

**FULL AUTHORITY MEETING
ON-LINE VIDEO CONFERENCE
AND IN-PERSON MEETING**

**Ball's Falls Centre for Conservation
Glen Elgin Room
3292 Sixth Avenue, Jordan, ON**

**Friday, May 20, 2022
(At 9:40 a.m. immediately following
the Source Protection Authority Meeting)**

A G E N D A

CALL TO ORDER – ROLL CALL

The Niagara Peninsula watershed is situated within the traditional territory of the Haudenosaunee, Attiwonderonk (Neutral), and the Anishinaabeg, including the Mississaugas of the Credit—many of whom continue to live and work here today. This territory is covered by the Upper Canada Treaties (No. 3, 4, and 381) and is within the land protected by the Dish with One Spoon Wampum agreement. Today, the watershed is home to many First Nations, Métis, and Inuit peoples. Through the 2021-2031 Strategic Plan, we re-confirm our commitment to shared stewardship of natural resources and deep appreciation of Indigenous culture and history in the watershed.

1. APPROVAL OF AGENDA

2. DECLARATIONS OF CONFLICT OF INTEREST

3. APPROVAL OF MINUTES

- a) Minutes of the Full Authority Meeting dated April 22, 2022 (For Approval)

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4. CHAIR'S UPDATE

5. CORRESPONDENCE

- a) Correspondence dated April 27-29, 2022 to the Ministry of Municipal Affairs and Housing from Leslie Rich, Policy and Planning Specialist Conservation Ontario:

- i) Conservation Ontario's Comments on "Community Infrastructure and Housing Accelerator – Proposed Guideline" (ERO #019-5285) (For Receipt)

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- ii) Conservation Ontario's Comments on "Opportunities to increase missing middle housing and gentle density, including supports for multigenerational housing" (ERO #019-5286) (For Receipt)

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- iii) Conservation Ontario's Comments on the "Proposed Planning Act Changes (the proposed More Homes for Everyone Act, 2022)" (ERO #019-5284) (For Receipt)

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- iv) Conservation Ontario's Comments on "Seeking Feedback on Housing needs in Rural and Northern Municipalities" (ERO #019-5287) (For Receipt)

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6. PRESENTATIONS

- a) PowerPoint Presentation RE: European Water Chestnut Rapid Response Program by Karen Alexander, Invasive Species Policy Co-Ordinator, Invasive Species Centre (For Receipt) - (This presentation is in conjunction with agenda item 8. b) Report No. FA-19-22 RE: European Water Chestnut Rapid Response Program)
- b) PowerPoint Presentation RE: Gonder's Flats Wetland Enhancement Project by Natalie Green, Manager Special Projects and Corey Burant, Project Manager, Forest Health, Niagara Parks Commission (For Receipt) - (This presentation is in conjunction with agenda item 8. a) Report No. FA-17-22 RE: Gonder's Flats Wetland Enhancement Project)
- c) PowerPoint Presentation RE: Policies for the Administration of Ontario Regulation 155/06 and the Planning Act, (May 1, 2020 Consolidation) Phase 2 Policy Review Interim s. 28 EIS Guideline and Wetlands Procedure Document by Leilani Lee-Yates, Director, Watershed Management (For Receipt) - (This presentation is in conjunction with agenda items 9. a) and b) being Report No. FA-20-22 RE: NPCA Draft Interim Section 28 Environmental Impact Study Guideline and Report No. FA-21-22 RE: NPCA Draft Interim Wetlands Procedure Document)

7. DELEGATIONS

8. CONSENT ITEMS

- a) Report No. FA-17-22 RE: Gonder's Flats Wetland Enhancement Project (For Receipt)
- b) Report No. FA-19-22 RE: European Water Chestnut Rapid Response Program (For Receipt)

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9. DISCUSSION ITEMS

- a) Report No. FA-20-22 RE: NPCA Draft Interim Section 28 Environmental Impact Study Guideline (To be circulated under separate cover – For Approval)
- b) Report No. FA-21-22 RE: NPCA Draft Interim Wetlands Procedure Document (To be circulated under separate cover – For Approval)

10. COMMITTEE REPORTS

10.1 GOVERNANCE COMMITTEE

- a) Minutes of the Governance Committee meeting dated May 12, 2022 (For Receipt)

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11. MOTIONS

12. NOTICES OF MOTION

13. NEW BUSINESS

- a) C.A.O. Updates – Verbal

14. CLOSED SESSION

15. ADJOURNMENT



**FULL AUTHORITY
ONLINE VIDEO CONFERENCE
MEETING MINUTES
Friday, April 22, 2022
10:00 A.M.**

**BALL'S FALLS CENTRE FOR CONSERVATION
GLEN ELGIN ROOM
3292 SIXTH AVENUE, JORDAN, ON**

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

MEMBERS PRESENT: R. Foster (Chair)
S. Beattie
R. Brady (departed 11:00 a.m.)
B. Clark
D. Cridland
L. Feor
J. Hellinga
D. Huson
J. Ingrao (arrived 10:54 a.m.)
B. Johnson
K. Kawall
B. Mackenzie
J. Metcalfe
W. Rapley
R. Shirton
E. Smith
B. Steele
M. Woodhouse
B. Wright

STAFF PRESENT: C. Sharma, CAO / Secretary – Treasurer
G. Bivol, Clerk
C. Coverdale, Business and Financial Analyst
J. Culp, Manager, Compliance and Enforcement
D. Deluce, Senior Manager, Planning and Regulations
M. Ferrusi, Manager, Human Resources
L. Gagnon, Director, Corporate Services
R. Hull, Manager, Strategic Business Planning and Public Relations
L. Lee-Yates, Director, Watershed Management
S. McPherson, Restoration Specialist

S. Mastroianni, Manager, Planning and Development
S. Miller, Senior Manager, Water Resources
A. Parks, Manager, Planning Ecology
G. Shaule, Administrative Assistant
S. Shah, Administrative Assistant
G. Verkade, Senior Manager, Integrated Watershed Planning /
Information Management

OTHERS PRESENT: D. Marks, KPMG

Chair Foster called the meeting to order at 10:01 a.m..

1. APPROVAL OF AGENDA

Resolution No. FA-31-2022
Moved by Member Shirton
Seconded by Member Steele

THAT agenda for the Full Authority Meeting agenda dated April 22, 2022 **BE APPROVED.**
CARRIED

2. DECLARATIONS OF CONFLICT OF INTEREST

Due to his volunteer position with the Niagara 2022 Canada Summer Games, Chair Foster declared a perceived conflict of interest at the onset of agenda item 13. b) New Business, being a resolution regarding the NPCA's interest in future use and environmental enhancement of 12 Mile Creek Valley after the conclusion of the summer games. He did not comment or otherwise participate in deliberation of this matter.

By virtue of her employment with Brock University and its partnership with Niagara 2022 Canada Summer Games, Member Huson also declared a perceived conflict of interest in respect of New Business item 13. b). She did not comment or otherwise participate in deliberation of this matter.

3. APPROVAL OF MINUTES

- a) Minutes of the Full Authority Meeting dated March 25, 2022

Resolution No. FA-32-2022
Moved by Member Johnson
Seconded by Member Cridland

THAT the minutes of the Full Authority Meeting dated March 25, 2022 **BE APPROVED.**
CARRIED

4. CHAIR'S UPDATE

Chair Foster spoke on NPCA participation at the Conservation Ontario Annual General Meeting, a planned golf tournament and the late Mickey DiFruscio's Directors' Challenge for donations to the Niagara Peninsula Conservation Foundation.

5. CORRESPONDENCE

- a) Correspondence from Conservation Ontario dated March 28, 2022 to Mirek Tybinkowski, Great Lakes and Inland Waters Branch RE: Conservation Ontario's Comments on the "Municipal Wastewater and Stormwater Management in Ontario Discussion Paper" (ERO# 019-4967)
- b) Correspondence dated March 28, 2022 from Doug Hamilton, Niagara 2022 Canada Summer Games RE: NPCA's Letter of December 1, 2021
- c) Correspondence from Guy Graveline and Friends of 12 Mile Creek dated April 8, 2022 RE: Permit No. 202101405
- d) Correspondence dated March 31, 2022 from Mike Anderson, Chair, St. Catharines Environmental Alliance RE: Creation of a Mountain Bike Racing Trail for the Canada Summer Games – Members posed questions to staff. It was noted that a resolution would be presented on the agenda under New Business in respect of future use of the 12 Mile Creek Valley.

Resolution No. FA-33-2022
Moved by Member Cridland
Seconded by Member Clark

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

- Correspondence from Conservation Ontario dated March 28, 2022 to Mirek Tybinkowski, Great Lakes and Inland Waters Branch RE: Conservation Ontario's Comments on the "Municipal Wastewater and Stormwater Management in Ontario Discussion Paper" (ERO# 019-4967);
- Correspondence dated March 28, 2022 from Doug Hamilton, Niagara 2022 Canada Summer Games RE: NPCA's Letter of December 1, 2021;
- Correspondence from Guy Graveline and Friends of 12 Mile Creek dated April 8, 2022 RE: Permit No. 202101405; and
- Correspondence dated March 31, 2022 from Mike Anderson, Chair, St. Catharines Environmental Alliance RE: Creation of a Mountain Bike Racing Trail for the Canada Summer Games.

CARRIED

6. PRESENTATIONS

- a) Presentation by David Marks, KPMG RE: Financial Statements and Audit Findings – Lise Gagnon, Director, Corporate Services introduced David Marks, of KPMG who provided an overview of the financial statements and findings. Members posed questions to Ms. Gagnon and Mr. Marks. It was requested that through reporting to the Finance Committee, consideration be given to provision of additional detail in the disclosure notes on the accumulated surplus. The

related Report No. FA-11-22 RE: 2021 Audited Financial Statements and Audit Findings Report was presented on the agenda for deliberation as item 10. b).

- b) PowerPoint Presentation by Rebecca Hull, NPCA Manager, Strategic Business Planning and Public Relations RE: NPCA 2021 Annual Report – This matter was further addressed on the agenda within Discussion Item 9. b) Report No. FA-16-22 RE: Draft 2021 Annual Report.

Resolution No. FA-34-2022
Moved by Member Metcalfe
Seconded by Member Steele

THAT the following presentations **BE RECEIVED**:

- Presentation by David Marks, KPMG RE: Financial Statements and Audit Findings; and
- PowerPoint presentation by Rebecca Hull, NPCA Manager, Strategic Business Planning and Public Relations RE: NPCA 2021 Annual Report.

CARRIED

7. DELEGATIONS

None

8. CONSENT ITEMS

- a) Report No. FA-13-22 RE: Public Sector Salary Disclosure
- b) Report No. FA-14-22 RE: 2021 Health and Safety Year End Report
- c) Report No. FA-15-22 RE: Compliance and Enforcement 2022 Q1 Statistics

Resolution No. FA-35-2022
Moved by Member Clark
Seconded by Member Feor

THAT the following reports **BE RECEIVED**:

- Report No. FA-13-22 RE: Public Sector Salary Disclosure;
- Report No. FA-14-22 RE: 2021 Health and Safety Year End Report; and
- Report No. FA-15-22 RE: Compliance and Enforcement 2022 Q1 Statistics.

CARRIED

9. DISCUSSION ITEMS

- a) Report No. FA-01-22 RE: 2021 Restoration Program Highlights and 2022 Restoration Project Approvals – Stuart McPherson, NPCA Restoration Specialist addressed questions from the Board.

Resolution No. FA-36-2022
Moved by Member Shirton
Seconded by Member Smith

1. **THAT** Report No. FA-01-22 RE: 2021 Restoration Program Highlights and 2022 Restoration Project Approvals **BE RECEIVED**.
2. **AND THAT** restoration projects selected from the November 2021 application intake (Appendix 1) **BE APPROVED**.

CARRIED

b) Report No. FA-16-22 RE: Draft 2021 Annual Report

Resolution No. FA-37-2022

Moved by Member Ingrao

Seconded by Member Brady

1. **THAT** Report No. FA-16-22 RE: Draft 2021 Annual Report **BE RECEIVED** for information.
2. **AND FURTHER THAT** the final report **BE PUBLISHED** online and distributed to participating municipalities, community stakeholders, NPCA Public Advisory Committee, and the public in several media formats.

CARRIED

10. COMMITTEE ITEMS

10.1 FINANCE COMMITTEE

a) Minutes of the Finance Committee meeting dated March 30, 2022

Resolution No. FA-38-2022

Moved by Member Beatty

Seconded by Member Mackenzie

THAT the minutes of the Finance Committee meeting dated March 30, 2022 **BE RECEIVED**.

CARRIED

b) Report No. FA-11-22 RE: 2021 Audited Financial Statements and Audit Findings Report

Resolution No. FA-39-2022

Moved by Member Cridland

Seconded by Member Huson

1. **THAT** Report No. FA-11-22 RE: 2021 Audited Financial Statements and Audit Findings Report **BE RECEIVED**.
2. **THAT** the 2021 Audited Financial Statements and the 2021 Audit Findings Report **BE APPROVED**.

CARRIED

c) Report No. FA-12-22 RE: 2022 Operating and Capital Budgets – FINAL – Lise Gagnon, Director of Corporate Services presented. Members posed questions. Member Clark expressed concerns with respect to levy funding and the allocation of revenues generated from conservation areas within the City of Hamilton. C.A.O. Sharma spoke on new legislation and the

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changes to come into effect with the 2024 budget. Member Kawall expressed concern with respect to the status and use of capital reserves.

Resolution No. FA-40-2022

Moved by Member Shirton

Seconded by Member Smith

1. **THAT** Report No. FA-12-22 RE: 2022 Operating and Capital Budgets – FINAL **BE APPROVED**.
2. **THAT** in accordance with the Board approved Reserves Policy, the amount of \$1,147,240 **BE ALLOCATED** from Reserves to fund ongoing initiatives carried over from 2021 as per details provided in this report.
3. **AND FURTHER THAT** the 2022 Unfunded Budget Priorities list attached as Appendix 1 **BE ADOPTED** and staff **BE AUTHORIZED** to update the list and address critical pressures as funding becomes available through external funding sources and/or within the approved budget.

CARRIED

10.2 GOVERNANCE COMMITTEE

- a) Minutes of the Governance Committee meeting dated March 31, 2022

Resolution No. FA-41-2022

Moved by Member Ingrao

Seconded by Member Woodhouse

THAT the minutes of the Governance Committee meeting dated March 31, 2022 **BE RECEIVED**.

CARRIED

11. NOTICES OF MOTION

None

12. MOTIONS

13. NEW BUSINESS

- a) C.A.O. Verbal Update – Ms. Sharma spoke on the hybrid ‘return to work’ policy being implemented for staff at the NPCA offices and the plans to reopen offices to the public in May. Members raised questions about opening the gallery to the public at Board meetings and reversion to an earlier start time.
- b) Motion on NPCA Interest in Future Use and Environmental Enhancement of 12 Mile Creek Valley – At the commencement of this discussion, Member Huson declared a perceived conflict of interest in relation to this item. Chair Foster also declared a perceived conflict of interest and turned the meeting over to Vice Chair Metcalfe who presided over the debate and vote on the

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Full Authority Meeting Minutes – April 22, 2022

following motion:

Resolution No. FA-42-2022

Moved by Member Smith

Seconded by Member Steele

WHEREAS the NPCA issued a permit to Ontario Power Generation (OPG) and Canada Summer Games Host Society Inc. on November 12th, 2021 for the purpose of “Phase One: Trail Maintenance and Mountain Bike Features for Canada Games”;

AND WHEREAS the NPCA sent correspondence to Canada Summer Games on December 1st, 2021 concerning the intended future use of the site being prepared for Summer Games 2022 and received a response from the Summer Games Chair on March 28th, 2022 indicating ongoing negotiations between the City of St. Catharines and OPG regarding a Recreational Use Master Plan that will address future use of the 12 Mile Creek Trail;

NOW THEREFORE, BE IT RESOLVED:

1. **THAT** the City of St. Catharines and OPG **BE ADVISED** of the NPCA’s ongoing interest in future use and environmental enhancement of the 12 Mile Creek Valley.
2. **THAT** any future high intensity use of the 12 Mile Creek Valley **BE SUBJECT** to slope stability, environmental impact studies and/or other technical works deemed appropriate by NPCA staff.
3. **AND FURTHER THAT** the City of St Catharines and Ontario Power Generation **BE so ADVISED**.

CARRIED

Recorded Vote:	Yea	Nay
Stew Beattie		X
Brad Clark		X
Donna Cridland	X	
Leah Feor	X	
Rob Foster	---	---
Jack Hellinga	X	
Diana Huson	---	---
John Ingrao	X	
Brenda Johnson		X
Ken Kawall	X	
Bruce Mackenzie		X
John Metcalfe		X
Bill Rapley	X	
Rob Shirton		X
Ed Smith	X	
Bill Steele	X	
Mal Woodhouse	X	
Brian Wright	X	

After conclusion of the above recorded vote, Chair Foster resumed the chair.

14. CLOSED SESSION

None

15. ADJOURNMENT

By consensus, the meeting adjourned at 12:27 p.m..

CARRIED

Robert Foster, Chair
Niagara Peninsula Conservation Authority

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



April 27, 2022

Ministry of Municipal Affairs and Housing
Via planningconsultation@ontario.ca

Re: Conservation Ontario's Comments on "Community Infrastructure and Housing Accelerator – Proposed Guideline" (ERO #019-5285)

To Whom it May Concern:

Thank you for the opportunity to provide comments on the "Community Infrastructure and Housing Accelerator – Proposed Guideline" ("guideline"). Conservation Ontario is the network of Ontario's 36 conservation authorities (CAs). These comments are not intended to limit consideration of comments submitted individually by CAs through this consultation.

It is understood that Bill 109, the *More Homes for Everyone Act* includes amendments to the *Planning Act* as part of Schedule 5. The amendments include the creation of a new Community Infrastructure and Housing Accelerator (CIHA) tool. The amendments to the *Planning Act* also include a requirement for the Minister of Municipal Affairs and Housing (MMAH) to create guidelines for the use of the CIHA tool prior to its use. The purpose of this consultation is to receive feedback on the proposed guidelines.

General Comments

This proposed CIHA tool is a significant shift in planning practices in Ontario. The CIHA would go beyond an enhanced Minister's Zoning Order and enable the Minister to provide an exemption for other necessary planning-related approvals from provincial plans, the Provincial Policy Statement (PPS) and municipal official plans outside of the Greenbelt. Conservation Ontario has previously expressed concern with providing approvals which are not consistent with the PPS. The purpose of the *Planning Act* includes: "to provide for a land use planning system led by provincial policy" and "to provide for planning processes that are fair by making them open, accessible, timely and efficient". The preamble of the Provincial Policy Statement notes that it is "a key part of Ontario's policy-led planning system" and that it "sets the policy foundation for regulating the development and use of land". Primary objectives of the PPS include protecting public health and safety (i.e., natural and human made hazards) and enhancing the quality of life for all Ontarians. It is recommended that these objectives be maintained when using the Community Infrastructure and Housing Accelerator tool.

Types of Development

As per the proposed guideline, the community infrastructure and housing accelerator order would apply to the following types of developments:

- Community infrastructure that is subject to *Planning Act* approval including: lands, buildings, and structures that support the quality of life for people and communities by providing public services for matters such as health, long-term care, education, recreation, socio-cultural activities, and security and safety;
- Any type of housing, including community housing, affordable housing and market-based housing;
- Building that would facilitate employment and economic development; and,
- Mixed-use developments.

The guideline indicates that the CIHA will address zoning matters only and will not address environmental assessment matters related to infrastructure which are not subject to *Planning Act* approval in either case. Conservation Ontario notes that the scope of the CIHA is broad and not limited to Bill 109's focus on housing. It is recommended that the Minister consider further scoping the use of the tool to focus on the stated intent of Bill 109, including community housing, affordable housing, health, recreation and long-term care.

Subsequent Approvals

As per the proposed amendments to the *Planning Act*, when making a CIHA order, the Minister could provide that specific subsequent approvals are not subject to provincial plans, the PPS and municipal official plans when required by the municipality. These approvals include licences, permits, permissions or other matters that are required before the use could be established, including plans of subdivision and site plan control. The guideline indicates that the Minister would only consider these exemptions where the municipality provides a plan that would adequately mitigate any potential impacts that could arise from the exemption. These impacts include environmental protection/mitigation.

Through its review of the *Conservation Authorities Act*, the province has identified mandatory programs and services that CAs shall provide including: risk of natural hazards; and, duties, functions and responsibilities as a source protection authority under the *Clean Water Act*. From this lens of fulfilling the requirements of conservation authority mandatory programs and services, we offer the following comments.

The fundamental principles of good land use planning are established within the Provincial Policy Statement. These principles should apply across the province as was intended by the *Planning Act* and not be limited in application to the Greenbelt Area. Further, conservation authorities provide mandatory programs and services and have a responsibility to address risks related to natural hazards (including regulatory responsibilities under Section 28 of the *Conservation Authorities Act*) and fulfilling their roles as source protection authorities under the *Clean Water Act*. It is therefore respectfully requested that the Minister continue, at minimum, to be in conformity with sections 2.1.4, 2.2.1 (f) and 3.1 of the Provincial Policy Statement to ensure that public health and safety is protected when issuing Community Infrastructure and Housing Accelerator Orders.

Natural Hazards

It is recommended that the Minister be consistent with **section 3.1 (natural hazards)** of the Provincial Policy Statement when issuing CIHA orders. This will help minimize the risk to people and property associated with development in areas prone to natural hazards. Through Section 28 of the *Conservation Authorities Act*, conservation authorities are empowered to regulate development and activities in or adjacent to river or stream valleys, Great Lakes and inland lakes shorelines, watercourses, hazardous lands and wetlands. They also regulate the straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream, watercourse or for changing or interfering in any way with a wetland. As wetlands are considered to be hazardous sites/hazardous lands it is further recommended that the Minister be consistent with **section 2.1.4 (significant wetlands and significant coastal wetlands)** in the issuance of any CIHA order.

It is further noted that outside of CA watersheds there is no equivalent to the Section 28 regulation. In these cases, the Minister may have an increased duty of care to ensure that development is directed outside of areas subject to natural hazards.

Source Protection Authority under the Clean Water Act

The *Clean Water Act* ensures communities protect their drinking water supplies through prevention – by developing collaborative, watershed-based source protection plans that are locally driven and based on science. Careful implementation of the source protection plans ensures that the drinking water of 95% of Ontarians is safeguarded. The *Clean Water Act* requires that a decision under the *Planning Act* that relates to the source protection area shall conform with the significant threat policies and designated Great Lakes policies and have regard to other policies set out in the source protection plan. Section 105 of the *Clean Water Act* requires that if there is a conflict between the *Clean Water Act* and another Act, regulation or instrument, the provision that provides the greatest protection to the quality and quantity of the water prevails. Therefore, it is strongly recommended that any CIHA issued by the province be consistent with **section 2.2.1 (f) (municipal drinking water supplies)** of the Provincial Policy Statement and conform with the Source Protection Plan Policies as described in s. 39 (1) (a) (b) in the *Clean Water Act*.

Conservation authorities and the government of Ontario have worked in partnership to safely direct development outside of areas at risk due to natural hazards and to protect sources of drinking water. Conservation authorities are committed to working with the province to expedite development associated with Community Infrastructure and Housing Accelerator Orders while not jeopardizing public health and safety.

Once again, thank you for the opportunity to provide comments on the “Community Infrastructure and Housing Accelerator – Proposed Guideline”. Conservation Ontario looks forward to engaging with the province as they move forward with their housing supply action plans to ensure that public health and safety continue to be held to a high degree of importance, while looking towards solutions to deliver community infrastructure and housing in a timely matter. Should you have any questions about this response, please contact me at extension 226.

Sincerely,

A handwritten signature in black ink that reads "Leslie Rich". The signature is written in a cursive, flowing style.

Leslie Rich, MES RPP
Policy and Planning Specialist

c.c. All CA CAOs/ GMs

Conservation Ontario
120 Bayview Parkway, Newmarket ON L3Y 3W3
Tel: 905.895.0716 Email: info@conservationontario.ca
www.conservationontario.ca



April 27, 2022
Ministry of Municipal Affairs and Housing
Via: planningconsultation@ontario.ca

Re: Conservation Ontario's Comments on "Opportunities to increase missing middle housing and gentle density, including supports for multigenerational housing" (ERO #019-5286)

To whom it may concern:

Thank you for the opportunity to provide comments on the "Opportunities to increase missing middle housing and gentle density, including support for multigenerational housing". Conservation Ontario is the network of Ontario's 36 conservation authorities (CAs). These comments are not intended to limit consideration of comments submitted individually by CAs through this consultation.

Having appropriate land use planning safeguards in place is essential for the overall health of Ontario and Ontarians. This includes having access to safe drinking water, directing development outside of hazard areas and having access to high quality greenspace, including conservation areas. An integrated watershed management approach can protect public health and safety while facilitating quicker development approvals and more housing supply in Ontario. Conservation Ontario looks forward to partnering with the province as they seek to increase missing middle house and gentle density.

We understand that the province is undertaking this consultation as part of its larger consultation on the implementation of Bill 109: *More Homes for Everyone*. We agree that infill and intensification, where growth is directed appropriately, provides an opportunity to accommodate growth while making efficient use of existing infrastructure and services. Conservation Ontario offers the following responses below to the discussion questions provided through this consultation. It is understood that any specific policy proposals to address housing matters would be consulted on prior to the government making any additional changes.

Discussion Questions

Question 1: What are the biggest barriers and delays to diversifying the types of housing built in existing neighbourhoods?

- A significant barrier is identifying where additional density would be appropriate in an existing neighbourhood of competing interests and various constraints, such as natural hazards. The province is encouraged to work with municipalities and CAs to identify where intensification may be appropriate in order to pre-zone these areas for intensification. Conservation authorities could help to identify appropriate development locations outside of natural hazard areas,

including flooding and erosion hazards and which conform to the significant threat policies and designated Great Lakes policies found within source protection plans made under the *Clean Water Act*.

- To help facilitate pre-identifying these areas, provincial staff should be made available for pre-consultation meetings where provincial-level approvals will be required.

Question 2: What further changes to the planning and development process would you suggest to make it easier to support gentle density and build missing middle housing and multigenerational housing, in Ontario?

- The province could consider further delegation of some provincial approvals, such as Environmental Compliance Approvals associated with stormwater, (with appropriate financial and technical support) to local agencies, including conservation authorities, that may be more familiar with flooding and/or servicing issues in existing neighbourhoods and able to find solutions to make it easier to support this type of development.
- The province could convene working groups to share best management practices to support streamlining the housing development process. For example, Conservation Ontario will be participating in preliminary pilot project regarding e-permitting opportunities in Simcoe County.
- Work collaboratively with municipalities and CAs to identify areas that are subject to new, rapid growth. These areas should be targeted for provincial investment in watershed-scale (or subwatershed) studies to delineate where and how missing middle development can occur.

Question 3: Are you aware of innovative approaches to land use planning and community building from other jurisdictions that would help increase the supply of missing middle and multigenerational housing?

- Through Conservation Ontario's Client Service and Streamlining Initiative, one of the primary ways to streamline development approvals identified is to invest in high quality pre-consultation activities. The province could provide additional supports (e.g., guidelines) to the planning approval authorities to engage in comprehensive pre-consultation with applicants and approval agencies to contribute to faster approval times for missing middle housing.
- Sharing of best practices for pre-consultation, such as CAs' use of design charrettes, could make them more widely adopted and encourage a partnership approach to the development approval process. Emphasize quality pre-consultation and quality submissions through updated provincial, municipal and CA guidelines.
- Invest in e-permitting solutions, such as the Grand River Conservation Authority's online permit application process to enable other CAs to deploy similar systems. Through provincial leadership in data exchange standards (referenced previously) these CA systems could be integrated into municipal and provincial systems.
- Opportunities to increase missing middle housing will require collaboration among the sectors involved in the building, development, and approval process. We encourage the provincial government to consult with involved parties to investigate and find innovative solutions to increase housing affordability, including through missing middle, gentle density and multi-generational homes. All sectors will have to work together to address this housing crisis. For example, bringing municipalities, CAs, the development industry and the province together through regional planning forums allows local success stories to be shared and best practice networking to occur. These forums can be utilized to make our planning system more innovative and resilient

Question 4: Are there any other changes that would help support opportunities for missing middle and multigenerational housing?

- Conservation authorities are establishing a renewed relationship with municipalities as well as the province. The province can continue to support municipalities and CAs as they move through the transition period resulting from recent changes to the *Conservation Authorities Act* and associated regulations. This renewed relationship will help to streamline the housing development process overall and the increase in missing middle housing specifically.
- Update and harmonize the provincial Natural Hazard Technical Guides which support the modernization of the provincial land-use planning and CA regulatory processes.
- Continue the work of the Provincial Floodplain Mapping Technical Team lead by NDMNRF. Implementation of a provincial framework for floodplain mapping would provide clarity on areas where intensification could occur and where it should not occur due to lack of safe access or the presence of flooding hazards.
- We support the provincial work to create a unified data exchange framework. Conservation Ontario is a member of the One Ontario coalition which is working on this approach. Provincial leadership and investment are required for the design and implementation of a successful provincial e-permitting scheme.
- Update the 1993 provincial Watershed Planning Guidelines and finalize the recent draft Subwatershed Planning Guide (2022) based on Environmental Registry of Ontario feedback (ERO# 019-4978). Updated guidelines for subwatershed studies would assist municipalities, CAs, the development community and other agencies to define clear roles and responsibilities, streamline technical study requirements, compress timelines and facilitate approvals for new development.

Once again, thank you for the opportunity to provide comments on the “Opportunities to increase missing middle housing and gentle density, including support for multigenerational housing”. Conservation Ontario looks forward to being engaged by the province as they move forward with their housing supply action plans. Should you have any questions about this response, please contact me at extension 226.

Sincerely,



Leslie Rich, MES RPP
Policy and Planning Specialist

c.c. all CA GMs/CAOs

Conservation Ontario
120 Bayview Parkway, Newmarket ON L3Y 3W3
Tel: 905.895.0716 Email: info@conservationontario.ca
www.conservationontario.ca



April 29, 2022

Ministry of Municipal Affairs and Housing

Via: PlanningConsultation@ontario.ca

Re: **Conservation Ontario's Comments on the "Proposed Planning Act Changes (the proposed More Homes for Everyone Act, 2022)" (ERO #019-5284)**

To Whom it May Concern:

Thank you for the opportunity to provide comments on the "Proposed Planning Act Changes". Conservation Ontario is the network of Ontario's 36 conservation authorities (CAs). These comments are not intended to limit consideration of comments submitted individually by CAs through this consultation.

It is understood that Bill 109, the *More Homes for Everyone Act* includes amendments to the *Planning Act* as part of Schedule 5. This Bill received Royal Assent on April 14, 2022. Key amendments to the *Planning Act* include the establishment of a new Community Infrastructure and Housing Accelerator (CIHA) tool; requiring decisions on site plan applications to be delegated to staff; establishing regulation-making authority to prescribe complete application requirements for site plan applications and what cannot be required as a condition of subdivision approval; and requiring municipalities to partially refund application fees to applicants who do not receive a decision on certain types of *Planning Act* applications within legislated timeframes. Conservation Ontario has had an opportunity to review the [remarks](#) made by the Association of Municipalities of Ontario to the Standing Committee on the Legislative Assembly on Bill 109 on April 11, 2022 and are generally supportive of them.

Conservation Ontario offers the following comments on the changes to the *Planning Act*.

Require Municipalities to Partially Refund Application Fees to Applicants

Conservation Ontario is concerned that the new requirement to partially refund application fees to applicants who do not receive a decision within legislative timeframes may have a series of unintended consequences and not contribute to the faster delivery of housing. The review process is a fundamental component of the planning system in Ontario, providing necessary and value-added oversight to ensure such matters as the protection of human health and safety and the protection of sources of drinking water are considered. These reviews provide value to all Ontarians and help us to collectively maintain the high standard of living that we enjoy in this province.

Requiring municipalities to partially refund application fees to applicants may encourage rushed reviews leading to potential errors. Given that the *Planning Act* requires the approval agency to have regard to matters of provincial interest, careful consideration of applications is warranted. It is anticipated that this new requirement may result in stricter requirements for a municipality to consider an application complete, which Conservation Ontario supports. It is recommended that municipalities work closely with other approval agencies, including conservation authorities, to solidify their complete application requirements. Additionally, the province should consider future *Planning Act* amendments which will remove the requirement to refund application fees where applications are particularly complex. There should also be an onus put on the applicant to ensure a high-quality submission. The detailed review of supporting technical studies may take longer than the prescribed timelines when there are issues with submission quality.

The collection of application fees helps to offset the costs of review. There are existing legislative provisions within the *Planning Act* which prevent a municipality from charging a fee that exceeds the cost of processing an application. Prospective refunds will require a plan for dealing with revenue shortfall. Reducing fees collected by under-serviced planning departments may result in further delays in future approvals.

Establish a new Community Infrastructure and Housing Accelerator (CIHA) Tool

Conservation Ontario provided detailed comments on the “Community Infrastructure and Housing Accelerator – Proposed Guideline” (ERO #019-5285).

The fundamental principles of good land use planning are established within the Provincial Policy Statement. These principles should apply across the province as was originally intended by the *Planning Act* and not be limited in application to the Greenbelt Area. Conservation authorities provide mandatory programs and services and have a responsibility to address risks related to natural hazards and fulfilling their roles as source protection authorities under the *Clean Water Act*. It is therefore respectfully requested that the Minister continue, at minimum, to be in conformity with sections 2.1.4, 2.2.1 (f) and 3.1 of the Provincial Policy Statement to ensure that public health and safety is protected when issuing Community Infrastructure and Housing Accelerator Orders.

Requiring Delegation of Site Plan Applications to Staff

Conservation Ontario is supportive of the delegation of decisions on site plan applications to staff as a mechanism to expedite review and decision-making. Conservation authority staff will continue to provide comments on these applications to their municipal partners.

Extending site plan application review from 30 to 60 days

Conservation Ontario is supportive in principle of extending the timeline for reviewing site plan applications. It is noted that this extension is directly tied to the new requirement to refund fees should timelines not be met. Conservation Ontario has identified a number of concerns that the requirement to refund fees will not improve the timeliness of reviews nor will it result in the faster delivery of housing. It is recommended that future amendments to the *Planning Act* tackle issues regarding the quality of application submissions and include increased timeframes for complex applications.

Establish Regulation-Making Authority to Prescribe Complete Application Requirements for Site Plans and What Cannot Be Required As a Condition of Subdivision Approval

Conservation Ontario supports the proposal to prescribe complete application requirements for site plans as a mechanism to provide more certainty in the site plan process for the applicant, municipality and commenting agencies. It is noted that some site plan applications require critical technical studies to demonstrate how the proposed development can proceed in accordance with the legislative and regulatory requirements of the review agencies. For this reason, when complete application requirements for site plan applications are developed, conservation authorities should be directly consulted.

With regard to regulation-making authority to prescribe what cannot be required as a condition of subdivision approval, further consultation with CAs is required prior to moving forward with the regulation. Conservation authorities undertake mandatory programs and services at the direction of the province and need to ensure that the ability to request conditions related to those mandatory programs and services is not fettered. It is also noted that conditions of subdivision approval enable the planning authority to address local concerns and site conditions. It is recommended that any regulation made by the Minister include opportunities to include conditions related to natural hazards, water quality and quantity and the protection of sources of drinking water.

Establishing a One-Time Discretionary Authority to Reinstate Draft Plans of Subdivision That Have Lapsed

Conservation Ontario does have some concerns with this revision to the *Planning Act*. In some cases, conservation authorities and municipalities have undertaken updated floodplain mapping which may influence the ability to develop on a property. This discretionary authority should include the ability for municipalities and approval agencies to amend existing or release new draft conditions or request a new application entirely where new hazard information has been released.

Establishing Regulation-Making Authority to Require Public Reporting on Development Applications / Approvals

Conservation Ontario is supportive of transparent service delivery, including public reporting. Should these reports include information regarding the service delivery of commenting agencies, including conservation authorities, then those agencies should be given an opportunity to review and provide input on those reports prior to them being released to the public.

Providing the Minister with New Discretionary Authorities When Making Decisions

Conservation Ontario acknowledges the ability of the Ontario Land Tribunal (OLT) to weigh issues related to Official Plan matters and to make decisions based on principles of good planning when additional support or input is required by the Minister in decision-making. It is unclear if enabling the Minister to make referrals to the Tribunal will create an ability for others to seek party status. It is also noted that the OLT currently has a significant backlog. This may increase the pressure on municipalities and other approval agencies by requiring them to participate in additional Tribunal hearings. It is unclear how this amendment to the *Planning Act* will expedite the Official Plan review and approval process.

Once again, thank you for the opportunity to provide comments on the “Proposed Planning Act Changes (The proposed More Homes for Everyone Act, 2022)”. Conservation Ontario looks forward to engaging

with the province as they move forward with their housing supply action plans to ensure that public health and safety continue to be held to a high degree of importance, while looking towards solutions to deliver housing in a timely matter. Should you have any questions about this response, please contact me at extension 226.

Sincerely,

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

Leslie Rich, MES, RPP

Policy and Planning Specialist

Conservation Ontario
120 Bayview Parkway, Newmarket ON L3Y 3W3
Tel: 905.895.0716 Email: info@conservationontario.ca
www.conservationontario.ca



April 29, 2022
Ministry of Municipal Affairs and Housing
Via: planningconsultation@ontario.ca

Re: Conservation Ontario's Comments on "Seeking Feedback on Housing needs in Rural and Northern Municipalities" (ERO #019-5287)

To whom it may concern:

Thank you for the opportunity to provide comments on "Seeking Feedback on Housing Needs in Rural and Northern Municipalities". Conservation Ontario is the network of Ontario's 36 conservation authorities (CAs). These comments are not intended to limit consideration of comments submitted individually by CAs through this consultation.

Conservation Ontario recognizes the importance of supporting a range of housing options, as well as increasing the overall supply of housing in rural and northern municipalities. Having appropriate land use planning safeguards in place is essential for the overall health of Ontario and Ontarians in these areas. This includes having access to safe drinking water, directing development outside of hazard areas and having access to high quality greenspace, including conservation areas. An integrated watershed management approach can protect public health and safety while facilitating quicker development approvals and more housing supply in Ontario. Rural and northern municipalities face specific barriers as it relates to attracting and retaining talent as well as drawing from a smaller tax base to undertake the necessary studies to ensure that development is directed towards the most appropriate places. Provincial supports, including funding and personnel are required to ensure that land use planning safeguards are applied equally across the province.

Conservation Ontario offers the following responses below to the discussion questions provided through this consultation. It is understood that any specific policy proposals to address the unique housing needs of rural and northern municipalities would be consulted on prior to the government making any additional changes.

Discussion Questions

Question 1: What are the key barriers impacting your municipality in meeting its housing needs that may be unique to northern and rural communities?

Generally, there are various factors which may create barriers to providing a range of housing in rural and northern areas. Depending on the local context, these may include: limited infrastructure in place to support new housing development (water / wastewater), large minimum lot sizes for individual homes, limited development opportunity in smaller rural communities (small settlement areas), and a limited number of severances permitted on large acreage properties.

Further, consistent with the Provincial Policy Statement, 2020, development must be directed outside of natural hazard areas to safeguard public health and impacts from flooding, erosion, and other hazardous sites. Where a Conservation Authority exists in these rural and northern areas, natural hazard mapping and hazard identification is undertaken, which can assist to appropriately direct development outside of hazard areas. However, it is recognized that mapping in areas not undergoing significant development may be outdated (e.g., require additional detailed studies) or, where no CA exists, mapping may not be readily available. To ensure development in rural and northern areas can occur in a timely manner, the Province is encouraged to continue the work of the Provincial Floodplain Mapping Technical Team led by NDMNRF. Implementation of a provincial framework for floodplain and other hazard mapping would provide clarity on areas where future development and intensification could occur and where it should not occur due to lack of safe access or the presence of flooding hazards. In addition, the Province is encouraged to assist northern and rural communities with providing matching funding for federal grants for floodplain mapping.

Question 2: What kind of flexibility is needed to address housing needs in your municipality?

Provincial support and leadership through updating of technical guidance for natural hazard mapping can increase certainty of where development can be permitted. Having hazard areas clearly delineated saves landowners and housing developers time; can result in more robust / comprehensive studies that may be required to support housing development; and result in safer, more affordable developments.

Question 3: What potential tools or policies could the government consider to address housing needs in your municipality while balancing other provincial priorities?

Conservation Ontario is supportive of the listed examples for opportunities to support rural and northern municipalities' housing needs, including promoting affordable and appropriate worker housing; lot creation in rural and agricultural areas; additional residential units and rental housing; options for vulnerable populations; and flexibility to facilitate municipal infrastructure provided that the appropriate safeguards are in place. It is important that these opportunities uphold other provincial priorities such as supporting and protecting prime agricultural areas, natural heritage and water resources and systems and protecting public health and safety (i.e., natural and human made hazards and sources of drinking water). In addition to the examples provided, Conservation Ontario offers the following potential tools or policies for consideration to address housing needs in these areas:

- Explore opportunities to “pre-zone” areas for increased housing supply based on provincial, municipal and conservation authority regulation mapping to better highlight the amount of land available which is suitable for housing development and to facilitate faster approvals. Conservation authorities could help to identify appropriate development locations outside of natural hazard areas, including flooding and erosion hazards and which conform to the significant threat policies and designated Great Lakes policies found within source protection plans made under the *Clean Water Act*. Explore re-defining limits of settlement areas in rural and northern municipalities in that context;
- Consider providing flexibility in Official Plans / Zoning By-Laws to allow for additional severances on large rural properties (and allowing secondary dwellings);
- Promote pre-consultation opportunities with all planning authorities (municipalities, CAs, the Province, etc.) to discuss development proposals and identify potential barriers or constraints early in the process. The Province could provide additional supports (e.g., guidelines) to the planning approval authorities to engage in comprehensive pre-consultation with applicants and approval agencies to contribute to faster approval times for missing middle housing;
- Update and harmonize the provincial Natural Hazard Technical Guides to assist conservation authorities and other planning authorities in identifying and delineating hazard features; and,

- Consider enhanced funding to municipalities and CAs to complete comprehensive watershed/subwatershed plans which identify and address key natural hazard and heritage features and systems. Studies should address impacts on the watershed features and systems related to development and servicing, including wastewater and stormwater management. To support this tool, the Province is encouraged to update the 1993 provincial Watershed Planning Guidelines and finalize the recent draft Subwatershed Planning Guide (2022) based on Environmental Registry of Ontario feedback (ERO# 019-4978).

Question 4: Do you have other suggestions for ways to improve housing supply and needs in rural and northern municipalities?

It is recommended that the Province, municipalities, and CAs (where they exist in rural and northern areas) work in a coordinated manner to proactively identify suitable areas for increased housing supply in these areas. Through their regulatory requirement to ensure decisions under the *Planning Act* are consistent with the natural hazards policies in the policy statements issued under section 3 of the *Planning Act*, CAs work with their municipal partners and local planning boards, as well as rural and northern landowners to delineate natural features and hazard limits. The delineation of these features and limits, based on surveys and technical studies, ensures the protection of public health and safety while proactively identifying opportunities and potential constraints for development. Planning authorities and regulators are encouraged to work in a coordinated manner to ensure these opportunities and potential constraints are identified early in the development process to limit potential barriers later on. Tools and policies such as comprehensive watershed / subwatershed plans, robust pre-consultation with landowners and developers, as well as updated floodplain and natural hazard mapping will ensure potential constraints can be identified and addressed early in the process, ultimately facilitating faster approvals for housing.

Once again, thank you for the opportunity to provide comments on the “Seeking Feedback on Housing Needs in Rural and Northern Municipalities” (ERO#019-5287). Conservation Ontario looks forward to being engaged by the Province as they move forward with their housing supply action plans. Should you have any questions about this response, please contact me at extension 226.

Sincerely,



Leslie Rich, MES RPP
Policy and Planning Specialist

c.c. all CA GMs/CAOs

Conservation Ontario
120 Bayview Parkway, Newmarket ON L3Y 3W3
Tel: 905.895.0716 Email: info@conservationontario.ca
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Report To: Board of Directors

Subject: Gonder's Flats Wetland Enhancement Project

Report No: FA-17-22

Date: May 20, 2022

Recommendation:

THAT Report No. FA-17-22 RE: Gonder's Flats Wetland Enhancement Project **BE RECEIVED.**

Purpose:

The purpose of this report is to inform the Board about a collaborative, partnership-based project to enhance a 1.5 ha (4 ac) wetland adjacent to the Niagara River.

Background:

The property known locally as Gonder's Flats is directly adjacent to the Niagara River in Fort Erie, Ontario. The site was donated to the Niagara Parks Commission in the 1930s and is currently degraded due to historic manipulation of the land and hydrology (e.g., installation of a service road and associated drainage ditches) and arrival of the invasive Emerald Ash Borer which decimated the Ash-dominated tree canopy. With the archeological assessment and engineer design for the wetland project having been previously completed by Niagara Parks Commission, this project was considered shovel-ready for funding applications.

The Niagara River was designated a degraded environmental "hotspot" referred to as a Great Lakes Area of Concern) in the late 1980s mainly due to habitat loss and water quality issues. Since 1999, the NPCA has been the coordinating agency of the Niagara River Remedial Action Plan (NRRAP) working with several local partners (including the Niagara Parks Commission) to meet the major environmental goal of restoring the Niagara River's water quality and ecosystem health.

A key goal of the NRRAP is to restore coastal wetland habitat along the Niagara River. Wetlands are critical for maintaining local biodiversity, mitigating the impacts of climate change, and supporting life cycle needs for birds, amphibians, plants. A 2015 Niagara River assessment determined that approximately 75% of historic coastal and adjacent wetlands were lost due to past management practices of shoreline hardening, infilling, and infrastructure development. Currently, there is no marsh type habitat left adjacent to the Niagara River.

This project offers a unique opportunity for creating a large-scale, nearshore wetland habitat project within the context of a multi-stakeholder partnership along a Great Lakes connecting channel. There are no other similar projects of this scale and geographic location within the Niagara Peninsula watershed. Completion of this wetland project brings the NRRAP one step closer to being delisted as an Area of Concern.

Discussion:

The Gonder's Flats wetland enhancement project involves the excavation of a 1.5 ha (4 ac) pond, creation of berms using excavated soils over the 2.5 ha (6 ac) site to create a varied topography, removal of hazard trees and invasive species, planting of native vegetation within and surrounding the wetland, the addition of wildlife habitat structures (e.g., basking logs), and an accessible walking trail with educational signage.

The Gonder's Flats wetland enhancement project is required to improve critical nearshore wetland habitat adjacent to the Niagara River and help the NPCA and its partners achieve the NRRAP's habitat improvement goals. Since 2016, the Niagara Parks Commission, with support from the federal and provincial government, has restored 7 coastal wetland sites identified along the Niagara River resulting in approx. 7.5 ha (18.5 ac) of wetland habitat created and 1,580 m of shoreline restored. In addition, the NPCA (with financial support from the Government of Canada) collaborated with Niagara Parks Commission from 2020-2022 to identify high priority sites requiring planted vegetated riparian buffers or management actions (e.g., no-mow zones) along the upper Niagara River as part of the NRRAP's Delisting Strategy.

A collaborative approach is the key to this project's success with key partners taking on various roles to build capacity and achieve goals. NPCA has taken a lead role in initiating the project and successfully bringing together several key partners to garner funding, maximize expert knowledge and skills, and continue to build important relationships with the watershed community. So far, the NPCA has obtained support from Niagara Parks Commission (landowner), Ducks Unlimited Canada, Land Care Niagara, Niagara Community Foundation, Town of Fort Erie, Birds Canada, Niagara Falls Nature Club, and Bert Miller Nature Club.

The total cost of this project is estimated at \$233,000 (cash and in-kind). Through its restoration grant program, the NPCA is providing up to \$45,000 to the project (approved through Report FA-01-22). NPCA, with support from partners, has submitted 4 funding applications to reduce its cash contributions for this project. To date, 1 application was successful with two more pending confirmation. In total, NPCA has successfully secured an additional \$80,000 toward the implementation of this project thanks to contributions from Ducks Unlimited Canada, Land Care Niagara, and the Niagara Community Foundation. The NPCA and Niagara Parks Commission are providing in-kind support valued at (\$39,500 and \$65,000, respectively). Local non-government organizations (Birds Canada, Niagara Falls Nature Club, and Bert Miller Nature Club) will also provide in-kind contributions through their involvement in community plantings and future site monitoring.

Wetland restoration is set to begin in July 2022 and be completed by October 2022.

Financial Implications:

Through its restoration grant program, the NPCA is providing up to \$45,000 cash toward project implementation and \$39,500 of in-kind support. Two funding applications were submitted in Q1-2022 and awaiting confirmation to further reduce the NPCA's cash contribution. The total project cost is estimated at \$233,000.

Related Reports:

FA-01-22 RE: 2021 Restoration program highlights and 2022 restoration project approvals

Links to Policy/Strategic Plan:

Restoring habitat, water resources, and forest cover is identified as a priority as part of the NPCA's 10-year strategic plan (goal 1.3). Additionally, the project advances the Niagara River RAP's habitat improvement goals, provides access to greenspace and connections to nature (goal 3.1), supports volunteerism (goal 3.2), and strengthens relationships with government, academic, and community partners to advance mutual goals (goals 4.1 and 4.2).

Authored by:

Original Signed By:

Natalie Green, M.Sc., PMP
Manager, Climate Change and Special Programs

Reviewed by:

Original Signed By:

Leilani Lee-Yates, BES, MSPL.RPD, MCIP, RPP
Interim Director, Watershed Strategies & Climate Change

Reviewed by:

Original Signed By:

Lise Gagnon, CPA, CGA
Director, Corporate Services

Submitted by:

Original Signed By:

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

Report To: Board of Directors

Subject: European Water Chestnut Rapid Response Program

Report No: FA-19-22

Date: May 20, 2022

Recommendation:

THAT Report No. FA-19-22 RE: European Water Chestnut Rapid Response Program **BE RECEIVED.**

Purpose:

The purpose of this report is to inform the Board of Directors about a collaborative program between the Invasive Species Centre (ISC), Ontario Federation of Anglers and Hunters (OFAH), and the Niagara Peninsula Conservation Authority (NPCA) – the Rapid Response Program to control the spread of European water chestnut (*Trapa natans*) in the Welland River.

Background:

European water chestnut (EWC) is an invasive floating aquatic plant that is native to Europe, Asia and Africa. Outside of its natural range, the plant will form dense mats that shade out native vegetation, decreasing plant biodiversity, and making recreational activities like swimming, boating, and angling almost impossible in the infested areas. The hard nuts or seeds of this plant have barbed spines that are painful when touched or stepped on. The EWC is a prohibited species in Ontario under the Invasive Species Act (2015); therefore, it is illegal to import, possess, release, transport, breed/grow, sell, lease or trade.

The EWC was discovered in the Welland River between the City of Welland and the Town of Wellandport in 2021 by local paddlers and reported through the Early Detection & Rapid Response (EDDR) Network app. EDDR is defined as a coordinated set of actions to find and eradicate potential invasive species in a specific location before they spread and cause harm. This was the first known occurrence of the EWC in the Welland River and the detection triggered a response from the Invasive Species Centre.

The Invasive Species Centre (ISC) is a not-for-profit organization that connects stakeholders, knowledge, and technology to prevent the introduction and spread of invasive species that harm Canada's environment, economy and society. The ISC contacted the NPCA in the fall of 2021 to discuss potential collaboration via access to the Welland River at EC Brown Conservation Area and

Chippawa Creek Conservation Area, as well as potential biomass disposal/control sites on NPCA properties and participation in the Welland River Collaborative.

Discussion:

The European Water Chestnut Rapid Response Program is a new project at the Invasive Species Centre (ISC) to organize a field team to control EWC in the Welland River. Authorization to remove EWC in the Welland River is provided by the Ministry of Natural Resources and Forestry which will be coordinated by ISC. Funding to support the program has been coordinated through various grants by ISC and OFAH. ISC has been working with Ducks Unlimited and Voyageur Provincial Park to develop best practices for the control of EWC as they have been working to eradicate it in other parts of Ontario.

ISC coordinated the production and installation of EWC signage at three (3) key water access points along the Welland River: Chippawa Creek Conservation Area, EC Brown Conservation Area, and the Wellandport Community Centre Boat Launch. They will also be coordinating a Welland River Collaborative and a River Watchers group, including NPCA, municipalities along the Welland River, Peninsula Paddlers, Bert Miller Nature Club, and Niagara College. The Collaborative will be facilitated by ISC and will work together to develop program plans and budgets for the project. The River Watchers will be a community group that will help coordinate paddling tours and engagement to teach the community how to identify and report EWC.

The field program to actively remove EWC will run from end of June 2022 to September 2022. The ISC is working with OFAH to hire four (4) Invasive Species Field Technicians through the OFAH Hit Squad program. The NPCA has agreed to provide equipment storage for the Hit Squad team, as well as a “home base” at the Chippawa Creek Conservation Area. The students will be employed by OFAH, and all training and equipment for the students will be provided by OFAH.

Forms of co-operation between ISC, NPCA and OFAH:

- joint teaching/training and supervision of summer hires
- participation in the Welland River Collaborative
- co-host River Watchers paddling tours and outreach events
- creation of biomass disposal plan
- joint communications, outreach and engagement activities

NPCA commitment:

- site-specific training for Hit Squad team
- access to the Welland River at EC Brown and Chippawa Conservation Areas
- equipment storage for the Hit Squad team and facility use (e.g. parking)
- monthly meetings with ISC
- community outreach and engagement activities (sharing on social media, paddling tour, etc.)
- locations for biomass disposal of EWC at EC Brown and Chippawa Creek
- participation in the Welland River Collaborative
- provide letters of support for funding applications

Financial Implications:

There are no financial implications to the NPCA for this program. The NPCA is providing in-kind support for the program through staff time and facility use.

Links to Policy/Strategic Plan:

The EWC Rapid Response Program supports all NPCA strategic priorities, especially Partner of Choice and Healthy and Climate Resilient Watersheds due to the collaborative nature of this program and the focus on the protection of the Welland River ecosystem.

Related Reports and Appendices:

Appendix 1: European Water Chestnut Factsheet

Authored by:

Original Signed by:

Kerry Royer, B.Sc
Coordinator, Community Engagement

Reviewed by:

Original Signed by:

Rebecca Hull
Manager, Strategic Business Planning & Public Relations

Submitted by:

Original Signed by:

Chandra Sharma
Chief Administrative Officer/Secretary-Treasurer

European Water Chestnut

(*Trapa natans*)



Floating mat of European water chestnut in Voyageur Provincial Park.

Photo courtesy of Francine MacDonald, Ontario Federation of Anglers and Hunters (OFAH).

European water chestnut is an invasive aquatic plant that has been introduced to a section of the Ottawa River in eastern Ontario within Voyageur Provincial Park. The plant is native to Europe, Asia and Africa, and is used in North America as an ornamental water garden plant. Although it's not certain how the plants arrived in the Ottawa River, it could possibly be the result of a water garden plant(s) being improperly released or a boat contaminated with water chestnut being launched within or near the park.

Range

Water chestnut was introduced into North America sometime before 1879 by a gardener at the Cambridge Botanical Garden in Massachusetts. The gardener reported planting it in several ponds. Since then, water chestnut has spread to other states in the northeast. It has also been found in Quebec, and in tributaries of the Niagara River and Lake Ontario in New York State. The population in the Ottawa River is the only known population in Ontario.

Impacts of Water Chestnut

Water chestnut populations in the Ottawa River, as well as neighbouring provinces and states have become a serious nuisance causing a number of impacts, including:

- Forms extremely dense floating mats of vegetation that shade out native vegetation, decreasing plant biodiversity, and making recreational activities like

swimming, angling, and boating almost impossible in the infested areas.

- The hard nuts with barbed spines can accumulate on shore and cause injury when stepped on.
- Reduced light penetration and plant growth beneath the water chestnut canopy, combined with a large amount of decomposing vegetation below, can lead to decreased dissolved oxygen levels, which can impact native species and cause fish kills.

Since the water chestnut population in the Ottawa River is the only known population in Ontario, it's very important that we put every effort towards removing this plant before it spreads to other locations. The Ministry of Natural Resources, with support from partnering agencies, are working to eradicate water chestnut from the Ottawa River by pulling the plants by hand, with rakes and mechanical harvesters. Efforts to control this new invader are ongoing.

How to Identify Water Chestnut

Water chestnut has an appearance unlike any other plant species in Ontario. Features that can be used to identify water chestnut include:

- Floating leaves.
- The leaves are green, with sharply toothed edges.
- The leaves form a densely crowded rosette up to 30 cm in diameter.
- The leaf stems are up to 15 cm long, with a spongy swollen section that helps the plant float.
- Underwater leaves are feather-like with finely dissected leaf segments.
- The flowers are small (8 mm long), white, and have four petals.
- Produces a hard “woody” nut (seed), 3-4 cm wide with sharp barbed spines. Viable seeds are greenish brown and sink to the bottom. Older seeds are black, floating, and are not viable.
- The nuts bear no resemblance to the “water chestnut” used in Asian cooking.



Water chestnut rosette.

Photo courtesy of Francine MacDonald, OFAH.

What Can I Do

- Learn how to identify European water chestnut and how to prevent accidentally spreading the plants and seeds. This is especially important if you are planning to do work or participate in recreational activities in the Ottawa River in the area that contains water chestnut.
- Do not plant European water chestnut in your water garden. Water gardeners should use only native or non-invasive plants and are encouraged to ask garden centres for plants that are not invasive.
- Never release unwanted aquarium plants or pets into any waterbody. Return or donate unwanted plants or pets to a pet store or garden center, a school or a friend.
- Always inspect your boat and boating equipment, and remove any plants or animals that are visible before leaving the waterbody.
- To prevent spreading plants and seeds to new locations avoid boating through the area around the Ottawa River that contains European water chestnut.
- Report sightings to the Invading Species Hotline 1-800-563-7711 or visit www.invadingspecies.com



Barbed water chestnut nut in Voyageur Provincial Park.

Photo courtesy of Eric Snyder, MNR.

Other Resources

www.ontarioinvasiveplants.ca

ontario.ca/invasivespecies

www.invadingspecies.com

For More Information:

Please contact the Invading Species Hotline at 1-800-563-7711.

Cette publication est également disponible en français.



Manual removal of water chestnut from Voyageur Provincial Park.

Photo courtesy of Francine MacDonald, OFAH.



**GOVERNANCE COMMITTEE
ONLINE VIDEO CONFERENCE
AND IN-PERSON
MEETING MINUTES**

**Niagara Peninsula Conservation Authority
Main Office Boardroom
250 Thorold Road, Welland, ON**

**Thursday, May 12, 2022
9:30 a.m.**

MEMBERS PRESENT:	J. Ingrao, Chair R. Brady (departed at 10:40 a.m.) R. Foster B. Johnson K. Kawall B. Mackenzie M. Woodhouse
MEMBERS ABSENT:	B. Clark E. Smith
STAFF PRESENT:	C. Sharma, Chief Administrative Officer / Secretary - Treasurer G. Bivol, Clerk A. Aldworth, Planning Ecologist T. Bukovics, Planning Ecologist D. Deluce, Senior Manager, Planning and Development L. Gagnon, Director, Corporate Services L. Lee-Yates, Director, Watershed Management A. Parks, Manager, Planning Ecology
ALSO PRESENT:	J. Hellinga, NPCA Board Member

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

1. APPROVAL OF AGENDA

Recommendation No. GC-11-2022

Moved by Member Brady

Seconded by Member Woodhouse

THAT the Revised Governance Committee agenda dated Thursday, May 12, 2022 **BE APPROVED** as presented.

CARRIED

2. DECLARATIONS OF CONFLICT OF INTEREST

None declared.

3. APPROVAL OF THE MINUTES

- a) Minutes of the NPCA Governance Committee meeting dated March 31, 2022

Recommendation No. GC-12-2022

Moved by Member Mackenzie

Seconded by Member Woodhouse

THAT the minutes of the meeting of the NPCA Governance Committee dated March 31, 2022 **BE ADOPTED**.

CARRIED

4. CORRESPONDENCE

None.

5. PRESENTATIONS

None.

6. DELEGATIONS

None.

7. CONSENT ITEMS

None.

8. DISCUSSION ITEMS

PowerPoint Presentation RE: Policies for the Administration of Ontario Regulation 155/06 and the Planning Act, (May 1, 2020 Consolidation) Phase 2 Policy Review Interim s. 28 EIS Guideline and Wetlands Procedure Document - Leilani Lee-Yates, Director, Watershed, Adam Aldworth, Planning Ecologist, Theresa Bukovics, Planning Ecologist, Amy Parks, Manager, Planning Ecology and David Deluce, Senior Manager, Planning and Development presented via PowerPoint and provided an overview on policy documents contained in Reports No. GC-06-22 and Report No. GC-07-22. Members posed questions and issued comment on the documents contained within the reports.

Recommendation No. GC-13-2022

Moved by Member Johnson

Seconded by Member Woodhouse

THAT the PowerPoint Presentation RE: Policies for the Administration of Ontario Regulation 155/06 and the Planning Act, (May 1, 2020 Consolidation) Phase 2 Policy Review Interim s. 28 EIS Guideline and Wetlands Procedure Document **BE RECEIVED**.

CARRIED

- a) Report No. GC-06-22 RE: NPCA Draft Interim Section 28 Environmental Impact Study Guideline

Recommendation No. GC-14-2022

Moved by Member Kawall

Seconded by Member Mackenzie

THAT Report No. GC-06-22 RE: NPCA Draft Interim Section 28 Environmental Impact Study Guideline with attached Appendix 1, "Niagara Peninsula Conservation Authority (NPCA) Draft Interim Environmental Impact Study Guideline for the Implementation of s. 28 of the Conservation Authorities Act and O. Reg. 155/06", prepared by NPCA staff and dated May 9, 2022, **BE RECEIVED** for Governance Committee input and review prior to Board of Directors approval.

CARRIED

- b) Report No. GC-07-22 RE: NPCA Draft Interim Wetlands Procedure Document

Recommendation No. GC-15-2022

Moved by Member Woodhouse

Seconded by Member Kawall

THAT Report No. GC-07-22 RE: NPCA Draft Interim Wetlands Procedure Document with attached Appendix 1, "Niagara Peninsula Conservation Authority (NPCA) Draft Interim Wetlands Procedure Document for the Implementation of s. 28 of the Conservation Authorities Act and O. Reg. 155/06", prepared by NPCA staff and dated May 9, 2022, **BE RECEIVED** for Governance Committee review and input prior to Board approval.

CARRIED

- c) Regulatory and Policy Proposals (Phase 2) under the Conservation Authorities Act, ERO #019-4610 – Ms. Chandra Sharma offered a verbal update to the Committee. Board Chair Foster commented on the forthcoming provincial appointment to the Board and indicated he would provide the Board with an update on discussion in respect of future Board composition.

Recommendation No. GC-16-2022

Moved by Member Woodhouse

Seconded by Member Mackenzie

THAT the verbal update by C.A.O. Chandra Sharma RE: Regulatory and Policy Proposals (Phase 2) under the Conservation Authorities Act, ERO #019-4610 **BE RECEIVED**.

CARRIED

9. NEW BUSINESS

None.

10. ADJOURNMENT

Recommendation No. GC-17-2022

Moved by Member Kawall

Seconded by Member Mackenzie

THAT the Governance Committee meeting **BE** hereby **ADJOURNED** at 11:03 a.m..

CARRIED

John Ingrao,
Committee Chair

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