **Grading/Site Alteration (including placement of fill)**
- ☐ **Alter a Watercourse (including culvert Installation and storm outfall)**
- ☐ **Shoreline (Lake Ontario, Lake Erie, Niagara River or other watercourse)**
- ☐ **Ponds**
- ☐ **Dams**
- ☐ **Utilities**
- ☐ **Septic**
- ☐ **Municipal or Provincial Infrastructure**
- ☐ **Other**

Details of Proposed Works:

Proposed Start Date: _____

Proposed Completion Date: _____

I have confirmed with the local municipality, and supplied to the NPCA in writing, that my proposed development does not require any approval under the *Planning Act* (e.g. Zoning By-law Amendment, Minor Variance, Site Plan Control, etc.) or other municipal approvals. Be aware that if a Work Permit is issued and it is subsequently discovered that *Planning Act* or other municipal approval are required, the NPCA may not be able to support the *Planning Act* application or this permit application. This application does not absolve the applicant of the responsibility of obtaining necessary permission from applicable federal, provincial or municipal government.

☐ **Yes** ☐ **No**

Additional information:

- | | |
|--|---|
| <input type="checkbox"/> Previous NPCA Permit | <input type="checkbox"/> Fill Remaining on site (if applicable) |
| <input type="checkbox"/> Concurrent Planning Application | <input type="checkbox"/> Municipal Building Permit Required |
| <input type="checkbox"/> Planning Act Decision Last 12 mos. | |
| <input type="checkbox"/> Applications Made to Other Agencies (e.g. MNRF, MECP, NEC, DFO) | |

Would you like to be present if staff need to visit the property?

☐ **Yes** ☐ **No**

Standard Conditions of Permit

1. Permits granted by the Niagara Peninsula Conservation Authority (NPCA) are valid for up to two years from the date of issue unless otherwise stated on the permit. Consent is hereby given to the NPCA and its employees, to access the property for the purpose of obtaining information, monitoring any approved construction, and any and all other works or activities related to the permission.
2. Permits granted by the NPCA do not exempt the applicant from obtaining permission from other agencies, boards, governments, or other approvals as may be required. It is the responsibility of the owner to ensure that a valid permit is in effect at the time the work is occurring.
3. Any false information or misleading statements made on this application will render any permission granted by the Niagara Peninsula Conservation Authority null and void.
4. As per Section 12.3.3 of the NPCA Policy Document, **fees are non-refundable.**

Authorized Signature

I declare that I have read and agree to the standard conditions for the permit application and that all of the information provided is correct to the best of my knowledge.

Signature of Owner(s)

Date

***A Landowner Authorization form (attached) is required if the solicitor/contractor/agent is completing the application form on behalf of the owner(s).**

General Information for Applicants

Maps that illustrate the extent of the lands under the jurisdiction of the Niagara Peninsula Conservation Authority are available at the Administration Office in Welland or online using the "Watershed Explorer" tool at www.npca.ca

Any questions or comment regarding permit application should be directed to the **Supervisor, Permits & Compliance** (905) 788-3135.

NOTICE OF COLLECTION

Pursuant to section 29(2) of the Municipal Freedom of Information and Protection of Individual Privacy Act, 1990, the personal information contained on this form is collected under the legal authority of the Conservation Authorities Act, R.S.O. 1990, c27, as amended. This information is used to assess applications for and, where approved, issue the Permit. Information on this form may be disclosed to Government and Municipal Agencies for review and comment and to members of the public through the Freedom of Information Process. The name of the applicant, location of the work and a description of the project may be published in NPCA documents including agendas, reports and meeting minutes which are posted on the NPCA website. Questions about the collection of personal information should be directed to the Freedom of Information Officer, Niagara Peninsula Conservation Authority, 250 Thorold Road West, 3rd Floor, Welland, Ontario, L3C 3W2, (905) 788-3135.

LANDOWNER AUTHORIZATION

If an application is to be submitted by a solicitor/contractor/agent on behalf of the legal owner(s) of the subject property, this Landowner Authorization form must be completed and signed by the owner(s). If the owner is a corporation acting without agent or solicitor, the application must be signed by an officer of the corporation and the corporations' seal (if any) must be affixed. Authority staff reserve the right to discuss any or all aspects of the permitting process with the property owner.

If the application is to be prepared by a solicitor/contractor/agent, authorization should not be given until the application and its attachments have been examined and approved by you, the owner(s).

I/WE _____, being the legal owner(s) of the property
described as Lot ____, Concession ____, Part/Lot No. _____, on Plan _____ in the
Municipality/Township of _____, located at Civic Address
_____ and having a
Tax Assessment Roll Number (ARN) of _____, hereby
authorize _____,
(print full name of solicitor/contractor/agent)

To submit the enclosed application to the Niagara Peninsula Conservation Authority and to provide any information or material required by staff of the NPCA relevant to the application for the purpose of obtaining a permit in accordance with the requirements of Ontario Regulation 155/06 (as amended).

Signature of Legal Owner _____

Date _____

Signature of Legal Owner _____

Date _____

Appendix E: CO Procedure for Updating Section 28 Mapping: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation

Procedure for Updating Section 28 Mapping: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations

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Background

The ‘Generic Regulation’ or Ontario Regulation 97/04 was approved by the Province in 2004. This regulation outlined the required content for each (individual) Conservation Authority (CA) Regulation. Further information on this process can be found in Appendix 1. A document was developed by Conservation Ontario (CO) and Ministry of Natural Resources (and Forestry) (MNRF) to provide assistance to CAs on the approval and consultation process and review of mapping associated with this regulation. This document was entitled:

Generic Regulation - Approval Process Document: A Guideline Document to Assist Conservation Authorities with the Process of Obtaining Approval for their new Conservation Authorities Act, Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation, October 2005.

The majority of this document relates to the initial approval process for CA regulations across the province and it outlines the roles of the CO Peer Review Committee and MNRF. The last section of the 2005 guideline relates to the ongoing maintenance of regulation schedules. It states:

5.3 Maintenance

Additions or modifications to regulation schedules that maintain the intent and improve the accuracy of the regulated area, such as updated wetland boundaries, will not require an approval process. These will normally be site-specific amendments. The Conservation Authority will consult the affected municipality and keep a listing of these modifications to the regulated area and file a report with the peer review committee and MNR.

Additions or modifications to the regulation schedules resulting from comprehensive or larger scale studies require re-circulation through the Peer Review/MNR process and notification if they substantially change the impact of the regulation. A copy of the mapping highlighting the proposed modification(s) and the rationale for the change(s) as well as a record of any consultation will be provided to the Peer Review Committee in support of the amendment application.

The Peer Review Committee has evolved to become the CO Section 28 Committee (S. 28 Regulations Committee). While the CO Section 28 Committee no longer has a role in reviewing technical updates to Regulation mapping, it has an ongoing role to provide information and advice to CAs.

Objective

There have been several advances in technology, mapping and modelling as well as how agencies communicate with the public since the release of the 2006 Protocol for Updates to Section 28 Mapping: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations. Further to queries from CA staff, the CO Section 28 Regulations Committee identified the need to modernize and update the mapping protocol.

The objective of this document is to provide guidance to Conservation Authorities for recording and tracking regulatory mapping produced under the enabling Ontario Regulation 97/04 in the

absence of a replacement of section 5.3 of the *Approval Process Document* (Conservation Ontario & Ministry of Natural Resources, 2005). This guideline will meet the intent of the *Approval Process Document* and will assist CAs in the development of consistent and defensible mapping products, accurate reporting of mapping updates, public consultation, and notification to MNRF.

Role of the CO Section 28 Regulations Committee

The S. 28 Regulations Committee is comprised of CO staff and representatives from several CAs with planning, regulations and technical expertise. This committee provides advice and information with respect to hazard mapping. In this regard, the committee is available to all CAs to provide technical assistance and advice, as follows:

- **Review of Mapping** –The S. 28 Regulations Committee should be contacted when:
 - new mapping methodologies are proposed that are different from those previously endorsed by the Peer Implementation and Review Committee (*Guidelines for Developing Schedules of Regulated Areas, October 2005* or a CA specific methodology endorsed in 2006),
 - a new methodology is being used that wasn't used in the past, or
 - a significant change to the methodology is proposed.

The S. 28 Regulations Committee will provide advice, recommend consultation with a CA technical discussion group or recommend a CA engage or consult with a technical expert to conduct a peer review. When making a submission, the CA should describe the proposed methodology and indicate how it differs from the previous mapping guidance documents.

The S.28 Regulations Committee will be available to discuss any outcomes from the consultation with technical discussion groups or technical experts however feedback received throughout this process should be considered advisory in nature.

- **Public Consultation** – The S. 28 Regulations Committee is available to provide advice regarding the appropriate nature and extent of public consultation that should be carried out. When making a submission, the Conservation Authority should provide a brief summary of the context and proposed public consultation process.

Mapping

As per the individual regulations administered by CAs, all mapping (paper or digital) shall be filed at the head office of the authority. For the purposes of this document and the implementation of the regulation, the term “mapping” means the maps produced in support of the regulation and referenced in the text of the regulation. **In cases where there is a discrepancy between the mapping and the text of the regulation, the text prevails.**

The regulation maps are useful tools for CAs in screening applications to determine if a development proposal is within the regulated area. These maps are comprised of different layers of information. The detailed mapping layers used to produce the general regulation maps is used by Conservation Authority staff to review and determine the hazard or feature within the regulated area. In some cases these maps are also used by municipalities as a screening tool for

planning applications or by landowners and other stakeholders to prepare for pre-consultation meetings.

Minor Mapping Changes

Often the information in the various data layers is refined based on site-specific field investigation by CA staff or other qualified professionals. These are typically minor modifications. Examples might include wetland boundary modifications, confirmation of stable top-of bank obtained through site-specific geotechnical studies, surveyed floodlines, and updates to the location of a watercourse. These modifications generally relate to individual properties (although the regulation limit may impact several properties) and are made as a result of the permit or plan review process.

Major Mapping Changes

More extensive mapping changes, made at the watershed, subwatershed, watercourse or shoreline reach, or multi-property scale are considered major. Examples of these changes might include: floodplain mapping, geotechnical mapping defining the limit of the erosion hazard, and comprehensive wetland mapping. Changes to modelling standards and availability of higher resolution data may result in a more accurate representation of the hazards. This usually requires large scale changes.

Mapping Updates

The following outlines the requirements for CA regulation map updates. The subsections below define required tracking, public consultation, and notifications. Updates include (but are not necessarily limited to) the following:

- the maintenance or refinement of mapping that was developed based on the *Approval Process Document* (Conservation Ontario & Ministry of Natural Resources (and Forestry), 2005)
- major updates following the methodologies in the *Guidelines for Developing Schedules of Regulated Areas* (Conservation Ontario & Ministry of Natural Resources (and Forestry), October 2005)
- major updates following an alternative methodology
- completely new mapping
- new base information (e.g., aerial photography, LIDAR)
- new studies (e.g., shoreline study, geotechnical or floodplain study)
- new wetland information, including PSW boundary updates (from MNRF, ELC, or field truthing)
- new floodplain estimations, or
- corrections to the previous Regulation Limit as a result of mapping changes.

Record of Mapping Changes

It is expected that CAs will track changes/updates to mapping by recording the changes required to each map sheet or include this information in the meta-data associated with the digital mapping product. A CA may indicate updates within the revision block on the map sheets more frequently. Digital map layer archives of the regulation limit and regulated features should be retained for each iteration of changes (i.e. annually or quarterly depending on update schedule).

The following is an example of paper map revision block:

REVISION NUMBER	DATE	CHANGE
3	Sept. 2018	- flood hazard limit added to ABC watercourse based on floodplain estimation which expands the regulation limit
3	Nov. 2018	- wetland boundary removed and area of interference – wetland does not exist based on field truthing – regulation limit is decreased
3	May 2019	- mapping revisions to the regulation limit have been completed as referenced in policy document or separate document. - name of who authorized the change

An example of metadata for digital records is included in Appendix 2. Conservation Authorities with digital records should have metadata for each regulated feature and the Regulation Limit. The metadata provides key information regarding the accuracy of the mapping, sources of information used to create the mapping, recent updates to the mapping etc.

Public Consultation

Landowner consultation is a best management practice for minor mapping updates. The scope of the consultation process will depend on the extent of the update.

For minor updates (e.g. minor updates that occur soon after consultation with the affected landowner), a notice on the Conservation Authority website that mapping amendments affecting individual landowners may occur on an irregular basis may be sufficient ‘public’ notice. If minor amendments to features and the regulation limit are updated annually, a best management practice may be to post a notice on the conservation authority website and/or provide notice to the CA Board and public through a report.

Public consultation should be completed for major mapping updates. The scope of the consultation process depends on the geographic nature and extent of the mapping changes (e.g., the number of properties or length of reach affected). Each CA should determine an appropriate consultation process for their mapping updates.

Where mapping is done within a municipal planning context and includes a public consultation process under the Planning Act such as the incorporation of hazard mapping into an Official Plan, a Master Environmental Servicing Plan or equivalent, comprehensive Zoning By-Law, an Environmental Assessment, or a planning process under other legislation (e.g., Renewable Energy Act) the requirements for public consultation are considered to have been met. Where possible, it is a best practice to indicate in the communication material for external processes that mapping changes agreed to by the CA will be incorporated into CA maps.

Where the Conservation Authority has made major mapping changes which are not part of a municipal process or project, a public consultation process should be carried out by the CA.

For public consultation, each CA should document the following:

- ❑ Itemization of changes made to the regulation mapping (this may be an electronic record through GIS metadata)

- ❑ A Detailed Consultation Record, including:
 - ❑ Contact list/summary of the list of groups contacted
 - ❑ Notice of Public Meeting, web based or Social Media, notifications
 - ❑ Sign in sheets from Public Meeting, and
 - ❑ A summary of all submissions received and responses provided by the Conservation Authority (outline of the volume and context should be available if requested)
- ❑ A copy of the Conservation Authority Board of Directors report and Resolution, and
- ❑ An Executive Summary of Mapping, (if not included in the Conservation Authority Board of Directors report), including:
 - ❑ Nature and extent of mapping changes (e.g., on a reach or watershed/subwatershed basis)
 - ❑ Sample maps should highlight the updates, new mapping, or mapping revisions/corrections
 - ❑ A summary of the methodologies used to prepare the mapping updates if there is any variation from the *Guidelines for Developing Schedules of Regulated Areas* or with methodologies which were previously approved through the Technical Review process.

Consultation Process and Notice

Consultation best practices noted below are guided by Planning Act consultation requirements. Each Conservation Authority must determine for itself whether and how to use or expand these requirements.

Consultation for major mapping changes should include:

- At least one public meeting to provide information and receive comments.
- Notice of the meeting to inform the public of the mapping updates should be given at least 20 days in advance by a news release, publication in a newspaper or newspapers of generally sufficient circulation in the area to provide the public with reasonable notice of the meeting and website or social media notice.
- Notice of the public meeting may be sent to the following stakeholders affected by the change in mapping:
 - ❑ Municipal Clerk(s);
 - ❑ The Manager, Program Services Section, Integration Branch Ministry of Natural Resources and Forestry.
 - ❑ The secretary of municipal or other corporation operating an electric utility;
 - ❑ The secretary of a company operating a natural gas utility;
 - ❑ The Executive Vice-President, Law and Development, of Ontario Power Generation Inc.;
 - ❑ The secretary of Hydro One Inc.;
 - ❑ The secretary of a company operating an oil or natural gas pipeline;
 - ❑ The secretary of a school board;
 - ❑ The Chief of every First Nation Council within the watershed boundary;
 - ❑ Fisheries and Oceans Canada;
 - ❑ The applicable District Office(s) of the Ministry of Natural Resources and Forestry.
 - ❑ The Manager, Community Planning and Development, Ministry of Municipal Affairs, and the Director, Provincial Planning Policy Branch, Ministry of Municipal Affairs

- ☐ UDI/Ontario or local Home Builder Associations
- Where applicable, notice should also be sent to:
 - ☐ Parks Commissions (e.g. St Clair, Niagara, St Lawrence)
 - ☐ Parks Canada
 - ☐ The Niagara Escarpment Commission
 - ☐ The Manager, Planning and Environmental Office, Ministry of Transportation (St. Catharines, Ontario)
 - ☐ The General Manager or CAO of adjacent conservation authorities.

Notification to MNRF

A summary of major mapping changes, public consultation and notification should be provided to the Manager, Program Services Section, Integration Branch MNRF.

Appendix 1

History and Background

Ontario Regulation 97/04 “Content of Conservation Authority Regulations under Subsection 28 (1) of the Act: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses” (i.e. Generic Regulation) was approved in May 2004 following a prescribed public consultation process. This Regulation established the content requirements to be met in a Regulation made by a CA under Subsection 28(1) of the Conservation Authorities Act. The Regulation pertains to areas that are river or stream valleys, watercourses, wetlands and other areas where development could interfere with the hydrologic function of a wetland, adjacent or close to the shoreline of a Great Lake and inland lakes that may be affected by flooding, erosion or dynamic beach hazards, and hazardous lands. The Regulated Area represents the greatest extent of the combined hazards plus an allowance as set out in the Regulation.

In 2006, the Minister of Natural Resources and Forestry approved the Development, Interference and Alteration Regulations (individual CA Regulations) for all CAs consistent with Ontario Regulation 97/04 of the Conservation Authorities Act. These individual CA Regulations are Ontario Regulations numbered 42/06 and 146/06 to 182/06. Areas regulated under individual CA Regulations have been mapped according to the criteria and standards outlined in the *Guidelines for Developing Schedules of Regulated Areas (2005)* as approved by the Ontario Ministry of Natural Resources and Forestry and Conservation Ontario.

The *Approval Process Document* (CO/MNR, 2005) jointly undertaken by Conservation Ontario and the Ministry of Natural Resource and Forestry was to guide the mapping of regulated areas. It directed CAs to keep a listing of modifications to the regulated area, consult the affected municipality (ies), and file a report with the Peer Review Committee and MNRF. As well, it indicated that additions or modifications to the regulation mapping from comprehensive studies require re-circulation through the Peer Review/MNRF process and notification if they substantially change the impact of the regulation. A draft protocol was prepared by the Peer Review and Implementation Committee to provide direction with regard to these requirements. This protocol was approved by the Conservation Ontario Council on December 11, 2006. This 2018 Procedure is an update to that protocol.

Appendix 2

Example of Digital Metadata

Name: **Regulation Limit Ontario Regulation 150/06 Production**

General Description

Full Name	REGULATION_LIMIT
Abstract	This layer defines the limit for areas regulated under <i>Ontario Regulation 150/06 - Grand River Conservation Authority: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses</i> , which came into effect May 8, 2006. The Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation affects what and where a Conservation Authority can regulate. Specifically, this regulation allows Conservation Authorities to: 1) Prohibit, regulate or provide permission for straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream, watercourse or changing or interfering with a wetland. 2) Prohibit, regulate or provide permission for development if the control of flooding, erosion, dynamic beaches, pollution or the conservation of land may be affected by the development. IMPORTANT NOTE: The text of Ontario Regulation 150/06 supercedes the mapping as represented by this data layer. In the event of a conflict a site specific determination may be made by GRCA staff.
Feature Type	Polygon
Location	SDE_GRCA
Geographic Extent	GRCA Watershed
Maintenance Status	Quarterly

Georeferencing and Accuracy

Horizontal Datum	North American Datum 1983 (EPSG: 6269)
Vertical Datum	Not Applicable (EPSG: 0)
Spatial Projection	NAD83 UTM Zone 17N (EPSG: 26917)

Data Sources and Restrictions

Access Constraint	GRCA Open Data Licence v1
Use Constraint	None - in accordance with licence agreement
Citation	Produced using information under License with the Grand River Conservation Authority © Grand River Conservation Authority, 20** [** insert year of publication of IP].
Agency Originator	Grand River Conservation Authority (GRCA)
Agency Distributor	Grand River Conservation Authority (GRCA)
Online Link Related	https://data.grandriver.ca/downloads-geospatial.html Regulatory Floodplain

Entities	Dynamic Beach - Lake Erie Shoreline Erosion Hazard - Lake Erie Flood Hazard - Lake Erie Regulation Limit Modifier - Wetland River Slopes and Erosion Allowances River Valley Slopes Surface Hydrology - Waterbody Surface Hydrology - Watercourse Wetlands
	<p>Under Ontario Regulation 150/06 of the Conservation Authorities Act, the Grand River Conservation Authority regulates development in areas define in Section 2 subsection 1, as summarized below:</p> <p>15m adjacent to Watercourse*</p> <p>5m adjacent to Floodplain, Engineered</p> <p>15m adjacent to Floodplain, Non-Engineered</p> <p>120m adjacent to Wetlands, Provincially Significant (PSW)**</p> <p>30m adjacent to Wetlands, Non-PSW less than 2 ha**</p> <p>120m adjacent to Wetlands, Non-PSW greater than or equal to 2 ha**</p>
Methodology	<p>15m adjacent to Slope Erosion</p> <p>15m adjacent to Slope Valley</p> <p>15m adjacent to Lake Erie Flood</p> <p>15m adjacent to Lake Erie Erosion</p> <p>15m adjacent to Lake Erie Dynamic Beach</p>
	<p>*Only Regulated Watercourse features are used. This is a subset of the Watercourse layers.</p> <p>**The Regulation Limit has been truncated to the nearest road and operational rail-road where wetlands are the regulated feature.</p> <p>Note: Features have been divided into smaller pieces for performance purposes (Code: Dice=15000)</p> <p>IMPORTANT NOTE:</p>
Supplemental Info	The text of Ontario Regulation 150/06 supercedes the mapping as represented by this data layer. In the event of a conflict a site specific determination may be made by GRCA staff.
Related Documents	Ontario Regulation 150/06

Attributes

Full Name (Type)	Alias name	Description and Values
MU_LTIER (Text)	Lower Tier Municipality	Name of lower tier municipality
SHAPE (ST Geometry)	Shape	Feature Geometry
OBJECTID (Long Integer)	Object ID	System-managed unique identifier
GR_FEATURE (Text)	Feature Type	Description of feature
REG_NUMBER (Text)	Regulation Number	Regulation number for the GRCA
CREATION_DATE (Date)	Creation Date	Date the regulation limit was created
LAST_REVISION_DATE	Last Revision Date	Date that the regulation limit was

(Date)		last revised
MU_UTIER (Text)	Upper Tier Municipality	Name of upper tier municipality

Update History (last 5)

Jan 12, 2018	System Update - Data: Minor updates based on inputs
Oct 04, 2017	System Update - Data: Minor updates addendum
Sep 29, 2017	System Update - Data: Minor updates based on inputs
Jul 17, 2017	System Update - Data: Updated to clean-up slivers of data that may occur during processing. Processing algorithm has also been updated.
Jun 30, 2017	System Update - Data: Minor updates based on inputs

Contact Information

Contact	Supervisor of Resource Planning
	Copyright © 2018 Grand River Conservation Authority (GRCA). Use is subject to GRCA's website Terms of Use .

Report To: Board of Directors

**Subject: Approval of Walker's Creek and Beamer Creek (City of St. Catharines)
Floodplain Mapping Update**

Report No: FA-20-20

Date: May 21, 2020

Recommendation:

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

Purpose:

The purpose of this report is to seek Board approval to utilize the Walker's Creek and Beamer Creek Floodplain Mapping Update and associated flood maps in the implementation of the NPCA's Ontario Regulation 155/06.

Background:

The Walker's Creek and Beamer Creek watershed is located in the northeast corner of the City of St. Catharines (refer to the attached 'Walker Creek & Beamer Creek Floodplain Mapping' sketch). With a catchment area of approximately 8.0 square kilometers, the urbanized watershed is largely comprised of residential properties with many parks located along the watercourses. Due to the urban nature of the watershed, the creeks pass through many culverts and bridges associated with roads and other infrastructure.

The first floodplain mapping study for Walker's Creek and Beamer Creek was undertaken in 1987. Approximately 113 private properties, including 41 buildings were identified as being located within the 100-year flood hazard zone.

As it has been over 30 years since these watercourses have been floodplain mapped, the NPCA commissioned an update to the floodplain mapping in order to better understand the extent of the 100-year flood hazard zone. Through the NPCA's procurement process, Stantec Consulting Engineers was retained to undertake this study. Stantec began as a small engineering firm in Edmonton, Alberta in 1954 and has since grown into a preeminent, multi-national engineering firm employing over 22,000 professionals in 400 offices worldwide.

Discussion:

1.0 Results

In the 1980s Club Lasalle, a French social club located near the outlet of Walker's Creek dug a channel through a massive lakeshore sand dune in order to help alleviate flooding of their clubhouse. Over the course of 30 years, this channel has eroded and has become appreciably larger and as a result conveys much more water from the creek into the lake. As a result of more water draining into Lake Ontario from the creek system at a faster rate, the floodplain of Beamer Creek has been drastically reduced.

On Walker's Creek at Cindy Drive (near the outlet), the NPCA has maintained a stream gauge station since 1991. This stream gauge station includes a weir at the culvert outlet in order to maintain a consistent elevation within a small pool so that it is possible for the gauge's instrumentation to calculate flows through the culvert. Because of this weir, the impacts of the widened channel on the Club Lasalle property are not felt upstream of Cindy Drive. What the updated study did conclude however, was that the calculated 100-year Walker's Creek flows between the old 1987 study and the updated study were approximately the same. As such, the floodplain elevations between the two studies show no major differences.

2.0 About the Consultation

The engagement program was designed to ensure that property owners knew about any potential impact to their property. In addition, it is important that input from property owners and the public be incorporated into the technical process before draft floodplain maps are finalized.

2.1 *Meeting with City Staff*

In December 2019, NPCA staff, the NPCA Board Member for St. Catharines, and Stantec met with City staff to present the work done to date and to discuss the format of the planned Public Information Session. City staff were satisfied with the draft report and had no objection to proceeding to schedule the Public Information Session.

2.2 *Public Information Session Meeting Date and Location*

A meeting was held at the Grantham Lions Club (732 Niagara Street, St. Catharines) on March 4, 2020 to present the draft Walker's Creek and Beamer Creek floodplain maps to the public and provide a chance for the project team to talk to property owners and solicit their feedback. The meeting was held from 6:00pm to 8:00pm and was independently facilitated by Mr. Glenn Pothier of GLPi.

The format of the Public Information Session was as follows:

- Introductions, Meeting Format, Meeting Goals – GLPi
- Floodplain Mapping presentation (a brief description of floodplain mapping, this study's methodology and results) – Stantec
- Differences between old and new floodplain mapping – NPCA
- NPCA floodplain policy presentation – NPCA
- Open Question & Answer – GLPi

After the Open Question & Answer period, the project team circulated for the remainder of the Open House to answer any individual questions.

3.0 Media Campaign

The NPCA Communications staff created a robust social, digital, and print marketing campaign to achieve the following goals:

- a) Increase awareness of the NPCA's Walker's Creek and Beamer Creek Floodplain Mapping Update project;
- b) Increase attendance at the Public Information Session;
- c) Obtain feedback on the Walker's Creek and Beamer Creek Floodplain Mapping Update project.

3.1 *Print Advertising*

Two print advertisements were scheduled and launched in two different media outlets in an effort to reach residents who may not be present on-line. Each advertisement included information about the Public Information Session. They launched one week prior to the Information Session taking place in an effort to remain relevant. The advertisements were scheduled as follows:

- Niagara This Week – February 27, 2020
- St. Catharines Standard – February 26 and 29, 2020

3.2 *Direct Mail via Canada Post*

In the last week of February, **6,468 homes** within 300 meters of Walker's Creek and Beamer Creek were targeted with a postcard describing the project, the location and times of the Public Information Session, and how to provide feedback. Please see Appendix 2 for a copy of the postcard.

3.3 *NPCA Corporate Website*

The NPCA website contained a link to the Walker's Creek and Beamer Creek Floodplain Mapping Update Project webpage. The project webpage contained the draft floodplain mapping report and associated flood maps. The project webpage also contained an area for the public to provide comments which would be directed to a central repository for the NPCA staff to review and provide response.

The analytics from the project webpage indicate that:

- There was a total of **352 visits** to the project webpage;
- The Floodplain Mapping Update – Draft Report and Maps were downloaded **192 times**;
- There was a total of **12 comments** provided by the public on the webpage.

3.4 *Social Media Posts*

NPCA Communications staff utilized regularly scheduled social media posts, event listings, and targeted 'boosting' of posts to inform the public of the project, the associated webpage and Public Information Session. In total, **77 people** responded in some manner to the social media posts.

3.0 Who We Heard From

The meeting was well attended. A sign-in sheet was used to track attendance and to update the project mailing list. The total estimated attendance was approximately **115 people**. Attendees were generally people who lived in the vicinity of the watercourses. One municipal Councilor (Grantham Ward) and some municipal staff were also in attendance.



Public Information Session in Progress – March 4, 2020

5.0 What We Heard

The tone of the meeting was cordial. The public appreciated the openness and accessibility of the Project Team. There was no conflict, suspicion, or hostility. The public further appreciated the fact that multiple staff carried digital tablets with interactive maps that allowed landowners to zoom into their property and determine the extent that the updated flood lines impacted them.

There were several common themes brought forward during the Public Information Session, both verbally and on the written comment cards, and in the comments provided on the project webpage. These can be summarized as follows:

- 1) What are the differences between the 1987 flood lines and the new flood lines?
 - a. Answer – See Section 1.0, Results
- 2) If I am in the floodplain, how will this affect my property values and insurance rates?

- a. Answer – The value of a property is influenced by many factors. Recently the housing market has experienced a rapid rise in value across all sectors. It appears that the fact that a house is located in a flood plain has had little impact on the sale price.
 - b. Answer – With respect to insurance rates, as there are many contributing factors regarding the premiums paid on each policy, the NPCA can only advise that an insurance agent be consulted.
- 3) Who is responsible for maintaining the creek? There are areas, such as south of Linwell Road, that need attention.
 - a. Answer – The property owner is responsible for maintaining a watercourse. In this case, the City of St. Catharines owns most of the property that the creeks flow through. It is advisable that the NPCA be contacted prior to undertaking any maintenance works to determine if approval is required.
 - b. Answer – There are some areas, such as south of Linwell Road, that the creek flows across private lands. It should be noted that the NPCA cannot compel a landowner to undertake maintenance works on a watercourse.
- 4) The culverts and creek are often blocked with debris and branches. The City needs to ensure that these blockages are cleared.
 - a. Answer – Both the City and the Region are aware of the need to monitor and maintain their storm infrastructure and endeavor to provide the best service that they can.
- 5) Please clarify the difference between creek flooding and flooding caused by storm sewers and roadways. Who is responsible for what?
 - a. Answer – Creek flooding is when a watercourse floods due to a severe rain event. The NPCA is responsible for delineating the extent of this flood hazard by generating floodplain maps.
 - b. Answer – Storm sewer flooding is caused by blockages, undersized pipes, or excess flows resulting from severe storm events. The City is responsible for identifying problematic storm infrastructure and undertaking remedial works.

Financial Implications:

The Walker's Creek and Beamer Creek Floodplain Mapping Update project was successful in obtaining funding for 50% of the project through the National Disaster Mitigation Program. The balance of the funding (up to \$50,000) was authorized by the NPCA Board to be taken from the Flood Protection Services Capital Reserve on January 24, 2018 (Report No. FA-11-18 and Resolution No. FA-35-18).

Links to Policy/Strategic Plan:

Regulation of floodplains is a mandated activity of the Conservation Authority and mapping of floodplains is an essential component.

Related Reports and Appendices:

Appendix 1 – Walker's Creek and Beamers Creek Existing Floodplain Mapping

Authored by:

Original Signed By:

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

Reviewed by:

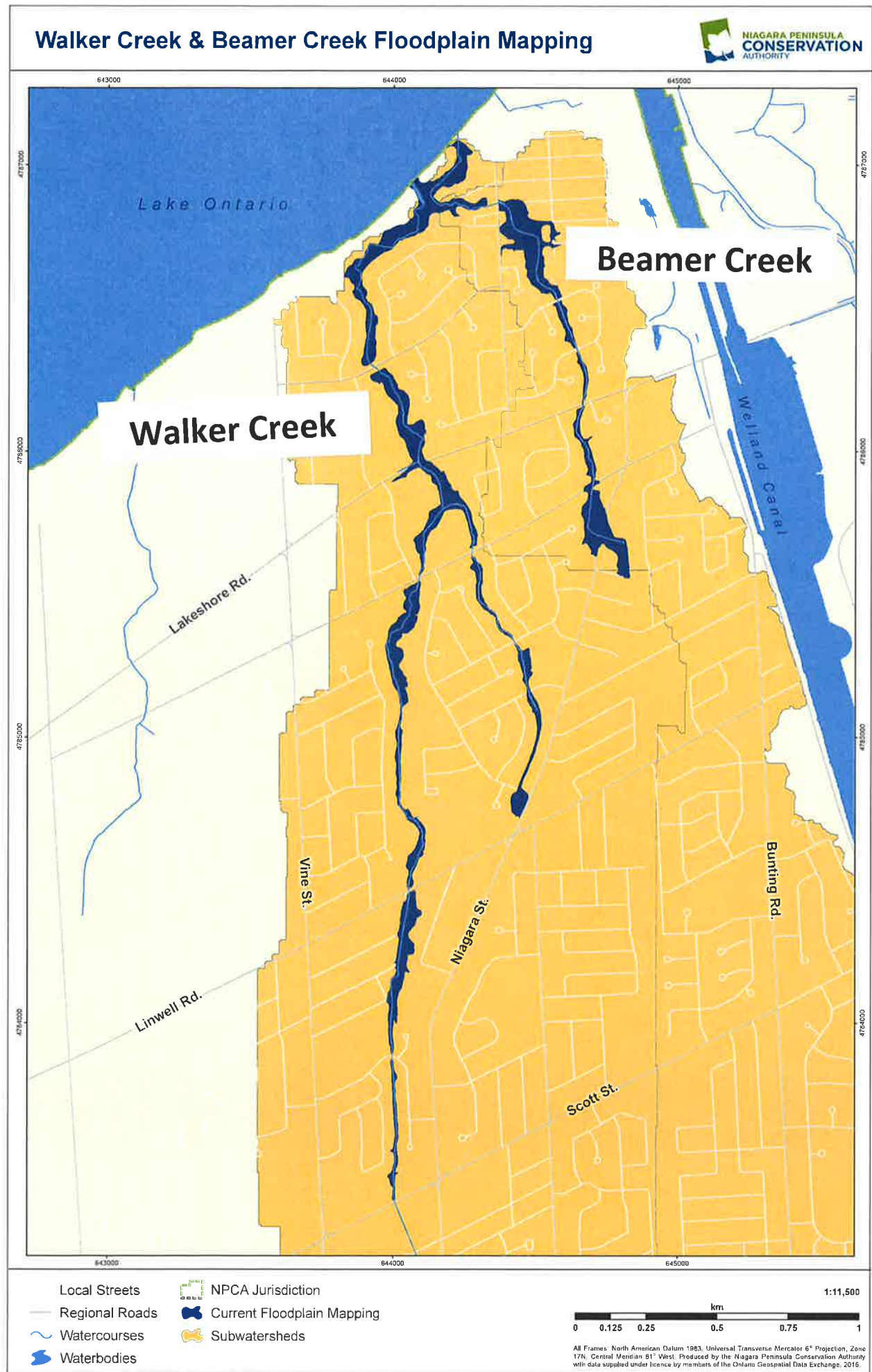
Original Signed By:

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

Submitted by:

Original Signed By:

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



**AUDIT AND BUDGET COMMITTEE
ON-LINE TELECONFERENCE
MEETING MINUTES
Wednesday, April 29, 2020
9:30 a.m.**

MEMBERS PRESENT: K. Kawall, Chair
S. Beattie
R. Foster
B. Mackenzie
J. Metcalfe
B. Steele
M. Woodhouse

STAFF PRESENT: C. Sharma, Chief Administrative Officer/Secretary–Treasurer
G. Bivol, Executive Co-ordinator to the C.A.O/Board
A. Christie, Director, Operations & Strategic Initiatives
L. Gagnon, Director Corporate Services

OTHER: S. Plugers, KPMG

Chair Kawall called the meeting to order at 9:31 a.m.

1. APPROVAL OF AGENDA

Recommendation No. A&BC-12-2020

Moved by Board Member Steele

Seconded by Board Member Beattie

THAT the Audit and Budget Committee Meeting agenda dated Wednesday, April 29, 2020 **BE APPROVED** as presented.

CARRIED

2. DECLARATIONS OF CONFLICT OF INTEREST

None declared.

3. APPROVAL OF THE MINUTES

a) Minutes of the NPCA Audit and Budget Committee meeting dated March 12, 2020

Recommendation No. A&BC-13-2020

Moved by Board Member Foster

Seconded by Board Member Woodhouse

THAT the minutes of the Audit and Budget Committee meeting dated March 12, 2020 **BE APPROVED**.

CARRIED

4. CORRESPONDENCE

None.

5. DELEGATIONS / PRESENTATIONS

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

Recommendation No. A&BC-14-2020

Moved by Board Member Beattie

Seconded by Board Member Steele

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

CARRIED

6. CONSENT ITEMS

None.

7. DISCUSSION ITEMS

- a) Report No. A&BC-05-2020 RE: 2019 Audited Financial Statements

Recommendation No. A&BC-15-2020

Moved by Board Member Woodhouse

Seconded by Board Member Metcalfe

1. **THAT** Report No. A&BC-05-2020 RE: 2019 Audited Financial Statements **BE RECEIVED**.

2. **THAT** the 2019 Audited Financial Statements and the 2019 Audit Findings Report **BE RECOMMENDED** to the Board of Directors for approval.

CARRIED

Recommendation No. A&BC-16-2020

Moved by Board Member Steele

Seconded by Board Member Metcalfe

THAT management **PRESENT** a 2019 variance analysis of revenues and expenses at the next Board of Directors meeting.

CARRIED

- b) Report No. A&BC-04-2020 RE: Financial Report - Q1 - 2020

Recommendation No. A&BC-17-2020

Moved by Board Member Beattie

Seconded by Board Member Foster

THAT Report A&BC 04-2020 Respecting Financial Report – Q1 - 2020 **BE RECEIVED** for information.

CARRIED

- c) Report No. A&BC-06-20 RE: Audit and Budget Committee Terms of Reference and 2020 Work Plan

Recommendation No. A&BC-18-2020

Moved by Board Member Beattie

Seconded by Board Member Metcalfe

1. **THAT** Report No. A&BC-06-20 RE: The Audit and Budget Committee be renamed the Finance Committee and the Terms of Reference and 2020 Work Plan **BE RECEIVED** for information.
2. **THAT** the proposed changes to the Audit and Budget Committee Terms of Reference attached as Appendix 1 to Report No. A&BC-06-20 **BE APPROVED**.
3. **THAT** the 2020 Audit and Budget Committee Work Plan attached as Appendix 2 to Report No. A&BC-06-20 **BE APPROVED**.
4. **THAT** the final Audit and Budget Committee Terms of Reference **BE APPENDED** to the updated NPCA Administrative By-Law to be presented for Board approval in 2020;
5. **AND FURTHER THAT** until the approval of the updated Administrative By-Law and associated Terms of Reference, the Audit and Budget Committee **CONTINUE** to conduct its business per existing Terms of Reference dated September 18, 2019.

CARRIED

- d) Report No. A&BC-03-2020 RE: Establishing a 2020 Audit and Budget Committee Meeting Calendar

Recommendation No. A&BC-19-2020

Moved by Board Member Beattie

Seconded by Board Member Foster

1. **THAT** Report No. A&BC-03-2020 RE: Establishing a 2020 Audit and Budget Committee Meeting Calendar **BE RECEIVED**.
2. **THAT** meetings for the NPCA Audit and Budget Committee for 2020 **BE ESTABLISHED** as: Thursday, July 29 and Thursday, October 28.

CARRIED

8. NEW BUSINESS

The Committee discussed matters to be brought forward to the Board's attention.

9. ADJOURNMENT

Recommendation No. A&BC-20-2020

Moved by Board Member Metcalfe

Seconded by Board Member Foster

THAT the Audit and Budget Committee meeting of April 29, 2020 be hereby adjourned at 11:30 a.m.

CARRIED

K. Kawall
Committee Chair

C. Sharma
C.A.O. / Secretary - Treasurer

Report To: Board of Directors

Subject: 2019 Audited Financial Statements

Report No: FA-24-20

Date: May 21, 2020

Recommendation:

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

Purpose:

The purpose of this report is to seek the Board of Directors approval of the 2019 Audited Financial Statements and the 2019 Audit Findings Report.

Discussion:

On April 29, 2020, Report No. A&BC-05-20 – 2019 Audited Financial Statements was presented to the Audit and Budget Committee, and the following resolutions were passed:

Recommendation No. A&BC-15-2020

Moved by Board Member Woodhouse and seconded by Board Member Metcalfe

1. **THAT** Report No. A&BC-05-2020 RE: 2019 Audited Financial Statements **BE RECEIVED**.
2. **THAT** the 2019 Audited Financial Statements and the 2019 Audit Findings Report **BE RECOMMENDED** to the Board of Directors for approval.

Recommendation No. A&BC-16-2020

Moved by Board Member Steele and seconded by Board Member Metcalfe

THAT management **PRESENT** a 2019 variance analysis of revenues and expenses at the next Board of Directors meeting.

Financial Implications:

There are no financial implications associated with this report.

Related Reports and Appendices:

Appendix 1: Draft 2019 Audited Financial Statements

Appendix 2 : Draft 2019 Audit Findings Report

Appendix 3: Variance Analysis – 2019 Revenues and Expenses

Authored 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

Financial Statements of

**NIAGARA PENINSULA
CONSERVATION AUTHORITY**

Year ended December 31, 2019

DRAFT



KPMG LLP
80 King Street, Suite 620
St. Catharines ON L2R 7G1
Canada
Tel 905-685-4811
Fax 905-682-2008

INDEPENDENT AUDITORS' REPORT

To the Board of Niagara Peninsula Conservation Authority

Opinion

We have audited the financial statements of Niagara Peninsula Conservation Authority (the Entity), which comprise:

- the statement of financial position as at December 31, 2019
- the statement of operations for the year then ended
- the statement of changes in net financial assets for the year then ended
- the statement of cash flows for the year then ended
- and notes to the financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the "financial statements")

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Entity as at December 31, 2019, and its results of operations, its changes in net financial assets and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the *Auditors' Responsibilities for the Audit of the Financial Statements* section of our report.

We are independent of the Entity in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.



Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Entity's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Entity or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Entity's financial reporting process.

Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control.



- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditors' report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditors' report. However, future events or conditions may cause the Entity to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represents the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Chartered Professional Accountants, Licensed Public Accountants

St. Catharines, Canada

MM/DD, 2020

NIAGARA PENINSULA CONSERVATION AUTHORITY

Statement of Financial Position

As at December 31, 2019, with comparative information for 2018

	2019	2018
Financial assets:		
Cash and cash equivalents	\$ 3,454,034	\$ 6,138,740
Investments	4,381,512	4,256,273
Accounts receivable	666,214	278,986
	8,501,760	10,673,999
Financial liabilities:		
Accounts payable and accrued liabilities	1,389,998	759,075
Employee future benefits (note 2)	66,300	73,200
Deferred revenue (note 4)	1,521,047	1,776,979
Long-term debt (note 3)	216,325	700,030
	3,193,670	3,309,284
Net financial assets	5,308,090	7,364,715
Non-financial assets:		
Prepaid expenses	36,797	33,109
Tangible capital assets (note 5)	21,008,145	20,145,167
	21,044,942	20,178,276
Subsequent event (note 15)		
Accumulated surplus (note 6)	\$ 26,353,032	\$ 27,542,991

See accompanying notes to financial statement.

Chair

Chief Administrative Officer

NIAGARA PENINSULA CONSERVATION AUTHORITY

Statement of Operations

Year ended December 31, 2019, with comparative information for 2018

	Budget (note 9)	2019 Actual	2018 Actual
Revenues:			
Government transfers			
Province of Ontario – Ministry of Natural Resources and Forestry ("MNRF")	\$ 174,496	\$ 90,083	\$ 174,496
Province of Ontario - Other	302,500	223,482	267,038
Government of Canada	100,000	100,000	132,705
Municipal levies			
General	6,416,084	6,416,084	6,246,119
Special	2,252,166	635,001	2,252,166
Authority generated			
User fees, sales and admissions	1,892,600	2,148,195	1,936,971
Administration fees	314,850	401,000	417,690
Interest	60,000	214,063	155,013
Other	235,200	445,261	701,053
OPG - Welland river watershed	-	195,432	-
	11,747,896	10,868,601	12,283,251
Expenses:			
CAO and Administration	2,002,676	3,068,776	2,019,335
Watershed	5,257,856	1,868,308	1,557,677
Corporate Resources	2,077,585	7,121,476	5,629,051
	9,338,117	12,058,560	9,206,063
Annual (deficit) surplus	2,409,779	(1,189,959)	3,077,188
Accumulated surplus, beginning of year	27,542,991	27,542,991	24,465,803
Accumulated surplus, end of year	\$ 28,335,605	\$ 26,353,032	\$ 27,542,991

See accompanying notes to financial statement.

NIAGARA PENINSULA CONSERVATION AUTHORITY

Statement of Change in Net Financial Assets

Year ended December 31, 2019, with comparative information for 2018

	2019	2018
Annual (deficit) surplus	\$ (1,189,959)	\$ 3,077,188
Acquisition of tangible capital assets	(1,744,615)	(1,063,320)
Amortization of tangible capital assets	864,071	823,061
Proceeds on disposal of tangible capital assets	47,569	-
Gain on disposal of tangible capital assets	(30,003)	-
Increase in prepaid expenses	(3,688)	(7,473)
	(2,056,625)	2,829,456
Net financial assets, beginning of year	7,364,715	4,535,259
Net financial assets, end of year	\$ 5,308,090	\$ 7,364,715

See accompanying notes to financial statement.

NIAGARA PENINSULA CONSERVATION AUTHORITY

Statement of Changes in Cash Flows

Year ended December 31, 2019, with comparative information for 2018

	2019	2018
Cash provided by (used in):		
Operations:		
Annual (deficit) surplus	\$(1,189,959)	\$ 3,077,188
Item not involving cash:		
Amortization of tangible capital assets	864,071	823,061
Contributions of tangible capital assets	-	(145,000)
Gain on disposal of tangible capital assets	(30,003)	-
Employee future benefits	(6,900)	(36,300)
Change in non-cash operating working capital:		
Accounts receivable	(387,228)	297,418
Accrued interest on investments	1,961	(2,203)
Prepaid expenses	(3,688)	(7,473)
Accounts payable and accrued liabilities	630,923	(656,342)
Deferred revenue	(255,932)	(340,999)
Net change in cash and cash equivalents from operations	(376,755)	3,009,350
Capital activities:		
Purchases of tangible capital assets	(1,744,615)	(918,320)
Proceeds from disposal of tangible capital assets	47,569	-
Net change in cash and cash equivalents from capital activities	(1,697,046)	(918,320)
Investing activities:		
Proceeds from sale of investments	4,250,000	4,072,250
Purchases of investments	(4,377,200)	(4,250,000)
Net change in cash and cash equivalents from investing activities	(127,200)	(177,750)
Financing activities:		
Repayment of long-term debt	(483,705)	(760,429)
Net change in cash and cash equivalents	(2,684,706)	1,152,851
Cash and cash equivalents, beginning of year	6,138,740	4,985,889
Cash and cash equivalents, end of year	\$ 3,454,034	\$ 6,138,740

See accompanying notes to financial statement.

NIAGARA PENINSULA CONSERVATION AUTHORITY

Notes to Financial Statements

Year ended December 31, 2019

The Niagara Peninsula Conservation Authority ("the Authority") is established under The Conservation Authorities Act of Ontario to further the conservation, restoration, development and management of natural resources. It is exempt from income taxes under section 149(1)(c) of the Income Tax Act.

1. Significant accounting policies:

The financial statements of Niagara Peninsula Conservation Authority ("the Authority") are prepared by management in accordance with Public Sector Accounting Standards ("PSAS"). Significant accounting policies adopted by the Authority are as follows:

(a) Basis of accounting:

Revenues and expenses are reported on the accrual basis of accounting. Revenues are recognized in the year in which they are earned and measurable. Expenses are recognized as they are incurred and measurable as a result of receipt of goods or services and the creation of a legal obligation to pay.

(b) Cash and cash equivalents:

Cash and cash equivalents include cash on hand, balances with banks and guaranteed investment certificates that mature within three months.

(c) Investments:

Investments consist of term deposits and are recorded at amortized cost. Investments held by the Authority have a market value that approximates cost given their fixed interest rate nature and maturity date within one year. When there has been a loss in value that is other than a temporary decline in value, the respective investment is written down to recognize the loss. Investment income earned on investments are reported as revenue in the period earned.

(d) Deferred revenue:

Deferred revenues represent government transfers and user fees which have been collected but for which related expenses or related services have yet to be performed. These amounts will be recognized as revenues in the fiscal year the services are performed.

(e) Non-financial assets:

Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. Tangible capital assets have useful lives extending beyond the current year and are not intended for sale in the ordinary course of operations.

NIAGARA PENINSULA CONSERVATION AUTHORITY

Notes to Financial Statements (continued)

Year ended December 31, 2019

1. Significant accounting policies (continued):**(e) Non-financial assets (continued):****(i) Tangible capital assets:**

Tangible capital assets are recorded at cost. Cost includes all directly attributable expenses in the acquisition, construction, development and/or betterment of the asset. The Authority does not capitalize interest costs associated with the acquisition or construction of tangible capital assets.

Cost, less residual value of tangible capital assets are amortized on a straight line basis over their estimated useful life. Land is considered to have an infinite life without amortization. Full year amortization is charged in the year of acquisition. Work-in-progress assets are not amortized until the asset is available for productive use.

Amortization is based on the following classifications and useful lives:

Asset	Useful Life - Years
Land Improvements	20 years
Buildings	30 years
Dams	15 to 100 years
Gauge stations	15 to 30 years
Equipment	10 years
Vehicles	5 years
Office equipment	5 years

Contributed tangible capital assets are capitalized at their estimated fair value upon acquisition and recognized as revenue in the year of contribution.

NIAGARA PENINSULA CONSERVATION AUTHORITY

Notes to Financial Statements (continued)

Year ended December 31, 2019

1. Significant accounting policies (continued):

(f) Revenue recognition:

i) Government transfers

Government transfers are recognized as revenue in the financial statements when the transfer is authorized, any eligibility criteria are met and a reasonable estimate of the amount can be made except when, and to the extent that, stipulations by the transferor give rise to an obligation that meet the definition of a liability. Government transfers that meet the definition of a liability are recognized as revenue as the liability is extinguished.

ii) Municipal levies

Municipal levies are recognized as revenue in the year in which they meet the definition of an asset, the levy is authorized and the levy event has occurred.

iii) Authority generated

User fees, sales and admissions and other income is reported as revenue in the period earned.

(g) Employee future benefits:

The Authority provides certain employee benefits which will require funding in future periods. These benefits include extended health and dental benefits for early retirees to age 65. The employee future benefits represent management's best estimates of the cost of premiums on benefits up to the date of retirement.

(h) Use of estimates:

The preparation of financial statements in accordance with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the period. Actual results could differ from management's best estimates as additional information becomes available in future. Significant estimates include assumptions used in the estimation of employee future benefits.

NIAGARA PENINSULA CONSERVATION AUTHORITY

Notes to Financial Statements (continued)

Year ended December 31, 2019

2. Employee future benefit:

The Authority provides extended life, health and dental benefits for early retirees to age 65 which will require funding in future periods. The Authority recognizes these retirement benefit costs in the period in which the service is rendered. The accrued benefit liability at December 31, 2019 was estimated by management to be \$66,300 (2018 - \$73,200). Information about the Authority's benefit plan is as follows:

	2019	2018
Accrued benefit obligation:		
Balance, beginning of year	\$ 73,200	\$ 109,500
Current benefit cost	14,195	(9,152)
Benefits paid	(21,095)	(27,148)
Accrued benefit obligation, end of year	\$ 66,300	\$ 73,200

3. Long-term debt:

	2019	2018
The Authority has assumed responsibility for the payment of principal and interest charges on long-term debt issued by the Region of Niagara	\$ 216,325	\$ 700,030
	\$ 216,325	\$ 700,030

Long-term debt bears interest at rates ranging from 4.5% - 4.8%. Total principal payments to be made on the outstanding long-term debt is \$216,325 in 2020.

The Authority paid \$27,980 (2018 - \$63,691) in interest on long-term debt during the year.

4. Deferred revenue:

Deferred revenues consist of the following:

	Balance at December 31, 2018	Externally restricted inflows	Revenue earned	Balance at December 31, 2019
User fees and other	\$ 217,677	\$ 132,984	\$ (150,681)	\$ 199,980
Government grants	296,960	22,560	(65,363)	254,157
Welland river watershed- Ontario Power Generation ("OPG")	1,262,342	-	(195,432)	1,066,910
Total	\$ 1,776,979	\$ 155,544	\$ (411,476)	\$ 1,521,047

NIAGARA PENINSULA CONSERVATION AUTHORITY

Notes to Financial Statements (continued)

Year ended December 31, 2019

5. Tangible capital assets:

Cost	Balance at December 31, 2018	Additions	Transfers/ Disposals	Balance at December 31, 2019
Land	\$ 8,655,507	\$ 536,943	\$ -	\$ 9,192,450
Land improvements	6,037,653	302,475	-	6,340,128
Buildings	5,749,357	312,284	-	6,061,641
Dams	4,986,642	-	-	4,986,642
Gauge stations	403,351	-	-	403,351
Equipment	2,167,681	194,023	(61,164)	2,300,540
Vehicles	314,254	-	(29,558)	284,696
Office equipment	858,516	123,548	(11,392)	970,672
Work-in-progress	236,916	375,919	(100,577)	512,258
Total	\$ 29,409,877	\$ 1,845,192	\$ (202,691)	\$ 31,052,378

Accumulated Amortization	Balance at December 31, 2018	Additions	Transfers/ Disposals	Balance at December 31, 2019
Land	\$ -	\$ -	\$ -	\$ -
Land improvements	2,986,422	256,485	-	3,242,907
Buildings	2,305,455	192,870	-	2,498,325
Dams	1,713,041	59,085	-	1,772,126
Gauge stations	204,329	20,626	-	224,955
Equipment	1,156,281	178,409	(43,598)	1,291,092
Vehicles	251,808	20,816	(29,558)	243,066
Office equipment	647,374	135,780	(11,392)	771,762
Total	\$ 9,264,710	\$ 864,071	\$ (84,548)	\$ 10,044,233

NIAGARA PENINSULA CONSERVATION AUTHORITY

Notes to Financial Statements (continued)

Year ended December 31, 2019

5. Tangible capital assets (continued):

	Net Book Value December 31, 2018	Net Book Value December 31, 2019
Land	\$ 8,655,507	\$ 9,192,450
Land improvements	3,051,231	3,097,221
Buildings	3,443,902	3,563,316
Dams	3,273,601	3,214,516
Gauge stations	199,022	1,009,448
Equipment	1,011,400	178,396
Vehicles	62,446	41,630
Office equipment	211,142	198,910
Work-in-progress	236,916	512,258
Total	\$ 20,145,167	\$ 21,008,145

Work-in-process, having a value of \$512,258 (2018 - \$236,916) has not been amortized. Amortization of these assets will commence when the asset is put into service.

Contributed tangible capital assets have been recognized at fair value at the date of contribution. The value of contributed assets received during the year is nil (2018 - \$145,000 comprised of land).

Tangible capital assets recognized at nominal value include land used in the operations and conservation management.

The Authority has not recorded a write-down of tangible capital assets during the year or 2018.

6. Accumulated surplus:

Accumulated surplus consists of the following:

	2019	2018
Invested in tangible capital assets	\$ 20,791,820	\$ 19,445,137
Reserves set aside by the Board of the Authority for specific purpose	5,627,512	8,171,054
Unfunded employee future benefits liability	(66,300)	(73,200)
	\$ 26,353,032	\$ 27,542,991

NIAGARA PENINSULA CONSERVATION AUTHORITY

Notes to Financial Statements (continued)

Year ended December 31, 2019

6. Accumulated surplus (continued):

Reserves set aside by the Board of the Authority for specific purpose consists of the following:

	2019	2018
General capital	\$ 548,734	\$ 1,373,806
Operating reserve	1,507,903	1,360,743
Equipment	-	107,257
Flood protection	281,773	318,406
Levy differential	31,619	1,646,591
Land acquisitions	2,926,032	3,031,880
Restoration	251,038	250,000
Tree by-law	80,413	82,371
	\$ 5,627,512	\$ 8,171,054

7. Credit facility:

The Authority's credit facility includes an overdraft lending account of \$765,000 bearing interest at prime. As at December 31, 2019, \$nil (2018 - \$nil) was drawn on this facility. As at December 31, 2019, \$35,000 (2018 - \$nil) was issued by way of a letter of credit to a municipality for which the Authority receives levies in exchange for construction work on-going within the municipal boundaries. The facility is secured by a general security agreement.

8. Pension plan:

The Authority makes contributions to the Ontario Municipal Employees Retirement System ("OMERS"), which is a multi-employer plan, on behalf of the 56 (2018 - 54) members of its staff. The plan is a defined benefit plan that specifies the amount of the retirement benefit to be received by the employees based on the length of service and rates of pay. Employees and employers contribute jointly to the plan.

Since OMERS is a multi-employer pension plan, the Authority does not recognize any share of the pension plan deficit of \$3.4 billion (2018 - \$4.2 billion) based on the fair market value of the Plan's assets, as this is a joint responsibility of all Ontario municipal entities and their employees. Contributions were made in the 2019 calendar year at rates ranging from 9.0% to 15.8% depending on the member's designated retirement age and level of earnings. Employer contributions for current and past service are included as an expense in the Statement of Operations. Employer contributions to OMERS for 2019 current and past service was \$394,201 (2018 - \$378,347) and were matched by employee contributions.

NIAGARA PENINSULA CONSERVATION AUTHORITY

Notes to Financial Statements (continued)

Year ended December 31, 2019

9. Budget data:

The budget data presented in these financial statements is based upon the 2019 operating budget approved by the Board of the Authority on November 21, 2018 and capital budget approved November 14, 2018. Amortization was not incorporated in the development of the budget and, as such, were not provided on the statement of changes in net financial assets. The chart below reconciles the approved budget to the budget figures reported in these financial statements:

	Budget Amount
Revenues	
Operating	
Approved budget	\$ 10,181,545
Capital	2,219,886
Less:	
Transfers from reserves	(653,535)
Total revenues	11,747,896
Expenses:	
Operating	
Approved budget	8,957,751
Capital	
Approved budget	2,219,886
Add:	
Amortization	864,071
Less:	
Tangible capital assets included in operating expense	(2,219,886)
Debt principal payments	(483,705)
Total expenses	9,338,117
Annual surplus	\$ 2,409,779

10. Contingencies:

The Authority is involved from time to time in litigation, which arises in the normal course of business. The exact outcome of these actions is not determinable as at the date of reporting. In respect of certain outstanding claims, the Authority believes that insurance coverage is adequate and that no material exposure exists on the eventual settlement of such litigation, therefore no provision has been made in the accompanying financial statements.

11. Related party transactions:

During the year, the Authority incurred \$67,184 (2018 - \$75,568) in expenditures for per diems, honorariums, and mileage which was paid to and on behalf of members of the Board of Directors for the Authority.

NIAGARA PENINSULA CONSERVATION AUTHORITY

Notes to Financial Statements (continued)

Year ended December 31, 2019

12. Contractual rights:

The Authority has contractual rights under contract with various Ministry agencies to receive funds in exchange for services to be provided under those contracts. The Authority is expecting up to \$46,512 in future revenues based on anticipated services to be performed.

13. Segmented information:

The Authority provides a wide range of services which are categorized by department. Certain departments that have been separately disclosed in the segmented information, along with the services they provide, are as follows:

CAO and Administration

CAO and administration services is comprised of the administration services of the Authority.

Watershed

The watershed department is the umbrella for three divisions dedicated to monitoring, regulating, protecting and improving the health and safety of our watersheds.

Corporate Resources

The corporate resources department is the umbrella for three divisions dedicated to conservation land management, conservation land programming and development and managing the Authority's vehicles and equipment. Conservation land management is the administration department for the conservation areas. Conservation land programming and development is responsible for maintenance and improvements to the conservation areas. The vehicles and equipment department accounts for the cost of maintaining the vehicles and equipment.

For each reported segment, revenues and expenses represent both amounts that are directly attributable to the segment and amounts that are allocated on a reasonable basis. Municipal levies have been allocated to the segments based upon budgeted levies for the segment. Interest earned on investments has been allocated to the corporate resources segment.

NIAGARA PENINSULA CONSERVATION AUTHORITY

Notes to Financial Statements (continued)

Year ended December 31, 2019, with comparative figures for 2018

13. Segmented information (continued)

2019				
	CAO and Administration	Watershed	Corporate Resources	Total
Revenues:				
MNRF transfers	\$ 15,200	\$ 74,883	\$ -	\$ 90,083
Government transfers	21,975	152,529	148,978	323,482
Municipal levies	1,754,956	1,207,344	4,088,785	7,051,085
User fees, sales and administration	-	-	2,148,195	2,148,195
Administration fees	-	401,000	-	401,000
Interest	-	-	214,063	214,063
Other	14,796	299,223	101,239	415,258
Gain on disposal	-	-	30,003	30,003
OPG - Welland river watershed	-	195,432	-	195,432
Total revenues	1,806,927	2,330,411	6,731,263	10,868,601
Expenses:				
Salaries and benefits	2,033,528	1,525,625	2,983,445	6,542,598
Materials and supplies	382,887	152,303	1,429,125	1,964,315
Contracted services	89,542	44,151	392,862	526,555
Professional fees	363,597	66,518	108,507	538,622
Rent and financial expenses	13,458	-	296,723	310,181
Debt service	-	-	27,980	27,980
Government transfer – levy differential	-	-	1,284,238	1,284,238
Amortization	185,764	79,711	598,596	864,071
Total expenses	3,068,776	1,868,308	7,121,476	12,058,560
Annual surplus	\$ (1,261,849)	\$ 462,103	\$ (390,213)	\$ (1,189,959)
2018				
	CAO and Administration	Watershed	Corporate Resources	Total
Revenues:				
MNRF transfers	\$ 29,496	\$ 145,000	\$ -	\$ 174,496
Government transfers	32,765	152,008	214,970	399,743
Municipal levies	2,143,418	1,112,380	5,242,487	8,498,285
User fees, sales and administration	-	-	1,936,971	1,936,971
Administration fees	-	417,690	-	417,690
Interest	-	-	155,013	155,013
Other	4,945	213,082	483,026	701,053
Total revenues	2,210,624	2,040,160	8,032,467	12,283,251
Expenses:				
Salaries and benefits	1,159,600	1,165,195	2,949,576	5,274,371
Materials and supplies	445,288	125,037	1,331,529	1,901,854
Contracted services	63,416	40,641	212,336	316,393
Professional fees	172,140	147,093	192,992	512,225
Rent and financial expenses	15,621	-	298,847	314,468
Debt service	-	-	63,691	63,691
Amortization	163,270	79,711	580,080	823,061
Total expenses	2,019,335	1,557,677	5,629,051	9,206,063
Annual surplus	\$ 191,289	\$ 482,483	\$ 2,403,416	\$ 3,077,188

NIAGARA PENINSULA CONSERVATION AUTHORITY

Notes to Financial Statements (continued)

Year ended December 31, 2019, with comparative figures for 2018

14. Comparative information:

Certain comparative information has been reclassified to conform to the financial statement presentation adopted for the current year. There is no impact to accumulated surplus as a result of the reclassification.

15. Subsequent event

Subsequent to December 31, 2019 the COVID-19 outbreak was declared a pandemic by the World Health Organization. This has resulted in governments worldwide, including the Canadian and Ontario governments, enacting emergency measures to combat the spread of the virus. These measures, which include the implementation of travel bans, self-imposed quarantine periods and social distancing, have caused material disruption to businesses globally and in Ontario resulting in an economic slowdown. Governments and central banks have reacted with significant monetary and fiscal interventions designed to stabilize economic conditions however the success of these interventions is not currently determinable. The current challenging economic climate may lead to adverse changes in cash flows and/or debt balances, which may also have a direct impact on the Authority's operating results and financial position in the future. The situation is dynamic and the ultimate duration is unknown.

Niagara Peninsula Conservation Authority

Audit Findings Report
for the year ended
December 31, 2019

April 29, 2020

kpmg.ca/audit

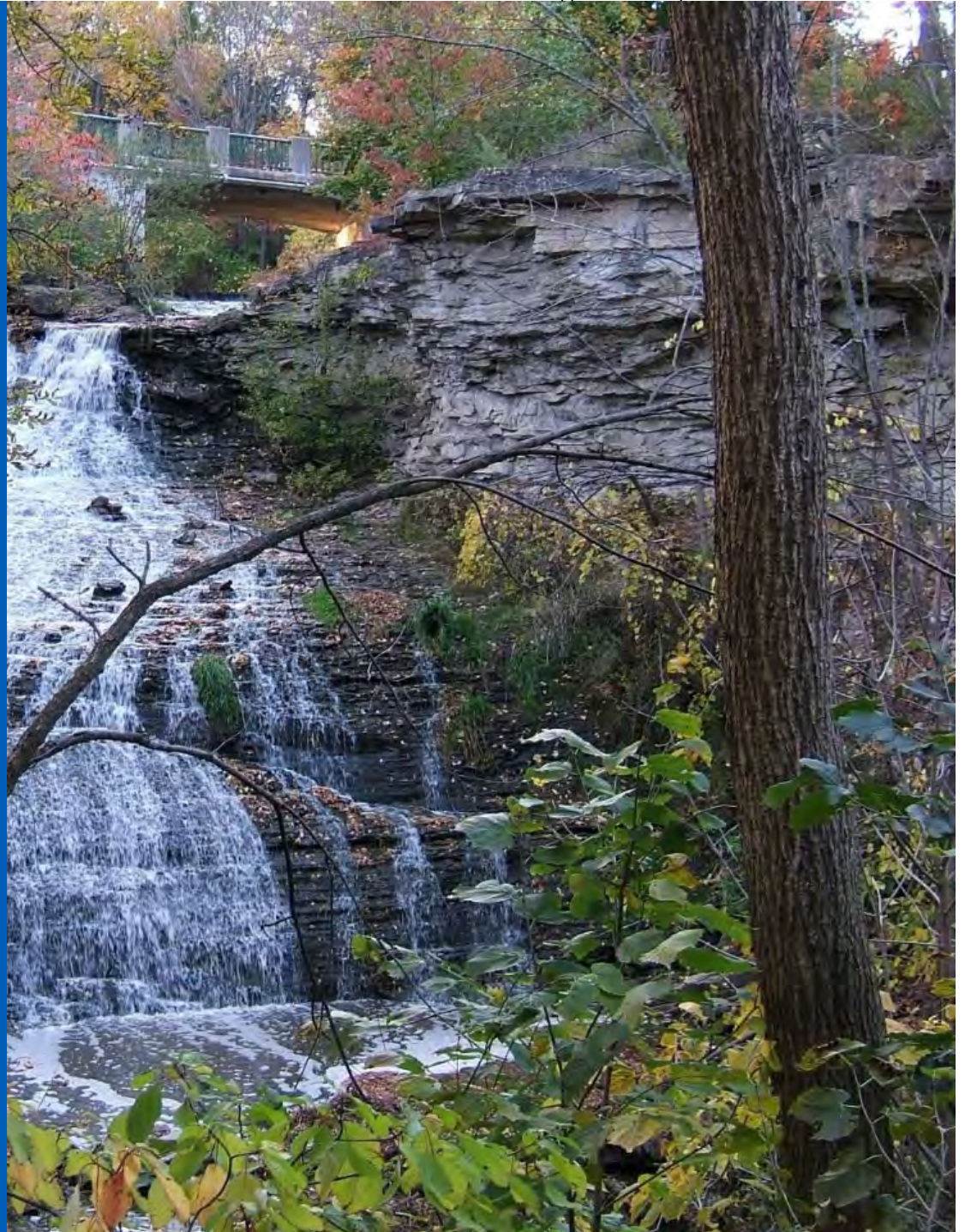


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Executive summary



Purpose of this report*

The purpose of this Audit Findings Report is to assist you, as a member of the audit and budget committee, in your review of the results of our audit of the financial statements as at and for the year ended December 31, 2019.



Financial impact of COVID-19

We discussed the financial impact of COVID-19 on the operations of the Authority with management, and the Corporation's response to the pandemic. Due to the uncertainty of the future financial impact of the Corporation, management has added a subsequent event note in the notes to the financial statements. Refer to page 14 for additional information.



Finalizing the Audit

As of the date of this report, we have completed the audit of the financial statements, with the exception of certain remaining procedures, which include amongst others:

- Obtaining receipt of signed management representation letter
- Completing our discussions with the audit and budget committee
- Obtaining evidence of the Board's approval of the financial statements

We will update the audit and budget committee, and not solely the Chair (as required by professional standards), on significant matters, if any, arising from the completion of the audit, including the completion of the above procedures. Our auditors' report will be dated upon the completion of any remaining procedures.

*This Audit Findings Report should not be used for any other purpose or by anyone other than the Audit and Budget Committee. KPMG shall have no responsibility or liability for loss or damages or claims, if any, to or by any third party as this Audit Findings Report has not been prepared for, and is not intended for, and should not be used by, any third party or for any other purpose.



Executive summary



Audit risks and results

We have summarized our findings with respect to required auditing risks and key areas of audit focus.

See pages 3-6



Significant accounting policies and practices

The Authority adopted PSAB 3430, Restructuring Transactions, effective January 1, 2019. There were no transitional impacts to report as a result of adoption of the standard. Refer to page 15 for additional insights into upcoming PSAB changes.



Independence

We are independent and have extensive quality control and conflict checking processes in place. We provide complete transparency on all services and follow Audit Committee approved protocols.



Control and other observations

We did not identify any control deficiencies that we determined to be significant deficiencies in ICFR.

We have identified other observations to bring to your attention.

See page 13.



Audit risks and results

We highlight our significant findings in respect of financial reporting risks required to be addressed in each and every audit under Canadian Auditing Standards.

Significant financial reporting risks	Why is it significant?
Fraud risk from revenue recognition	This is a presumed fraud risk. We have rebutted this risk with respect to revenue recognition.
Our response and significant findings	
We exercise professional judgment to rebut the presumed risk of fraud in revenue recognition after we consider and evaluate the facts and circumstances of the audit. We have rebutted the fraud risk over revenue recognition. There are limited perceived opportunities to commit fraud and NPCA revenue sources require very minimal judgment. We have rebutted this fraud risk as it is not applicable to NPCA where performance is not measured based on earnings and a significant portion of revenues can be agreed directly to municipal funding support.	
Significant financial reporting risks	Why is it significant?
Fraud risk from management override of controls	This is a presumed fraud risk.
Our response and significant findings	
Our audit methodology incorporates the required procedures in professional standards to address this risk. These procedures include testing of journal entries and other adjustments, performing a retrospective review of estimates and evaluating the business rationale of significant unusual transactions. Data & Analytics tools were used to perform work in this area including testing of journal entries. We have not identified any instances of management override of controls as a result of our procedures performed.	



Audit risks and results

Significant findings from the audit regarding other areas of focus are as follows:

Other area of focus	Why are we focusing here?
Grant Revenue and Deferred Contributions	Risk of material misstatement related to the completeness, existence and accuracy of grant revenue including related deferred liabilities.
Our response and significant findings	
Substantive approach to revenue using third party grant funding agreements and related expenditures to ensure completeness and accuracy of revenue recorded.	
Substantive approach over deferred revenue to ensure appropriate timing and revenue recognition.	
Substantive approach over municipal levies in accordance with the approved budgets including review of approval of levy differential repayment.	
No significant findings to report as a result of these procedures.	
Other area of focus	Why are we focusing here?
Authority Generated Revenue	Risk of material misstatement related to the accuracy of authority generated revenue.
Our response and significant findings	
Substantive procedures to select samples for the testing of authority generated revenues.	
Revenues across various revenue streams were agreed to supporting documentation and bank deposits.	
No significant findings to report as a result of these procedures.	



Audit risks and results

Other area of focus	Why are we focusing here?
Accounts Payable and Accrued Liabilities	Risk of material misstatement related to the completeness and accuracy of accounts payable and accrued liabilities.
Our response and significant findings	
Substantive approach to testing accounts payables and accruals including a review of subsequent payment activity, minutes and relevant contracts to assess for completeness of recorded accruals	
Substantive procedures over legal and potential severance accruals and receipt of legal confirmations for completeness of related accruals.	
No significant findings to report as a result of these procedures.	
Other area of focus	Why are we focusing here?
Operating Expenses	Risk of material misstatement with respect to the existence, accuracy and cut-off of operating expenditures.
Our response and significant findings	
Substantive approach including analytical procedures and selecting expenditures for sampling as necessary.	
No significant findings to report as a result of these procedures.	

Audit risks and results

Other area of focus

Payroll expenditures (including Payroll Accruals)

Why are we focusing here?

Risk of material misstatement related to the completeness and accuracy of payroll expenditures.

Our response and significant findings

Substantive approach to testing payroll expenditures including testing of employee headcount.

Review of settlements and ensured appropriate accounting treatment and disclosure

No significant findings to report as a result of these procedures.

Other area of focus

Tangible Capital Assets (TCA)

Why are we focusing here?

Risk of material misstatement related to the completeness, accuracy and classification of tangible capital assets.

Our response and significant findings

Statistical sampling technique used to select samples for testing additions to TCA in the current year and assess capitalization in accordance with Public Sector Accounting Standards.

Vouching contributed tangible capital assets to ensure appropriate valuation.

We also had discussions with management surrounding impairment and contaminated sites and concurred with management's assessment that there are no impaired tangible capital assets and no contaminated sites in accordance with Public Sector Accounting Standards.

No significant findings to report as a result of these procedures.



Materiality

Materiality determination	Comments	Amount
Materiality	Determined to plan and perform the audit and to evaluate the effects of identified misstatements on the audit and of any uncorrected misstatements on the financial statements. The corresponding amount for the prior year's audit was \$250,000.	\$260,000
Benchmark	Based on preliminary 2019 revenues. This benchmark is consistent with the prior year.	\$10,286,482
% of Benchmark	The corresponding percentage for the prior year's audit was 2%	2.5%
[Audit Misstatement Posting Threshold (AMPT)]	Threshold used to accumulate misstatements identified during the audit. The corresponding amount for the previous year's audit was \$12,500.	\$13,000

Materiality is used to scope the audit, identify risks of material misstatements and evaluate the level at which we think misstatements will reasonably influence users of the financial statements. It considers both quantitative and qualitative factors.

To respond to aggregation risk, we design our procedures to detect misstatements at a lower level of materiality.

We will report to the Board:

-  Corrected audit misstatements
-  Uncorrected audit misstatements

Technology in the audit

We have utilized technology to enhance the quality and effectiveness of the audit.

Areas of the audit where Technology and D&A routines were used	
Tool	Our results and insights
KPMG Clara Client Collaboration	KCCC is our secure audit platform and a one-stop shop through which we plan, execute and manage the audit, providing you with real-time access to the process at every step, including exchange of information and access to the real-time reporting you need in one central location.
Journal Entry Analysis	Our journal entry tool assists in the performance of detailed journal entry testing based on engagement-specific risk identification and circumstances. Our tool provides auto-generated journal entry population statistics and focusses our audit effort on journal entries that are riskier in nature.
KPMG DataShare - Data Extraction & Analytics Tools	Our data extraction tools assist with risk assessment procedures and perform automated audit procedures in key cycles using data extracted directly from your ERP system.



Financial statement presentation and disclosure

The presentation and disclosure of the financial statements are, in all material respects, in accordance with the Authority's relevant financial reporting framework. Misstatements, including omissions, if any, related to disclosure or presentation items are in the management representation letter.

We also highlight the following:

Form, arrangement, and content of the financial statements

The financial statements are, in all material respects, in accordance with Canadian Public Sector Accounting Standards. The disclosures in the financial statements are adequate.

Application of accounting pronouncements issued but not yet effective

No concerns at this time regarding future implementation. Please refer to page 15 for updates on current developments.

Adjustments and differences



Adjustments and differences identified during the audit have been categorized as “Corrected adjustments” or “Uncorrected differences”. These include disclosure adjustments and differences.

Professional standards require that we request of management and the audit committee that all identified adjustments or differences be corrected. We have already made this request of management.

Corrected adjustments

The management representation letter includes all adjustments identified as a result of the audit, communicated to management and subsequently corrected in the financial statements.

Uncorrected differences

The management representation letter includes the Summary of Uncorrected Audit Misstatements, which disclose the impact of all uncorrected differences considered to be other than clearly trivial.

Adjustments and differences - Uncorrected



Based on both qualitative and quantitative considerations, management have decided not to correct certain differences and represented to us that the differences —individually and in the aggregate—are, in their judgment, not material to the financial statements.

As at and year ended December 31, 2019	Income effect	Financial position		
Description of differences	(Decrease) Increase	Assets (Decrease) Increase	Liabilities (Decrease) Increase	Accumulated Surplus (Decrease) Increase
To carry forward prior year vacation accrual uncorrected from 2018 (net impact in 2019)	24,454	—	—	(24,454)
To clear historical salary accruals that have settled as of 2019	44,954	—	(44,954)	—
Total uncorrected differences	69,408	—	(44,954)	(24,454)

We concur with management's representation that the differences are not material to the financial statements. Accordingly, the differences have no effect on our auditors' report.



Adjustments and differences - Corrected



As at and year ended December 31, 2019	Income effect	Financial position		
Description of differences	(Decrease) Increase	Assets (Decrease) Increase	Liabilities (Decrease) Increase	Accumulated Surplus (Decrease) Increase
To record the repayment made to the Niagara Region – levy differential	(1,284,238)	–	–	1,284,238
To recognize deferred revenue on eligible expenses - OPG funds	195,432	–	(195,432)	–
To accrue for salary continuance approved in the current year	(481,956)	–	481,956	–
Total corrected differences	(1,570,762)	–	286,524	1,284,238

We concur with management's representation that the differences are not material to the financial statements. Accordingly, the differences have no effect on our auditors' report.



Other observations



Item	Observation
Employee future benefits	<p>We understand that the Authority provides certain health and dental benefits to a closed group of employees upon early retirement up to age 65. Under Public Sector Accounting Standards, it is assumed that management uses an actuarial valuation to determine the estimate of the liability as at year-end. The Authority's current practice is to estimate the liability, in-house, based on known monthly premium costs.</p> <p>While not a significant estimate to the financial statements of the Authority, we recommend, at a minimum, that the estimation methodology be updated to include relevant assumptions such as a discount rate to present value the liability and a health care claim trend rate factor to account for inflation of the costs.</p> <p>We completed a sensitivity analysis on the liability factoring in these significant assumptions and found no material differences.</p>
Segregation of Duties – Payroll Changes	<p>During the 2019 audit, we identified the ability for the Manager of Human Resources to enter new hire personnel information into the HR system, with no formal review or approval aside from email approvals from the hiring team and corresponding supervisor. The Manager of Human Resources ("HR"), up until the fall of 2019, had the ability to make changes to, and approve payroll rate changes within the system for all levels without a secondary level of review through a formal process.</p> <p>We did not identify any specific instances or issues as a result of our audit testing. We understand that as of the fall of 2019, a business analyst was hired and the payroll and HR functions separated to enhance segregation of duties regarding HR practices and payroll matters. Furthermore, the Director of Corporate Services is now acting as a secondary level of review for all payroll related matters.</p> <p>We will review this enhanced process during our 2020 year-end audit and report back to the committee on any relevant findings.</p>



COVID-19 Response and Resources

The rapid advancement of COVID-19 has left many businesses assessing cash flow requirements, resource capacity, staffing levels, and business continuity plans while adapting to new ways of work and managing customer and shareholder expectations. The immediate change in time-of-use pricing outside the usual timing for updating rates further highlight the ever-changing impact of COVID-19. This is no doubt an unprecedented and challenging time. We are here to help. Should you require any further information do not hesitate to reach out. Please visit [KPMG's COVID-19 Insights](#) for up-to-date information.

Thought Leadership	Overview	Links
COVID-19 Podcasts	KPMG is releasing a series of podcasts aimed at discussing relevant and important topics as COVID-19 continues to evolve on matters ranging from tax (HST), cash flow strategy and insurance considerations.	Please reach out to us and we would be happy to share the podcasts with you as they become available
Business Continuity Guide	For many businesses, a continuity plan to minimize disruption is just simply not available or adequate. KPMG has compiled a series of business continuity insights to help businesses across all sectors stay on course.	Link to report
Legal considerations	For everything employee, HR, contracts and credit discussions, KPMG's in-house legal counsel have summarized key information to consider in your decision making.	Link to report
The Board's perspective	COVID-19 response and assessment does not stop at management. The Board must be involved in assessing risks, impacts, and future operations. The Board must understand current implications while balancing long-term strategic goals and become more adaptive than ever.	Link to report



Current developments and audit trends

Public Sector Accounting Standards

Title	Details	Link
Public Sector Update – connection series	Public Sector Accounting Standards are evolving – Get a comprehensive update on the latest developments from our PSAB professionals. Learn about current changes to the standards, active projects and exposure drafts, and other items.	Contact your KPMG team representative to sign up for these webinars. Public Sector Minute Link

The following are upcoming changes that will be effective in future periods as they pertain to Public Sector Accounting Standards. We have provided an overview of what these standards are and what they mean to your financial reporting so that you may evaluate any impact to your future financial statements.

Standard	Summary and implications
Asset Retirement Obligations (applicable for the year ending December 31, 2022 with a retrospective application effective December 31, 2020)	<ul style="list-style-type: none"> – A new standard has been approved that is effective for fiscal years beginning on or after April 1, 2021 (the Authority's 2022 year- end). – The new standard addresses the recognition, measurement, presentation and disclosure of legal obligations associated with retirement of tangible capital assets in productive use. Retirement costs would be recognized as an integral cost of owning and operating tangible capital assets. PSAB currently contains no specific guidance in this area. – The ARO standard would require the public sector entity to record a liability related to future costs of any legal obligations to be incurred upon retirement of any controlled tangible capital assets ("TCA"). The amount of the initial liability would be added to the historical cost of the asset and amortized over its useful life. – As a result of the new standard, the public sector entity would have to: <ul style="list-style-type: none"> ○ consider how the additional liability will impact net debt, as a new liability will be recognized with no corresponding increase in a financial asset; ○ carefully review legal agreements, senior government directives and legislation in relation to all controlled TCA to determine if any legal obligations exist with respect to asset retirements; ○ begin considering the potential effects on the organization as soon as possible to coordinate with resources outside the finance department to identify AROs and obtain information to estimate the value of potential AROs to avoid unexpected issues.



Standard	Summary and implications
Revenue	<ul style="list-style-type: none"> — A new standard has been approved that is effective for fiscal years beginning on or after April 1, 2022 (the Authority's 2023 year- end). — The new standard establishes a single framework to categorize revenues to enhance the consistency of revenue recognition and its measurement. — The standard notes that in the case of revenues arising from an exchange, a public sector entity must ensure the recognition of revenue aligns with the satisfaction of related performance obligations. — The standard notes that unilateral revenues arise when no performance obligations are present, and recognition occurs when there is authority to record the revenue and an event has happened that gives the public sector entity the right to the revenue.
Financial Instruments and Foreign Currency Translation	<ul style="list-style-type: none"> — New accounting standards, PS3450 <i>Financial Instruments</i>, PS2601 <i>Foreign Currency Translation</i>, PS1201 <i>Financial Statement Presentation</i> and PS3041 <i>Portfolio Investments</i> have been approved by PSAB and are effective for years commencing on or after April 1, 2021 (the Authority's 2022 year-end). — Equity instruments quoted in an active market and free-standing derivatives are to be carried at fair value. All other financial instruments, including bonds, can be carried at cost or fair value depending on the government's choice and this choice must be made on initial recognition of the financial instrument and is irrevocable. — Hedge accounting is not permitted. — A new statement, the Statement of Re-measurement Gains and Losses, will be included in the financial statements. Unrealized gains and losses incurred on fair value accounted financial instruments will be presented in this statement. Realized gains and losses will continue to be presented in the statement of operations. — Based on stakeholder feedback received, PSAB is considering certain scope amendments to PS 3450 <i>Financial Instruments</i>. An exposure draft with the amendments is expected to be issued in 2020. The proposed amendments are expected to include the accounting treatment of bond repurchases, scope exclusions for certain activities by the federal government, and improvements to the transitional provisions.
Employee Future Benefit Obligations	<ul style="list-style-type: none"> — PSAB has initiated a review of sections PS3250 <i>Retirement Benefits</i> and PS3255 <i>Post-Employment Benefits, Compensated Absences and Termination Benefits</i>. Given the complexity of issues involved and potential implications of any changes that may arise from this review, the project will be undertaken in phases. Phase I will address specific issues related to measurement of employment benefits. Phase II will address accounting for plans with risk sharing features, multi-employer defined benefit plans and sick leave benefits. — Three Invitations to Comment were issued and have closed. The first Invitation to Comment sought guidance on whether the deferral provisions in existing public sector standards remain appropriate and justified and the appropriateness of accounting for various components of changes in the value of the accrued benefit obligation and plan assets. The second Invitation to Comment sought guidance on the present value measurement of accrued benefit obligations. A third Invitation to Comment sought guidance on non-traditional pension plans. — The ultimate objective of this project is to issue a new employment benefits section to replace existing guidance.

Standard	Summary and implications
2019 – 2020 Annual Improvements	<ul style="list-style-type: none"> – PSAB adopted an annual improvements process to make minor improvements to the CPA Canada Public Sector Accounting (PSA) Handbook or Statements of Recommended Practices (other guidance). – The annual improvement process: <ul style="list-style-type: none"> ○ clarifies standards or other guidance; or ○ corrects relatively minor unintended consequences, conflicts or oversights. – Major or narrow scope amendments to the standards or other guidance are not included in the annual improvement process.
Public Private Partnerships (“P3”)	<ul style="list-style-type: none"> – A taskforce was established in 2016 as a result of increasing use of public private partnerships for the delivery of services and provision of assets. The objective is to develop a public sector accounting standard specific to public private partnerships. – A Statement of Principles (“SOP”) was issued in August 2017 which proposes new requirements for recognizing, measuring and classifying infrastructure procured through a public private partnership. An Exposure Draft was issued in Q4 of 2019 with comments due in February, 2020. – The new standard proposes the following accounting treatment for P3 transactions: <ul style="list-style-type: none"> – The infrastructure would be valued at cost, with a liability of the same amount if one exists. Cost would be measured by discounting the expected cash flows by a discount rate that reflects the time value of money and risks specific to the project. – Public private partnership infrastructure is recognized as an asset when the public sector entity acquires control of the infrastructure. A liability is recognized when the asset is recognized and may be a financial liability, a performance obligation or a combination of both. – An infrastructure asset acquired in an exchange transaction is recorded at cost which is equal to its fair value on the measurement date. The liability is measured at the cost of the infrastructure asset initially recognized. Subsequently, the infrastructure asset is amortized in a rational and systematic manner over its useful life. Subsequently measurement of the financial liability would reflect the payments made by the public sector entity to settle the liability as well as the finance charge passed on to the public sector entity through the public private partnership agreement. Subsequent measurement of the performance obligation – Revenues are recognized and the liability reduced in accordance with the substance of the public private partnership agreement

Standard	Summary and implications
Concepts Underlying Financial Performance	<ul style="list-style-type: none"> — PSAB is in the process of reviewing the conceptual framework that provides the core concepts and objectives underlying Canadian public sector accounting standards. — PSAB is developing two exposure drafts (one for a revised conceptual framework and one for a revised reporting model) with two accompanying basis for conclusions documents and resulting consequential amendments. PSAB expects to issue the two exposure drafts and accompanying documents in 2020. — A Statement of Concepts (“SOC”) and Statement of Principles (“SOP”) were issued for comment in May 2018. — The SOC proposes a revised, ten chapter conceptual framework intended to replace PS 1000 <i>Financial Statement Concepts</i> and PS 1100 <i>Financial Statement Objectives</i>. The revised conceptual framework would be defined and elaborate on the characteristics of public sector entities and their financial reporting objectives. Additional information would be provided about financial statement objectives, qualitative characteristics and elements. General recognition and measurement criteria, and presentation concepts would be introduced. — The SOP includes principles intended to replace PS 1201 <i>Financial Statement Presentation</i>. The SOP proposes: <ul style="list-style-type: none"> ○ Removal of the net debt indicator, except for on the statement of net debt where it would be calculated exclusive of financial assets and liabilities that are externally restricted and/or not available to settle the liabilities or financial assets. ○ Changes to common terminology used in the financial statements, including re-naming accumulated surplus (deficit) to net assets (liabilities). ○ Restructuring the statement of financial position to present non-financial assets before liabilities. ○ Removal of the statement of remeasurement gains (losses) with the information instead included on a new statement called the statement of changes in net assets (liabilities). This new statement would present the changes in each component of net assets (liabilities). ○ A new provision whereby an entity can use an amended budget in certain circumstances. — Inclusion of disclosures related to risks and uncertainties that could affect the entity's financial position.



Appendices



Appendix 1: Required communications



Appendix 2: Audit Quality and Risk Management

Appendix 1: Required communications



In accordance with professional standards, there are a number of communications that are required during the course of and upon completion of our audit. These include:



Auditors' report

The conclusion of our audit is set out in our draft auditors' report attached to the draft financial statements.



Management representation letter

In accordance with professional standards, copies of the management representation letter are provided to the Audit Committee.



[CPAB Audit Quality Insights Report \(October 2019\) \(formerly the “Big Four Firm Public Report”\)](#)
[CPAB Annual Inspections Results \(March 2019\)](#)

Appendix 2: Audit Quality and Risk Management



KPMG maintains a system of quality control designed to reflect our drive and determination to deliver independent, unbiased advice and opinions, and also meet the requirements of Canadian professional standards.

Quality control is fundamental to our business and is the responsibility of every partner and employee. The following diagram summarizes the six key elements of our quality control system.

Visit our [Audit Quality Resources page](#) for more information including access to our [Audit Quality and Transparency Report](#).

Other controls include:

- Before the firm issues its audit report, the Engagement Quality Control Reviewer reviews the appropriateness of key elements of publicly listed client audits
- Technical department and specialist resources provide real-time support to audit teams in the field

We conduct regular reviews of engagements and partners. Review teams are independent and the work of every audit partner is reviewed at least once every three years.

We have policies and guidance to ensure that work performed by engagement personnel meets applicable professional standards, regulatory requirements and the firm's standards of quality.

- All KPMG partners and staff are required to act with integrity and objectivity and comply with applicable laws, regulations and professional standards at all times.



We do not offer services that would impair our independence.

The processes we employ to help retain and develop people include:

- Assignment based on skills and experience
- Rotation of partners
- Performance evaluation
- Development and training
- Appropriate supervision and coaching

We have policies and procedures for deciding whether to accept or continue a client relationship or to perform a specific engagement for that client.

Existing audit relationships are reviewed annually and evaluated to identify instances where we should discontinue our professional association with the client.



kpmg.ca/audit



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NIAGARA PENINSULA CONSERVATION AUTHORITY
Appendix 3 - Report No. FA-24-20

Statement of Operations

Year ended December 31, 2019, with comparative information for 2018

	2019 Budget	2019 Actual	2018 Actual	Actual Variance	Comments
Revenues:					
Government transfers					
Province of Ontario – MNRF	\$ 174,496	\$ 90,083	\$ 174,496	-\$ 84,413	Reduction in MNRF funding for 2019 (48.37%)
Province of Ontario – Other	302,500	223,482	267,038	- 43,556	Niagara River RAP funding for 2019 - \$0 in Q1
Government of Canada	100,000	100,000	132,705	- 32,705	Niagara River RAP funding 2019 / 2018 incl deferred revenue from 2017
Municipal levies					
General	6,416,084	6,416,084	6,246,119	169,965	Regular levy Increase of 2.72% over 2018
Special	2,252,166	635,001	2,252,166	- 1,617,165	Niagara Region - \$1.1M from capital/\$500K land acquisition reserve
Authority generated					
User fees, sales and admissions	1,892,600	2,148,195	1,936,971	211,224	Improved operating performance in 2019 at campgrounds, and Festival
Administration fees	314,850	401,000	417,690	- 16,690	Variance not material (4%), and performance exceeds budget
Interest	60,000	214,063	155,013	59,050	Interest on bank balances + investments
Other	235,200	445,261	701,053	- 255,792	2018 - land donation (\$145K) + hazard tree removal (\$135K)
OPG - Welland river watershed		195,432		195,432	Recognition of deferred revenue from \$1.262M for approved projects
	11,747,896	10,868,601	12,283,251	- 1,414,650	
Expenses:					
CAO and Administration	2,002,676	3,068,776	2,019,335	- 1,049,441	Legal fees and settlements (incl all Board approved decisions)
Watershed	5,257,856	1,868,308	1,557,677	- 310,631	Corporate realignment - Restoration moved to Corp Resources
Corporate Resources	2,077,585	7,121,476	5,629,051	- 1,492,425	\$1.284M levy differential payout / corp realignment (Restoration)
	9,338,117	12,058,560	9,206,063	- 2,852,497	
Annual (deficit) surplus	2,409,779 -	1,189,959	3,077,188		
Accumulated surplus, beginning of year	27,542,991	27,542,991	24,465,803		
Accumulated surplus, end of year	\$ 28,335,605	\$ 26,353,032	\$ 27,542,991		

Report To: Board of Directors

Subject: Audit and Budget Committee Terms of Reference and 2020 Work Plan

Report No: FA-26-20

Date: May 21, 2020

Recommendation:

1. **THAT** Report No. FA-26-20 RE: Audit and Budget Committee Terms of Reference and 2020 Work Plan **BE RECEIVED** for information.
2. **THAT** the proposed changes to the Audit and Budget Committee Terms of Reference attached as Appendix 1 to Report No. FA-26-20 **BE APPROVED**.
3. **THAT** the 2020 Audit and Budget Committee **BE RENAMED** the Finance Committee.
4. **THAT** the 2020 Audit and Budget Committee Work Plan attached as Appendix 2 to Report No. FA-26-20 **BE APPROVED**.
5. **THAT** the final Audit and Budget Committee Terms of Reference **BE APPENDED** to the updated NPCA Administrative By-Law to be presented for Board approval in 2020;
6. **AND FURTHER THAT** until the approval of the updated Administrative By-Law and associated Terms of Reference, the Audit and Budget Committee **CONTINUE** to conduct its business per existing Terms of Reference dated September 18, 2019.

Purpose:

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

Background:

At its meeting of April 29, 2020, the Audit and Budget Committee approved Recommendation No. A&BC-18-2020 substantially as above for recommendation to the Board of Directors.

Terms of Reference

The pre-existing Terms of Reference for the Audit and Budget Committee were approved with updates on September 18, 2019. The business of the Committee has evolved requiring further clarity of its purpose and responsibilities.

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

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

- The name of the Committee is proposed to be changed from the Audit and Budget Committee to the Finance Committee;
- More clarity and details have been provided around finance, audit, budget and other roles such a risk management oversight; and
- More structure around number of meetings aligned with a robust work plan.

Discussion:

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

Financial Implications:

None.

Links to Policy/Strategic Plan:

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

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

Related Reports and Appendices:

Appendix 1: Audit and Budget Committee Terms of Reference (Draft)

Appendix 2: 2020 Audit and Budget Committee Work Plan (Draft)

Authored by:

Original Signed By:

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

Submitted by:

Original Signed By:

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

Niagara Peninsula Conservation Authority

TERMS OF REFERENCE

FINANCE COMMITTEE

Date of Committee Review – April 15, 2019

Date of Board Approval – April 17, 2019

Draft Revised – September 18, 2019

Date of Committee Review – April 29, 2020

Committee Type: Standing Committee (NPCA By-Law Section 4.4)

Committee Purpose and Role:

The purpose of the Committee is to assist the Board of Directors in the provision of effective oversight of prudent financial management including; annual budgets, audit, reporting, risk management and associated policies.

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

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

Key roles and responsibilities include:

1.0 Financial

- 1.1 Ensure fiscally responsibility and sound Financial Management including:
 - 1.1.1 Quarterly financial reports comparing revenues and expenditures against budget;
 - 1.1.2 Review and recommendation on banking and investment procedures and policies;
 - 1.1.3 Ensure adequate controls are in place to safeguard the Authority's assets;
 - 1.1.4 Adequacy of insurance coverage maintained by the Authority; and
 - 1.1.5 Compliance with legislation and regulatory requirements.



NIAGARA PENINSULA
CONSERVATION
AUTHORITY

2.0 Budgets

- 2.1** Review and make recommendations to the Board of Directors on all matters relating to NPCA Budgets (capital and operating), including but not limited to:
 - 2.1.1 Budget Guidelines;
 - 2.1.2 Annual and multi-year business plans and budgets;
 - 2.1.3 Approval and disposition of surplus project funds; and
 - 2.1.4 Allocation of reserves.

3.0 Audit

- 3.1** Provide oversight of financial audit reporting, and recommendations to the Board;
 - 3.1.1 Review the Authority's draft audited financial statements and the auditor's report;
 - 3.1.2 Meet with the auditor to review the audit opinion and risks associated with adverse financial impact;
 - 3.1.3 Review and recommend the auditors appointment or reappointment, terms of engagement and compensation;
 - 3.1.4 Review effectiveness of corporate performance reporting systems and provide recommendation for improvement as required;
 - 3.1.5 Review the Authority's risk management framework and mitigation plans;
 - 3.1.6 All other such matters as may be prescribed by regulation, policy or NPCA's Chief Administrative Officer.

Committee Authority and Decision Making:

Committee will be governed by NPCA Administrative By-Law and Code of Conduct. Recommendations made by the Committee will be sent to the Board of Directors for review and approval.

Membership:

The Committee will have a minimum of five (5) members, generally appointed by the Board of Directors at each Annual Meeting (or subsequent meeting) and will include the Chair and Vice Chair in an ex-officio capacity.

Committee Meeting Requirements:

The meeting schedule for the Finance Committee shall be approved annually by the Board of Directors for the upcoming year. The Committee shall meet a minimum of four times per year. Additional meetings can be held at the call of the Committee Chair.

Agendas will be prepared by staff with the approval of the Committee Chair and circulated five days in advance of the Committee meeting and posted on the NPCA website. Minutes will be prepared by staff and distributed to the Committee members and staff prior to the next meeting.

Meeting Location:

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

DRAFT



Audit and Budget Committee Annual Work Plan - 2020

DRAFT	Quarter 1			Quarter 2			Quarter 3			Quarter 4		
	JAN-2020	FEB-2020	MAR-2020	APR-2020	MAY-2020	JUN-2020	JUL-2020	AUG-2020	SEP-2020	OCT-2020	NOV-2020	DEC-2020
Audit and Budget Committee			12-Mar	29-Apr			pending			pending		
Full Authority Board		19-Feb		16-Apr	21-May	17-Jun	15-Jul		16-Sep	21-Oct	18-Nov	16-Dec
1. Terms of Reference and Audit Work Plan												
a) Annual review of terms of reference and work plan				X								
b) Terms of Reference and Workplan to the Board for approval					X							
2. External Audit												
a) Review audit engagement and audit approach												
b) Recommend to the Board the appointment of external auditor and remuneration												
c) Review draft audited financial statements and Audit Findings Report				X								
b) Recommend to the Board the approval of draft audited financial statements					X							
3. Reporting												
a) Review quarterly results, variance reports and projections - 2020 - Q1 - Committee				X								
Review quarterly results, variance reports and projections - 2020 - Q1 - Board					X							
b) Review quarterly results, variance reports and projections - 2020 - Q2 - Committee							X					
Review quarterly results, variance reports and projections - 2020 - Q2 - Board									X			
c) Review quarterly results, variance reports and projections - 2020 - Q3 - Committee										X		
Review quarterly results, variance reports and projections - 2020 - Q3 - Board											X	
d) Report on banking and investments	February 2021 - capture 12 months of activity (2020)											
e) Report on procurement: sole sourcing, emergency purchases, unsolicited proposals	February 2021 - capture 12 months of activity (2020)											
4. Operating and Capital Budgets												
a) 2021 Operating and Capital budget assumptions - Committee							X					
2021 Operating and Capital budget assumptions - Board									X			
b) 2021 Draft Operating and Capital budgets - Committee										X		
2021 Draft Operating and Capital budgets - Board											X	
5. Corporate Policies and Procedures												
a) Procurement Policy - Committee review and approval			X									
Procurement Policy - Board review and approval				X								
b) Delegation of Authority Policy - Committee review and approval			X									
Delegation of Authority Policy - Board review and approval				X								
c) Reserves Policy - Committee review and approval							X					
Reserves Policy - Board review and approval									X			
d) Banking and Cash Management Policy - Committee review and approval							X					
Banking and Cash Management Policy - Board review and approval									X			
e) Tangible Capital Assets Policy - Committee review and approval										X		
Tangible Capital Assets Policy - Board review and approval											X	
f) Capital Planning Policy - Committee review and approval										X		
Capital Planning Policy - Board review and approval											X	

Audit and Budget Committee Annual Work Plan - 2020

DRAFT	Quarter 1			Quarter 2			Quarter 3			Quarter 4		
	JAN-2020	FEB-2020	MAR-2020	APR-2020	MAY-2020	JUN-2020	JUL-2020	AUG-2020	SEP-2020	OCT-2020	NOV-2020	DEC-2020
Audit and Budget Committee			12-Mar	29-Apr			pending			pending		
Full Authority Board		19-Feb		16-Apr	21-May	17-Jun	15-Jul		16-Sep	21-Oct	18-Nov	16-Dec
g) Investments Policy - Committee review and approval Investments Policy - Board review and approval							X		X			
h) Operating Loans and Borrowing Policy - Committee review and approval Operating Loans and Borrowing Policy - Board review and approval										X	X	
i) Capital Debt Policy - Committee review and approval Capital Debt Policy - Board review and approval										X	X	
j) Risk Management/Insurance Policy - Committee review and approval Risk Management/Insurance Policy - Board review and approval										X	X	
6. Committee Performance												
a) Evaluation and review of Committee performance	February 2021 - capture 12 months of activity (2020)											
7. Other												
a) Review of insurance coverage										X		
8. Mid and Long Term Objectives												
	2021	2022	2023									
Annually report assessing compliance with legislation and regulatory requirements, financial policies, including procurement, financial reporting, payroll, delegation of authority and accounting procedures												
Review effectiveness of corporate reporting systems regarding administrative and program performance												
Reviewing the Authority’s Risk Management framework and mitigation plans.												
Review financial management and controls policy												
Review business expense policy												
Review records retention policy												

Report To: Board of Directors

Subject: Financial Report – Q1 - 2020

Report No: FA-23-20

Date: May 21, 2020

Recommendation:

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

Purpose:

The purpose of this report is to provide the Board of Directors with a summary of 2020 Q1 operating and capital expenditures and to provide a comparison of actual results to the budget as approved by the Board.

Discussion:

The report confirms the general financial oversight and compliance with Public Sector Accounting Board Standards.

Capital

The 2020 capital budget was presented and approved by both the Audit and Budget Committee (October 7, 2019) and the Full Authority Board (October 16, 2019). Approved projects break down by funding source as follows:

Niagara Region	\$1,884,006
City of Hamilton	1,955,870
<u>Haldimand County</u>	<u>12,904</u>
Total	\$3,852,780

Further to discussions with Niagara Region Finance staff in preparation for Council presentations, NPCA was advised that due to budget constraints, the special levy request to support 2020 capital projects could not be met. As a result of this constraint, NPCA staff reviewed each project in detail, and reduced the capital envelope for 2020 by \$1,002,125. This was accomplished largely by deferring projects to future years and/or phasing projects over several budget cycles. The revised capital portfolio for 2020 is outlined below. Additional information on individual projects is outlined in Appendix 2.

Service Area	Program	# Projects	Niagara Region	Niagara Not Accommodated	Niagara Revised	Hamilton	Haldimand	TOTAL
CAO/Board	Communications	2	27,036	27,036	-	7,317	647	35,000
Corporate Services	Asset Mgt/Capital Planning	1	23,174	-	23,174	6,271	555	30,000
	Information Mgt	5	134,794	74,542	60,252	36,479	3,227	174,500
	Integrated Watershed Mgt	2	162,216	154,492	7,725	43,900	3,884	210,000
	Balls Falls Connectivity	1	40,000	-	40,000	-	-	40,000
Land Operations	Balls Falls	4	305,000	180,000	125,000	-	-	305,000
	Binbrook	4	-	-	-	1,810,000	-	1,810,000
	Chippawa Creek	1	10,000	10,000	-	-	-	10,000
	Gainsborough	2	140,000	140,000	-	-	-	140,000
	Long Beach	3	430,000	168,360	261,640	-	-	430,000
	Equipment	1	176,337	77,246	99,091	47,721	4,222	228,280
Watershed	Water Control Structures	2	140,000	-	140,000	-	-	140,000
	Floodplain Mapping	3	195,000	70,000	125,000	-	-	195,000
	Gauge Stations	1	15,449	15,449	-	4,181	370	20,000
	Karst Mapping	1	50,000	50,000	-	-	-	50,000
	Water Quality Equip	1	35,000	35,000	-	-	-	35,000
	TOTAL	34	1,884,006	1,002,125	881,881	1,955,870	12,904	3,852,780

It should be noted that negotiations are ongoing with the City of Hamilton Finance staff relative to alternatives to finance significant capital pressures that could not be accommodated within the municipal special levy guidelines – total \$1,775,633.

On April 29, 2020, Report No. A&BC-04-20 – Financial Report – Q1 - 2020 was presented to the Audit and Budget Committee, and the following resolution was passed:

Recommendation No. A&BC-17-2020

Moved by Member Beattie and seconded by Member Foster

THAT Report A&BC 04-2020 Respecting Financial Report – Q1 - 2020 **BE RECEIVED** for information.

Financial Implications:

The Revenue and Expenditure lines are within budget allocations identified during the budget preparation and approval cycle.

Related Reports and Appendices:

Appendix 1 – 2020 Operating Statement – Q1

Appendix 2 – Capital Projects 2020 - Q1

Prepared by:

Submitted by:

Original Signed By:

Original Signed By:

Lise Gagnon, CPA, CGA
Director, Corporate Services

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

**NIAGARA PENINSULA CONSERVATION AUTHORITY - CONSOLIDATED
2020 OPERATING STATEMENT - Q1 - 2020**

Appendix 1 - Report No. FA-23-20	Year to Date				Annual Budget	Comments
	Actual	Budget	Var AB	Var AB %		
SOURCE OF FUNDS						
Municipal Funding	31,394	1,448,129	1,416,735	97.83%	6,121,000	Timing - municipal levy received in April 2020 for Q1
Provincial Funding	26,560	85,292	58,732	68.86%	349,185	Timing - covid-19 delays in cash flow from Province
Federal Funding	50,000	22,473	(27,527)	-122.49%	100,000	Timing - Fed cash flow front-ended
Park Operations	25,587	171,301	145,714	85.06%	2,016,850	Analytics in progress, in conjunction with pandemic impact/budget
Permits and Regulatory Fees	101,780	96,777	(5,003)	-5.17%	387,108	OK
Other Revenue	86,162	97,896	11,734	11.99%	520,227	OK
TOTAL REVENUES / SOURCE OF FUNDS	321,483	1,921,868	1,600,385	83.27%	9,494,370	
USE OF FUNDS						
Salaries and Benefits	1,169,316	1,294,546	125,230	9.67%	6,141,278	Gapping of both vacant and growth positions
Other Employee Related Expenses	31,798	57,687	25,889	44.88%	235,892	Timing - calendarization of staff training costs
Board and Volunteer	1,074	17,800	16,726	93.97%	71,200	Per diems not processed; only 1 Board meeting in Q1
Professional Fees	59,560	162,373	102,813	63.32%	661,500	Underspending on legal fees; timing on lab analysis fees
Occupancy Costs	84,800	137,202	52,402	38.19%	548,803	Timing - calendarization of utilities and other variable costs
Vehicles and Equipment	43,032	40,128	(2,904)	-7.24%	246,020	OK
Park Maintenance	52,974	62,910	9,936	15.79%	468,000	OK
Contractor Services	2,012	48,500	46,488	95.85%	194,000	Pandemic related delays
Debt Servicing	0	1,257	1,257	100.00%	5,030	OK
Cost and Expenses	68,609	68,442	(167)	-0.24%	473,025	OK
Materials and Supplies	23,079	47,579	24,500	51.49%	196,622	Timing - calendarization inconsistencies
Marketing and Promotion	38,137	63,252	25,115	39.71%	253,000	Reduced marketing due to Pandemic
TOTAL EXPENSES / USES OF FUNDS	1,574,391	2,001,676	427,285	21.35%	9,494,370	

Niagara Peninsula Conservation Authority - 2020 CAPITAL PROJECTS

Appendix 2 - Report No. FA-23-20

Project Name	Division	Location/Site	Classification	Priority Ranking	Municipality	Budget Carried Forward	Board Approved Budget 2020	YTD Spend at 31-DEC-2019	YTD Spend at 31-MAR-2020	Total Project Spend at 31-MAR-2020
CAO/Board & Admin										
Multi-Media Equipment	CAO/Board & Admin	HQ - Welland	Operational Efficiency	4	ALL		\$ 10,000			
Signage - Pollinator Gardens	CAO/Board & Admin	Various	Strategic Initiative	3			\$ 25,000			
Total - CAO/Board & Admin						\$ -	\$ 35,000	\$ -	\$ -	\$ -
Corporate Services										
Asset Management Capital Planning Program	Corporate Services	HQ - Welland	Operational Efficiency	5	ALL		\$ 30,000			\$ -
Data Centre Cyclical Server Refresh	Corporate Services	HQ - Welland	Asset Integrity – Proactive Replacement	4	ALL		\$ 23,000		\$ 10,180	\$ 10,180
Annual PC Replacements	Corporate Services	Various	Asset Integrity – Proactive Replacement	4	ALL		\$ 45,000	\$ -	\$ 14,629	\$ 14,629
Office Network Backup and Archive	Corporate Services	HQ - Welland	Operational Efficiency	4	ALL		\$ 6,500			\$ -
Phone System	Corporate Services	HQ - Welland	Asset Integrity – Imminent Breakdown	5	ALL		\$ 50,000			\$ -
Orthoimagery Acquisition - SWOOP	Corporate Services	HQ - Welland	Operational Efficiency	4	ALL		\$ 10,000			\$ -
Natural Areas ELC Mapping Update	Corporate Services	HQ - Welland	Operational Efficiency	4	ALL		\$ 200,000			\$ -
Balls Falls Internet Improvement & Infrastructure	Corporate Services	Balls Falls	Strategic Initiative	3	Niagara		\$ 40,000			\$ -
Board Microphones	Corporate Services	Balls Falls	Operational Efficiency	3	ALL		\$ 50,000			\$ -
Total - Corporate Services						\$ -	\$ 454,500	\$ -	\$ 24,809	\$ 24,809
Watershed										
OPG - Welland River Watershed (WS-2018-16)	Watershed					\$ 143,931	\$ -	\$ 195,432	\$ 9,555	\$ 204,987
Shriner's Creek Modifications	Watershed	Niagara Falls	Operational Efficiency	3	Niagara		\$ 80,000			\$ -
Flood Plain Mapping - Beaver Creek	Watershed	West Lincoln	Code Compliance and Legislation	4	Niagara		\$ 150,000			\$ -
Flood Plain Mapping - Grimsby/Lincoln	Watershed	Grimsby & Lincoln	Code Compliance and Legislation	4	Niagara		\$ 20,000		\$ 174	\$ 174
Flood Plain Mapping - St. Catharines	Watershed	St. Catharines	Code Compliance and Legislation	4	Niagara		\$ 25,000	\$ 63,921	\$ 1,759	\$ 65,680
Water Quality Equipment	Watershed	Pelham	Asset Integrity – Proactive Replacement	3	Niagara		\$ 35,000			\$ -
Virgil Dam Safety Study	Watershed	Niagara-on-the-Lake	Code Compliance and Legislation	4	Niagara		\$ 60,000			\$ -
Stream Gauge Equipment	Watershed	Various	Operational Efficiency	3	ALL		\$ 20,000			\$ -
Karst Hazard Mapping	Watershed	Various	Code Compliance and Legislation	4	ALL		\$ 50,000			\$ -
Total - Watershed						\$ 143,931	\$ 440,000	\$ 259,353	\$ 11,488	\$ 270,841
Land Operations										
Treetop Trekking Building & Amenities (BB-2019-21)	Land Operations	Binbrook					\$ 150,000	\$ 80,601	\$ 3,058	\$ 83,659
Binbrook - Septic System	Land Operations	Binbrook	Critical	5	Hamilton		\$ 1,500,000	\$ -	\$ 4,884	\$ 4,884
Water Treatment System Upgrades	Land Operations	Binbrook	Strategic Initiative	4	Hamilton		\$ 150,000			\$ -
Tyneside Trail Upgrades - Binbrook	Land Operations	Binbrook	Strategic Initiative	3	Hamilton		\$ 10,000			\$ -
Septic System Replacement Ball's Falls (BF-2017-09)	Land Operations	Balls Falls				\$ 70,000	\$ -	\$ 21,177	\$ 4,211	\$ 25,388
Field Centre Restoration	Land Operations	Balls Falls	Critical	5	Niagara		\$ 35,000			\$ -
Historical Building Restoration - Balls Falls	Land Operations	Balls Falls	Strategic Initiative	4	Niagara		\$ 100,000	\$ -	\$ 21,477	\$ 21,477
Road Upgrade & Drainage - North Side	Land Operations	Long Beach					\$ 232,000	\$ 23,074	\$ 130,985	\$ 154,059
North Side Comfort Station - Long Beach	Land Operations	Long Beach	Strategic Initiative	4	Niagara		\$ 110,000	\$ -	\$ 5,648	\$ 5,648
New Park Signage (CW-2019-37)	Land Operations	Various				\$ 50,000	\$ -	\$ 21,375	\$ 507	\$ 21,882
Equipment Sustainment - Land Operations	Land Operations	Various	Asset Integrity – Proactive Replacement	4	ALL		\$ 228,280		\$ 56,477	\$ 56,477
Cistern - Gainsborough	Land Operations	Gainsborough	Operational Efficiency	4	Niagara		\$ 40,000	\$ -	\$ 2,908	\$ 2,908
Workshop Upgrades - Gainsborough	Land Operations	Gainsborough	Asset Integrity – Proactive Replacement	4	Niagara		\$ 100,000		\$ 34,306	\$ 34,306
Centre for Conservation - Gallery Upgrades	Land Operations	Balls Falls	Strategic Initiative	3	Niagara		\$ 80,000			
Septic Design & Scope - Chippawa Creek	Land Operations	Chippawa Creek	Code Compliance and Legislation	3	Niagara		\$ 10,000			
Barn - Wedding Updates	Land Operations	Balls Falls	Strategic Initiative	4	Niagara		\$ 90,000			
Electrical and Water (Ridge) - Long Beach	Land Operations	Long Beach	Strategic Initiative	4	Niagara		\$ 88,000			
Total - Land Operations						\$ 120,000	\$ 2,923,280	\$ 146,227	\$ 264,461	\$ 410,688
GRAND TOTAL	ALL DIVISIONS					\$ 263,931	\$ 3,852,780	\$ 405,580	\$ 300,757	\$ 706,338