

NIAGARA PENINSULA CONSERVATION AUTHORITY
Board of Directors Meeting
November 15, 2024, 9:00am
Carolinian Hall
3350 Merrittville Hwy., Thorold ON
AGENDA

CALL TO ORDER – ROLL CALL

The Niagara Peninsula watershed is situated within the traditional territory of the Haudenosaunee, Attiwoonderonk (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.

1. APPROVAL OF AGENDA

2. DECLARATIONS OF CONFLICT OF INTEREST

3. APPROVAL OF MINUTES

3.1. Minutes of the Full Authority Meeting dated, October 18, 2024

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4. CHAIR'S UPDATE

5. CORRESPONDENCE

5.1. Correspondence dated October 18, 2024 from North Bay – Mattawa Conservation Authority RE: Recommended phase-out of free well water testing in the 2023 Auditor General's Report

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5.2. Notice of Public Information Centre: Lyons Creek East Sediment Management Planning, Tuesday, November 19, 2024

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5.3. Correspondence dated November 7, 2024 from the City of Hamilton RE: 2025 Budget Submissions for the Niagara Peninsula Conservation Authority

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6. PRESENTATIONS

7. DELEGATIONS

7.1. Directors Challenge – Barbara Greenwood, Chair, NPCF

8. CONSENT ITEMS

8.1. Report No. FA-55-24 RE: Compliance and Enforcement Q3 Statistics

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8.2. Report No. FA-53-24 RE: NPCA Insurance Coverage

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9. DISCUSSION ITEMS

9.1. Report No. FA-54-24 RE: 2025 Fee Schedule

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9.2. Report No. FA-58-24 RE: Financial Report – Q3 – 2024

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9.3. Report No. FA-57-24 RE: Agreement of Services between the Corporation of the Town of Niagara-on-the-Lake and Niagara Peninsula Conservation Authority

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9.4. Report No. FA-56-24 RE: 2025 Meeting Schedule

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10. COMMITTEE REPORTS

11. MOTIONS

12. NOTICES OF MOTION

13. NEW BUSINESS

13.1 Verbal update RE: Niagara Peninsula Conservation Foundation

14. CLOSED SESSION

14.1. Litigation or potential litigation, including matters before administrative tribunals, affecting the NPCA (Compliance and Enforcement Matters – Verbal Update)

14.2. Advice that is subject to solicitor-client privilege, including communications necessary for that purpose (Planning and Development Matters – Verbal Update)

15. ADJOURNMENT

NIAGARA PENINSULA CONSERVATION AUTHORITY
Board of Directors Meeting
October 18, 2024, 9:00a.m.
Carolinian Hall
3350 Merrittville Hwy., Thorold ON
MINUTES

MEMBERS PRESENT: J. Metcalfe, Chair
S. Beattie, Vice Chair
D. Cridland
R. Foster (departed 9:49a.m.)
B. Grant
D. Huson
P. O'Neill (arrival 9:33a.m.)
M. Seaborn
A. Witteveen

MEMBERS ABSENT: B. Clark
M. Tadeson

STAFF PRESENT: L. Lee-Yates, CAO/Secretary-Treasurer
E. Baldin, Manager, Land Planning
B. Buggeln, Manager, Natural Hazard Management and Resiliency
A. Christie, Director, Conservation Areas
C. Coverdale, Manager, Financial Services
M. Davis, Manager, Office of the CAO & Board
D. Deluce, Director, Planning & Development
L. Gagnon, Director, Corporate Services
E. Gervais, Manager, Corporate Support Services
K. Royer, Specialist, Conservation Area Land Planning
G. Shaule, Administrative Assistant
G. Verkade, Senior Manager, Integrated Water Strategies
S. Zavarella, Manager, Communications & PR

OTHERS PRESENT:

The meeting was called to order at 9:02 a.m.

1. APPROVAL OF AGENDA

Chair Metcalfe noted that Item 9.1 is related to Item 6.1 and suggests they be addressed consecutively.

Resolution No. FA-104-2024

Moved by: Stew Beattie

Seconded by: Michelle Seaborn

THAT agenda for the Full Authority Board meeting held on October 18, 2024 **BE AMMENDED** to address Item 9.1 immediately after Item 6.1.

CARRIED

2. DECLARATIONS OF CONFLICT OF INTEREST

None.

3. APPROVAL OF MINUTES

Resolution No. FA-105-2024

Moved by: Stew Beattie

Seconded by: Brian Grant

THAT the Minutes of the Full Authority Meeting Minutes dated September 20, 2024 **BE APPROVED**.

CARRIED

4. CHAIR'S UPDATE

- On September 25, 2024, over 100 high school students from 7 schools across both school boards gathered at Old Fort Erie for the first Niagara Great Lakes Student Conference to learn about fishes of the Great Lakes, invasive species, climate change impacts, species at risk, Indigenous relations to water, and water quality. Chair Metcalf thanked staff and partners that championed this collaborative event.
- Volunteers, staff, and Board Members were acknowledged for their efforts in bringing together the 50th Anniversary of the Ball's Falls Thanksgiving Festival together. Gratitude was expressed to Mayor Easton and Heritage Committee Chair, Scott Foster, at the Town of Lincoln, for hosting the heritage designation ceremony at the Thanksgiving Festival Opening.
- NPCA and Niagara Region partnered to plant 1,000 trees at Waterworks Park on October 17, 2024. The event was a rewarding endeavour for staff and volunteers in attendance. Niagara Peninsula Conservation Foundation's support for this collaborative initiative was greatly appreciated.
- The Chair welcomed Member Witteveen to the Full Authority Board for his first meeting.
- Chair Metcalfe yielded the floor to CAO/Secretary-Treasurer Lee-Yates to introduce NPCA's new Manager, Natural Hazards Management & Resiliency, Brendan Buggeln.

5. CORRESPONDENCE

5.1. Correspondence dated September 20, 2024 from the Town of Bradford West Gwillimbury RE: Ontario Deposit Return Program

Discussion ensued regarding the impact of sustainable practices outlined in the correspondence. Member Cridland proposed a motion for consideration.

Resolution No. FA-106-2024

Moved by: Robert Foster

Seconded by: Brian Grant

WHEREAS NPCA has committed to demonstrating leadership in addressing climate change and sustainable practices through its lands and operations;

WHEREAS NPCA's corporate climate change action plan strives to reduce the NPCA's climate impacts and carbon footprint;

WHEREAS the Ontario Deposit Return Program has successfully incentivized the recycling of alcoholic beverage containers, resulting in the removal of over 204,000 tonnes of greenhouse gas emissions;

WHEREAS the Ministry of Environment, Conservation and Parks has indicated consideration of adopting a deposit-and-return system for nonalcoholic beverages;

BE IT RESOLVED THAT the Correspondence dated September 20, 2024 from the Town of Bradford West Gwillimbury RE: Ontario Deposit Return Program **BE RECEIVED**.

AND THAT the NPCA **ENDORSE** the expansion of the Ontario Deposit Return Program to include nonalcoholic beverage containers;

AND FURTHER THAT the endorsement **BE CIRCULATED** to the Ministry of the Environment, Conservation and Parks, and municipalities within the watershed for information.

CARRIED

6. PRESENTATIONS

6.1. 2025 Draft Budget and Municipal Levies

Presentation provided by Director, Corporate Services, Lise Gagnon. Discussion ensued regarding long-term projections, mitigation strategies, and leveraging external funding.

Resolution No. FA-105-2024

Moved by: Donna Cridland

Seconded by: Brian Grant

THAT Item 6.1. 2025 Draft Budget and Municipal Levies presentation **BE RECEIVED**.

CARRIED

9.1. Report No. FA-FA-24 RE: 2025 Draft Budget and Municipal Levies

Chair Metcalfe noted that a weighted vote will be conducted in accordance with Ontario Regulation 402/22 under the *Conservation Authorities Act*.

Manager, Office of the CAO & Board, Melanie Davis, conducted a roll call and provided members present with the value of their weighted vote.

Resolution No. FA-108-2024

Moved by: Brian Grant

Seconded by: Donna Cridland

THAT Report No. FA-50-24 RE: 2025 Draft Budgets and Municipal Levies **BE RECEIVED**;

THAT the 2025 Draft Budgets & Municipal Levies **BE APPROVED BY WEIGHTED LEVY VOTE** for discussion with municipal staff, in accordance with Board approved Budget Assumptions;

THAT the list of 2025 unfunded pressures **BE PROVIDED** to partner municipalities for any future opportunities outside the 2025 budget through collaborative projects or external funding;

AND FURTHER THAT NPCA staff **REPORT** the results of discussions with municipal staff to the 2025 Q2 Finance Committee and Board of Directors meetings.

CARRIED UNANIMOUSLY

7. DELEGATIONS

None.

8. CONSENT ITEMS

None.

9. DISCUSSION ITEMS

9.2. Report No. FA-52-24 RE: Draft Watershed-based Resource Management Strategy

CAO/Secretary-Treasurer, Leilani-Lee-Yates, and Senior Manager, Integrated Watershed Strategies, Geoffrey Verkade, provided an overview of the report noted above.

Resolution No. FA-109-2024

Moved by: Patrick O'Neill

Seconded by: Brian Grant

THAT Report No. FA-52-24 RE: Draft Watershed-based Resource Management Strategy **BE RECEIVED**;

AND THAT staff **BE AUTHORIZED** to post the draft Watershed Strategy for public comment for three weeks;

AND THAT the draft Watershed Strategy **BE CIRCULATED** to the NPCA partner municipalities;

AND FURTHER THAT the Watershed Strategy be brought forward for Board approval on or before December 13, 2024.

CARRIED

9.3. Report No. FA-51-24 RE: Draft Conservation Area Strategy

Manager, Land Planning, Eric Baldin, provided an overview of the report and identified next steps in developing the Conservation Area Strategy.

Resolution No. FA-110-2024

Moved by: Stew Beattie

Seconded by: Donna Cridland

THAT Report No. FA-51-24 RE: Draft Conservation Area Strategy **BE RECEIVED**;

AND THAT staff **BE AUTHORIZED** to post the draft Conservation Area Strategy for public comment for three weeks;

AND THAT the draft Conservation Area Strategy **BE CIRCULATED** to the NPCA partner municipalities;

AND FURTHER THAT the Conservation Area Strategy be brought forward for Board approval on or before December 13, 2024.

CARRIED

10. COMMITTEE REPORTS

Resolution FA-111-2024

Moved by: Michelle Seaborn

Seconded by: Brian Grant

THAT the Finance Committee Minutes, dated September 24, 2024 and Public Advisory Committee Minutes, dated September 17, 2024 **BE RECEIVED**.

CARRIED

11. MOTIONS

None.

12. NOTICES OF MOTION

None.

13. NEW BUSINESS

13.1. Verbal update RE: Niagara Peninsula Conservation Foundation

- Member Cridland shared that the 50/50 draw held at the Ball's Falls Thanksgiving Festival was a success, totalling over \$2,000.
- Next Foundation event, Womenchant Winter Solstice Concert is scheduled for December 19, 2024.

13.2. 2025 Meeting Schedule Discussion

- Staff sought feedback from Members on the development of the 2025 Meeting Schedule in advance of presenting the proposed schedule at the November meeting.
- Discussion ensued regarding commuting challenges, scheduling of Council meetings, organizational initiatives, and meeting start times.

14. CLOSED SESSION

None.

14. ADJOURNMENT

Chair Metcalfe adjourned the meeting at 10:16 a.m.

October 18, 2024

Sent by Email

The Honourable Sylvia Jones
Minister of Health
5th Floor
777 Bay Street
TORONTO, Ontario M7A 2J3
Sylvia.jones@ontario.ca

Re: Recommended phase-out of free well water testing in the 2023 Auditor General's Report

Dear Minister Jones,

Further to the email sent to you on May 16, 2024 from Kettle Creek Conservation Authority, please be advised that On September 11, 2024 the North Bay Mattawa Conservation Authority passed the following resolution in support of Kettle Creek Conservation Authority's letter to you:

*Resolution No. 103-24
Moved by: Lana Mitchell
Seconded by: Dave Britton*

THAT a letter of request be sent to all municipalities as a follow up to send a letter of support to the Minister of Health & Public Health Units to support the Kettle Creek Conservation Authority, also all Conservation Authorities of Ontario.

Carried

We appreciate your attention and consideration on this matter.

Kind regards,



Robin Allen
Interim CAO – Secretary Treasurer

CC:
Ontario's 36 Conservation Authorities
Conservation Ontario
North Bay and Parry Sound District Health Unit
NBMCA's Member Municipalities and Board Members

The Niagara Peninsula Conservation Authority (NPCA) in collaboration with Environment and Climate Change Canada and the Ontario Ministry of Environment, Conservation and Parks, is undertaking a project to determine contaminated sediment remediation options for a portion of Lyons Creek East (LCE) in Welland, Ontario.

The project area is located east of the Welland Canal to Buchner Road (Fig. 1) is contaminated with historic sources of polychlorinated biphenyls (PCBs). It is the last of 14 sites identified for cleanup as part of the [Niagara River Remedial Action Plan](#).

Members of the Niagara Peninsula watershed community, especially those in the Welland are invited to participate in the development of the Conservation Area Strategy. Involvement opportunities and more information about the project can be found on the NPCA's online Get Involved engagement platform at:

<https://getinvolved.npca.ca/lyons-creek-east>

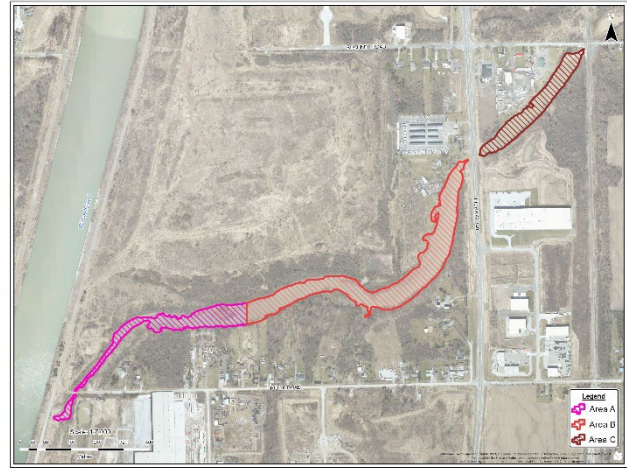


Figure 1. Map of the LCE contaminated sediment management areas.

About the Project

Collaborative monitoring has been ongoing for more than 15 years as part of a natural recovery approach in 2008, selected through scientific evidence and public consultation. Monitoring included many lines of evidence such as: sediment, water, fish, aquatic bugs, turtle eggs. Recent results suggest a more active remediation approach is needed. The purpose of the project is to determine future cleanup options for the site and engaging with the community to support decision-making.

Public Information Centre

A Public Information Centre (PIC) is being held to inform the community and other interested parties on the overall progress on the Lyons Creek East sediment management planning project including the results of a recent ecological study.

The PIC will be in-person only, held at the following date and location:

Date: Tuesday, November 19, 2024
Time: 6:00 pm to 8:00 pm
Location: Welland International Flatwater Centre
16 Townline Tunnel Road, Welland, ON

Contact

For more information about the Lyons Creek East sediment management planning project, please contact:

Natalie Green
Manager, Climate Change and Special Programs
905-788-3135 ext. 243 | ngreen@npca.ca

You're Invited Public Information Centre



Join representatives from the Niagara River Remedial Action Plan program to learn about past and current sediment cleanup efforts for a portion of Lyons Creek East.



ourniagarariver.ca | info@ourniagarariver.ca

November 15, 2024

NPCA Full Authority Board Meeting

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→
FLIP FOR
MORE INFO

Public Information Centre

Tuesday, November 19, 2024

6:00 - 8:00 P.M.

Welland International Flatwater Centre
Townline Tunnel Rd, Welland

Pre-registration is required to attend.

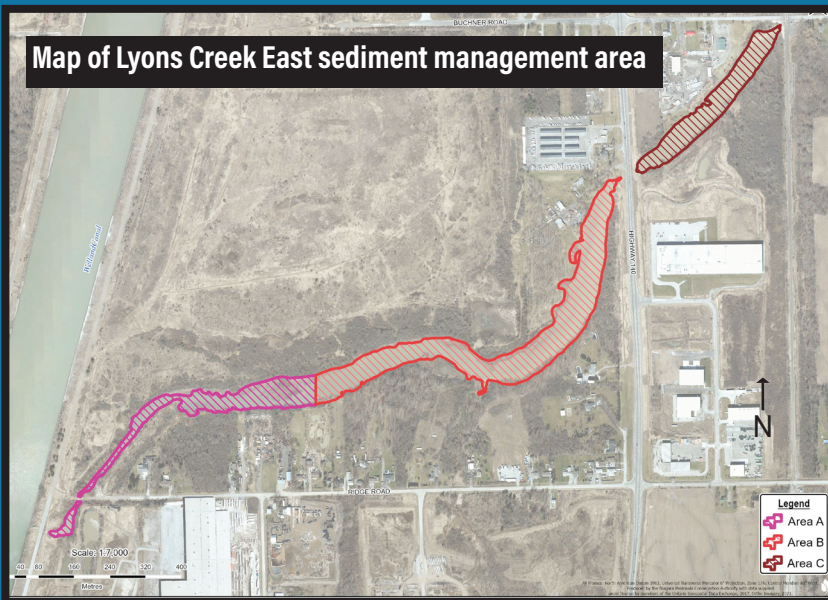


*Learn more &
stay informed*

Scan the QR code
or visit
www.getinvolved.npca.ca
to register



Map of Lyons Creek East sediment management area



Project experts will share a progress update, including the results of an ecological study, discuss next steps, and answer questions.





City of Hamilton
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Hamilton, Ontario
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Angela McRae
Legislative Coordinator
Office of the City Clerk
Phone (905) 546-2424 Ext. 5987
Fax # (905) 546-2095
angela.mcrae@hamilton.ca

November 7, 2024

Ms. Leilani Lee-Yates
Chief Administrative Officer and Secretary/Treasurer
Niagara Peninsula Conservation Authority
250 Thorold Road West
Welland, Ontario
L3C 3W2
Email: llee-yates@npca.ca
mdavis@npca.ca

Subject: 2025 Budget Submission for the Niagara Peninsula Conservation Authority

Dear Ms. Lee-Yates:

This letter is to request that your organization submit a draft budget to the City of Hamilton; along with a copy of your organization's most recent audited financial statements, to the **attention of Cyrus Patel, Senior Financial Analyst, Budget and Finance Division, 71 Main Street West, Hamilton, Ontario L8P 4Y5, on or before December 2 2024.**

The mayor, pursuant to Part VI.1 (Special Powers and Duties of Head of Council) of the *Municipal Act, 2001*, Sections 284.3 (Direction to Employees), provided the following direction to staff in preparation of the 2025 budget: [Mayoral Directive MDI-2024-03 \(Hamilton.ca\)](#) (Attached hereto)

If you have any questions respecting your budget submission, please contact Cyrus Patel at (905) 546-2424 Ext.7698 or at cyrus.patel@hamilton.ca.

We expect that 2025 Budget submissions for Boards and Agencies will be considered on January 28, 2025. Consistent with the 2024 process, not all Boards and Agencies will be presenting to Committee. The Niagara Peninsula Conservation Authority will not be presenting, however we do suggest that you have representatives available to attend that day in case there are questions on your budget submission. If you would like to provide supplemental material to accompany your submission, you may do so by sending the material to angela.mcrae@hamilton.ca by noon on January 20, 2025.

City of Hamilton meetings are now held in a hybrid mode. Therefore, you are welcome to attend either in person or virtually. Please forward to my attention, the names, titles and emails of all parties from your organization that need to be included in the WebEx meeting, as soon as possible, so that I can ensure that they have access to the meeting.

Should you have any questions respecting the meeting process or your presentation, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Angela McRae', written in a cursive style.

Angela McRae
Legislative Coordinator
Office of the City Clerk

Copied: Mike Zegarac, General Manager, Finance & Corporate Services
Kirk Weaver, Acting Director, Financial Planning, Administration & Policy
Cyrus Patel, Senior Financial Analyst



Mayoral Directive to Staff MDI-2024-03

Date: October 28, 2024

To: Marnie Cluckie, City Manager/CAO, Mike Zegarac, General Manager, Finance & Corporate Services/City Treasurer

WHEREAS pursuant to Part VI.1 (Special Powers and Duties of Head of Council) of the *Municipal Act, 2001*, Sections 284.3 (Direction to Employees) the mayor may direct municipal employees to:

- a) undertake research and provide advice to the head of council and city council on policies and programs of the City or of the head of council as they relate to the powers and duties under this Part; and
- b) carry out duties related to the exercise of the power or performance of the duty, including implementing any decisions made by the head of council under this Part.

AND WHEREAS pursuant to subsection 284.16 of the *Municipal Act, 2001* and section 7 of O. Regulation 530/22, the mayor shall prepare a proposed budget for the City.

I, Andrea Horwath, Mayor of the City of Hamilton, direct the City Manager and the City Treasurer, to prepare the 2025 Budgets (Rate Supported and Tax Supported) for consideration by City Council, with the following directions:

- It is imperative that the City of Hamilton 2025 Budgets are responsive to the economic challenges residents are currently facing, particularly the rising cost of living and the ongoing affordability crisis. This should be achieved through new and expanded revenue streams, and the prudent utilization of debt and reserves, while protecting the city's credit rating to ensure long-term financial stability, as was successfully achieved in the 2024 Budget.
- Rather than directing a specific, arbitrary budget target that risks underfunding of critical programs and infrastructure, and which results in significant deficiencies for Hamiltonians and inflated costs over time, that staff be directed to provide a range of

clear options for Council to consider. These options must balance the significant demands facing the City against property tax impacts on Hamiltonians who continue to grapple with affordability challenges, while clearly addressing the need for multi-year investment plans addressing needs such as infrastructure renewal and programs that Hamiltonians need and deserve.

- As we pursue provincial and federal investments to support housing and related initiatives—including \$14.1 M for establishing and operating a Temporary Outdoor Shelter Site with essential 24/7 wrap-around supportive services, as well as the expansion of 192 temporary indoor shelter beds—it is crucial that we take proactive measures during this interim period. Therefore, staff be directed to strategically utilize reserves as an interim measure to mitigate the financial impact on taxpayers, while municipalities await the real financial partnership from senior levels of government municipalities are calling for.
- Considering urgent pressures, including improvements to transportation infrastructure like roads and transit, cyber response and recovery investments, necessary water and wastewater infrastructure upgrades, and climate response initiatives, that items referred into the 2025 Budget process by City Council shall be prioritized by staff, prior to consideration by Council, according to their potential to advance council-identified priorities.
- That staff demonstrate to Council that they have conducted a thorough review of core maintenance budget submissions. This includes clearly identifying and articulating all redundancies and inefficiencies that will be addressed.
- That any new investment requests (business cases) by city departments, boards and agencies must clearly demonstrate their capacity to advance council-identified priorities. If these requests fall outside such categories, they must outline need and specific and measurable outcomes to support these items for consideration.
- Following the recognition received from the Government Finance Officers Association of the United States and Canada (GFOA) for transparency in the 2024 Budget Process, that the 2025 Budget Process will implement the same council-directed process revisions. This will involve integrating operating, capital, and rate budgets into two annual budgets: Rate Supported and Tax Supported. This integration will again clearly present the operational budget impacts stemming from capital project approvals, thereby enhancing accountability and foresight.
- That the 2025 Budget process will accelerate the adoption of council-directed process revisions by establishing a streamlined, accessible budget review timeline that prioritizes public engagement and promotes transparency throughout the budgeting process.
- That staff will expand the 2025 Budget engagement process by incorporating and promoting online tools, enabling Hamiltonians to identify their priorities.

I am committed to working collaboratively with Council to finalize the 2025 budgets, ensuring an accountable and transparent process that maximizes the effectiveness of our city resources while addressing the economic hardships faced by our residents. Together with City staff, we will implement measurable initiatives that prioritize exceptional customer service that directly serve the people of Hamilton. This approach will help foster a community built on trust, tangible results, and a commitment to accountability, all while ensuring fiscal prudence.

In preparation for the 2026 budget: It is essential that program lines are critically assessed for their ongoing public benefit. This work should include the engagement of Hamiltonians to make informed decisions that align with the needs of our growing community and ensure the responsible allocation of resources.

A handwritten signature in black ink, appearing to read 'Andrea Horwath', with a horizontal line underneath.

Andrea Horwath
Mayor, City of Hamilton

c.c. Matthew Trennum, City Clerk

Report To: Board of Directors

Subject: Compliance and Enforcement Q3 Statistics 2024

Report No: FA-55-24

Date: November 15, 2024

Recommendation:

THAT Report No. FA-55-24 RE: Compliance and Enforcement Q3 Statistics 2024 **BE RECEIVED** for information.

Purpose:

The purpose of this report is to provide the Board with an overview summary of the 2024 third quarter activities related to Compliance and Enforcement in the NPCA watershed.

Background:

The Compliance and Enforcement Service Area of the Niagara Peninsula Conservation Authority (NPCA) plays a pivotal role in the protection of wetlands, watercourses, shorelines, and hazardous lands within the NPCA's jurisdiction. An overall goal is to protect the health and safety of persons, and property from damage or destruction as a result of development activities that are affected or impacted by natural hazards, such as flooding and erosion. Three quarterly reports and one annual report are provided to the Board of Directors on statistics tracked by staff.

Discussion:

Accomplishments and Process Improvements

For 2024, the regulations team is focused on abatement activities for issued *Conservation Authorities Act* Section 28 permits, Officer safety and training, enhancing the use of available technologies and prioritizing effective partnerships with municipal by-law staff and other regulatory agencies. These elements will continue to drive continuous improvement within the business unit and reporting categories.

Quarterly and annual reports for 2024 include activity details in addition to enforcement statistics tracked by the regulation team. The regulations team has participated in and

coordinated several activities in the third quarter of 2024 that support targeted work planning objectives and division improvements.

Table 1: Compliance & Enforcement Collaborations and Training, Q3 2024

Category	Details
Training	Participated in compliance and enforcement teaching and training opportunities during the annual fall Conservation Areas Workshop sponsored by Conservation Ontario.
	Planned participation in training opportunities on CA-wide Standard Operating Procedures and use of Stop Orders.
	On-going implementation of additional compliance related Standard Operating Procedures.
Partnerships	Continued participation in the monthly Niagara municipalities by-law working group.
	Continued participation in the quarterly provincial Regulatory Compliance Ontario western hub.
	Continued participation as a member of the executive of the Regulatory Compliance Committee of Conservation Ontario.

Q3 2024 Compliance and Enforcement Statistics

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

The statistics below are from July 1, 2024, to September 30, 2024.

Table 2: General Q3 File Statistics, 2019-2024

	2019	2020	2021	2022	2023	Q3 2024
Open/Active Files						29
Closed/Resolved Files						76
TOTAL	22	70	88	56	107	105

Table 3: Complaint Validity

	Q3 2024
NPCA jurisdiction – valid concern	72
Not NPCA jurisdiction or valid concern – file closed	24
Under review by NPCA or not specified	9
TOTAL	105

Table 4: Complaint / Violation Avenues

	Q3 2024
TIPS – email, voicemail, online form	51
Staff Voicemail / Phone / Email	18
Professional Contacts	23
Officer Found	6
Other / Not Specified	7
TOTAL	105

Table 5: Complaints By Regulated Feature

	Q3 2024
Lake Ontario Shoreline	8
Lake Erie Shoreline	15
Wetlands and Wetland Buffers	25
Watercourses and Watercourse Buffers	21
Valleyland and Valleyland Buffers	18
Floodplains	3
Hazardous Lands	0
Municipal Drains / Watercourses	0
Other / Not Specified	15
TOTAL	105

Note: Regulated Features was not specifically tracked in related data until 2023.

Table 6: Complaints and Potential Violations by Municipality

	Q3 2024	% TOTAL
Fort Erie	16	15.2%
Grimsby	7	6.7%
Haldimand	3	2.9%
Hamilton	7	6.7%
Lincoln	6	5.7%
Pelham	8	7.6%
Niagara Falls	7	6.7%
Niagara-on-the-Lake	9	8.6%
Port Colborne	8	7.6%
St. Catharines	7	6.7%
Thorold	4	3.8%
Wainfleet	10	9.5%
Welland	7	6.7%
West Lincoln	3	2.9%
No Location	3	2.9%
TOTALS	105	100%*

Note: total percentage may not equal 100% due to rounding.

Table 7: Notices of Violation

	Q3 2024
Notices Resolved	16
Notices Unresolved / In Progress	4
TOTAL NOTICES ISSUED	20

Table 8: Risk and Response Levels (as per Section 28 Procedural Manual)

	Q3 2024
No Risk	33
Low	29
Moderate	19
High	18
Other / Not Specified	6
TOTAL	105

Note: Risk Assessment Level was not tracked in related data until 2023.

The NPCA Section 28 Procedural Manual was completed and approved by the Board of Directors in July of 2022. The table below is from the procedural manual and provides additional details with regards to the Risk and Response levels being reported above.

Low Priority Response	Regulations staff may not investigate these matters depending on volume. Focus will be on education and outreach, deterrence and possible restoration or approval if time and resources are available.
Moderate Priority Response	Regulations staff will respond and investigate these matters as time and resources allow usually within the timeframes under the <i>Provincial Offences Act</i> . Voluntary compliance through approval for unauthorized works, remediation or restoration are required outcomes. Court proceedings may be warranted depending on the level of landowner compliance and nature of the potential violation.
High Priority Response	Regulations staff will endeavour to investigate all matters deemed a HIGH priority within the timelines of the <i>Provincial Offences Act</i> . Focus will be on likely court proceedings, remediation/restoration in the public interest, deterrence, and risk reduction.
No Risk	Regulations staff will not respond to frivolous or vexatious complaints, incidents with insufficient information provided, or not clearly within the jurisdiction of the Conservation Authority.

Financial Implications:

There are no additional financial implications for the day-to-day operations of the Compliance and Enforcement business unit as the work is accounted for in the 2024 budget. Should any complaint or violation proceed to the issuance of a summons and court proceedings, there will be costs associated with these activities that have been accounted for in the departmental operating budget. Additionally, the NPCA regulations staff will continue to employ prioritization strategies including the NPCA Section 28 Procedural Manual to allocate the resources to appropriately respond to the more significant and high-risk contraventions of the *Conservation Authorities Act*.

Regulations staff are committed to enhanced statistical reporting, recording and analysis of compliance and enforcement related data, which will continue to assist in accurately measuring resource and staffing requirements moving forward.

Links to Policy/Strategic Plan:

The duties carried out by the Compliance and Enforcement business unit are part of the NPCA's mandate and support NPCA's *Strategic Plan 2021-2031* to protect people and properties from natural hazards and climate impacts.

Related Reports and Appendices:

None.

Authored by:

Original Signed by:

Jason Culp, C.Tech., EP
Manager, Compliance and Enforcement

Reviewed by:

Original Signed by:

David Deluce, MCIP, RPP
Director, Planning and Development

Submitted by:

Original Signed by:

Leilani Lee-Yates, BES, MSPL.RPD, MCIP, RPP
Chief Administrative Officer/Secretary-Treasurer

Report To: Board of Directors

Subject: NPCA Insurance Coverage

Report No: FA-53-24

Date: November 15, 2024

Recommendation:

THAT Report No. FA- 53-24 RE: NPCA Insurance Coverage **BE RECEIVED** for information.

Purpose:

The purpose of this report is to provide the Board of Directors with an overview of NPCA's current insurance portfolio and coverage.

Discussion:

NPCA participates in the Group Insurance Program through Conservation Ontario. This initiative is governed by an Insurance Committee consisting of 11 Members: 10 from various Conservation Authorities and 1 from Conservation Ontario. The Insurance Committee has been in place over 20 years and deals with group health benefits and insurance products for all participating members. The insurance portfolio is reviewed annually, and a formal competitive procurement process is initiated every 5 years at a minimum.

The Insurance Committee's mandate is as follows:

To manage and provide for a system of insurance coverage(s) for Conservation Authorities, Source Protection Authorities and Conservation Ontario that is affordable and meets the corporate requirements as well as the best interests of the participating Authorities.

Marsh Canada Limited has been the successful proponent (broker) selected to manage the General Insurance and Risk Management provider since 2014. Please see Appendix 1 for a Program Structure Overview, including limits and coverages. Full policy details are available upon request.

Property

The perils insured include all risk of direct physical loss or damage including flood, earthquake, sewer back up and for all physical assets that NPCA owns or is responsible to insure. Coverage includes but is not limited to the following:

- Buildings and structures
- Contents – equipment and stock
- Mobile equipment, including unlicensed vehicles
- Provision for business interruption coverage result of the loss or damage.

Equipment Breakdown

Boiler and machinery cover objects such as pressure vessels, boilers, compressors, central air conditioning units, refrigeration equipment, motors, switch gear, transformers etc., against sudden and accidental breakdown resulting in damage to the object. A provision for business interruption coverage is included.

Crime

This policy segment provides coverage for loss of money and securities through the dishonest acts of employees and/or others:

- Employee Dishonesty
- Money & Securities – Inside and Outside Premises
- Depositors' Forgery
- Money Order and Counterfeit Paper Currency
- Credit Card Forgery
- Computer Violation
- Social Engineering

Commercial General Liability

Coverage:

- If NPCA is sued, insurer will defend, pay for legal expenses and 'pay on behalf'.
- Insured's legal obligation for damages because of liability imposed by law or assumed under contract due to third party bodily injury, personal injury, or damage to property.
- Non-owned automobile: use of vehicles not owned by NPCA but used on NPCA business.

Automobile Third Party Liability

Coverage for vehicles owned or leased by NPCA: physical damage coverage, repair or replace, actual cash value.

Errors and Omissions

Coverage:

- Covers damages to third parties for loss caused by errors and omissions, or negligence in the issuance of permits, rezoning, maps, plans, surveys, etc.

Umbrella Liability

The umbrella liability provides an excess limit of liability coverage for Commercial General, Automobile and Errors & Omissions Liabilities.

Directors and Officers Liability

Coverage:

- Covers directors, officers, management, and the organization against liability arising from any alleged wrongful act in directing the business affairs of NPCA, the Foundation or while acting on the Board of an associated non-profit organization
- Defence Costs more than limit of liability

Cyber Insurance

Optional coverage – NPCA does participate.

Coverage Options:

- **First Party Coverage:** direct loss and out of pocket expense incurred by NPCA, including data breach expenses, crisis management expenses, network extortion, data restoration and loss of income.
- **Third Party Coverage:** defense and liability incurred due to alleged harm caused to others by the insured, including privacy liability, network security liability, internet media liability, network extortion and regulatory proceedings.
- **“Claims-Made” policy:** claims must be reported during the policy period.

Drone (Remotely Piloted Aircraft System) Policy

Separate policy specific to NPCA requirements.

Coverage:

- Aircraft liability (BI/PD)
- Aviation liability

Group Health Insurance – Sun Life

Group Health insurance is recommended and reviewed through the CO Insurance Committee, provided to full-time permanent employees and their dependents through Sun Life Alliance, and includes the following coverage:

- Life insurance
- Accidental death and dismemberment
- Long term disability
- Extended health coverage
- Dental

In addition, NPCA provides a Health Spending amount of \$550 per calendar year for full-time permanent employees. This provision is required under the terms of our participation in the Conservation Ontario Group Plan and is intended to supplement benefits to employees where needed.

Group Accident Insurance – Board Members

A separate policy is maintained through Industrial Alliance Insurance to provide Group Accident Insurance coverage to Board and Committee members.

Financial Implications:

Insurance premiums are budgeted in Operations annually.

The insurance policies renew for a twelve-month period on the 1st of April; annual charges for the 2024/2025 term break down as follows:

General Insurance	\$264,638
Group Health Insurance	\$391,121
Group Accident Insurance	\$ 212

Authored by:

Original Signed by:

Eric Gervais, CSCMP
Manager, Corporate Support Services

Reviewed by:

Original Signed by:

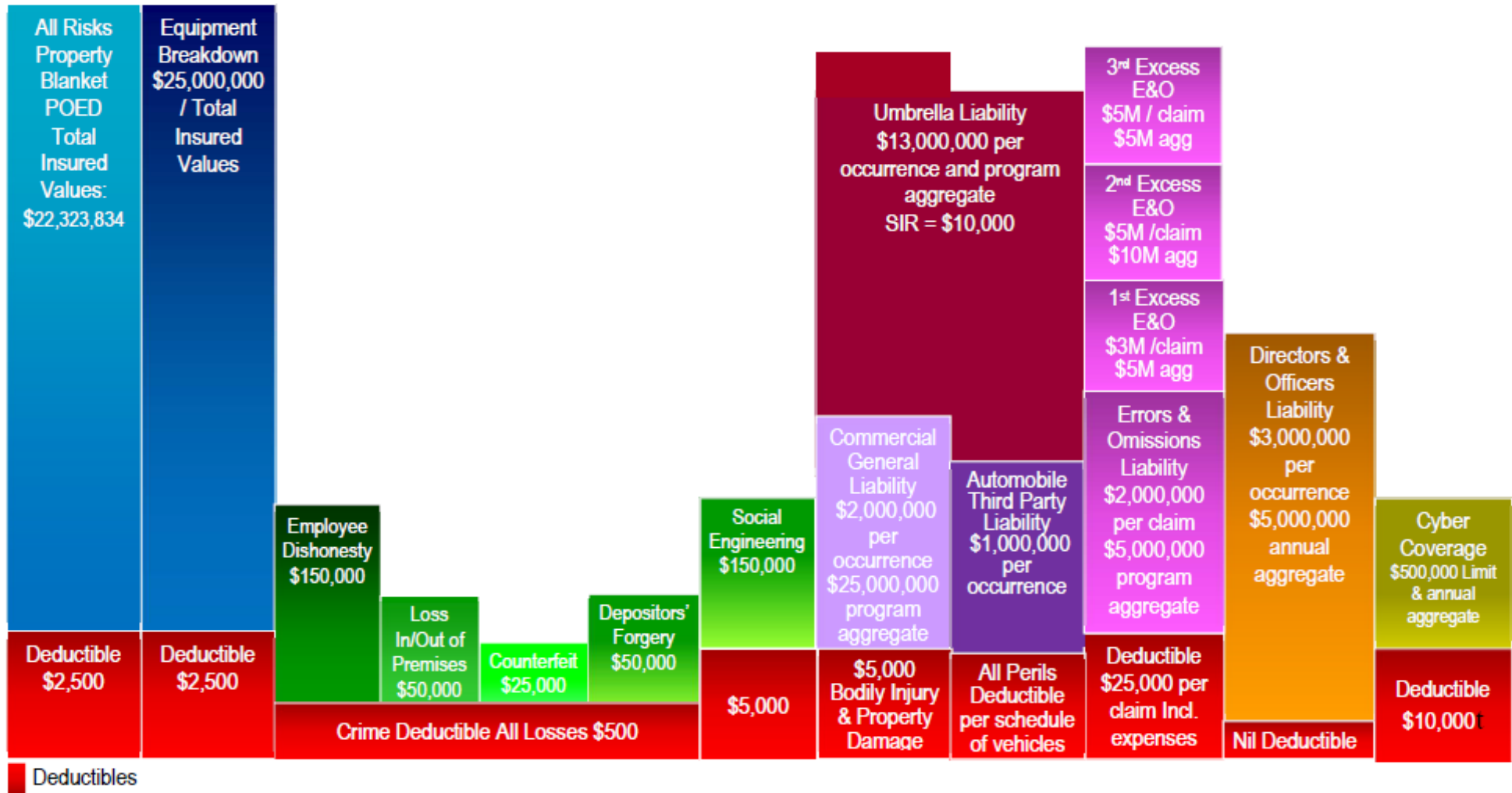
Lise Gagnon, CPA, CGA
Director, Corporate Services

Submitted by:

Original Signed by:

Leilani Lee-Yates, BES, MSPL.RPD MCIP, RPP
Chief Administrative Officer/Secretary-Treasurer

Niagara Peninsula Conservation Authority Current Program Structure



Report To: Board of Directors

Subject: 2025 Fees Schedule

Report No: FA-54-24

Date: November 15, 2024

Recommendation:

THAT Report No. FA-54-24 RE: 2025 Fees Schedule **BE RECEIVED**;

THAT the 2025 Fees Schedule outlined in Appendix 1 of Report No. FA-54-24 **BE APPROVED**, with an effective date of January 1, 2025;

AND THAT the 2025 Fees Schedule **BE MADE PUBLICALLY AVAILABLE** on the NPCA website.

Purpose:

The purpose of this report is for the NPCA Board of Directors to consider and approve the 2025 Fee Schedule (Appendix 1).

Background:

Amendments to the *Conservation Authorities Act* were undertaken in 2020 to clarify the programs and services that conservation authorities deliver. In 2021, [O. Reg. 686/21 Mandatory Programs and Services](#) provided additional clarity regarding the programs and services that CAs are required to provide. In April, 2022 the Minister of Environment, Conservation and Parks released [Policy: Minister's list of classes of programs and services in respect of which conservation authorities may charge a fee](#) ("Minister's List"). Conservation authorities may only charge a fee for a program or services that it provides if it is set out in the Minister's List. The Minister's List identifies that conservation authorities may charge a fee for mandatory, municipal and other programs and services where the user-pay principle is appropriate.

The Minister's List replaces the 1997 *Policies and Procedures for the Charging of Conservation Authority Fees* and came into effect on January 1, 2023.

Discussion:

Under the *Conservation Authorities Act*, programs and services delivered by conservation authorities include:

1. Mandatory programs and services

Mandatory programs and services that the conservation authority is required to provide [see s. 21.1 of the Act for further details]. These services are further defined in [O. Reg. 686/21: Mandatory Programs and Services](#) and may be funded by provincial grants, other sources, municipal apportionment (levy) and/or conservation authority self-generated revenue (e.g., user fees) where the user-pay principle is appropriate.

2. Municipal programs and services

Programs and services that an authority agrees to provide on behalf of a municipality under a MOU or agreement [see s. 21.1.1 of the Act for further details]. The program or service may be funded by the municipality or by other funding mechanisms (e.g., user fees where the user-pay principle is appropriate) as per the MOU or agreement.

3. Other programs and services

Programs and services that an authority determines are advisable to further the purposes of the Act [see s. 21.1.2 for further details]. The program or service may be funded by the municipality, provincial or federal grants, or by other funding mechanisms (e.g., user fees where the user-pay principle is appropriate) as per the cost apportioning agreement and the Minister's List.

Minister's Fee Classes Policy

Section 21.2 of the *Conservation Authorities Act* requires a conservation authority to administer the charging of fees in a transparent and accountable manner by adopting and publishing a written fee policy, which includes a fee schedule that lists the programs and services for which an authority charges a fee and the amount to be charged. Conservation authorities must maintain their fee schedule and if an authority wishes to make changes to its fee schedule, it must notify the public of the proposed change.

A conservation authority is permitted to charge a fee for a program or service only if the program or service is included in the Minister's List of classes of programs and services. The Minister's published List of classes of programs and services in respect of which a conservation authority may charge a fee ("Minister's Fee Classes Policy") is consistent with section 21.2 ("fees for programs and services") of the *Conservation Authorities Act*. From time to time, the Minister may make changes to the List and shall promptly update the policy document and distribute it to each conservation authority.

The Minister's Fee Classes do not include those instances where the authority is already authorized under another statute to charge a fee for a program or service (i.e. the *Building Code Act*, the *Clean Water Act*, etc.).

User-Pay Principle

The fees that conservation authorities charge, in accordance with the Minister's Fee Classes Policy, are considered 'User fees.' User fees are paid to an authority by a person or organization for a service that they specifically benefit from. This includes use of a public resource (e.g., park access or facility rental) or the privilege to do something (e.g., receive an approval through a permit or other permission to undertake a regulated activity).

For the purposes of this Minister's Fee Classes Policy, a fee may only be applied when the User-Pay Principle is considered appropriate, which is when there is a class of persons that directly benefits from a program or service delivered by an authority.

The following is a list of classes of programs and services in respect of which an authority may charge a fee.

Category 1: Mandatory Programs and Services (Section 21.1 of the Act)

Category 1 programs and services where the following requirement is met:

1. User-Pay Principle is appropriate.

Category 2: Municipal Programs and Services (Section 21.1.1 of the Act)

Category 2 programs and services where both the following requirements are met:

1. User-Pay Principle is appropriate; and
2. The parties agree through provisions in a memorandum of understanding, service level agreement, or other agreement governing the provision of the Category 2 program or service that the authority should be permitted to charge a fee for that program or service.

Category 3: Authority Determined Programs and Services (Section 21.1.2 of the Act)

Category 3 programs and services that **are** financed in whole or in part by the municipal levy require a cost apportioning agreement, and where both the following requirements are met:

1. User-Pay Principle is appropriate; and
2. Where a cost apportionment agreement has been entered into for a Category 3 program or service, the agreement includes provisions permitting the authority to charge a fee for the program or service. This requirement does not apply where the cost apportionment agreement

relates to any of the following Category 3 programs and services:

- i) Recreational activities that are provided on land that is owned or controlled by the authority with the direct support or supervision of staff employed by the authority or by another person or body, or with facilities or other amenities maintained by the authority, including equipment rentals and renting facilities for special events.
- ii) Community relations to help establish, maintain, or improve relationships between the authority and community members.
- iii) Public education services to improve awareness of issues relating to the conservation, restoration, development, and management of natural resources in watersheds in Ontario.
- iv) The provision of information to the public.
- v) The sale of products by the Authority.

Category 3 programs and services that **are not** financed in whole or in part by the municipal levy, and where the following requirement is met:

1. User-Pay Principle is appropriate.

Determining Fees

Fees are necessary to finance NPCA's programs and services in the absence of sufficient provincial or municipal funding to deliver the program or service, or as a means of generating revenues to support the program or service.

Unless otherwise prescribed by the Minister through regulation, the conservation authority determines the amount of the fee based on consideration of eligible costs, and consideration of the following issues and data, where and when relevant:

- Analysis of trends in workload changes, shifts in market and types of applications
- Consultation with developers/municipalities about work effort, new planning/legislative requirements and streamlining
- General overview of status of cost recovery
- Statistics of numbers of applications and annual changes, where required
- Level of service/review turn-around timing
- Areas of improvement of level of service/staffing demands
- Cost cutting measures as required
- Reserve fund requirements
- Identification of specific/specialized municipal requirements
- Trends in legal costs associated related to planning and enforcement.
- Fees charged by the private sector for similar services
- Fees are proposed using (full and partial) cost recovery methodology for the following program areas:
 - Plan Review
 - Permits

- Technical Report Review
- Inquiries and Minor Works
- Conservation Area Rates (Day Use, Camping, Passes and Permits, Educational Programming)
- Weddings and Special Events
- Consulting and Professional Fees

In addition, the Board will consider impact of fees on program delivery, the nature of the request and fair-market-value of similar services in the private sector to prevent a situation of unfair competition, inappropriate application of taxpayer subsidized services and excessive use of limited staff resources.

Fee Schedule Review

The Fee Schedule will be reviewed annually in conjunction with the annual budgeting process. Upon completing the review, staff will propose a Fee Schedule for approval by the Board of Directors. Once approved, the revised Fee Schedule will be published on NPCA's website and distributed to stakeholders upon request.

The 2025 Conservation Area Fees were approved at the July 19, 2024, Board of Directors meeting (Report No. FA-32-24), in preparation for 2025 wedding and venue bookings. Staff are recommending a 2.25% increase to the remaining user fees to align with the current Consumer Price Index inflation rate.

Adjustments to Plan Review and Permitting Fees

Staff have made adjustments to some of the Site Plan Review fee categories to better reflect the level of effort involved. The Site Plan fees are now categorized as major and minor, consistent with other Plan Review fee categories.

Several fee categories for various municipal infrastructure reviews/permits (Environmental Assessments, Drainage Act reviews, and Municipal Infrastructure Permits) were originally established at 50 percent cost recovery, with a phased fee increase to achieve full cost recovery. Based on feedback from municipal staff and in an effort to help municipalities keep capital project costs down, we have not implemented the full fee increase. This will be reviewed during the next comprehensive fee review.

Related Reports and Appendices:

Appendix 1: Fees Schedule

Links To Policy/Strategic Plan:

Organizational Excellence:

Goal 5.2 Improve internal operations and processes

Financial Sustainability:

Goal 6.1 Ensure responsible, sustainable, and sound fiscal practices

Goal 6.2 Optimize self-generating revenue using innovative approaches

Authored by:

Original Signed by:

Lise Gagnon, CPA, CGA
Director, Corporate Services

Reviewed and Submitted by:

Original Signed by:

Leilani Lee-Yates, BES, MSPL.RPD MCIP, RPP
Chief Administrative Officer/Secretary-Treasurer

Niagara Peninsula Conservation Authority

FEE SCHEDULE (EXCLUDING HST)

Description	2019	2020	2021	2022	2023	2024
Schedule A - PLAN REVIEW FEES						
Official Plan Amendments - Standard ¹	\$ 504.42	\$ 504.42	\$ 504.42	\$ 504.42	\$ 1,500.00	\$ 1,500.00
Official Plan Amendments - Major ²	\$ 2,451.33	\$ 2,451.33	\$ 2,451.33	\$ 2,451.33	\$ 6,100.00	\$ 6,100.00
Zoning By-law Amendment - Standard ¹	\$ 504.42	\$ 504.42	\$ 504.42	\$ 504.42	\$ 1,500.00	\$ 1,500.00
Zoning By-law Amendment - Major ²	\$ 1,659.29	\$ 1,659.29	\$ 1,659.29	\$ 1,659.29	\$ 6,100.00	\$ 6,100.00
Zoning By-law - Removal of Holding	\$ -	\$ -	\$ -	\$ -	\$ 1,500.00	\$ 1,500.00
Site Plan Control - Minor ¹	\$ 504.42	\$ 504.42	\$ 504.42	\$ 504.42	\$ 3,000.00	\$ 3,000.00
Site Plan Control - Major ²	\$ 707.96	\$ 707.96	\$ 707.96	\$ 707.96	\$ 8,000.00	\$ 8,000.00
Consent	\$ 504.42	\$ 504.42	\$ 504.42	\$ 504.42	\$ -	\$ -
Consent - Minor ¹	\$ -	\$ -	\$ -	\$ -	\$ 1,050.00	\$ 2,100.00
Consent - Major ²	\$ -	\$ -	\$ -	\$ -	\$ 1,987.50	\$ 3,975.00
Minor Variance	\$ 362.83	\$ 362.83	\$ 362.83	\$ 362.83	\$ -	\$ -
Minor Variance - Minor ¹	\$ -	\$ -	\$ -	\$ -	\$ 600.00	\$ 600.00
Minor Variance - Major ²	\$ -	\$ -	\$ -	\$ -	\$ 1,800.00	\$ 1,800.00
Plan of Subdivision/Condominium (no previous site plan circulation):						
Charges for review to provision of Conditions of Draft Approval <u>only</u> on a new application. Involvement subsequent to draft approval is subject to additional fees. <i>Less than 100 lots</i>	\$ 504.42	\$ 504.42	\$ 504.42	\$ 504.42	\$ 4,200.00	\$ 4,200.00
Charges for review to provision of Conditions of Draft Approval <u>only</u> on a new application. Involvement subsequent to draft approval is subject to additional fees. <i>More than 100 lots</i>	\$ 2,451.33	\$ 2,451.33	\$ 2,451.33	\$ 2,451.33	\$ 6,800.00	\$ 6,800.00
Clearance of Conditions for Subdivision Registration (per phase) - <i>Less than 100 lots</i>	\$ 504.42	\$ 504.42	\$ 504.42	\$ 504.42	\$ 570.00	\$ 570.00
Clearance of Conditions for Subdivision Registration (per phase) - <i>More than 100 lots</i>	\$ 2,035.40	\$ 2,035.40	\$ 2,035.40	\$ 2,035.40	\$ 2,300.00	\$ 2,300.00
Draft Plan Modifications (alterations to site/plan layout) - <i>Less than 100 lots</i>	\$ 504.42	\$ 504.42	\$ 504.42	\$ 504.42	\$ -	\$ -
Draft Plan Modifications ³ (alterations to site/plan layout) - <i>More than 100 lots</i>	\$ 504.42	\$ 504.42	\$ 504.42	\$ 504.42	\$ -	\$ -
Draft Plan Modifications ³ (alterations to site/plan layout) - Condominium	\$ -	\$ -	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00
Draft Plan Modifications ³ (alterations to site/plan layout) - Subdivision	\$ -	\$ -	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00
Draft Plan Extension (original conditions about to lapse for draft approval) - <i>Less than 100 lots</i>	\$ 504.42	\$ 504.42	\$ 504.42	\$ 504.42	\$ -	\$ -
Draft Plan Extension (original conditions about to lapse for draft approval) - <i>More than 100 lots</i>	\$ 504.42	\$ 504.42	\$ 504.42	\$ 504.42	\$ -	\$ -
Draft Plan Extension ⁴ (original conditions about to lapse for draft approval) - Condominium	\$ -	\$ -	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00
Draft Plan Extension ⁴ (original conditions about to lapse for draft approval) - Subdivision	\$ -	\$ -	\$ -	\$ -	\$ 2,000.00	\$ 2,000.00
Niagara Escarpment Plan - Development Permit	\$ 504.42	\$ 504.42	\$ 504.42	\$ 504.42	\$ -	\$ -
Niagara Escarpment Plan - Development Permit (No Tech review required)	\$ -	\$ -	\$ -	\$ -	\$ 600.00	\$ 600.00
Niagara Escarpment Plan - Development Permit (Tech review required)	\$ -	\$ -	\$ -	\$ -	\$ 852.00	\$ 852.00
Niagara Escarpment Plan Amendment	\$ 2,451.33	\$ 2,451.33	\$ 2,451.33	\$ 2,451.33	\$ 4,021.00	\$ 4,021.00
Aggregate Extraction Applications	\$ -	\$ -	\$ -	\$ -	\$ 9,450.00	\$ 9,450.00
Reactivation Fee (all application types) after three (3) years of dormancy	\$ 181.42	\$ 181.42	\$ 181.42	\$ 181.42	\$ 370.00	\$ 370.00
Resubmission Fee (hourly)	\$ -	\$ -	\$ -	\$ -	\$ 110.00	\$ 110.00
Schedule B - PERMIT FEES						

Niagara Peninsula Conservation Authority

FEE SCHEDULE (EXCLUDING HST)

Description	2019	2020	2021	2022	2023	2024
Fill - placement or removal of fill in excess of 25 cubic metres	\$ 1,384.96	\$ 1,384.96	\$ 1,384.96	\$ 1,384.96	\$ -	\$ -
Works on a valley slope and/or erosion prone area	\$ 734.51	\$ 734.51	\$ 734.51	\$ 734.51	\$ -	\$ -
Public Roads - New/Replacement Bridge or Culvert Crossing - span > 3m	\$ 1,190.27	\$ 1,190.27	\$ 1,190.27	\$ 1,190.27	\$ -	\$ -
Public Roads - New/Replacement Bridge or Culvert Crossing - span < 3m	\$ 646.02	\$ 646.02	\$ 646.02	\$ 646.02	\$ -	\$ -
Public Roads - Bridge Culvert maintenance including repair to soffit, wing walls & other superstructure, repair of inlet/outlet erosion	\$ 269.91	\$ 269.91	\$ 269.91	\$ 269.91	\$ -	\$ -
Access Crossings - new/replacement primary access (e.g. main driveway)	\$ 880.53	\$ 880.53	\$ 880.53	\$ 880.53	\$ -	\$ -
Access Crossings - new/replacement secondary bridge (e.g. low flow, foot bridge, golf course crossing)	\$ 442.48	\$ 442.48	\$ 442.48	\$ 442.48	\$ -	\$ -
Access crossings - maintenance to deck, wing walls or other superstructure	\$ 309.73	\$ 309.73	\$ 309.73	\$ 309.73	\$ -	\$ -
Dams: New/Replacement and major maintenance	\$ 2,818.58	\$ 2,818.58	\$ 2,818.58	\$ 2,818.58	\$ -	\$ -
Dams: Maintenance	\$ 1,061.95	\$ 1,061.95	\$ 1,061.95	\$ 1,061.95	\$ -	\$ -
Shoreline: New/Replacement Shoreline Protection Works (e.g. walls, stone barriers)	\$ 1,699.12	\$ 1,699.12	\$ 1,699.12	\$ 1,699.12	\$ -	\$ -
Shoreline: Maintenance of wall or barrier	\$ 309.73	\$ 309.73	\$ 309.73	\$ 309.73	\$ -	\$ -
Ponds: New pond with diversion structure/channel connection	\$ 796.46	\$ 796.46	\$ 796.46	\$ 796.46	\$ -	\$ -
Ponds: New pond construction or enlargement of existing pond without channel connection	\$ 309.73	\$ 309.73	\$ 309.73	\$ 309.73	\$ -	\$ -
Shoreline: New/Replacement Shoreline Protection Works (e.g. walls, stone barriers)	\$ 1,699.12	\$ 1,699.12	\$ 1,699.12	\$ 1,699.12	\$ -	\$ -
Shoreline: Maintenance of wall or barrier	\$ 309.73	\$ 309.73	\$ 309.73	\$ 309.73	\$ -	\$ -
Ponds: New pond with diversion structure/channel connection	\$ 796.46	\$ 796.46	\$ 796.46	\$ 796.46	\$ -	\$ -
Ponds: New pond construction or enlargement of existing pond without channel connection	\$ 309.73	\$ 309.73	\$ 309.73	\$ 309.73	\$ -	\$ -
Buildings: New Construction, reconstruction, redevelopment, additions (greater than or equal to 1000 square feet)	\$ 1,243.36	\$ 1,243.36	\$ 1,243.36	\$ 1,243.36	\$ -	\$ -
Buildings: New Construction, reconstruction, redevelopment, additions (less than 1000 square feet)	\$ 619.47	\$ 619.47	\$ 619.47	\$ 619.47	\$ -	\$ -
Buildings: Accessory Structures (e.g. in ground pools, decks, docks, gazebos)	\$ 269.91	\$ 269.91	\$ 269.91	\$ 269.91	\$ -	\$ -
Watercourse Alteration: Channels - Channel works > 500 m (including realignment, invert cleanout, erosion protection)	\$ 2,818.58	\$ 2,818.58	\$ 2,818.58	\$ 2,818.58	\$ -	\$ -
Watercourse Alteration: Channels - Channel works < 500 m	\$ 1,699.12	\$ 1,699.12	\$ 1,699.12	\$ 1,699.12	\$ -	\$ -
Watercourse Alteration: Channels repair of localized erosion failure	\$ 442.48	\$ 442.48	\$ 442.48	\$ 442.48	\$ -	\$ -
Watercourse Alterations: Channels - minor intermittent drainage courses where no fish or ecological restrictions are present	\$ 269.91	\$ 269.91	\$ 269.91	\$ 269.91	\$ -	\$ -
Other: Great Lake Dredging	\$ 1,699.12	\$ 1,699.12	\$ 1,699.12	\$ 1,699.12	\$ -	\$ -
Other: Miscellaneous - small watercourse, valley land, shoreline works not defined above	\$ 269.91	\$ 269.91	\$ 269.91	\$ 269.91	\$ -	\$ -
Permit Renewal Fee (if application to renew submitted within 6 months of expiry)	\$ 207.96	\$ 207.96	\$ 207.96	\$ 207.96	\$ -	\$ -
Works without a Permit (effective date: 2-NOV-2020)						
Development - Major ¹	\$ -	\$ -	\$ -	\$ -	\$ 6,000.00	\$ 6,000.00
Development - Minor ²	\$ -	\$ -	\$ -	\$ -	\$ 1,500.00	\$ 1,500.00
Development - Routine ³	\$ -	\$ -	\$ -	\$ -	\$ 600.00	\$ 600.00
Interference with Wetlands - Major	\$ -	\$ -	\$ -	\$ -	\$ 6,000.00	\$ 6,000.00
Interference with Wetlands - Minor	\$ -	\$ -	\$ -	\$ -	\$ 1,500.00	\$ 1,500.00
Interference with Wetlands - Routine	\$ -	\$ -	\$ -	\$ -	\$ 600.00	\$ 600.00

Niagara Peninsula Conservation Authority

FEE SCHEDULE (EXCLUDING HST)

Description	2019	2020	2021	2022	2023	2024
Municipal Infrastructure or Utilities - Major Permit	\$ -	\$ -	\$ -	\$ -	\$ 3,000.00	\$ 3,000.00
Municipal Infrastructure or Utilities - Minor Permit	\$ -	\$ -	\$ -	\$ -	\$ 1,500.00	\$ 1,500.00
Municipal Infrastructure or Utilities - Routine Permit	\$ -	\$ -	\$ -	\$ -	\$ 600.00	\$ 600.00
Minor Amendment to Issued Permit	\$ -	\$ -	\$ -	\$ -	50% permit fee	50% permit fee
Request for Permit Extension	\$ -	\$ -	\$ -	\$ -	\$ 350.00	\$ 350.00
Resubmission Fee ⁴ (hourly)	\$ -	\$ -	\$ -	\$ -	\$ 110.00	\$ 110.00
Non-Compliance (Permit Issued)	\$ -	\$ -	\$ -	\$ -	\$ 5,206.00	\$ 5,206.00
Violation Surcharge (No Permit Issued)	\$ -	\$ -	\$ -	\$ -	\$ 5,206.00	\$ 5,206.00
Schedule C - TECHNICAL REPORT REVIEW FEES						
Stormwater Management Minor (the area is less than 5 ha)	\$ 517.70	\$ 517.70	\$ 517.70	\$ 517.70	\$ -	\$ -
Stormwater Management Major (the area is more than 5 ha)	\$ 1,553.10	\$ 1,553.10	\$ 1,553.10	\$ 1,553.10	\$ -	\$ -
Review of Floodplain mapping prepared by applicant up to 500 linear metres	\$ 1,190.27	\$ 1,190.27	\$ 1,190.27	\$ 1,190.27	\$ -	\$ -
Review of Floodplain mapping prepared by the applicant over 500 linear metres	\$ 2,278.76	\$ 2,278.76	\$ 2,278.76	\$ 2,278.76	\$ -	\$ -
Grading and Drainage Plan Review Minor (the area is less than 5 ha)	\$ 336.28	\$ 336.28	\$ 336.28	\$ 336.28	\$ -	\$ -
Grading and Drainage Plan Review Major (the area is more than 5 ha)	\$ 1,035.40	\$ 1,035.40	\$ 1,035.40	\$ 1,035.40	\$ -	\$ -
Geotechnical Report Review up to 200 linear metres of slope crest	\$ 446.90	\$ 446.90	\$ 446.90	\$ 446.90	\$ -	\$ -
Geotechnical Report Review over 200 linear metres of slope crest	\$ 1,190.27	\$ 1,190.27	\$ 1,190.27	\$ 1,190.27	\$ -	\$ -
Hydrogeological Report Review Minor (less than 5 lots)	\$ 898.23	\$ 898.23	\$ 898.23	\$ 898.23	\$ -	\$ -
Hydrogeological Report Review Major (more than 5 lots)	\$ 1,553.10	\$ 1,553.10	\$ 1,553.10	\$ 1,553.10	\$ -	\$ -
Coastal Engineering Report Review (up to 200 linear m of Great Lakes shoreline)	\$ 446.90	\$ 446.90	\$ 446.90	\$ 446.90	\$ -	\$ -
Coastal Engineering Report Review (more than 200 linear m of Great Lakes shoreline)	\$ 1,190.27	\$ 1,190.27	\$ 1,190.27	\$ 1,190.27	\$ -	\$ -
EIS Terms of Reference Review (to be deducted from EIS fee when EIS submitted)	\$ 309.73	\$ 309.73	\$ 309.73	\$ 309.73	\$ -	\$ -
EIS Minor (one feature e.g. watercourse)	\$ 898.23	\$ 898.23	\$ 898.23	\$ 898.23	\$ -	\$ -
EIS Major (more than one feature e.g. wetland, watercourse, valley)	\$ 1,951.33	\$ 1,951.33	\$ 1,951.33	\$ 1,951.33	\$ -	\$ -
EIS Third submission (Addendum)(minor changes)	\$ 517.70	\$ 517.70	\$ 517.70	\$ 517.70	\$ -	\$ -
EIS Third submission (Addendum)(major changes e.g. features not addressed, additional site visit or meetings required)	\$ 1,035.40	\$ 1,035.40	\$ 1,035.40	\$ 1,035.40	\$ -	\$ -
Environmental Assessment Review	\$ -	\$ -	\$ -	\$ -	\$ 2,500.00	\$ 2,500.00
Site Visit (Not Part of a Permit or Planning Application)	\$ -	\$ -	\$ -	\$ -	\$ 550.00	\$ 550.00
Technical Study Review (Not Part of a Permit or Planning Application)	\$ -	\$ -	\$ -	\$ -	\$ 2,000.00	\$ 2,000.00
Municipal Drain Maintenance or Repair (DART)	\$ -	\$ -	\$ -	\$ -	\$ 550.00	\$ 550.00
Municipal Drain - New Construction or Improvement Under Section 78	\$ -	\$ -	\$ -	\$ -	\$ 3,750.00	\$ 3,750.00
Municipal Drain - New Section 78 Engineering Report	\$ -	\$ -	\$ -	\$ -	\$ 1,400.00	\$ 1,400.00
Schedule D - INQUIRIES / MINOR WORKS						
Solicitor, Real Estate, Appraiser	\$ 221.24	\$ 221.24	\$ 221.24	\$ 221.24	\$ 350.00	\$ 350.00
Building Permit Clearance	\$ 57.52	\$ 57.52	\$ 57.52	\$ 57.52	\$ 350.00	\$ 350.00
Minor Works Letter	\$ 106.19	\$ 106.19	\$ 106.19	\$ 106.19	\$ -	\$ -
Schedule E - CONSERVATION AREA RATES						

Niagara Peninsula Conservation Authority

FEE SCHEDULE (EXCLUDING HST)

Description	2019	2020	2021	2022	2023	2024
Balls Falls Conservation Area						
<u>Day Use</u>						
- Vehicle and driver	\$ -	\$ -	\$ -	\$ 11.50	\$ 12.17	\$ 12.83
- Vehicle and Senior/Accessible/Student Driver	\$ -	\$ -	\$ -	\$ 8.63	\$ 9.07	\$ 9.71
- Additional Passenger - Adult	\$ -	\$ -	\$ -	\$ 3.98	\$ 4.20	\$ 4.42
- Additional Passenger - Senior/Accessible/Student	\$ -	\$ -	\$ -	\$ 3.10	\$ 3.32	\$ 3.54
- Maximum Vehicle	\$ -	\$ -	\$ 21.24	\$ 23.45	\$ 24.78	\$ 26.33
- Bus - greater than 20 passengers per vehicle	\$ -	\$ -	\$ 119.47	\$ 126.55	\$ 134.51	\$ 142.48
- Shoulder Season Admission (Fall/Winter) - No attendant	\$ -	\$ -	\$ -	\$ 7.08	\$ 7.52	\$ 7.96
- Auto Gate Peak Season (No attendant)	\$ -	\$ -	\$ -	\$ 11.50	\$ 12.17	\$ 12.83
<u>Fall Festival</u>						
- General Admission	\$ -	\$ -	\$ 7.08	\$ 7.52	\$ 7.97	\$ 8.41
- Senior (65+)	\$ -	\$ -	\$ 5.31	\$ 5.75	\$ 6.19	\$ 6.64
- Children (3 to 11 years of age)	\$ -	\$ -	\$ 5.31	\$ 5.75	\$ 6.19	\$ 6.64
<u>Holiday Trail</u>						
- General Admission	\$ -	\$ -	\$ 10.62	\$ 10.62	\$ 11.28	\$ 11.95
- Senior (65+)	\$ -	\$ -	\$ 8.85	\$ 8.85	\$ 10.18	\$ 11.28
- Children (3 to 11 years of age)	\$ -	\$ -	\$ 8.85	\$ 8.85	\$ 10.18	\$ 11.28
Binbrook Conservation Area						
<u>Day Use</u>						
- Vehicle and driver	\$ -	\$ -	\$ -	\$ 11.50	\$ 12.17	\$ 12.83
- Vehicle and Senior/Accessible/Student Driver	\$ -	\$ -	\$ -	\$ 8.63	\$ 9.07	\$ 9.71
- Additional Passenger - Adult	\$ -	\$ -	\$ -	\$ 3.98	\$ 4.20	\$ 4.42
- Additional Passenger - Senior/Accessible/Student	\$ -	\$ -	\$ -	\$ 3.10	\$ 3.32	\$ 3.54
- Maximum Vehicle	\$ -	\$ -	\$ 21.24	\$ 23.45	\$ 24.78	\$ 26.33
- Bus - greater than 20 passengers per vehicle	\$ -	\$ -	\$ 119.47	\$ 126.55	\$ 134.51	\$ 142.48
- Shoulder Season Admission (Fall/Winter) - No attendant	\$ -	\$ -	\$ -	\$ 7.08	\$ 7.52	\$ 7.96
- Auto Gate Peak Season (No attendant)	\$ -	\$ -	\$ -	\$ 11.50	\$ 12.17	\$ 12.83
Chippawa Creek Conservation Area						
<u>Day Use</u>						
- Vehicle and driver	\$ -	\$ -	\$ -	\$ 11.50	\$ 12.17	\$ 12.83
- Vehicle and Senior/Accessible/Student Driver	\$ -	\$ -	\$ -	\$ 8.63	\$ 9.07	\$ 9.71
- Additional Passenger - Adult	\$ -	\$ -	\$ -	\$ 3.98	\$ 4.20	\$ 4.42
- Additional Passenger - Senior/Accessible/Student	\$ -	\$ -	\$ -	\$ 3.10	\$ 3.32	\$ 3.54
- Maximum Vehicle	\$ -	\$ -	\$ 21.24	\$ 23.45	\$ 24.78	\$ 26.33
- Bus - greater than 20 passengers per vehicle	\$ -	\$ -	\$ 119.47	\$ 126.55	\$ 134.51	\$ 142.48
- Auto Gate Peak Season (No attendant)	\$ -	\$ -	\$ -	\$ 11.50	\$ 12.17	\$ 12.83

Niagara Peninsula Conservation Authority

FEE SCHEDULE (EXCLUDING HST)

Description	2019	2020	2021	2022	2023	2024
Camping						
- Non Serviced One Night	\$ -	\$ -	\$ 42.50	\$ 45.08	\$ 47.81	\$ 50.71
- 15 Amp One Night	\$ -	\$ -	\$ 46.50	\$ 49.32	\$ 52.31	\$ 55.48
- 15 Amp Seasonal	\$ -	\$ -	\$ 2,345.27	\$ 2,487.49	\$ 2,638.33	\$ 2,798.31
- 15 Amp One Night Premium	\$ -	\$ -	\$ 50.50	\$ 53.56	\$ 56.81	\$ 60.26
- 15 Amp Seasonal Premium	\$ -	\$ -	\$ 2,568.11	\$ 2,723.84	\$ 2,889.01	\$ 3,064.20
- 30 Amp One Night	\$ -	\$ -	\$ 52.50	\$ 55.68	\$ 59.06	\$ 62.64
- 30 Amp Seasonal	\$ -	\$ -	\$ 2,679.65	\$ 2,842.13	\$ 3,014.48	\$ 3,197.27
- 30 Amp One Night Premium	\$ -	\$ -	\$ 54.50	\$ 57.80	\$ 61.31	\$ 65.03
- 30 Amp Seasonal Premium	\$ -	\$ -	\$ 2,897.11	\$ 3,072.79	\$ 3,259.12	\$ 3,456.75
- Reservation Fee	\$ -	\$ -	\$ 10.62	\$ 10.62	\$ 10.62	\$ 10.62
- Change / Cancellation Fee	\$ -	\$ -	\$ 7.08	\$ 7.08	\$ 7.08	\$ 7.08
- Deck Storage	\$ -	\$ -	\$ 70.00	\$ 70.00	\$ 79.56	\$ 84.41
Long Beach Conservation Area						
Day Use						
- Vehicle and driver	\$ -	\$ -	\$ -	\$ 11.50	\$ 12.17	\$ 12.83
- Vehicle and Senior/Accessible/Student Driver	\$ -	\$ -	\$ -	\$ 8.63	\$ 9.07	\$ 9.71
- Additional Passenger - Adult	\$ -	\$ -	\$ -	\$ 3.98	\$ 4.20	\$ 4.42
- Additional Passenger - Senior/Accessible/Student	\$ -	\$ -	\$ -	\$ 3.10	\$ 3.32	\$ 3.54
- Maximum Vehicle	\$ -	\$ -	\$ 21.24	\$ 23.45	\$ 24.78	\$ 26.33
- Bus - greater than 20 passengers per vehicle	\$ -	\$ -	\$ 119.47	\$ 126.55	\$ 134.51	\$ 142.48
- Auto Gate Peak Season (No attendant)	\$ -	\$ -	\$ -	\$ 11.50	\$ 12.17	\$ 12.83
Camping						
- Non Serviced One Night	\$ -	\$ -	\$ 42.50	\$ 45.08	\$ 47.81	\$ 50.71
- 15 Amp One Night	\$ -	\$ -	\$ 46.50	\$ 49.32	\$ 52.31	\$ 55.48
- 15 Amp Seasonal	\$ -	\$ -	\$ 2,345.27	\$ 2,487.49	\$ 2,638.33	\$ 2,798.31
- 15 Amp One Night Premium	\$ -	\$ -	\$ 50.50	\$ 53.56	\$ 56.81	\$ 60.26
- 15 Amp Seasonal Premium	\$ -	\$ -	\$ 2,568.11	\$ 2,723.84	\$ 2,889.01	\$ 3,064.20
- 30 Amp One Night	\$ -	\$ -	\$ 52.50	\$ 0.78	\$ 59.06	\$ 62.64
- 30 Amp Seasonal	\$ -	\$ -	\$ 2,679.65	\$ 2,842.13	\$ 3,014.48	\$ 3,197.27
- 30 Amp One Night Premium	\$ -	\$ -	\$ 54.50	\$ 57.80	\$ 61.31	\$ 65.03
- 30 Amp Seasonal Premium	\$ -	\$ -	\$ 2,897.11	\$ 3,072.79	\$ 3,259.12	\$ 3,456.75
- 30 Amp Seasonal Premium / Ridge	\$ -	\$ -	\$ 3,203.11	\$ 3,397.34	\$ 3,603.36	\$ 3,821.86
- Reservation Fee	\$ -	\$ -	\$ 10.62	\$ 10.62	\$ 10.62	\$ 10.62
- Change / Cancellation Fee	\$ -	\$ -	\$ 7.08	\$ 7.08	\$ 7.08	\$ 7.08
- Deck Storage	\$ -	\$ -	\$ 75.00	\$ 75.00	\$ 79.56	\$ 84.41
- Trailer Storage	\$ -	\$ -	\$ 175.00	\$ 175.00	\$ 185.68	\$ 197.00

Niagara Peninsula Conservation Authority

FEE SCHEDULE (EXCLUDING HST)

Description	2019	2020	2021	2022	2023	2024
Passes and Permits						
- NPCA NaturePlus Membership Pass	\$ -	\$ -	\$ 100.00	\$ 106.19	\$ 112.50	\$ 119.32
- NPCA NaturePlus Membership Pass Replacement Fee	\$ -	\$ -	\$ 21.24	\$ 25.00	\$ 25.00	\$ 25.00
- NPCA NaturePlus Membership Pass Renewal Fee	NA	NA	NA	NA	NA	NA
- Annual Tour Guide Operator Permit	\$ -	\$ -	\$ 53.10	\$ 53.10	\$ 56.28	\$ 59.71
- Photography Permit (per day)	\$ -	\$ -	\$ 100.00	\$ 106.19	\$ 112.50	\$ 119.36
- Filming Permit (per hour)	\$ -	\$ -	\$ 125.00	\$ 132.74	\$ 140.84	\$ 149.43
- Hunting Permit	\$ -	\$ -	\$ 35.40	\$ 37.61	\$ 39.82	\$ 42.24
Educational Programming (HST exempt)						
- Half-Day School Visit (per student)	\$ -	\$ -	\$ 7.00	\$ 7.50	\$ 8.00	\$ 8.50
- Full-Day School Visit (per student)	\$ -	\$ -	\$ 12.00	\$ 12.75	\$ 13.50	\$ 14.25
- School Visit Lunch Venue	\$ -	\$ -	\$ 56.50	\$ 56.50	\$ 58.00	\$ 59.50
- Full Day Nature School (per student)	\$ -	\$ -	\$ 55.00	\$ 55.00	\$ 58.00	\$ 61.00
- Extended Day Care (per family)	\$ -	\$ -	\$ 10.00	\$ 10.00	\$ 12.00	\$ 12.00
- Single Day Camp (PD/PA Days) (per child)	\$ -	\$ -	\$ 40.00	\$ 42.50	\$ 45.00	\$ 47.50
- Full Week Day Camp (March Break, Summer) (per child)	\$ -	\$ -	\$ 150.00	\$ 160.00	\$ 170.00	\$ 180.00
- Additional Child Full Week Day Camp	\$ -	\$ -	\$ 135.00	\$ 145.00	\$ 150.00	\$ 155.00
Schedule E (1) - WEDDING AND EVENT FACILITIES						
Balls Falls Conservation Area	2020	2021	2022	2023	2024	2025
Barn Rental						
- Barn Reception ¹	\$ 2,700.00	\$ 3,000.00	\$ 3,000.00	\$ 3,250.00	\$ 3,374.87	\$ 3,579.52
- Venue Setup Rental ²	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 309.36	\$ 328.12
Pavilion Rental						
- Picnic Pavilion Rental	\$ -	\$ -	\$ 126.64	\$ 126.64	\$ 134.36	\$ 151.83
Centre for Conservation - Glen Elgin Room						
- Glen Elgin Room Reception	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,250.00	\$ 3,374.87	\$ 3,579.52
- Venue Setup Rental ²	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 309.36	\$ 328.12
Church Rental						
- Two-Hour Ceremony ³	\$ 850.00	\$ 850.00	\$ 850.00	\$ 850.00	\$ 956.21	\$ 1,014.20
Natural Setting Rental						
- Outdoor Ceremony	\$ 750.00	\$ 800.00	\$ 850.00	\$ 850.00	\$ 956.21	\$ 1,014.20
Bridal Suite Rental						
- Daily Rate	\$ 350.00	\$ 375.00	\$ 375.00	\$ 375.00	\$ 421.86	\$ 447.44
Corporate Facilities Rental						
- Corporate Day Rate	\$ 600.00	\$ 600.00	\$ 600.00	\$ 600.00	\$ 636.00	\$ 675.00
- Educational Day Rate	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 318.00	\$ 335.00
Binbrook Conservation Area	2020	2021	2022	2023	2024	2025
Pavilion Rental						

Niagara Peninsula Conservation Authority

FEE SCHEDULE (EXCLUDING HST)

Description	2019	2020	2021	2022	2023	2024
- Picnic Pavilion Rental	\$ -	\$ -	\$ 126.64	\$ 134.36	\$ 142.56	151.83
- Pavilion Reception	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00	\$ 1,061.00	\$ 1,125.72
Natural Setting Rental						
- Outdoor Ceremony	\$ -	\$ -	\$ 350.00	\$ 350.00	\$ 371.35	\$ 394.00
Chippawa Creek Conservation Area	2020	2021	2022	2023	2024	2025
Pavilion Rental						
- Picnic Pavilion Rental	\$ -	\$ -	\$ 126.64	\$ 134.36	\$ 142.56	151.83
- Pavilion Reception	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00	\$ 1,061.00	\$ 1,125.72
Natural Setting Rental						
- Outdoor Ceremony	\$ -	\$ -	\$ 350.00	\$ 350.00	\$ 371.35	\$ 394.00
Long Beach Conservation Area	2020	2021	2022	2023	2024	2025
Pavilion Rental						
- Picnic Pavilion Rental	\$ -	\$ -	\$ 126.64	\$ 134.36	\$ 142.56	151.83
- Pavilion Reception	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00	\$ 1,061.00	\$ 1,125.72
Natural Setting Rental						
- Outdoor Ceremony	\$ -	\$ -	\$ 350.00	\$ 350.00	\$ 371.35	\$ 394.00
Special Program and Event Facilities Rental	2019	2020	2021	2022	2023	2024
- Special Large-Scale Event Site Use Permit	\$ -	\$ -	\$ 10,000.00	\$ 10,000.00	\$ 10,610.00	\$ 10,610.00
- Craft and Artisan Vendor Space (10x10 outdoor)	\$ -	\$ -	\$ 309.73	\$ 309.73	\$ 328.31	\$ 348.34
- Craft and Artisan Vendor Space (10x10 indoor)	\$ -	\$ -	\$ 486.73	\$ 486.73	\$ 515.93	\$ 547.40
- Craft and Artisan Vendor Space (10x20 outdoor)	\$ -	\$ -	\$ 619.47	\$ 619.47	\$ 656.64	\$ 696.70
- Craft and Artisan Vendor Space (10x20 indoor)	\$ -	\$ -	\$ 973.45	\$ 973.45	\$ 1,031.85	\$ 1,094.79
- Craft Beverage / Concession Vendor Space (10x10)	\$ -	\$ -	\$ 663.72	\$ 663.72	\$ 703.54	\$ 746.54
- Farmers' Market Vendor Space (10x10)	\$ -	\$ -	\$ 132.74	\$ 132.74	\$ 140.71	\$ 149.29
- Vendor Hydro Fee (10x10) (per day)	\$ -	\$ -	\$ -	\$ -	\$ -	\$25.00
- Vendor Hydro Fee (10x20) (per day)	\$ -	\$ -	\$ -	\$ -	\$ -	\$30.00
- Concession Vendor Commission Fees	\$ -	\$ -	\$ -	\$ -	\$ -	15%
- Alcoholic Beverage Ticket	\$ -	\$ -	\$ -	\$ -	\$ -	\$10.00
Schedule F - CONSULTING AND FEE-FOR-SERVICE						
Professional Services - Hourly *						
Administrative Assistant / Coordinator	\$ -	\$ -	\$ -	\$ -	\$ 60.22	\$ 71.98
Technician	\$ -	\$ -	\$ -	\$ -	\$ 66.23	\$ 80.87
Specialist	\$ -	\$ -	\$ -	\$ -	\$ 72.85	\$ 88.86
Specialist 2	\$ -	\$ -	\$ -	\$ -	\$ 82.07	\$ 97.67
Officer / Engineer	\$ -	\$ -	\$ -	\$ -	\$ 92.46	\$ 104.96
Manager / Analyst	\$ -	\$ -	\$ -	\$ -	\$ 94.43	\$ 110.36
Technical Manager	\$ -	\$ -	\$ -	\$ -	\$ 99.39	\$ 123.03
Senior Manager	\$ -	\$ -	\$ -	\$ -	\$ 104.36	\$ 135.37

Niagara Peninsula Conservation Authority

FEE SCHEDULE (EXCLUDING HST)

Description	2019	2020	2021	2022	2023	2024
Senior Engineer	\$ -	\$ -	\$ -	\$ -	\$ 118.80	\$ 148.37
Director	\$ -	\$ -	\$ -	\$ -	\$ 133.24	\$ 161.04
CAO/Secretary-Treasurer	\$ -	\$ -	\$ -	\$ -		\$ 215.18
GIS Support - Manager	\$ -	\$ -	\$ -	\$ -		\$ 110.36
GIS Support - Administrator	\$ -	\$ -	\$ -	\$ -		\$ 88.86
GIS Support - Analyst	\$ -	\$ -	\$ -	\$ -		\$ 72.88
GIS Support - Technician	\$ -	\$ -	\$ -	\$ -		\$ 66.32

Report To: Board of Directors

Subject: Financial Report – Q3 - 2024

Report No: FA-58-24

Date: November 15, 2024

Recommendation:

THAT Report FA-58-24 RE: Financial Report – Q3 - 2024 BE **RECEIVED**.

Purpose:

The purpose of this report is to provide the Finance Committee with a summary of 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.

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: 2024 Operating Statement – Q3

Appendix 2: Capital Projects 2024 – Q3

Prepared by:

Original Signed by:

Lise Gagnon, CPA, CGA
Director, Corporate Services

Submitted by:

Original Signed by:

Leilani Lee-Yates, BES, MSPL.RPD MCIP, RPP
Chief Administrative Officer/Secretary-Treasurer

Niagara Peninsula Conservation Authority
2024 CONSOLIDATED OPERATING STATEMENT - Q3 - JANUARY 1 TO SEPTEMBER 30, 2024

Appendix 1 - Report No. FA-59-24	Year to date				Annual Budget	Comments
	Actual	Budget	\$ Variance	% Variance		
Source of Funds						
Municipal Funding	5,280,666	5,280,696	-30	(0.0%)	7,040,886	Variance not material
Provincial Funding	375,134	476,928	-101,794	(21.3%)	540,660	Grant funding revenue inconsistent with budget timing (RAP)
Federal Funding	94,968	99,000	-4,032	(4.1%)	212,323	Variance not material
Program Revenue	3,512,628	3,414,203	98,425	2.9%	4,077,247	Better than expected performance - planning/permitting + CAS
Other	510,904	500,715	10,189	2.0%	1,432,053	Variance not material
Total Revenues/Source of Funds	\$ 9,774,300	\$ 9,771,542	\$ 2,758	0.0%	\$ 13,303,169	
Use of Funds						
Salaries and Benefits, Employee Related	6,799,543	6,501,555	-297,988	(4.6%)	8,972,903	Timing of internal transfers
Governance	10,540	21,470	10,930	50.9%	41,000	Timing on recognition of Board expenses
Professional Fees, Contractor Services	430,083	752,386	322,303	42.8%	1,043,691	Timing of expense recognition including fully funded activity
Materials & Supplies, Vehicles & Equipment	524,219	527,034	2,815	0.5%	701,109	Variance not material
Occupancy Costs	681,014	602,410	-78,604	(13.0%)	795,892	Pending property tax rebate & rent donation offset
Park Maintenance	431,201	524,888	93,687	17.8%	654,143	Calendarization of park maintenance disbursements
Information Management/GIS	392,980	359,059	-33,921	(9.4%)	455,112	Licence fees; upgraded internet connectivity
Marketing, Advertising, Printing, Signs	32,432	69,174	36,742	53.1%	91,680	Signs and printing underspent
Special Events (Festival, Holiday Trail)	77,621	62,408	-15,213	(24.4%)	211,260	Timing of expense recognition (Festival)
Flood Forecasting & Water Quality	61,072	74,090	13,018	17.6%	144,400	Timing of expense recognition
Miscellaneous	158,540	112,200	-46,340	(41.3%)	191,979	ACAO levy (paid early) + higher credit/debit processing fees
Total Expenses/Use of Funds	\$ 9,599,245	\$ 9,606,674	\$ 7,429	0.1%	\$ 13,303,169	
Net Surplus/Deficit as at September 30, 2024	\$ 175,055	\$ 164,868	\$ 10,187	6.2%	-	

Niagara Peninsula Conservation Authority - 2024 CAPITAL AND SPECIAL PROJECTS					Appendix 2 - Report No. FA-58-24	
Project Name	Location	Funding 2024	Budget Carried Forward	YTD Spend at 31-DEC-2023	YTD Spend at Q3 30-SEP-2024	Total Project Spend
Corporate Administration						
Human Resources Information System	Various		27,013	2,013	-	2,013
TOTAL - Corporate Administration		\$ -	\$ 27,013	\$ 2,013	\$ -	\$ 2,013
Corporate Services						
Annual PC replacements and Acquisition	Various	89,397	-	-	69,595	69,595
Information Technology Infrastructure Maintenance	Various	31,552	-	-	39,910	39,910
Balls Falls - Internet Upgrades	Balls Falls	-	-	-	29,037	29,037
Leasehold Improvements	Various	157,760	-	-	42,803	42,803
Furniture & Equipment - Merrittville, Thorold	Various	-	-	-	273,366	273,366
Records Management	Various	-	42,013	19,049	2,014	21,063
Orthoimagery	Various	-	-	-	10,176	10,176
Sustainment - Stream Gauge Equipment	Niagara	26,293	21,610	18,410	51,074	69,484
TOTAL - Corporate Services		\$ 305,002	\$ 63,623	\$ 37,459	\$ 517,975	\$ 555,434
Conservation Area Services						
Balls Falls - Centre for Conservation Upgrades	Balls Falls	105,173	66,747	35,080	90,766	125,846
Balls Falls - Wedding Upgrades	Balls Falls	78,880	-	-	50,544	50,544
Balls Falls - Historical Restoration	Balls Falls	-	36,038	32,104	3,053	35,157
Binbrook - New Washroom Building (Phase 1&2)	Binbrook	315,520	64,831	23,967	28,168	52,135
Long Beach - Workshop (Phase 1&2)	Long Beach	315,520	135,064	32,921	45,053	77,974
Rockway/Cave Springs - Interpretive and Wayfinding Signage	Various	105,173	-	-	3,383	3,383
Rockway/St. John's/Chippawa/Long Beach - Automated Gates	Various	210,346	-	-	153,568	153,568
St. John's Education Centre Structural Rest. - Phase 2	Various	105,173	-	-	88,569	88,569
Equipment Sustainment	Various	184,053	-	-	169,446	169,446
Hazard Tree Removal and Reforestation	Various	52,587	-	-	28,887	28,887
Total - Conservation Area Services		\$ 1,472,425	\$ 302,680	\$ 124,072	\$ 661,437	\$ 785,509
Watershed						
Shoreline Hazard Mapping Update - Lake Ontario - Phase 1	Various	159,678	-	-	4,227	4,227
Shoreline Mapping Update - Lake Erie		-	157,753	7,753	-	7,753
Floodplain Mapping - Oswego Creek	Haldimand	-	181,804	55,950	42,101	98,051
Floodplain Mapping - Coyle & Drapers Creek	Welland/Pelham	-	120,944	179,512	9,556	189,068
Floodplain Mapping - Upper Welland River Tributaries	Niagara	-	108,051	8,051	-	8,051
Watershed & Sub watershed Data Analysis/Monitoring	Niagara	-	81,038	-	-	-
Binbrook Dam - Geotechnical Analysis	Binbrook	-	60,000	22,023	22,875	44,898
Karst Void Mapping	Various	31,552	-	5,103	1,014	6,117
Welland River West SWAT Non-Point Source Water Quality Model- Phase 2	Various	94,656	-	-	53,044	53,044
Welland River Water Quality Non-Point Source Model		-	64,831	4,831	-	4,831
Integrated Water Resources Spatial Drainage Framework - Phase 2	Various	78,880	-	-	-	-
Integrated Watershed Monitoring Program Startup	Various	-	27,013	-	2,392	2,392
Twelve Mile Creek Restoration Project		-	-	-	2,519	2,519
Sustainment - Water Quality Monitoring Equipment	Various	26,293	27,013	24,501	3,251	27,752
Invasive Species		31,552	-	-	1,014	1,014
Land Management Plans (Beamer, Rockway, Cave Springs, Woodend, Morgan's Point)	Various	105,173	-	-	22,899	22,899
Land Securement - All	Various	-	-	468,670	134,870	603,540
Total - Watershed		\$ 527,784	\$ 828,447	\$ 776,394	\$ 299,762	\$ 1,076,156
GRAND TOTAL		\$ 2,305,211	\$ 1,221,763	\$ 939,938	\$ 1,479,174	\$ 2,419,112

Report To: Board of Directors

Subject: Agreement of Services between the Corporation of the Town of Niagara-on-the-Lake and Niagara Peninsula Conservation Authority

Report No: FA-57-24

Date: November 15, 2024

Recommendation:

THAT Report No. FA-57-24 RE: Agreement of Services between the Corporation of the Town of Niagara-on-the-Lake and Niagara Peninsula Conservation Authority **BE RECEIVED**;

AND THAT the Agreement of Services between the Corporation of the Town of Niagara-on-the-Lake and Niagara Peninsula Conservation Authority **BE APPROVED**;

AND THAT the CAO/Secretary – Treasurer and NPCA Chair **BE AUTHORIZED** to sign required documents to execute said agreement;

AND FURTHER THAT the final executed Agreement of Service between the Corporation of the Town of Niagara-on-the-Lake and Niagara Peninsula Conservation Authority **BE MADE PUBLICLY AVAILABLE** on NPCA's website.

Purpose:

The purpose of this report is to authorize the execution of an Agreement of Services between the Town of Niagara-on-the-Lake and Niagara Peninsula Conservation Authority.

Background:

On June 16, 2023, the Board passed Resolution No. FA-67-2023, indicating:

THAT Report No. FA-28-23 RE: Agreements of Services with Municipalities as required under the Conservation Authorities Act Phase 1 Regulation **BE RECEIVED**.

THAT staff **BE DIRECTED** to circulate the draft Agreement of Services, as appended, for discussion with NPCA's partner municipalities as part of the 2024 Budget process, related to Category 2 and 3 Programs and Services.

THAT this report **BE CIRCULATED** to NPCA's partner (funding) municipalities, lower-tier municipalities, Ministry of Natural Resources and Forestry (MNRF) and Ministry of Environment Conservation and Parks (MECP).

THAT the final Agreements of Services **BE PRESENTED** to the NPCA Board of Directors for final approval.

AND FURTHER THAT the final executed Agreements of Services **BE POSTED** online as required by the *Conservation Authorities Act*.

On October 29, 2024, the Town of Niagara-on-the-Lake passed By-law 2024-068 – a By-law to authorize an agreement between the Town and the NPCA. This includes shared services selected per municipal needs (Schedule "A") and responsibilities and financial obligations for both parties pertaining to shared operations and maintenance of the Virgil Dam Conservation Area (Schedule "B").

O. Reg 687/21: Transition Plans and Agreements for Programs and Services under the *Conservation Authorities Act* stipulates that agreements are required for Programs and Services under Categories 2 and 3.

Lower-tier municipalities in Niagara Region, which are not levied for CA services, can enter into Agreements of Services on a fee-for-service basis when a local municipality wishes to procure NPCA to deliver services that are not procured through the Region.

NPCA has met with many lower-tier municipalities to understand their unique needs and inform them of the data and expertise available through NPCA services.

The Niagara Peninsula Conservation Authority owns three conservation areas in Niagara on the Lake including Eight Mile Creek CA, 2 Mile Creek CA, Woodend, and Virgil CA. All four properties provide Category 1 services, which encompass natural heritage conservation and passive recreational opportunities, such as hiking.

Virgil CA includes Virgil Dams and Reservoirs that were originally constructed in 1968 with the primary purpose of providing water for agricultural irrigation. The Upper Dam and Reservoir is located just south of the Township Line 3 west of Creek Road, and the Lower Dam and Reservoir is located between Niagara Stone Road and Township Line 3. During the growing season, water within Four Mile Creek and the Virgil Reservoirs is supplemented by water pumped by the Town from the Ontario Power Generation's Sir Adam Beck hydro facility as dictated by the Town's Irrigation Committee. Agricultural irrigation support is classified as a Category 3 service, providing a basis for establishing a formal agreement.

Discussion:

The Niagara Peninsula Conservation Authority and the Town of Niagara-on-the-Lake do not currently have a formalized agreement regarding the Virgil Dams and Reservoirs. However, both organizations have worked collaboratively to ensure the maintenance and operation of the dams, addressing community needs for agricultural irrigation as well as passive recreation at Virgil CA. The agreement between the NPCA and the Town establishes clear responsibilities and financial commitments for each party, formalizing the duties that both organizations are already performing.

The **Niagara Peninsula Conservation Authority** will:

- a. Undertake and pay for all operations and maintenance pertaining to land care on the properties (excluding the Upper and Lower Dam structures, and the Upper and Lower Reservoirs, collectively the "**Virgil Reservoirs and Dams**") which shall include grass cutting, tree removal and maintaining all gates, fences, bollards, barriers, trails, and driveways.
- b. Assist the Town by providing technical expertise to obtain any required permits or approvals necessary to improve the condition or operation of the Virgil Reservoirs and Dams for irrigation purposes.
- c. Provide the Town with non-exclusive access to the Virgil Reservoir and Dams, such that the Town may operate the dams and draw water from the Upper and Lower Virgil Reservoirs for agricultural irrigation.
- d. Develop Virgil Conservation Area Management Plan with input from municipal staff, appropriate stakeholders, and community as per the Conservation Area Strategy required under the Conservation Authorities Act. Through the development of the Conservation Area Management Plan, NPCA will ensure that the ongoing irrigation needs of the agriculture community must continue to be accommodated.

The **Town of Niagara-on-the-Lake** will:

- a. Undertake and pay for all operations and maintenance pertaining to the Virgil Reservoirs and Dams water control infrastructure as per past practice.
- b. Undertake and pay for all operations that are required to impound, supply, convey, and discharge irrigation water as per past practice.
- c. Undertake to provide and pay for routine inspections of the Upper and Lower Virgil Dam structures to ensure the overall structural integrity of the water control structures.
- d. Collaborate with NPCA to fundraise as required, to undertake capital works required to maintain the structural integrity of the Dams and to satisfy all applicable Provincial Dam Safety guidelines, policies, and requirements.
- e. Undertake to implement and comply with all conditions (including operating, monitoring, reporting, and renewal) of the Ministry of the Environment, Conservation, and Parks Permit to Take Water #2442-CMJSC3 (attached).

The Niagara Peninsula Conservation Authority and the **Town of Niagara-on-the-Lake** will:

- a. Meet quarterly to discuss the implementation of this Agreement.
- b. Collaborate to secure funding to help defray the costs of capital works required to be undertaken to maintain the overall structural integrity of the Dams and to satisfy all applicable Dam Safety guidelines, policies, and requirements.
- c. Collaborate to implement and cost-share shoreline erosion control projects that have the potential to negatively impact adjacent pedestrian trails.

This agreement formalizes each organization's role, establishing a clear framework for collaborative maintenance and operational responsibilities for the Virgil Dams and Reservoirs.

Financial Implications:

All costs associated with this agreement have been accounted for within the draft 2025 operating budget and will be factored into future operating budgets as appropriate.

Links to Policy/Strategic Plan:

Goal 4.1: Strengthen government relations toward collective outcomes and impact

Related Reports and Appendices:

Appendix 1: Niagara Peninsula Conservation Authority and The Town of Niagara on the Lake Agreement or Services

Report No. FA-28-23 RE: Agreements of Services with Municipalities as required under the CA Act Phase 1 Regulation (*available upon request*)

Authored by:

Original Signed by:

Adam Christe
Director, Conservation Areas

Submitted by:

Original Signed by:

Leilani Lee-Yates, BES, MSPL.RPD, MCIP, RPP
Chief Administrative Officer/Secretary-Treasurer

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 2024-068**

A BY-LAW TO AUTHORIZE AN AGREEMENT BETWEEN THE
CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE AND
NIAGARA PENINSULA CONSERVATION AUTHORITY (NPCA)

BE IT ENACTED AS A BY-LAW OF THE CORPORATION OF THE TOWN OF
NIAGARA-ON-THE-LAKE as follows:

1. THAT the agreement 'Schedule A' dated the 29th day of October, 2024 between The Corporation of the Town of Niagara-on-the-Lake and Niagara Peninsula Conservation Authority (NPCA) is hereby approved; and
2. THAT the agreement attached hereto as 'Schedule A' be deemed a part of this by-law; and
3. THAT the CAO and Clerk be authorized to affix their hands and the Corporate Seal; and
4. THAT this by-law shall come into force and take effect immediately upon the passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 29TH DAY
OF OCTOBER, 2024.**



LORD MAYOR GARY ZALEPA



TOWN CLERK GRANT BIVOL



AGREEMENT FOR SERVICES

THIS AGREEMENT dated this ____ day of _____, 2024.

BETWEEN:

NIAGARA PENINSULA CONSERVATION AUTHORITY
(hereinafter called the "NPCA")

OF THE FIRST PART

– and –

The Town of NIAGARA-ON-THE-LAKE,
(Hereinafter called the "Municipality")

OF THE SECOND PART

WHEREAS the NPCA is a Conservation Authority established under the Conservation Authorities Act ("Act") and is governed by its members appointed by participating municipalities in accordance with the *Act*;

AND WHEREAS the Town, through its two members of Regional Council, have input and vote on the composition of the NPCA;

AND WHEREAS the Municipality is located wholly or in part within the area under the jurisdiction of NPCA;

AND WHEREAS the Municipality is a lower tier Municipality in the Region of Niagara located wholly or in part within the area under the jurisdiction of NPCA;

AND WHEREAS, pursuant to the *Act*, Conservation Authorities are permitted to provide non-mandatory programs and services under a memorandum of understanding or such other agreement as may be entered into with a Municipality;

AND WHEREAS the NPCA and the Municipality has mutually agreed to establish shared services that are within the service areas attached hereto as Schedule "A" and Schedule "B":

AND WHEREAS the Council of the Municipality and NPCA Board has authorized the Municipality to enter into this Agreement for Services with the NPCA for the delivery of programs and;

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NOW THEREFORE, in consideration of the mutual covenants and agreements contained in this Agreement for Services, including the exchange of promises it contains, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

Scope and Use

1. The NPCA agrees to collaborate on shared services to the Municipality selected as per municipal needs. Non-mandatory services attached hereto as Schedule "A".
2. Notwithstanding the foregoing, the Municipality acknowledges and agrees that all programs and services identified in Schedule "A" may also be included in a Watershed-based Resource Management Strategy that the NPCA is required to develop and implement under the *Act*, or any amendments thereto.

Term of Agreement

3. The term of this Agreement shall be for a period of five (5) years commencing on January 1, 2024 and running until December 31, 2028 (the "**Initial Term**"),
4. This Agreement shall be reviewed by the parties within six months of the end-date of the Initial Term for the purpose of determining whether or not this Agreement for Services is to be renewed by the parties, and discussing the terms of any renewal, including, but not limited to, whether any changes will be made to the non-mandatory programs and services attached hereto as Schedule "A". It shall be the NPCA's responsibility to initiate the review with the Municipality.
5. The NPCA and the Municipality, upon mutual agreement, may renew this Agreement for Services for an unlimited number of additional five (5) year terms (the "**Renewal Term(s)**"), provided that any renewed Agreement for Services must also be reviewed by the parties six months prior to the end-date of any such Renewal Term(s), as set out in paragraph 4, above.
6. This Agreement for Services may be terminated by either party prior to the end of the Initial Term or any Renewal Term(s), upon delivery of a written "Notice of Early Termination" as per the Notice clause 19, below, from the terminating party to the non-terminating party at least six months before the early termination date, which date is to be specified in the written "Notice of Early Termination".
7. The Municipality and NPCA will strive to facilitate open and timely communication at all levels. The resolution of disputes that may arise between the parties to this Agreement for Services during the Initial Term and/or any Renewal Term(s) shall be subject to alternative dispute resolution for the settling of disputes outside the Court system. The Parties will endeavour to resolve the matter through negotiations without use of formal mediation or adjudication. If needed, the Parties

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will seek mediation to be conducted by a mutually agreed-upon mediator at such time as may be mutually agreed upon by the NPCA and the Municipality, and should mediation be unsuccessful, an arbitration to be conducted by a mutually agreed-upon arbitrator at such time and pursuant to such procedural rules as may be mutually agreed upon by the NPCA and the Municipality. The cost of any mediation and/or arbitration shall be borne in equal shares by the NPCA and Municipality.

8. The NPCA will not add to or delete from the services or programs funded through the Municipality without first consulting with the Municipality and entering into a written agreement to this Agreement for Services with the Municipality.
9. The Municipality acknowledges and agrees that by executing this Agreement for Services, it is confirmed that the terms of this Agreement for Services have been reviewed and approved by a resolution of the Council of the Municipality.
10. This Agreement for Services does not preclude the parties identifying or entering into agreements with respect to opportunities for further collaboration to the benefit of both parties, and is intended to ensure efficiency, transparency and accountability in the use of resources, including in-kind services and assistance, coordination of complementary policy and program initiatives and projects involving third parties.
11. The resolution of the NPCA Board of Directors to execute this Agreement for Services shall be attached hereto as Schedule 'C'.
12. The resolution of Council of the Municipality to execute this Agreement for Services shall be attached hereto as Schedule 'D'.

Agreement for Services Available to the Public

13. As required by the *Act* and/or its regulations, this Agreement for Services shall be made available to the public, including on the NPCA website.

Fees and Payment

14. The costs associated with programs and services subject to this Agreement for Services, be reviewed by the parties on an as need basis and will be based on applicable legislation.
15. NPCA will charge a user fee in the delivery of any programs and services listed in Schedule 'A', or as requested by the Municipality through collaborative projects as appropriate, to cover costs of NPCA programs or services provided under this

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Agreement for Services. Such user fees shall only be imposed in accordance with NPCA's Fee Policy and Fee Schedules adopted in accordance with the provisions of the *Act*, or otherwise in accordance with provisions set out in an agreement between the NPCA and the Municipality.

16. The responsibilities and financial obligations of the NPCA and Municipality for the shared operations and maintenance of the Virgil Dam Conservation Area are specified in Schedule 'B'.
17. Should the municipality request a service listed in "Schedule A", quarterly invoices will be sent by the NPCA to the Municipality for the delivery of programs and services in accordance with this Agreement.

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Notice

18. Any notice in respect of this Agreement for Services shall be in writing and shall be sufficiently given or made if made in writing and either delivered in person during normal business hours of the recipient on a business day to the party for whom it is intended to the address as set out below, or sent by registered mail or by email addressed to such party as follows:

- (1) in the case of the Municipality, to:
The Town of Niagara-on-the-Lake
1593 Four Mile Creek Road
Virgil, ON
L0S 1T0
Attention: Bruce Zvaniga, CAO (Interim)
Email: bruce.zvaniga@notl.com

- (2) in the case of NPCA, to:

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

Attention: Leilani Lee-Yates, CAO/Secretary-Treasurer

Email: llee-yates@npca.ca

or to such other addresses as the parties may from time to time set out in writing, and any notice so made or given shall be deemed to have been duly and properly made or given and received on the day on which it shall have been so delivered or, if mailed, then, in the absence of any interruption of postal service affecting the delivery or handling thereof, on the third business day after the date of mailing.

Force Majeure

19. Neither party shall be in default with respect to the performance or non-performance of the terms of this Agreement for Services resulting directly or indirectly from causes beyond its reasonable control (other than for financial inability) that could not reasonably have been foreseen, including, without limitation, any delay caused by war, invasion, riots, acts of terrorism or sabotage, acts of government authority (other than by the Participating Municipality), plague, epidemic, pandemic, natural disaster, strike, lock-out, inability to procure material, or other cause, and the performance of such term or terms shall be extended for a period equivalent to the period of such delay.

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This provision should not relieve the Municipality of its obligation to pay fees and costs when due.

Governing Law

20. This Agreement for Services shall be governed by and construed in accordance with the laws of the Province of Ontario and the laws of Canada applicable therein and shall be treated in all respects as the locus of contract.

No Agency

21. Nothing herein contained shall make or be construed to make the Municipality or the NPCA a partner of one another nor shall this Agreement for Services be construed to create a partnership, joint venture, principal-agent relationship or employment relationship in any way or for any purpose whatsoever between the Municipality or the NPCA or between the Municipality, the NPCA and a third party. Nothing in this Agreement for Services is to be construed as authorizing one of the NPCA or the Municipality to contract for or to incur any obligation on behalf of the other of them or to act as agent for the other of them. Any reference herein to the Municipality shall be interpreted to include its boards, agencies, commissions, and subsidiary operations.

Invalidity of any Provision

22. If any provision of this Agreement for Services is invalid, unenforceable or unlawful, such provision shall be deemed to be deleted from this Agreement for Services and all other provisions shall remain in full force and effect and shall be binding in all respects between the parties hereto.

Further Assurances

23. The Parties hereto agree to execute and deliver to each other such further written documents and assurances from time to time as may be reasonably necessary to give full effect to the provisions of this Agreement for Services.

Amendments

24. This Agreement for Services cannot be altered, amended, changed, modified, or abandoned, in whole or in part, except by written agreement executed by the parties, and no subsequent oral agreement shall have any validity whatsoever.

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Binding Agreement

25. This Agreement for Services shall ensure to the benefit and be binding upon the parties hereto and their respective heirs, executors, representatives and successors permitted hereunder.

Execution

26. This Agreement for Services may be executed in counterparts and when each party has executed a counterpart, each of such counterparts shall be deemed to be an original and all of such counterparts, when taken together, shall constitute one and the same agreement.

IN WITNESS WHEREOF the Municipality and the NPCA have signed this Agreement for Services on the following page.

[Signature page follows]

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SIGNED, SEALED AND DELIVERED THIS ____ DAY OF _____, 2024.

NIAGARA PENINSULA CONSERVATION AUTHORITY

Per: _____
Chair – Robert Foster

Per: _____
Chief Administrative Officer/Secretary-Treasurer – Chandra Sharma

I/we have the authority to bind the Corporation

SIGNED, SEALED AND DELIVERED THIS ____ DAY OF _____, 2024.

TOWN OF NIAGARA ON THE LAKE

Per:  _____
Lord Mayor - Gary Zalapa

Per:  _____
Town Clerk - Grant Bivol

I/we have the authority to bind the Corporation

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NPCA Agreement of Services - Schedule "A"

NPCA Service Areas for Category 2 Services (non-Mandatory Fee-for-Service or costs-shared through fundraising)

Flood and Erosion Management

- a) Flood & erosion hazard mitigation projects on public lands across watershed rivers and streams (beyond NPCA owned lands)

Shoreline Hazard Management & Resilience

- a) Shoreline studies for public lands including environmental assessments
- b) Shoreline flood and erosions capital projects on public lands (beyond NPCA owned lands)

Planning Studies

- a) Class or Conservation Authority Environmental Assessment for restoration, trails or flood and erosion mitigation projects
- b) Review and advice on OP updates and comprehensive Zoning By-Law reviews related to watershed-based resource management and natural hazards (other than natural heritage)
- c) Support cross-disciplinary integration and inform municipal watershed planning and water, wastewater, and stormwater master planning

Watershed and Sub-watershed Planning

- a) Data, technical analysis and modeling to inform sub-watershed and quaternary planning for growth areas and restoration initiatives
- b) Review and input to sub-watershed studies or other regional scale studies (e.g., comprehensive EIS, master plans)
- c) Watershed and landscape scale integrated science and reporting to foster cross-municipal resource management

Watershed Monitoring

- a) Water quality monitoring to support municipal and other programs and initiatives (Stormwater quality monitoring or performance monitoring of Low Impact Development technologies)
- b) Ecological monitoring to support municipal programs (planning & growth)
- c) Subwatershed monitoring to support municipal studies, including surface water and groundwater quality, equipment set-up and maintenance, fish and other aquatic community surveys
- d) Groundwater monitoring and reporting

Ecological Restoration & Stewardship

- a) Restoration projects (cost-shared and Fee- for-service)
- b) Invasives species management
- c) Agriculture (public and private land), urban (homeowners/public lands) and corporate stewardship and restoration initiatives

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- d) Technical support to landowners on restoration and forest management, Knowledge sharing workshops, hands-on training

Climate Change Resilience

- a) Emerging climate Research and practice to support municipal projects (i.e., Natural Asset Inventories)
- b) Sustainable Stormwater and Erosion/Sediment Management Technologies and Low Impact Development (implementation, training, performance monitoring and Best Management Practices)

Outdoor Education and Cultural Heritage

- a) Outdoor Education and Cultural Heritage Programs

Land Management & Land Care

- a) Land, Lease & Facility Management, Operations and Maintenance

Land Securement

- a) Strategic cost-shared acquisition of properties with lower-tier municipal partners and other agencies.

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Schedule B

REGARDING

THE VIRGIL DAMS AND RESERVOIRS CONSERVATION AREA

1. BACKGROUND

1.1) The Niagara Peninsula Conservation Authority's (NPCA) Virgil Dams and Reservoirs Conservation Area, located across Four Mile Creek in the Town of Niagara-on-the-Lake (the 'Town'), were originally constructed in 1968 with the primary purpose of providing water for agricultural irrigation. This primary purpose remains unchanged to this day. The Upper Dam and Reservoir is located just south of Township Line 3 west of Creek Road, and the Lower Dam and Reservoir is located between Niagara Stone Road and Township Line 3.

1.2) The NPCA currently owns and maintains the Virgil Dams and Reservoirs Conservation Area as a passive recreational facility intended to be primarily used for hiking, fishing, and bird watching.

1.3) During the growing season, water within Four Mile Creek and the Virgil Reservoirs is supplemented by water pumped by the Town from the Ontario Power Generation's Sir Adam Beck hydro facility as dictated by the Town's Irrigation Committee.

1.4) There has never been a formal agreement between the NPCA and the Town with respect to the maintenance and operation of these Dams. Both organizations have collaborated in good faith to ensure community needs for irrigation are addressed in a timely fashion.

1.5) This Agreement does not change the continued need for collaboration related to the operational aspects of infrastructure and grounds maintenance and is focused on clarifying roles and responsibilities considering recent changes to the Conservation Authorities Act.

1.6) As such, this Agreement between the Niagara Peninsula Conservation Authority and the Town of Niagara-on-the-Lake regarding the NPCA's Virgil Dams and Reservoirs shall clearly and define the responsibilities and financial obligations of each party.

2.0) RESPONSIBILITIES AND FINANCIAL OBLIGATIONS

Responsibilities and financial obligations are outlined as follows:

2.1) The **Niagara Peninsula Conservation Authority** will:

- a. Undertake and pay for all operations and maintenance pertaining to land care on the properties (excluding the Upper and Lower Dam structures, and the Upper and Lower Reservoirs, collectively the "**Virgil Reservoirs and Dams**") which shall include grass

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cutting, tree removal and maintaining all gates, fences, bollards, barriers, trails, and driveways.

- b. Assist the Town by providing technical expertise to obtain any required permits or approvals necessary to improve the condition or operation of the Virgil Reservoirs and Dams for irrigation purposes.
- c. Provide the Town with non-exclusive access to the Virgil Reservoir and Dams, such that the Town may operate the dams and draw water from the Upper and Lower Virgil Reservoirs for agricultural irrigation.
- d. Develop Virgil Conservation Area Management Plan with input from municipal staff, appropriate stakeholders, and community as per the Conservation Area Strategy required under the Conservation Authorities Act. Through the development of the Conservation Area Management Plan, NPCA will ensure that the ongoing irrigation needs of the agriculture community must continue to be accommodated.

2.2) The **Town of Niagara-on-the-Lake** will:

- a. Undertake and pay for all operations and maintenance pertaining to the Virgil Reservoirs and Dams water control infrastructure as per past practice.
- b. Undertake and pay for all operations that are required to impound, supply, convey, and discharge irrigation water as per past practice.
- c. Undertake to provide and pay for routine inspections of the Upper and Lower Virgil Dam structures to ensure the overall structural integrity of the water control structures.
- d. Collaborate with NPCA to fundraise as required, to undertake capital works required to maintain the structural integrity of the Dams and to satisfy all applicable Provincial Dam Safety guidelines, policies, and requirements.
- e. Undertake to implement and comply with all conditions (including operating, monitoring, reporting, and renewal) of the Ministry of the Environment, Conservation, and Parks Permit to Take Water #2442-CMJSC3 (attached).

2.3) **The Niagara Peninsula Conservation Authority** and the **Town of Niagara-on-the-Lake** will:

- a. Meet quarterly to discuss the implementation of this Agreement.
- b. Collaborate to secure funding to help defray the costs of capital works required to be undertaken to maintain the overall structural integrity of the Dams and to satisfy all applicable Dam Safety guidelines, policies, and requirements.
- c. Collaborate to implement and cost-share shoreline erosion control projects that have the potential to negatively impact adjacent pedestrian trails.

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- d. Collaborate to secure funding to help defray the costs of any works which would serve to improve the environmental health of the Upper and Lower Virgil Reservoirs.
- e. Collaborate on the long-term vision and management plan of Virgil Conservation Area and its implementation.

3.0 POINTS OF CONTACT

3.1 All notices and communications related to this Agreement will be addressed as follows:

3.1.1) For **Niagara Peninsula Conservation Authority** to:

Director, Conservation Areas

Niagara Peninsula Conservation Authority

250 Thorold Road West, 3rd floor,

Welland, ON, L3C 3W2

Phone: (905) 788-3135

3.1.2) For the **Town of Niagara-on-the-Lake** to:

Director of Operations

Town of Niagara-on-the-Lake

1593 Four Mile Creek Road,

Niagara-on-the-Lake, ON, L0S 1T0

Phone: (905) 468-3266

4.0 TERMS OF ACCESS AND INDEMNIFICATION

4.1) The Town shall conduct its activities in a manner that will minimize interference with the NPCA's and the public's use and enjoyment of the Virgil Reservoirs and Dams and the NPCA's adjacent property.

4.2) The Town shall obtain and, cause its agents to obtain (and provide evidence to the NPCA), prior to the access to or commencement of any activities at the Virgil Reservoirs and Dams by or on behalf of the Town a policy of commercial general liability insurance covering any and all liability with respect to or arising out of the Town Access activities. Such policy of insurance shall be kept and maintained in force during the term of this Agreement and so long thereafter as necessary to cover any claims of damages suffered by persons or property resulting from any acts or omissions of the Town, the Town's employees, agents, contractors, suppliers, consultants or other related parties with respect to the Town Access activities. Such policy of insurance shall

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have liability limits of not less than Five Million Dollars (\$5,000,000) with a combined single limit per occurrence for bodily injury, personal injury and property damage liability and shall be in form and content satisfactory to the NPCA, acting reasonably. The Town and its agents shall provide the NPCA with certificates of insurance prior to entry onto the Virgil Reservoir and Dams by the Town or its agents and shall provide satisfactory evidence of such insurance coverage upon request of the NPCA at any time thereafter.

4.3) The Town shall defend, reimburse, indemnify and hold the NPCA, its officers, servants and agents, harmless from and against any and all claims, demands, suits, actions, losses, liabilities, damages, obligations, payments, costs, and expenses (including reasonable legal fees incurred in connection therewith) arising out of any injury to persons, including death, or loss or damage to property of the NPCA or others, which may be asserted against the NPCA by reason, in whole or in part, of the entry upon the Virgil Reservoirs and Dams by the Town or its agents or their respective activities at the Virgil Reservoirs and Dams or in any manner associated with the exercise of any right or privilege granted to the Town by this Agreement.

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Schedule 'C'
NPCA Board of Directors Resolution to Execute this Agreement

9.3 Report No. FA-28-23 RE: Agreements of Services with Municipalities as required under the Conservation Authorities Act Phase 1 Regulation

Resolution No. FA-67-2023

Moved by Brian Grant

Seconded by Mark Tadeson

1. THAT Report No. FA-28-23 RE: Agreements of Services with Municipalities as required under the Conservation Authorities Act Phase 1 Regulation BE RECEIVED.

2. THAT staff BE DIRECTED to circulate the draft Agreement of Services, as appended, for

discussion with NPCA's partner municipalities as part of the 2024 Budget process, related to

Category 2 and 3 Programs and Services.

3. THAT this report BE CIRCULATED to NPCA's partner (funding) municipalities, lower-tier

municipalities. Ministry of Natural Resources and Forestry (MNR) and Ministry of Environment Conservation and Parks (MECP).

5. THAT the final Agreements of Services BE PRESENTED to the NPCA Board of Directors for

final approval.

6. AND FURTHER THAT the final executed Agreements of Services BE POSTED online as required by the Conservation Authorities Act.

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Schedule 'D'
Niagara-on-the-Lake Council Resolution to Execute this Agreement

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Report To: Board of Directors

Subject: Board of Directors' 2025 Meeting Schedule

Report No: FA-56-24

Date: November 15, 2024

Recommendation:

THAT Report No. FA-56-24 RE: Board of Directors' 2025 Meeting Schedule **BE RECEIVED**;

AND THAT Appendix 1 to Report No. FA-56-24 RE: Board of Directors' 2024 Meeting Schedule **BE APPROVED**;

AND THAT the meeting schedule **BE PUBLISHED** on NPCA's website for public information;

AND FURTHER THAT the meeting schedule **BE CIRCULATED** to participating and local area municipalities.

Purpose:

The purpose of this report is to establish the NPCA Board of Directors' 2025 meeting schedule for internal business planning purposes and promoting public awareness of the meeting schedule for the upcoming year.

Background:

In 2021, it was established that Full Authority Board meetings would be convened at 9:00a.m. on the third Friday of the month. In years prior, Board meetings were not scheduled in the months of January and August. December meetings are held tentatively should items need to be brought forward.

At the October 18, 2024, Full Authority meeting, a draft 2025 Meeting Calendar was brought forward for discussion and feedback. Members discussed the timing of Full Authority meetings and travel requirements due to the move to the Administrative Office in Thorold, ON.

Discussion:

An open discussion regarding the 2025 Meeting Schedule took place at the October 18, 2024, Full Authority Meeting to ensure staff could incorporate feedback from the Board in its development. It is proposed that Full Authority Meetings commence one hour later, at 10:00a.m, on the scheduled meeting dates outlined in Appendix 1.

While Full Authority Board meetings have typically been held on the third Friday of each month, it has been common practice to shift the meeting date depending on scheduling demands (i.e. March Break and holiday closures). Taking a holistic approach, the 2025 Meeting Schedule has been prepared to avoid overlapping with statutory holidays, days of significance, and organizational initiatives, such as the Ball's Falls Thanksgiving Festival.

Efforts were made to avoid conflicts with meeting schedules of participating municipalities, but occasional conflicts may exist with individual Members' other meeting commitments.

Governance Committee meetings will continue to be scheduled immediately following the Full Authority meetings three times in 2024, or as needed at the Committee Chair's discretion. Finance Committee meetings are scheduled to align with NPCA's Audit and Budget approval timelines.

Public Advisory Committee meetings will be held quarterly, typically on the 2nd Tuesday of the month at 5:00p.m. The August PAC meeting is tentative depending on the needs of the Committee at that time.

Financial Implications:

There are no new or additional financial implications posed by adoption of the Board of Directors' 2025 Meeting Schedule as presented.

Links to Policy/Strategic Plan:

Goal 5.2: Improve internal operations and processes

Goal 5.3: Provide high standards of customer service

Related Reports and Appendices:

Appendix 1: NPCA Board of Directors' 2025 Meeting Schedule and Calendar

Authored by:

Original Signed by:

Melanie Davis
Manager, Office of the CAO & Board

Reviewed and Submitted by:

Original Signed by:

Leilani Lee-Yates,
Chief Administrative Officer / Secretary – Treasurer

NPCA Board of Directors' Meeting Calendar 2025

January

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

March

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

April

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

May

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

June

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

July

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

August

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

September

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

October



S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	



November

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

December

S	M	T	W	T	F	S
	1	2	3	4	5	7
7	8	9	10	11	12	14
14	15	16	17	18	19	21
21	22	23	24	25	26	28
28	29	30	31			

 Full Authority Board Meeting
 Public Advisory Committee
 Statutory Holiday / Office Closure

 Governance Committee, following Full Authority
 Finance Committee

Full Authority Board Meetings

Friday, February 21 – **Annual General Meeting**
Friday, March 21
Friday, April 25
Friday, May 23
Friday, June 27
Friday, July 25
Friday, September 19
Friday, October 24
Friday, November 21
Friday, December 12 *(if required)

Note: there will be a Source Protection Authority Board meeting scheduled for February 21, 2025 to coincide with the Full Authority Board meeting.

Committees of the Board

Finance Committee Meetings

Wednesday, April 16
Wednesday, July 16
Wednesday, September 17

Governance Committee Meetings

Friday, March 21
Friday, June 27
Friday, November 21

Public Advisory Committee Meetings

Tuesday, February 11
Tuesday, May 13
Tuesday, August 12 *(if required)
Tuesday, November 25