



**NIAGARA PENINSULA CONSERVATION AUTHORITY**  
**Board of Directors Meeting**  
**June 21, 2024, 9:00a.m.**  
**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, Attiowonderonk (Neutral), and the Anishinaabeg, including the Mississaugas of the Credit—many of whom continue to live and work here today. This territory is covered by the Upper Canada Treaties (No. 3, 4, and 381) and is within the land protected by the Dish with One Spoon Wampum agreement. Today, the watershed is home to many First Nations, Métis, and Inuit peoples. Through the 2021-2031 Strategic Plan, we re-confirm our commitment to shared stewardship of natural resources and deep appreciation of Indigenous culture and history in the watershed.*

**1. APPROVAL OF AGENDA**

**2. DECLARATIONS OF CONFLICT OF INTEREST**

**3. APPROVAL OF MINUTES**

**3.1. Minutes of the Full Authority Meeting dated, May 17, 2024**

Page 1

**4. CHAIR’S UPDATE**

**5. CORRESPONDENCE**

**5.1. Correspondence dated May 14, 2024, from the Regional Municipality of Niagara RE: 2025 Budget Planning Update**

Page 7

**5.2. Correspondence dated May 28, 2024, from the Regional Municipality of Niagara RE: Staff Comments on Proposed Provincial Planning Statement (2024)**

Page 21

**5.3. Correspondence dated June 12, 2024, from the City of Niagara Falls RE: Motion of Support for NPCA’s Completion of Land Acquisitions in Niagara Region and Haldimand County**

Page 52

**6. PRESENTATIONS**

**6.1. 2023 Annual Water Quality Monitoring Report**

Presented by Eric Augustino, Water Quality Specialist, and Josh Diamond, Manager, Watershed Monitoring and Reporting.

## **7. DELEGATIONS**

## **8. CONSENT ITEMS**

**8.1. Report No. FA-30-24 RE: Compliance & Enforcement Q1 Statistics 2024**

Page 53

## **9. DISCUSSION ITEMS**

**9.1 Report No. FA-31-24 RE: 2023 Annual Report**

Page 58

**9.2. Report No. FA-29-24 RE: Water Quality Monitoring Program Summary Report for the Year 2023**

Page 61

## **10. COMMITTEE REPORTS**

**10.1. Governance Committee Minutes, dated May 17, 2024**

Page 70

**10.2. Public Advisory Committee Minutes, dated May 28, 2024**

Page 74

## **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 & Enforcement Matters Verbal Update**

**14.2. Personal matters about an identifiable individual(s), including NPCA employees – Confidential Memorandum (*distributed separately*)**

## **15. ADJOURNMENT**

**NIAGARA PENINSULA CONSERVATION AUTHORITY**  
**Board of Directors Meeting**  
**May 17, 2024, 9:00a.m.**  
**Carolinian Hall**  
**3350 Merrittville Hwy., Thorold ON**  
**MINUTES**

**MEMBERS PRESENT:** S. Beattie, Vice Chair  
D. Cridland  
R. Foster  
B. Grant  
D. Huson  
J. Metcalfe, Chair  
P. O'Neill  
M. Seaborn  
M. Tadeson

**MEMBERS ABSENT:** B. Clark

**STAFF PRESENT:** C. Sharma, CAO/Secretary-Treasurer  
A. Christie, Director, Conservation Areas  
M. Davis, Manager, Office of the CAO & Board  
M. Ferrusi, Manager, People & Performance  
E. Gervais, Manager, Corporate Support Services  
N. Green, Manager, Climate Change & Special Programs  
L. Lee-Yates, Director, Planning & Development  
S. Miller, Senior Manager, Infrastructure, Engineering &  
Asset Management  
E. Navarro, Communications & Marketing Specialist  
A. Powell, Manager, Conservation Areas Programs & Services  
G. Shaule, Administrative Assistant

The meeting was called to order at 9:05 a.m.

**1. APPROVAL OF AGENDA**

Resolution No. FA-57-24

Moved by: Stew Beattie

Seconded by: Michelle Seaborn

**THAT** the Agenda for the Full Authority Board Meeting held on Friday, May 17, 2024, **BE APPROVED.**

**CARRIED**

## 2. DECLARATIONS OF CONFLICT OF INTEREST

None.

## 3. APPROVAL OF MINUTES

Resolution No. FA-58-24

Moved by: Diana Huson

Seconded by: Robert Foster

**THAT** the Minutes of the 65<sup>th</sup> Annual Meeting of the Full Authority Board dated April 19, 2024, Full Authority Meeting – Closed Session, dated March 22, 2024 and the Full Authority Meeting – Closed Session, dated April 19, 2024 **BE APPROVED.**

**CARRIED**

## 4. CHAIR'S UPDATE

- Chair Metcalfe shared that he joined Director Lee-Yates for an interview with Mike Balsom at YourTV Niagara to discuss recent successes in land acquisitions.
- Attended the opening of Rockway with its enhanced infrastructure and accessibility features, and encouraged all to check out the Conservation Area when they have a chance to do so.
- Chair Metcalfe yielded the floor to CAO/Secretary-Treasurer, Chandra Sharma, who provided an overview of the recent Great Lakes & St. Lawrence Cities' Initiative (GLSCI) annual conference, hosted in Montreal, QC.

## 5. CORRESPONDENCE

Resolution No. FA-59-24

Moved by: Brian Grant

Seconded by: Diana Huson

**THAT** the following Correspondence **BE RECEIVED:**

- Item 5.1 from the Regional Municipality of Niagara RE: 2025 Budget Timetable CSD-2024;
- Item 5.2 from Long Point Region Conservation Authority RE: Recommended phase out of free well water testing in the 2023 Auditor General's Report;
- Item 5.3 from the Town of Lincoln RE: Notice of Intention to Designate pursuant to the *Ontario Heritage Act R.S.O 1990*, lands and premises known municipally as 3292 Sixth Avenue in the Town of Lincoln; and
- Item 5.4 from Conservation Ontario RE: Conservation Ontario's comments on the "Review of proposed policies for a new provincial planning instrument" (ERO# 019-8462).

**CARRIED**

## 6. PRESENTATIONS

None.

## 7. DELEGATIONS

None.

## 8. CONSENT ITEMS

### 8.1. Report No. FA-26-24 RE: Solar Eclipse Summary

Resolution No. FA-60-24

Moved by: Stew Beattie

Seconded by: Diana Huson

**THAT** Report No. FA-26-24 RE: Solar Eclipse Summary **BE RECEIVED**.

**CARRIED**

## 9. DISCUSSION ITEMS

### 9.1. Report No. FA-23-24 RE: Niagara River 'Degradation of Fish and Wildlife Populations' Beneficial Use Impairment (BUI) Status Assessment

Manager, Climate Change & Special Programs, Natalie Green, provided an overview of the report and next steps. Discussion ensued regarding Lyons Creek East and fish consumption health.

Resolution No. FA-61-24

Moved by: Donna Cridland

Seconded by: Brian Grant

**THAT** Report No. FA-23-24 RE: Niagara River 'Degradation of Fish and Wildlife Populations' Beneficial Use Impairment (BUI) Status Assessment **BE RECEIVED**;

**THAT** NPCA's Public Advisory Committee, Niagara Parks Commission, and municipalities adjacent to the Niagara River **BE ADVISED**;

**AND FURTHER THAT** a report about the final outcome of the BUI status re-designation **BE BROUGHT** back to the Board.

**CARRIED**

### 9.2. Report No. FA-24-24 RE: Ball's Falls Heritage Designation

Director, Conservation Areas, Adam Christie provided an overview of the report. Discussion ensued regarding grants available for capital infrastructure improvements to maintain current form. Member Foster expressed gratitude to staff for their efforts on this significant milestone over the past few years.

Resolution No. FA-62-24

Moved by: Robert Foster

Seconded by: Donna Cridland

**THAT** Report No. FA-18-24 RE: Ball's Falls Heritage Designation **BE RECEIVED**;

**AND THAT** the Board **ENDORSE** the Town of Lincoln's Intention to Designate Ball's Falls Conservation Area as a property of cultural heritage value or interest;

**AND FURTHER THAT** Report No. FA-24-24 **BE CIRCULATED** to the Town of Lincoln.

**CARRIED**

### **9.3. Report No. FA-28-24 RE: Contract Award – Woodend Conservation Area Roadway Improvements**

Discussion regarding the heavy impact on roadway throughout the year from vehicular traffic ensued. Members emphasized the important work done through the partnership between NPCA and DSBN.

Resolution No. FA-63-24

Moved by: Stew Beattie

Seconded by: Diana Huson

**WHEREAS NPCA has a long-standing agreement with the District School Board of Niagara (DSBN) to utilize a two-acre portion of Woodend Conservation Area for the purpose of conducting environmental and outdoor conservation programs;**

**AND WHEREAS** the District School Board of Niagara has agreed to fund the required road improvements at the Woodend Conservation Area to be managed by the NPCA;

**IT IS RESOLVED THAT** Report No. FA-28-24 RE: Contract Award – Woodend Conservation Area Roadway Improvements **BE RECEIVED**;

**AND THAT** a contract award to CRL Campbell Construction and Drainage Limited in the amount of \$744,150 (plus non-recoverable HST) **BE APPROVED**;

**AND THAT** a contingency of 10% or \$74,415 **BE ALLOCATED** to address any unanticipated costs during the project implementation process;

**AND FURTHER THAT** staff **BE AUTHORIZED** to execute all necessary documents to award the contract.

**CARRIED**

### **9.4. Report No. FA-25-24 RE: Niagara Geopark Memorandum of Understanding**

Manager of Conservation Areas' Programs & Services, Alicia Powell, provided an overview of the above noted. Members noted the benefits of having a Geotourism hub at Ball's Falls and acknowledged the hard work and progress made on this initiative over the years.

Resolution No. FA-64-24  
Moved by: Stew Beattie  
Seconded by: Donna Cridland

**THAT** Report No. FA-25-24 RE: Niagara Geopark Memorandum of Understanding **BE RECEIVED**;

**AND THAT** the renewal of the Memorandum of Understanding for a three-year term between NPCA and the Niagara Geopark **BE APPROVED**;

**AND FURTHER THAT** staff **BE AUTHORIZED** to sign the updated Memorandum of Understanding.

**CARRIED**

### **9.5. Report No. FA-27-24 RE: NPCA Comments on Proposed Regulation Detailing Minister's Permit and Review Powers**

Director, Planning & Development, Leilani Lee-Yates, provided an overview of the report. Member Seaborn expressed appreciation for the expertise provided by staff on the above noted. Chair Metcalfe expressed that conservation of sensitive areas must be taken seriously when development is proposed.

Resolution No. FA-65-24  
Moved by: Donna Cridland  
Seconded by: Stew Beattie

**THAT** Report No. FA-27-24 RE: NPCA Comments on Proposed Regulation Detailing Minister's Permit and Review Powers – ERO Posting 019-8320 **BE RECEIVED** for information;

**AND FURTHER THAT** Report No. FA-27-24 **BE CIRCULATED** to upper-tier and lower-tier municipalities in Niagara Region, the City of Hamilton, and Haldimand County for their information.

**CARRIED**

## **10. COMMITTEE REPORTS**

None.

## **11. MOTIONS**

Resolution No. FA-66-24  
Moved by: Robert Foster  
Seconded by: Brian Grant

**THAT** Board Member Mark Tadeson **BE APPOINTED** to the NPCA's Finance Committee for 2024.

**CARRIED**

## **12. NOTICES OF MOTION**

None.

## **13. NEW BUSINESS**

### **13.1 Verbal update RE: Niagara Peninsula Conservation Foundation**

- NPCF turned 55 on the May 5, 2024 – fifth day of the fifth month.
- Finalized a \$125,000 land securement and \$50,000 legacy donation.
- Annual report development is underway.
- Annual General Meeting is scheduled for May 30, 2024.

## **14. CLOSED SESSION**

None.

## **15. ADJOURNMENT**

**Chair Metcalfe** adjourned the Full Authority meeting on May 17, 2024 at 9:42 a.m.



May 14, 2024

**CL 4-2024, March 21, 2024**  
**CSD 18-2024, March 21, 2024**

***DISTRIBUTION LIST***

***SENT ELECTRONICALLY***

2025 Budget Planning Update

CSD 18-2024

Regional Council, at its meeting held on March 21, 2024, passed the following motion:

1. That By-law No. 2019-79 being A By-Law to Define Budget Planning Requirements for the Regional Municipality of Niagara **BE AMENDED** to allow the Budget Review Committee of the Whole (BRCOTW) Budget Planning meeting to occur in July and the budget timetable to be approved by Council and to undertake some minor housekeeping amendments; and
2. That this report **BE CIRCULATED** to agencies, boards, and commissions (ABCs) in accordance with By-law 2017-63 "Budget Control".

A copy of CSD 18-2024 and consolidated By-law No. 2019-79 are enclosed for your reference.

Yours truly,



Ann-Marie Norio

Regional Clerk

:kl

CLK-C 2024-048

Distribution List:

Niagara Peninsula Conservation Authority  
Niagara Regional Housing  
Niagara Regional Police Service Board  
Niagara Transit Commission

cc: B. Brens, Associate Director, Budgets, Planning and Strategy  
T. Harrison, Commissioner, Corporate Services/Treasurer  
K. Beach, Executive Assistant to the Commissioner, Corporate Services/Treasurer

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**Subject:** 2025 Budget Planning Update

**Report To:** Regional Council

**Report date:** Thursday, March 21, 2024

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## Recommendations

1. That By-law No. 2019-79 being A By-Law to Define Budget Planning Requirements for the Regional Municipality of Niagara **BE AMENDED** to allow the Budget Review Committee of the Whole (BRCOTW) Budget Planning meeting to occur in July and the budget timetable to be approved by Council and to undertake some minor housekeeping amendments; and
2. That this report **BE CIRCULATED** to agencies, boards, and commissions (ABCs) in accordance with By-law 2017-63 “Budget Control”.

## Key Facts

- The purpose of this report is to seek Council’s approval of requested amendments to By-law No. 2019-79 being A By-Law (“By-Law”) to Define Budget Planning Requirements for the Regional Municipality of Niagara in support of recommended changes to the budget planning process.
- Staff are requesting that the By-law be amended to support the budget planning report being presented to Council in the third quarter (July). The current By-law requires that the budget strategy be approved in the second quarter.
- Staff are requesting that the By-law be amended to support the budget timetable being presented to Council ahead of the budget planning report. The current By-law requires that the budget timetable be presented to BRCTOW in tandem with the budget planning meeting.
- Staff have also made some “housekeeping” changes including language updates and additions to provide more clarity.

## Financial Considerations

There are no direct financial impacts as a result of this report.

## Analysis

The purpose of the By-law is to communicate the role of Council in relation to planning for the budget. Section 224(d) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, states that it is the role of council to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council.

Under the current By-law, a meeting of BRCOTW for a new budget year will involve the planning for the new budget year and that it be scheduled within the second quarter of the year proceeding the new budget year. This requirement would result in the budget planning report being presented to BRCOTW by the end of June. Staff are recommending that the By-law be amended to support the planning report being presented to BRCOTW in the third quarter of the year (July) (see section 4.3). Delaying the planning report will allow for additional time for staff to better understand and incorporate the financial impacts of the current year in tandem with the preparation of the second quarter financial results.

Under the current By-law No. 2019-79, a schedule of BRCOTW meetings is presented in tandem with the budget planning meeting. Staff are recommending that the annual budget schedule be brought forward directly to Council for approval in the second quarter (April) (see section 4.1). Bringing a timetable to Council earlier in the year allows for better coordination of budget dates with other corporate priorities. Having Council approve the timetable will eliminate the need for a BRCOTW in April.

Other changes –

- Section 2.1 – additional definitions for Business Case, Incremental Costs of Growth, General Tax Levy, Rate Budget, Transit Special Tax Levy and Waste Management Special Tax Levy to provide more clarity and to align with current language practices.
- Section 4.2 - recommended ordering of budgetary reports has been amended to add Transit Special Tax Levy and to recommend that Special Tax Levies be presented to BRCTOW ahead of Rate.

## Alternatives Reviewed

Council could choose to not approve recommended changes which would result in the budget timetable being approved in June in tandem with the budget planning report.

## Relationship to Council Strategic Priorities

This report supports Effective Region through transforming service delivery in a way that is innovative, collaborative and fiscally responsible.

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### Prepared by:

Beth, Brens, CA, CPA  
Associate Director, Budgets Planning  
and Strategy  
Corporate Services

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### Recommended by:

Todd Harrison, CPA, CMA  
Commissioner/Treasurer  
Corporate Services

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### Submitted by:

Ron Tripp, P.Eng.  
Chief Administrative Officer

This report was prepared in consultation and reviewed by Helen Furtado, Director, Financial Management & Planning/Deputy Treasurer.

## Appendix

Appendix 1 Draft Amended By-Law No. 2019-79 A By-Law to Define Budget Planning Requirements for the Regional Municipality of Niagara

<p>Bill No. 2019-79</p> <p><i>As amended by: By-law No. 2020-84 By-law No. 2022-81 By-law No. 2024-25</i></p>	<p>Authorization Reference: COTW 8-2019; Minute Item 5.1</p> <p><i>CSC 10-2020; Minute Item 5.1 CSC 9-2022; Minute Item 5.2 CL 6-2024, Minute Item 10.2</i></p>
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THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. 2019-79

A BY-LAW TO DEFINE BUDGET PLANNING  
REQUIREMENTS FOR  
THE REGIONAL MUNICIPALITY OF NIAGARA

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WHEREAS Section 224(d) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, states that it is the role of council to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;

WHEREAS Section 289(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, requires that for each year, The Regional Municipality of Niagara, in the year or the immediately preceding year, prepare and adopt a Budget including estimates of all sums required during the year; and,

WHEREAS the Council of The Regional Municipality of Niagara has deemed it desirable to set out its policies with respect to the development of the Budgets in this By-law

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. PURPOSES, GOALS, AND OBJECTIVES

- 1.1. Establish the timing of annual budget approval as predictable and sufficient for obtaining Council approval.
- 1.2. Ensure sustainability of Niagara Region's level of service.
- 1.3. Ensure transparency in the communication of budget planning.
- 1.4. Ensure alignment with Regional Council's strategic priorities.
- 1.5. Establish expectations of staff for the development of the annual budget.

<p>Bill No. 2019-79</p> <p>As amended by: <i>By-law No. 2020-84</i>  <i>By-law No. 2022-81</i>  <i>By-law No. 2024-25</i></p>	<p>Authorization Reference: COTW 8-2019;  Minute Item 5.1</p> <p><i>CSC 10-2020; Minute Item 5.1</i>  <i>CSC 9-2022; Minute Item 5.2</i>  <i>CL 4-2024, Minute Item 10.2</i></p>
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1.6. In order to achieve the preceding purposes, goals and objectives of this By-law it is important that all persons involved in the Niagara Region Budget process abide by the requirements of this By-law.

1.7. Establish social determinants of health as a consideration in program and budget decisions.

## 2. DEFINITIONS

2.1. For the purposes of this By-Law:

- a) "Assessment Growth" means the increase in property assessment as a result of the changes that happen to a property within a calendar year, including; new construction, major renovations, demolitions and property value appeals;
- b) "ABCs" means all agencies, boards, commissions and other legal entities that report to and/or are funded directly or indirectly by Niagara Region and as a result impact Niagara Region's Budget process;
- c) "Act" means Municipal Act, 2001, S.O. 2001, c. 25;
- d) "Base budget" means the budget to maintain current service levels;
- e) "BRCOTW" means the Niagara Region's Budget Review Committee of the Whole;
- f) "Business Case" means a document that justifies the scope of a project and provides insight into benefits, risk assessment, and financial and staffing impacts;
- g) "Capital Budget" means a multi-year plan based on the estimated expenditures and offsetting sources of financing for a Capital Project;
- h) "Capital Project" means a project during which expenditures are incurred that result in the creation of a tangible capital asset;
- i) "Council" means the Council of the Regional Municipality of Niagara;

<p>Bill No. 2019-79</p> <p>As amended by: <i>By-law No. 2020-84</i>  <i>By-law No. 2022-81</i>  <i>By-law No. 2024-25</i></p>	<p>Authorization Reference: COTW 8-2019;  Minute Item 5.1</p> <p><i>CSC 10-2020; Minute Item 5.1</i>  <i>CSC 9-2022; Minute Item 5.2</i>  <i>CL 4-2024, Minute Item 10.2</i></p>
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- j) “Departmental budget” means the budget of an operating unit overseen by a Commissioner or equivalent;
- k) “FTE” means the equivalent of a full-time employee providing service throughout a Fiscal Year. Depending on the category of employee and nature of that employee’s service, the fixed number of hours of work tied to an FTE may vary. As per existing union and employee contracts with Niagara Region, the following annual hours are currently considered to comprise an FTE for different categories of employees:
  - i. 35-hour work week X 52 weeks = 1820 hours = 1 FTE
  - ii. 40-hour work week X 52 weeks = 2080 hours = 1 FTE
  - iii. 37.5-hour work week X 52 weeks = 1951 hours = 1 FTE;
- l) “Incremental Operating Costs of Growth” means additional operating costs including staffing, materials, maintenance, etc., but excluding the related debt servicing cost associated with capital project as a result of growth;
- m) “General Tax Levy” means the net cost of Niagara Region services that requires funding from the residents of the municipality through general property taxation;
- n) “MPAC” means the Municipal Property Assessment Corporation;
- o) “Niagara Region” means The Regional Municipality of Niagara;
- p) “Operating Budget” means a financial plan of current operations that encompasses both estimated revenues and expenditures for a specific period, normally a fiscal year;
- q) “Rate Budget” means the budget for services such as water and wastewater treatment, biosolids management and lab services. Costs for these services are charged to the municipalities based on usage. The rates charged to residents for each of these services will vary depending on where they live;
- r) “Reserve” means an allocation of accumulated net revenue that does not require the physical segregation of money or assets;

<p>Bill No. 2019-79</p> <p><i>As amended by: By-law No. 2020-84 By-law No. 2022-81 By-law No. 2024-25</i></p>	<p>Authorization Reference: COTW 8-2019; Minute Item 5.1</p> <p><i>CSC 10-2020; Minute Item 5.1 CSC 9-2022; Minute Item 5.2 CL 4-2024, Minute Item 10.2</i></p>
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- s) “Social Determinants of Health” means the economic, social, and environmental conditions that influence individual and group differences in health status, including income, education, employment, early childhood development, food insecurity, housing, social exclusion and social safety network, health services, aboriginal status, gender, sexuality, race, and disability;
- t) “Tax Increment Grant” or “TIG” means a refund of taxes on assessment growth directly related to a development;
- u) “Transit Special Tax Levy” means Regional property taxes that pay for transit services across the Region and varies between municipalities based on service levels;
- v) “Waste Management Special Tax Levy” means Regional property taxes that pay for services including curbside collection, recycling and landfill sites and waste management and varies between municipalities based on service levels.

2.2. Any defined term herein may be referenced in the plural as the context requires.

### 3. SCOPE

3.1. This By-law applies to all of Niagara Region's departments and to Niagara Region's directions to the ABCs that report to, or form part of, the Budget approval process at Niagara Region.

### 4. RULES

4.1. That a schedule of BRCOTW meetings, which deliberate budget approvals, be presented to Council directly or during the planning meeting identified in 4.3 whereas;

- a) The annual operating and capital budgets are scheduled to be approved in the year prior to the new budget year.



<p>Bill No. 2019-79</p> <p><i>As amended by: By-law No. 2020-84 By-law No. 2022-81 By-law No. 2024-25</i></p>	<p>Authorization Reference: COTW 8-2019; Minute Item 5.1</p> <p><i>CSC 10-2020; Minute Item 5.1 CSC 9-2022; Minute Item 5.2 CL 4-2024, Minute Item 10.2</i></p>
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- b) That the exception to item 4.1(a) be where the new budget year immediately follows a year in which a municipal election is held, as allowed in the Act.
- 4.2. That the schedule in which the budgetary reports are presented to BRCOTW be in the following order, or as may otherwise be determined at the meeting referred to in 4.3:
- a) Capital program;
  - b) Special Tax Levies (Waste Management and Niagara Transit Commission);
  - c) Rate (Water and Wastewater);
  - d) ABCs included in the General Tax Levy;
  - e) Regional Departments and Consolidated General Tax levy programs.
- 4.3. That a planning meeting of BRCOTW for a new budget year be scheduled no later than July 31 of the year preceding the new budget year.
- 4.4. That the budget plan, deliberations, and approval of the budget be based upon the following for fullness of Council decision making and transparency to the public:
- a) That the increase in budget to provide base services, excluding revenues and the costs of growth and capital, be prepared with reference to an appropriate inflationary factor as determined by Council at the planning meeting for the new budget year;
  - b) That the incremental operating budget requirements to support the capital asset plan be provided with a separate increase;
  - c) That any new programs and services to be considered be provided with a separate increase;

<p>Bill No. 2019-79</p> <p><i>As amended by: By-law No. 2020-84 By-law No. 2022-81 By-law No. 2024-25</i></p>	<p>Authorization Reference: COTW 8-2019; Minute Item 5.1</p> <p><i>CSC 10-2020; Minute Item 5.1 CSC 9-2022; Minute Item 5.2 CL 4-2024, Minute Item 10.2</i></p>
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- d) That net assessment growth revenue be prioritized in the following order:
  - i. Tax Increment Grants;
  - ii. Incremental Operating Costs of Growth;
  - iii. Costs to fund new and growth capital assets;
  - iv. Gaps in funding items in sections 4.4 (b) and 4.4 (c) of this By-law;
  - v. Programs aimed at driving economic growth or other Council priorities.

Other factors such as growth and strategic plans may be incorporated into the overall prioritization of assessment growth.

- 4.5. That budget deliberations provide Council with a Business Case where any one of the following conditions are met:
  - a) The request includes the addition of (a) permanent FTE(s);
  - b) The request adds (a) new service(s) not offered by the Niagara Region in the year prior to the new budget year. This excludes changes in delivery of (a) service(s) within a division.
- 4.6. That budget deliberations provide Council with information on material changes meeting the following conditions:
  - a) The net request is in excess of \$500,000 increase or decrease to a departmental budget. This excludes increases or decreases for general labour related costs (other than those in 4.5(a) as these general costs will be reported on corporately.
  - b) The gross divisional change is in excess of \$1,000,000. A gross change less than \$1,000,000, with a net impact less than \$500,000 will be at the discretion of the Commissioner and/or Treasurer.

<p>Bill No. 2019-79</p> <p><i>As amended by: By-law No. 2020-84 By-law No. 2022-81 By-law No. 2024-25</i></p>	<p>Authorization Reference: COTW 8-2019; Minute Item 5.1</p> <p><i>CSC 10-2020; Minute Item 5.1 CSC 9-2022; Minute Item 5.2 CL 4-2024, Minute Item 10.2</i></p>
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## 5. PRINCIPLES

- 5.1. That a price index that may be used for an inflationary factor for section 4.4(a) is the core consumer price index (CPIX) as made available through StatsCan.
- 5.2. That the incremental operating budget impacts in section 4.4(b) of this By-law be in accordance with the funding required to close the capital funding gap as identified in the Asset Management Plan.
- 5.3. That the base budget for staffing complement be based on the approved complement of the year prior to the new budget year including any adjustments approved in-year.
- 5.4. That approvals of operating programs or capital projects that will result in a future increase to the budget in subsequent years be budgeted with the full annual impact in the year of the program approval.
  - a) That estimated incremental debt payments for a project be included in the operating budget in the year the capital project is approved as a placeholder for the payments that will be made. Where a surplus may occur due to timing, that placeholder will be used to fund pay-as-you-go capital or debt substitution unless otherwise approved by Council.
  - b) That estimated incremental operating costs inclusive of annual labour-related costs for programs or projects be budgeted in the year of the program or project approval as a placeholder for the operating costs that will occur. Where a surplus may occur due to timing, that placeholder will be used to fund pay-as-you-go capital or otherwise as approved in the budget.
  - c) That a reduction in costs or increase in revenues be included in the budget year in which they are expected to be recognized.
- 5.5. That the exception to 5.4 be where a financial plan has identified a strategy to implement an initiative where the budget must be established over a period of time, to support the principle of affordability.

<p>Bill No. 2019-79</p> <p><i>As amended by: By-law No. 2020-84 By-law No. 2022-81 By-law No. 2024-25</i></p>	<p>Authorization Reference: COTW 8-2019; Minute Item 5.1</p> <p><i>CSC 10-2020; Minute Item 5.1 CSC 9-2022; Minute Item 5.2 CL 4-2024, Minute Item 10.2</i></p>
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5.6. That budget planning and preparation will utilize any relevant information as available to staff, including:

- a) The most recently completed year’s actual audited financial position;
- b) The most recently completed quarterly financial forecast;
- c) Items forecasted in the multi-year’s budget of the prior year;
- d) Strategic documents developed for planning;
- e) Newly identified pressures, risks, and opportunities for the budget year.

5.7. Where an operational surplus is identified in the financial results of the year prior to the new budget year, the surplus will inform the new budget year for potential cost savings or revenue increases.

- a) The surplus itself will be directed by Niagara Region policies and the Act in the year prior to the new budget year;
- b) Budget development will not include the year surplus as a funding source for the new budget year.

5.8. That operating programs that are time limited or one-time in nature may be funded by time limited or one-time sources, such as reserves in accordance with the Reserve Policy. Time limited or one-time revenues will not be used to fund on-going programs.

## 6. RESPONSIBILITIES

6.1. The responsibility of Regional Council is:

- a) To approve an annual budget planning report and schedule. The approval of a budget planning report for a new budget year shall not limit Regional Council’s ability to approve a budget or budgets equal to or less than the recommendations therein upon consideration of the annual budgets.

<p>Bill No. 2019-79</p> <p><i>As amended by: By-law No. 2020-84 By-law No. 2022-81 By-law No. 2024-25</i></p>	<p>Authorization Reference: COTW 8-2019; Minute Item 5.1</p> <p><i>CSC 10-2020; Minute Item 5.1 CSC 9-2022; Minute Item 5.2 CL 4-2024, Minute Item 10.2</i></p>
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b) To provide direction to staff on the services to include in the new budget year.

6.2. The responsibilities of members of the Corporate Leadership Team is to recommend and support the budget submissions to Council.

6.3. The responsibilities of the Financial Management and Planning Team is:

a) To transparently consolidate and present budget considerations to Council;

b) To direct staff on strategy to meet Council's expectations of the annual budgets.

6.4. The responsibilities of budget owners and project managers is to use these rules in the preparation of the annual operating and capital budgets.

6.5. The responsibilities of ABCs is to adhere to the schedule of budget approval meetings as approved annually by Council.

## 7. SEVERABILITY

7.1. If any Section or Sections of this By-law or parts thereof are found by an adjudicator of competent jurisdiction to be invalid or beyond the power of Council to enact, such Section or Sections or parts thereof shall be deemed to be severable and all other Sections or parts of the By-law shall be deemed to be separate and independent there from and shall continue in full force and effect unless and until similarly found invalid or beyond the power of Council to enact.

## 8. SHORT TITLE

8.1. The short title of this By-law is "Budget Planning By-law".

<p>Bill No. 2019-79</p> <p><i>As amended by: By-law No. 2020-84 By-law No. 2022-81 By-law No. 2024-25</i></p>	<p>Authorization Reference: COTW 8-2019; Minute Item 5.1</p> <p><i>CSC 10-2020; Minute Item 5.1 CSC 9-2022; Minute Item 5.2 CL 4-2024, Minute Item 10.2</i></p>
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9. EFFECTIVE DATE

9.1. That this by-law shall come into force and effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

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James Bradley, Regional Chair

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Ann-Marie Norio, Regional Clerk

Passed: October 17, 2019

**Administration**

Office of the Regional Clerk

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May 28, 2024

**CL 8-2024, May 23, 2024**

**PEDC 5-2024, May 8, 2024**

**PDS 18-2024, May 8, 2024**

**NIAGARA PENINSULA CONVERSATION AUTHORITY  
LOCAL AREA MUNICIPALITIES**

**SENT ELECTRONICALLY**

Staff Comments on Proposed Provincial Planning Statement (2024)

PDS 18-2024

Regional Council, at its meeting held on May 23, 2024, passed the following recommendation of its Planning and Economic Development Committee:

That Report PDS 18-2024, dated May 8, 2024, respecting Staff Comments on Proposed Provincial Planning Statement (2024), **BE RECEIVED** and **BE CIRCULATED** to Local Area Municipalities and the Niagara Peninsula Conversation Authority (NPCA).

A copy of PDS 18-2024 is enclosed for your reference.

Yours truly,



Ann-Marie Norio  
Regional Clerk

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CLK-C 2024-059

cc: S. Norman, Senior Planner  
M. Sergi, Commissioner, Growth, Strategy and Economic Development  
N. Oakes, Executive Assistant to the Commissioner, Growth, Strategy and Economic Development

**Subject:** Staff Comments on Proposed Provincial Planning Statement (2024)

**Report To:** Planning and Economic Development Committee

**Report date:** Wednesday, May 8, 2024

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## Recommendations

1. That this Report **BE RECEIVED** for Information; and
2. That Report PDS 18-2024 **BE CIRCULATED** to Local Area Municipalities and the Niagara Peninsula Conversation Authority (NPCA).

## Key Facts

- As first communicated to Council through PDS 17-2024 (April 25, 2024) the Province has released a revised draft of the proposed Provincial Planning Statement (PPS, 2024).
- The purpose of this report is to provide an overview of the proposed changes and to outline staff comments that will be submitted to the Province.
- If approved, the proposed PPS (2024) will replace the current Provincial Policy Statement (PPS, 2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan, 2019) to form a new province-wide planning policy instrument.
- In the Spring of 2023, the Province released a previous draft of the proposed PPS (2023) for comment. Staff comments on that 2023 version were communicated to Council through PDS-C 20-2023 (June 7, 2023) with additional comments on the proposed natural heritage policies being communicated through PDS-C 21-2023 (September 13, 2023).
- Following the commenting period on the 2023 draft, the Province has made some changes to reflect concerns raised by the Region and others – such as no longer allowing lot creation in prime agricultural areas. Other regional concerns, such as changes to the definition of “employment areas”, the process for settlement area boundary expansions, and the loss of the Growth Plan Natural Heritage System remain.



- The Province has requested that feedback on the proposed changes be submitted by May 12, 2024. Staff comments outlined in **Appendix 1** and **Appendix 2** will be submitted to the Province in response to the Environmental Registry of Ontario (ERO) postings.

## Financial Considerations

There are no direct financial implications associated with this report.

## Analysis

### Background

On April 10, 2024, the Province introduced the *Cutting Red Tape to Build More Homes Act, 2024* (Bill 185), which proposes to amend fifteen pieces of legislation and related regulations for the purpose of “streamlining planning approvals, enhancing municipalities’ ability to invest in housing-enabling infrastructure, and increasing housing supply”. A detailed overview of Bill 185 including staff comments were provided directly to council through PDS 17-2024 (April 25, 2024).

In addition to Bill 185, the revised draft Provincial Planning Statement (PPS) was also released on April 10, 2024 with updates to reflect the feedback received on the previous version. If approved, the proposed PPS will replace the current Provincial Policy Statement (PPS, 2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan, 2019) to form a new province-wide planning policy instrument. In many matters, these changes represent a fundamental shift in the approach to planning for Ontario. All decisions that relate to a planning matter will be required to be consistent with this statement.

The Environmental Registry of Ontario (ERO) posting includes some information regarding the Province’s proposed approach to implementation. The Province has indicated it intends to release the final policies for a short period of time before they take effect. Any decision on a planning matter made on or after the effective date would be subject to the new PPS. The only exception would be if a transition regulation was developed. The Province has indicated that “further consultation would be conducted to identify any pertinent matters”.

### Previous Draft of Proposed Provincial Policy Statement (2023)

In the Spring of 2023, the Province released a previous draft of the proposed PPS (2023) for comment. Staff comments on the 2023 proposed PPS were communicated to

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Council through PDS-C 20-2023 (June 7, 2023). The original release did not include natural heritage policies – which followed several months later. Additional comments on the proposed natural heritage policies being communicated through PDS-C 41-2023 (September 13, 2023).

### **Overview of Current Draft of Proposed Provincial Policy Statement (2024)**

Proposed changes in the PPS (2024) relative to the existing Provincial Policy Statement (PPS, 2020) include, but are not limited to:

- **Growth Management:**
  - The concept of a delineated built-up area has not been carried forward as a defined term
  - Planning authorities are to use Ministry of Finance projections for employment and growth forecasts, with a policy to permit existing provincial forecasts (i.e. Growth Plan) to be used
  - Removal of mandatory intensification and density targets
  - Introduction and identification of “large and fast-growing municipalities” (Niagara Falls and St. Catharines in Niagara)
  - New policy to promote the phasing of development as appropriate
- **Settlement Area Boundary Expansions**
  - Removal of the requirement to demonstrate need for a settlement area boundary expansion
  - No longer the requirement of municipal comprehensive reviews to be undertaken
- **Employment:**
  - Change to the definition of employment area
  - Permission for mixed uses, including residential, in employment lands outside of employment areas
  - The conversion of employment lands is permitted provided certain tests are met
- **Housing**
  - Expansion of the definition of housing options
- **Agriculture**
  - Removal of the requirement to use the provincially-mapped agricultural system
  - Permitting up to two additional residential units subordinate to the principal dwelling associated with an agricultural operation
- **Natural Heritage**
  - In comparison to the existing Provincial Policy Statement (2020), no changes to the natural heritage policies

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- Growth Plan Natural Heritage System policies and mapping are proposed to be eliminated
  - Watershed Planning
    - Loss of the full suite of watershed and subwatershed planning policies that were contained in the existing PPS and Growth Plan
    - Requirement for large and fast growing municipalities to undertake watershed planning with an encouragement for other municipalities to do so.

### **Staff Comments on the proposed PPS (2024)**

Although less extensive than the concerns identified related to the 2023 draft, staff concerns with the proposed PPS (2024) include:

- **Challenges for an integrated and coordinated approach to growth management in Niagara**
  - Concern that the proposed changes to the PPS in conjunction with the loss of the Growth Plan policies related to growth management will lead to inconsistent approaches to forecasting population and employment growth in Niagara, and consequently challenges for the process of planning and budgeting of regional infrastructure and public services and facilities.
- **Changes to the definition of “employment areas” and other changes impacting employment lands**
  - Concern that the proposed changes that define employment areas as limited to traditional manufacturing uses will hinder the Region’s ability to meet employment forecasts to 2051. For example, the revised definition of “employment areas” has the potential to remove 2,175 hectares of employment area lands (approximately 46% of total employment area lands in Niagara) based on preliminary analysis.
- **The ad-hoc nature of settlement area expansion and a lack of minimum intensification targets**
  - Concern that the policies that would allow for settlement area expansions without the requirement to demonstrate need and without a municipal comprehensive review will result in the loss of integrated and coordinated growth planning.
  - Not having a minimum intensification target or a “built-up area” at the provincial level, combined with the ability to expand settlement area boundaries at any time, may discourage intensification and encourage sprawl which will have financial impacts if municipalities will be required to extend and maintain servicing to greenfield areas, with existing infrastructure not being optimized.

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- The above concerns as exacerbated by a proposed change to the Planning Act through Bill 185 which would allow for appeals to the OLT related to settlement area boundary expansions.
  - **Loss of the Growth Plan Natural Heritage System**
    - When the updated Growth Plan for the Greater Golden Horseshoe was released in 2017 and subsequently revised in 2019, it included policies, definitions, and mapping for a “Natural Heritage System for the Growth Plan”. Municipalities were required to incorporate and implement the policies and mapping into their official plans. The Natural Heritage System for the Growth Plan was included as part of the integrated NES that was approved by the Province as part of the Niagara Official Plan in November 2022.
    - As the proposed PPS (2024) will integrate the PPS (2020) and Growth Plan (2019), there will no longer be a stand alone Growth Plan document. The Natural Heritage System for the Growth Plan is not proposed to be included as part of the proposed PPS (2024), and would therefore no longer be Provincial policy. Staff are concerned with the loss of environmental protections in the Region, and the implications associated with the Growth Plan Natural Heritage System having been fully integrated into the Regional Natural Environment System, but no longer Provincial Policy.
    - Further, should the Province move forward with the elimination of the Growth Plan NHS, it is recommended that direction be provided on transition/implementation for municipalities which had implemented the system through recent municipal comprehensive reviews or Official Plan updates.
  - **Removal of the requirement to use the Provincially-mapped agricultural system**
    - When 2017 Growth Plan for the Greater Golden Horseshoe was released, it included policies, and mapping delineating an agricultural system for the Greater Golden Horseshoe. This mapping was used to develop the Region’s agricultural land base mapping and is an important tool for the identification and protection of agricultural land.
    - As the agricultural system mapping and policies are not being carried forward to the proposed PPS (2024), staff are unsure how agricultural lands, infrastructure and farm operations outside of the Greenbelt Plan area will be protected.

## Alternatives Reviewed

No alternatives have been reviewed as this report summarizes and presents staff comments on the proposed Provincial Planning Statement (PPS, 2024) for information.

## Relationship to Council Strategic Priorities

This report provides information on proposed changes to provincial policy related to land use planning. This relates to Council's Strategic Priority of Effective Region, Equitable Region, and Prosperous Region through ensuring high quality, efficient, and coordinated core services.

## Other Pertinent Reports

- CWCD 2023-77 - Provincial Consultation on Bill 97 and a new Provincial Policy Instrument (April 21, 2023)
- PDS-C 20-2023 - Staff Comments on the Proposed Provincial Planning Statement (June 7, 2023)
- PDS 22-2023 – Proposed Provincial Planning Statement – Natural Heritage Policies (July 12, 2023)
- PDS-C 41-2023 – Staff Comments on Proposed Provincial Planning Statement – Natural Heritage (September 13, 2023)
- PDS 17-2024 – Bill 185 (Cutting Red Tape to Build Housing Faster Act, 2024) (April 25, 2024)

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**Prepared by:**

Sean Norman, PMP, MCIP, RPP  
Senior Planner  
Growth Strategy and Economic  
Development

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**Recommended by:**

Michelle Sergi, MCIP, RPP  
Commissioner  
Growth Strategy and Economic  
Development

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**Submitted by:**

Ron Tripp, P.Eng.  
Chief Administrative Officer

This report was reviewed by Erik Acs, MCIP, RPP, Manager of Community Planning and Angela Stea, MCIP, RPP, Director of Corporate Strategy and Community Sustainability.

## **Appendices**

Appendix 1            Table 1: Staff Response to ERO 019-8462 Discussion Questions

Appendix 2            Table 2: Niagara Region Staff Detailed Analysis and Comment on the Proposed 2024 Provincial Planning Statement (PPS)

**Table 1: Niagara Region Staff Responses to ERO 019-8462 Questions**

<b>ERO Questions</b>	<b>Niagara Region Staff Response</b>
<p>1. What are your overall thoughts on the updated proposed Provincial Planning Statement?</p>	<p>Niagara Region staff note that there are many improvements and efficiencies in the proposed PPS (2024), however, staff are concerned with the loss of some Growth Plan policies (i.e. natural heritage, agriculture, growth management, etc.) which are not being replaced in the proposed PPS (2024). Further, staff are concerned about the impact of changes to employment area policies and the unintended consequences of the ‘ad-hoc’ nature of settlement area expansion and the responsible delivery of services and infrastructure.</p>
<p>2. What are your thoughts on the ability of updated proposed policies to generate appropriate housing supply, such as: intensification policies, including the redevelopment of underutilized, low density shopping malls and plazas; major transit station area policies; housing options, rural housing and</p>	<p>Although it is possible that some of the updated policies will have the intended effect of increasing housing supply it is difficult to project. Overall the last several years the rate of change in Provincial planning policy and legislation has been significant. This, along with the reversal of many changes has created an atmosphere of uncertainty, both with municipalities and the development community. It is recommended that the Province move towards an environment of stability to allow policies to be implemented, their effectiveness be determined and focus municipal efforts on approving housing developments.</p>

ERO Questions	Niagara Region Staff Response
<p>affordable housing policies; and student housing policies?</p>	
<p>3. What are your thoughts on the ability of the updated proposed policies to make land available for development, such as: forecasting, land supply, and planning horizon policies; settlement area boundary expansions policies; and employment area planning policies?</p>	<p>Niagara Region staff have concerns that requiring each individual local municipality to do their own forecasting of population and employment growth may result in inconsistent forecasts and/or methodologies which impact the Region’s ability to plan for investments in infrastructure and the coordination of regional public services between local municipalities. The ad-hoc nature of settlement area expansion coupled with proposed Planning Act changes via Bill 185 will lead to inefficient use of existing services area and expansion that may not be fiscally responsible.</p> <p>It is the recommendation of Niagara Region staff that the PPS include policies to required growth targets and coordination of development with the delivery of infrastructure across municipalities.</p>
<p>4. What are your thoughts on updated proposed policies to provide infrastructure to support development?</p>	<p>Niagara Region staff are supportive of the proposed policies which would allow the allocation and reallocation of unused capacity in the water and wastewater system and which would promote the development of phasing policies as appropriate. These policies will encourage the orderly development of urban areas and support the efficient use of existing and planning infrastructure and public services.</p>



ERO Questions	Niagara Region Staff Response
	PPS should also reference municipal infrastructure master plans and require that development aligned with the planned services.
<p>5. What are your thoughts on updated proposed policies regarding the conservation and management of resources, such as requirements to use an agricultural systems approach?</p>	<p>Niagara Region staff are generally not supportive of the proposed policies related to the conservation and management of resources. An agricultural system approach based on provincial-mapping has historically been in place in the Growth Plan GGH municipalities. Similarly with the elimination of the Growth Plan, the Growth Plan Natural Heritage System is being eliminated as provincial land use policy. Overall the proposed PPS (2024) represent a lesser protection of the natural environment and resources as compared to the existing policy framework of the PPS (2020) and Growth Plan (2019).</p>
<p>6. What are your thoughts on any implementation challenges with the updated proposed Provincial Planning Statement? What are your thoughts on the proposed revocations in O.Reg. 311/06 (Transitional Matters - Growth Plans) and O.Reg. 416/05 (Growth Plan Areas)?</p>	<p>It needs to be recognized that after the effective date, and until municipal official plans (and zoning by-laws) can be updated, there will be a range of inconsistent and conflicting policies for land-use planning in Ontario. This type of policy environment creates confusion and uncertainty for both land developers and municipal planning staff, it serves to delay development and construction rather than to expedite it. This is compounded by the removal of statutory planning authority from Regional municipalities, which further creates uncertainty in the Planning process at a time when stability and certainty is required.</p>

**Table 2: Niagara Region Staff Detailed Analysis and Comment on the Proposed 2024 Provincial Planning Statement (PPS)**

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
Aggregates	<p>The proposed PPS (2024) has not made significant changes to the aggregate resources section. References to rehabilitation in speciality crop areas have been removed – however rehabilitation in these areas would be directed by the Greenbelt Plan and Niagara Escarpment Plan where applicable. <b>[Proposed policy 4.5]</b></p>	<p>Niagara Region staff note that the Growth Plan (2019) included a number of detailed and prescriptive policies related to aggregates resources – most of which were in regards to the interaction between aggregates and the Growth Plan Natural Heritage System as well as rehabilitation.</p> <p>It is the recommendation of Niagara Region staff that consideration be given to carrying forward the Growth Plan policies which required rehabilitation to consider natural features and functions in the proposed PPS (2024)</p>
Agricultural Area Housing	<p>In addition to a principal dwelling associated with an agricultural operation in prime agricultural areas, the proposed PPS (2024) permits up to two additional residential units as subordinate to the principal dwelling. <b>[Proposed policy 4.3.2.5]</b></p>	<p>The Niagara Region Official Plan has a provincially-approved 0.4 ha size requirement for all lot creation in rural areas. This lot size reflects the area necessary to support on-site private water supply and long-term operation of a private sewage disposal system.</p>

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
		<p>Niagara Region staff are concerned the addition of 2 residential units on each parcel would require upgraded private servicing, which may not be possible on lots that were created for only a single residential unit.</p> <p>In addition, Niagara Region staff are concerned that proposed policy 4.3.2.5 refers broadly to “sewage and water services” being provided, whose definition includes “municipal sewage services and municipal water services”; especially coupled with the removal of policy wording that states the extension of partial services into rural areas is only permitted to address failed individual on-site sewage and individual on-site water services for existing development from proposed Section 3.6.</p> <p>It is recommended that a set of parameters or guidelines be developed to help planning authorities determine whether these uses “demonstrate that the use are compatible with, and would not hinder, surrounding agricultural operations” (Proposed Policy 4.3.2.5 b).</p>

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
Agriculture	The proposed PPS (2024) eliminates the requirement to use the provincially-mapped Agricultural System. Municipalities would now lead the designation of prime agricultural areas, including specialty crop areas. Using the provincial mapping remains an option. <b>[Proposed policy 4.3.1]</b>	<p>Niagara Region staff note that an agricultural system approach based on provincial-mapping has historically been employed in Niagara’s regional official plan to designate lands based on priority for protection. After the release of the proposed agricultural system mapping by the Province (2018), Niagara Region through the Municipal Comprehensive Review (MCR) process, undertook extensive consultation to identify mapping refinement opportunities in the proposed land-base.</p> <p>Niagara Region staff believe the mapping approved through the Niagara Official Plan (2022) is accurate and best represents a continuous land base and systems approach. Staff support the continued use of the approved agriculture land-base mapping in Niagara.</p>
Agriculture	The proposed PPS (2024) expands the definition of “on-farm diversified uses” to include all “land-extensive energy facilities”, such as ground-mounted solar or battery storage, whereas previously only ground-mounted solar facilities	OMAFRA’s <i>Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas</i> states that “on-farm diversified uses should be related to agriculture, supportive of agriculture or able to co-exist with agriculture without conflict”. Provided these uses are still subject to other criteria and

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
	<p>were identified. <b>[Proposed definition of “on-farm diversified use”]</b></p>	<p>guidance for on-farm diversified uses (i.e. limited in area, secondary to the principal use, etc.), the expanded definition may align with Provincial and Regional policies that support the transition to net-zero communities.</p> <p>However, Niagara Region staff are concerned that given these uses are referred to as “land-extensive” it may mean they are meant to apply to more significant portions of a farm parcel.</p> <p>It is the recommendation of Niagara Region staff that the province consider whether “land-extensive” energy facilities are an appropriate land use in prime agricultural areas.</p>
<p>Built Boundary</p>	<p>The proposed PPS (2024) has not carried forward the concept of delineated built-up areas as a defined term previously contained in the Growth Plan.</p>	<p>The removal of the “built-up area” as a defined term and associated intensification rates may make it more difficult for municipalities to use tools and practices available to them to “support general intensification and redevelopment to support the achievement of complete communities” as outlined in Section 2.3.3.</p> <p>Similarly, the removal of a definition and policy set for “designated greenfield areas”, including associated density targets, will make it difficult for</p>

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
		<p>municipalities to push for increased densities and housing options in the remaining undeveloped, but serviced, areas of the municipality.</p> <p>Additionally, if settlement area boundaries can expand at any time without the requirement for a land needs assessment to demonstrate the need for additional urban land, this will discourage intensification and encourage urban sprawl. This will create implications for providing fiscally responsible infrastructure.</p> <p>Niagara Region staff recommend that “built-up area” [as referenced in Policy 2.3.1.4] be a defined term, and that municipalities be required to establish and implemented targets for intensification and redevelopment (as opposed to being encouraged to do so).</p>
Cultural Heritage and Archaeology	<p>A number of definitions referenced in the Cultural Heritage and Archaeology section of the proposed PPS (2024) have been revised. <b>[Proposed definition of “built heritage resource”, “conserved”, “cultural heritage landscape”, “heritage attributes”, “protected heritage property” and “site alteration”]</b></p>	<p>Many of the revisions are minor or provide additional clarification/protection for cultural heritage and archaeological resources. Niagara Region staff does not have concerns with the revisions to these definitions.</p>

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
Cultural Heritage and Archaeology	The proposed PPS (2024) has also changed to policy term from “significant built heritage resource and significant cultural heritage landscape” to “protected heritage property” <b>[Proposed policy 4.6.1]</b>	Niagara Region staff are supportive of the proposed change in terminology and the new definition, which now includes archaeological resources.
Cultural Heritage and Archaeology	The proposed PPS (2024) includes revised policy language pertaining to engagement with indigenous communities, requiring that engagement occur early with an increased emphasis on consideration of their interests. <b>[Proposed policy 4.6.5]</b>	Niagara Region staff supports early engagement with indigenous communities. The emphasis on early engagement and specification in terms of the interests of indigenous communities included in the proposed PPS will be helpful from an implementation perspective.
Employment Areas	The proposed PPS (2024) changes the definition of “employment areas”. The focus of the definition is now on what would be considered traditional employment uses such as heavy industry, manufacturing, and large scale warehousing. <b>[Proposed definition of “employment areas”]</b>	<p>Niagara Region staff do not support the proposed change in definition as it will potentially hinder Niagara’s municipalities’ ability to achieve the employment forecasts set out to 2051, given that it will be difficult to protect the amount of land required to accommodate the number of jobs projected.</p> <p>The recently approved Niagara Official Plan includes different categories of employment areas. While the Region’s “Core Employment Area” designation may meet the revised definition,</p>

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
		<p>“Dynamic Employment Area” and “Knowledge and Innovation Employment Areas” would not meet the revised definition. As such, the revised definition has the potential to <b>remove approximately 2,175 hectares of employment area lands</b> (45% of total employment area lands based on preliminary analysis), putting at risk the existing and jobs planned for these lands.</p> <p>It is the recommendation of Niagara Region staff that the definition of “employment areas” not be changed as it will limit the ability of municipalities to protect employment areas in the long-term.</p>
Employment Areas	The proposed PPS (2024) includes a policy that would allow for a range of mixed land uses, including residential, in employment lands outside of employment areas [ <b>Proposed policy 2.8.1.3</b> ]	<p>Niagara Region staff do not support this proposed policy.</p> <p>The Growth Plan and the Niagara Official Plan (4.2.5.1) both contain provisions to ensure that any proposed development of non-employment uses on employment land, outside of employment areas, shall retain space for a similar number of jobs on site.</p> <p>Niagara Region staff recommend that this policy not be included, and that the proposed PPS</p>



Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
		include greater protection for long-term employment uses.
Employment Land Conversions	<p>The proposed PPS (2024) allows planning authorities to remove lands from employment areas outside of a municipal comprehensive review provided certain tests are met. <b>[Proposed policy 2.8.2.5]</b></p> <p>Currently, the PPS 2020 and Growth Plan only allow employment area conversions through a municipal comprehensive review. However, both documents also contain a notwithstanding provision that allows conversions prior to a municipal comprehensive review if certain criteria are met.</p> <p>However, the PPS (2024) proposes to revise certain conditions under which a conversion may be permitted. The PPS (2024) states that the municipality must have sufficient employment lands to accommodate projected employment growth to the horizon of the approved official plan, whereas the Growth Plan currently requires the municipality to accommodate projected employment growth to the horizon of the Growth Plan. The PPS (2024)</p>	<p>Niagara Region staff do not support this proposed policy change.</p> <p>Without the criteria to maintain sufficient employment lands to accommodate forecasted employment growth over time, it will be difficult to ensure that the employment forecasts set out can be achieved.</p> <p>Further, urban boundary expansions for employment areas occurred in the Region solely to accommodate forecasted employment growth. If these lands are converted and do not accommodate employment uses, further expansions will have to take place to provide sufficient space to accommodate forecasted employment.</p> <p>Considering employment area conversion requests comprehensively allows municipalities to examine all requests as part of one review to select the most appropriate areas for conversion. It also allows municipalities the ability to identify land needs in tandem with reviewing employment</p>

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
	<p>also proposes to remove the requirement in the Growth Plan that the employment conversion does not impact the minimum intensification and density targets in the Growth Plan.</p>	<p>area requests to understand how potential employment area conversions will impact the need for settlement area expansions.</p> <p>Niagara Region staff recommend that the proposed PPS includes a policy framework for employment land conversions to be considered comprehensively and the Province instead carry forward Growth Plan policy 2.2.5.9 c) which provides long-term protection for employment uses.</p>
<p>Excess Soils</p>	<p>The proposed PPS (2024) removes policy 3.2.3 which directs planning authorities to support, where feasible excess soil management.</p> <p>The Growth Plan stated that municipal planning policies and relevant development proposals will incorporate best practices for soil management.</p>	<p>While municipalities can include policies addressing excess soil management, Niagara Region staff are concerned that the requirement for development proposals to incorporate best practices for excess soil management has been removed from provincial direction.</p>
<p>Growth Management</p>	<p>The proposed PPS (2024) - policy 2.1.5 references “where planning is conducted by an upper-tier municipality the land and unit supply maintained by the lower-tier shall be based on and reflect the allocation of population and units by the upper-tier”</p> <p><b>[Proposed policy 2.1 &amp; policy 2.1.3.]</b></p>	<p>Inconsistent forecasts and/or methodologies to achieve such forecasts will impact the Region’s ability to plan for investments in infrastructure and the coordination of regional public services between local municipalities.</p>

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
		<p>It is the recommendation of Niagara Region staff that all upper-tier municipalities still retain responsibility for growth management functions to ensure a coordinated approach across regional market areas.</p>
<p>Growth Management</p>	<p>The proposed PPS (2024) includes a policy to direct planning authorities to base employment and growth forecasts on the Ministry of Finance 25-year projections and allows for modifications as appropriate. <b>[Proposed policy 2.1.1]</b></p> <p>Proposed section 2.1.2 allows municipalities to continue to forecast growth using population and employment forecasts previously issued by the province.</p>	<p>As an upper-tier municipality, the Niagara Region is responsible for planning, coordinating, and monitoring population and employment growth across the region.</p> <p>The Niagara Official Plan, 2022 set a 2051 population forecast of 694,000 people and 272,000 jobs. Through the Niagara Official Plan program, the Region was effective in pulling together various, and often inconsistent, data sources from lower-tier municipalities for the purpose of growth monitoring, forecasting and planning. These datasets continue to be collected by the Region and are critical to the planning and budgeting of capital infrastructure and community services.</p> <p>Region staff support replacing multiple/conflicting forecasts and projections with one projection. Niagara Region staff note Ministry of Finance</p>

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
		<p>projections are, like Growth Plan forecasts, provided at the Niagara Region level. With 12 lower-tier municipalities within Niagara staff note this policy change does not contemplate how projections should be allocated between municipalities. Ministry of Finance projections are, furthermore, updated annually and can differ significantly from year-to-year complicating efforts in allocating projections between municipalities. It is the recommendation of Niagara Region staff that additional guidance regarding the distribution and timing of Ministry of Finance projections to lower-tier municipalities.</p> <p>Finally, Ministry of Finance uses the term ‘projections’ while other provincial data is referred to as ‘forecasts’. The draft PPS uses the term interchangeably. While it is understood that there is a difference between terms, it is recommended the Province clarify policy intent.</p>
Growth Management	The proposed PPS (2024) requires municipalities, when updating official plans, to have enough land designated for at least 20 years, but not more than 30 years, (a change from 25 years in the 2020 PPS) with planning expressly allowed to extend	Niagara Region staff have no concern with the proposed change in wording, however, with the repeal of the Growth Plan there will no longer be a consistent approach to completing land needs assessments, and therefore inconsistent

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
	beyond this horizon for infrastructure, employment areas and strategic growth areas. <b>[Proposed policy 2.1.3]</b>	approaches to analysis and decision-making regarding land needs requirements.
Housing	The proposed PPS (2024) expands the definition of “housing options”, to specifically include more examples of “soft intensification” and broader housing arrangements and forms. <b>[Proposed definition of “housing options”]</b> .	<p>Niagara Region staff are not opposed to an expanded definition of “housing options”; however, the proposed definition may be beyond what is appropriate for a land use planning document.</p> <p>It is the recommendation of Niagara Region staff that the Province review the proposed definition to ensure it is appropriate and can be implemented through land use planning tool and policies.</p>
Intensification	The proposed PPS (2024) removes mandatory intensification and density targets for all municipalities. The Growth Plan required municipalities to meet specific intensification and density targets to accommodate forecasted growth. This requirement has not been carried forward, except for the density targets for MTSA’s in large and fast-growing municipalities. Instead, municipalities are encouraged to establish density targets “as appropriate, based on local conditions.” <b>[Proposed policy 2.3.1.4]</b> Large and fast-growing	Niagara Region staff are concerned with the proposed change. Not having a minimum intensification target or a “built-up area” at the Provincial level, combined with the ability to expand settlement area boundaries at any time, may discourage intensification and encourage sprawl. If sprawl is prioritized over intensification, it will become costly to extend and maintain servicing to greenfield areas, with existing

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
	<p>municipalities are also encouraged, but not required, to plan for a minimum density target of 50 residents and jobs per gross hectare. <b>[Proposed policy 2.3.1.5]</b></p>	<p>infrastructure not being optimized, and further impact any progress on climate change mitigation.</p> <p>It is the recommendation of Niagara Region staff that the province maintain minimum intensification and density targets with clear direction that municipalities may exceed the targets based on local conditions.</p>
<p>Land Use Compatibility</p>	<p>The proposed PPS (2024) removes requirement for proponents of sensitive land uses to demonstrate need or evaluate alternative locations for sensitive land uses where avoidance of adverse effects is not possible. <b>[Proposed policy 3.5.2]</b></p>	<p>Niagara staff recommend that the policy requirement for the proponent of sensitive land uses to demonstrate the need for the proposed use, and evaluate alternative locations, minimized and mitigation adverse effects be reinstated.</p>
<p>Large and Fast-Growing Municipalities</p>	<p>The proposed PPS (2024) introduces and identifies “large and fast-growing municipalities” (Niagara Falls and St. Catharines in Niagara) . <b>[Proposed definition of “large and fast-growing municipalities” and Proposed Appendix – Schedule 1]</b></p> <p>“Large and fast-growing municipalities” are encouraged to plan for a minimum density target of 50 residents and jobs per hectare in designated growth areas. <b>[Proposed policy 2.3.1.5]</b></p>	<p>Niagara Region staff support the identification and specific policies for “large and fast-growing municipalities”.</p> <p>Niagara Region staff would however recommend that in Policy 2.3.1.5. “large and fast-growing municipalities” be <u>required</u> to plan for a minimum density of 50 residents and jobs per hectare, as opposed to only being encouraged to do so.</p>

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
Major Transit Station Areas	<p>The proposed PPS (2024) carries forward the concept of major transit station areas from the Growth Plan, with the definition and minimum density targets being generally the same.</p> <p><b>[Proposed definition of “major transit station area”]</b></p>	<p>Niagara Region staff support moving forward with the concept of major transit station areas (MTSA).</p> <p>It is noted that proposed policy 2.4.2.2 would result in a higher density target for the Niagara Falls and St. Catharines MTSA compared to what is been identified in the recently approved Niagara Official Plan, 2022 (i.e. an increase from 125 to 150 residents and jobs combined per hectare).</p>
Natural Heritage	<p>In comparison to the existing Provincial Policy Statement (2020), it appears that there are no changes to the natural heritage policies. Based on Niagara Region staff’s review several changes have been made to the associated natural heritage definitions. Firstly, the definition of “significant” as it applies to wetlands has been updated to reflect the revised process for identifying provincially significant wetlands which was introduced by the Province in late 2022. Secondly, “habitat of endangered species and threatened species” has been removed from the definition of “natural heritage features and areas”.</p>	<p>Niagara Region staff are not concerned with this change given that proposed policy 4.1.7 continues to prohibit development and site alteration in the habitat of endangered species and threatened species, except in accordance with provincial and federal requirements, and these habitats would continue to be protected through the Endangered Species Act.</p>

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
<p>Natural Heritage</p>	<p>When the updated Growth Plan for the Greater Golden Horseshoe was released in 2017 and subsequently revised in 2019, it included policies, definitions, and mapping for a “Natural Heritage System for the Growth Plan” (Growth Plan NHS). Municipalities were required to incorporate and implement the policies and mapping into their official plans. The Growth Plan NHS was included as part of the integrated natural environment system (NES) of the Niagara Official Plan, approved by the Province in November 2022.</p> <p>As the proposed PPS (2024) will integrate the PPS (2020) and Growth Plan (2019), it is understood that there will no longer be a stand alone Growth Plan document, and is therefore understood the Growth Plan NHS would no longer be Provincial land-use policy.</p>	<p>Niagara Region staff are concerned with timing of elimination of the Growth Plan NHS. The process to develop a new Regional Official Plan was a significant multi-year work program that required a major investment by the community and Region. The natural environment work program – including conformity with the Growth Plan, and implementation of the Growth Plan NHS – was a significant aspect of the work program for the new Official Plan.</p> <p>Further, when Niagara Region staff implemented the Growth Plan NHS it was done so as part of an integrated natural environment system (NES), which also included the natural heritage system, water resource system, and greenbelt natural heritage system. The policies, linkages, and connections included as part of the Growth Plan NHS were relied upon to satisfy the PPS for an overall municipal natural heritage system.</p> <p>It is the recommendation of Niagara Region staff that the mapping and policies of the Growth Plan NHS continue to be provincial land-use policy and be implemented through Municipal official plans.</p>



Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
Phasing of Development	The proposed PPS (2024) introduces a new policy which would promote the development of phasing policies as appropriate. <b>[Proposed policy 2.3.1.6]</b>	Niagara Region staff are supportive of the proposed policy as it will encourage the orderly development of urban areas and support the efficient use of existing and planning infrastructure and public services.
Post Secondary Institutions	The proposed PPS (2024) introduces a new policy which would require planning authorities to collaborate with publicly-assisted post-secondary institutions regarding the planning for student housing <b>[Proposed policy 6.2.5]</b>	Niagara Region staff support the proposed policy which will help to ensure that there is a range of housing options near existing and planned post-secondary institutions in the Region.
Provincially significant employment zones	The proposed PPS (2024) has not carried forward Provincially Significant Employment Zones, which were introduced to the Growth Plan in 2019. Lands designated as PSEZ are protected from conversion to non-employment uses, except where demonstrated to be appropriate through a full municipal comprehensive review. The implementation document suggests alternative approaches to protect these lands, possibly through the use of minister’s zoning orders.	Niagara Region staff have no comments as there are no PSEZs in Niagara Region.
Schools	The proposed PPS (2024) acknowledges and encourages the use of non-traditional school	Niagara Region staff support the proposed policy.

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
	locations where appropriate for the community. <b>[Proposed policy 3.1.5]</b>	
Settlement Area Expansion	The proposed PPS (2024) would allow for the creation of new settlement areas. Previously this was not permitted. <b>[Proposed policy 2.3.2.2]</b>	<p>Niagara Region staff do not oppose this proposed change in principle.</p> <p>Similar to the above response related to settlement areas, it is recommended that the proposed PPS include a requirement to demonstrate need as well as other policy tests noted in proposed section 2.3.2.1 to ensure that Ontario communities are growing in a sustainable, efficient, and cost-effective way. The availability of capacity in servicing infrastructure at a point in time should not presume that an urban area expansion or creation is feasible or appropriate.</p>
Settlement Area Expansions	The proposed PPS (2024) removes the requirement to demonstrate “need” for a settlement area expansion. <b>[Proposed policy 2.3.2.1]</b>	<p>Niagara Region staff do not support the proposed change.</p> <p>The requirement to demonstrate need for an urban boundary expansion is a fundamental consideration in land use planning. The requirement to demonstrate need is an essential policy tool to encourage infill and intensification and to discourage sprawl. Infill and intensification</p>

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
		<p>will also assist with financial sustainability and planning for infrastructure.</p> <p>It is the recommendation of Niagara Region staff that “need” be included as a policy test for settlement area expansions in the proposed PPS (2023).</p>
<p>Settlement Area Expansions</p>	<p>The proposed PPS (2024) has not carried forward the concept of a municipal comprehensive reviews which was a cornerstone policy of the Growth Plan as a way to plan the expansion of settlement areas in an orderly fashion.</p> <p>The implication of this change is that municipalities may consider settlement area expansions at any time. There is no limitation on the ability of landowners to apply for an expansion. <b>[Proposed policy 2.3.2.1]</b></p>	<p>Decades of poor planning in the mid-20<sup>th</sup> century demonstrated that there is a need for integrated and coordinated growth planning at the municipal-level.</p> <p>Niagara Region staff understand that there needs to be certain improvement to the planning system in Ontario to implement the provinces goal of 1.5 million new homes by 2031. However, Niagara Region staff do not agree that minimizing coordinated municipal growth management for short term gain, at long-term costs, is the appropriate solution.</p> <p>It is the recommendation of Niagara Region staff that a mechanism similar to MCRs be maintained to ensure that municipalities grow in an integrated and coordinated manner.</p>

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
Sewage and Water Services	The proposed PPS (2024) introduces a new policy which would allow the allocation and reallocation of unused capacity in the water and wastewater system to support current and projected housing needs. <b>[Proposed policy 3.6.1 d)]</b>	Niagara Region staff are supportive of the proposed policy as it will provide an additional tool to support municipalities ensuring that approved development is built and allow the reallocation of servicing capacity from approved developments which are not moving forward.
Strategic Growth Areas	The proposed PPS (2024) has carried forward / integrated the concept of strategic growth areas from the Growth Plan. They are to be identified in official plans, and should be the focus of growth. They include major transit station areas. <b>[Proposed section 2.4 and proposed definition of “strategic growth area”]</b>	Niagara Region staff are supportive of strategic growth areas continuing to be part of the planning framework in Ontario.
Watershed Planning	The proposed PPS (2024) has no carried forward the full suite of policies related to watershed and subwatershed planning to inform land use planning as compared to the existing PPS (2020) and Growth Plan (2019).  Large and Fast Growing Municipalities are required to undertake watershed planning and other municipalities are encouraged to do so <b>[Proposed policy 2.2.4]</b>	The proposed changes will limit the applicability of watershed planning, and as such will result in negative impacts to the natural environment and the ability to work towards a streamlined system that achieves complete communities.  By limiting the municipalities and scope at which watershed planning is undertaken the proposed PPS (2024) does not take into consideration that

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Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
	Municipalities undertaking watershed planning are encouraged to collaborate with applicable conservation authorities [ <b>Proposed policy 4.2.5</b> ]	watersheds are not limited by municipality boundaries.



June 12, 2024

Melanie Davis  
Manager, Office of the CAO & Board  
Niagara Peninsula Conservation Authority

Sent via email: [mdavis@npca.ca](mailto:mdavis@npca.ca)

Dear Melanie,

**Re: Resolution No. FA-49-24 pertaining to Report No. FA-21-24 RE: Completion of Land Acquisitions in Niagara Region and Haldimand County.**

Please be advised the Niagara Falls' City Council at its meeting of May 28, 2024, passed the following motion:

**Ordered on the motion of Councillor Victor Pietrangelo, seconded by Councillor Mona Patel, That Council support the resolution from the Niagara Peninsula Conservation Authority, No. FA-49-24 - Completion of Land Acquisitions in Niagara Region and Haldimand County.**

I trust that this information will be of assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bill Matson".

As per:  
Bill Matson  
City Clerk

**Report To: Board of Directors**

**Subject: Compliance and Enforcement Q1 Statistics 2024**

**Report No: FA-30-24**

**Date: June 21, 2024**

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**Recommendation:**

**THAT** Report No. FA-30-24 RE: Compliance and Enforcement Q1 Statistics 2024 **BE RECEIVED.**

**Purpose:**

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

**Background:**

The Compliance and Enforcement Service Area at the Niagara Peninsula Conservation Authority (NPCA) plays a pivotal role in the protection of wetlands, shorelines, and hazardous lands in the NPCA 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 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 bylaw 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 will 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 first quarter of 2024 that support targeted work planning objectives and division improvements.

Table 1: Compliance & Enforcement Collaborations and Training, Q1 2024

Category	Details
Training	Assisted with the delivery of Conservation Ontario Level 1 Officer Training. First in-person training since 2020.
	Coordinated and delivered departmental training focused on the Section 28 compliance program and services, protection of privacy and charter of rights challenges, due diligence and offences.
Partnerships	Joined the monthly Niagara municipalities bylaw working group.
	Joined the quarterly provincial Regulatory Compliance Ontario western hub.
	Facilitated an initial meeting with Town of Lincoln, Town of Fort Erie and Township of Wainfleet municipal bylaw enforcement teams focused on site alteration and unauthorized fill, with the intention for broader engagement with the watershed municipalities on best practices for enforcement coordination.

### Q1 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* (Conservation Authority properties).

The statistics below are from January 1, 2024, to March 31, 2024.

Table 2: General Q1 File Statistics, 2019-2024

	2019	2020	2021	2022	2023	Q1 2024
Open/Active Files						12
Closed/Resolved Files						78
<b>TOTAL</b>	<b>22</b>	<b>70</b>	<b>88</b>	<b>56</b>	<b>70</b>	<b>90</b>

Table 3: Complaint Validity

	Q1 2024
NPCA jurisdiction – valid concern	69
Not NPCA jurisdiction or valid concern – file closed	17
Under review by NPCA or not specified	4
<b>TOTAL</b>	<b>90</b>



Table 4: Complaint / Violation Avenues

	Q1 2024
TIPS – email, voicemail, online form	36
Staff Voicemail / Phone / Email	6
Professional Contacts	29
Officer Found	17
Other / Not Specified	2
<b>TOTAL</b>	<b>90</b>

Table 5: Complaints By Regulated Feature

	Q1 2024
Lake Ontario Shoreline	3
Lake Erie Shoreline	5
Wetlands and Wetland Buffers	40
Watercourses and Watercourse Buffers	18
Valleyland and Valleyland Buffers	7
Floodplains	5
Hazardous Lands	0
Municipal Drains / Watercourses	1
Other / Not Specified	11
<b>TOTAL</b>	<b>90</b>

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

Table 6: Complaints and Potential Violations by Municipality

	Q1 2024	% TOTAL
Fort Erie	11	12.2
Grimsby	1	1.1
Haldimand	5	5.6
Hamilton	4	4.4
Lincoln	11	12.2
Pelham	3	3.3
Niagara Falls	5	5.6
Niagara-on-the-Lake	4	4.4
Port Colborne	11	12.2
St. Catharines	8	8.9
Thorold	3	3.3
Wainfleet	7	7.8
Welland	8	8.9
West Lincoln	5	5.6
No Location	4	4.4
<b>TOTALS</b>	<b>90</b>	<b>100%*</b>

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

Table 7: Notices of Violation

	Q1 2024
Notices Resolved	3
Notices Unresolved / In Progress	9
<b>TOTAL NOTICES ISSUED</b>	<b>12</b>

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

	Q1 2024
No Risk	20
Low	24
Moderate	38
High	4
Other / Not Specified	4
<b>TOTAL</b>	<b>90</b>

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 new 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:*

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

### Reviewed by:

*Original Signed by:*

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Leilani Lee-Yates, MCIP, RPP  
Director, Watershed Management

### Submitted by:

*Original Signed by:*

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

**Report To: Board of Directors**

**Subject: Draft 2023 Annual Report**

**Report No: FA-31-24**

**Date: June 21, 2024**

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**Recommendation:**

**THAT** Report No. FA-31-24 RE: Draft 2023 Annual Report **BE RECEIVED**;

**AND THAT** the Draft 2023 Annual Report **BE APPROVED**;

**AND FURTHER THAT** the final report **BE PUBLISHED** online and **DISTRIBUTED** to participating municipalities, government agencies, community stakeholders, the Public Advisory Committee, Drinking Source Water Protection Committee, and the public in various media formats.

**Purpose:**

This report aims to present the NPCA Board of Directors with the draft 2023 Annual Report, which highlights the organization's key *Strategic Plan 2021-2031* accomplishments in 2023. The report shares our vision, mission, and guiding principles, and showcases the progress that has been made to date in terms of our strategic priorities, goals, and actions in the following areas:

- Healthy and Climate Resilient Watershed;
- Supporting Sustainable Growth;
- Connecting to People;
- Partner of Choice;
- Organizational Excellence; and
- Financial sustainability.

**Background**

At the October 15, 2021, Full Authority Board Meeting, the Board finalized and approved the *2021-31 Strategic Plan*. The NPCA continues to make a concerted

effort to improve the understanding of our work, programs, and services as outlined in our *2021-31 Strategic Plan*.

The Annual Report is a critical public-facing document that aims to strengthen relationships in the communities that we serve while providing a snapshot of progress on key performance indicators (KPI) identified in the *2021-31 Strategic Plan*. It provides an overview of the value of the Authority's work and its impact on the Niagara Peninsula watershed.

The purpose of the Annual Report is to:

- Demonstrate our commitment to our mandate and strategic priorities, and the critical role we must play in enhancing and protecting the Niagara Peninsula watershed;
- Highlight significant accomplishments and achievements of the organization throughout 2023;
- Communicate the collective impact of NPCA's work with our Indigenous partners, municipal partners, funders, stakeholders, regional collaborators, and local communities; and
- Provide updates and information regarding the programs and services of the organization.

### **Discussion:**

The central theme of this year's report is "Driving collective impact...Naturally." The information contained in the report connects NPCA's progress to the strategic priorities outlined in our *2021-31 Strategic Plan*, as well as our organization's guiding principles as they relate to healthy watersheds, green infrastructure, collaboration and innovation, and nature for all.

### Key Highlights:

- The NPCA saw a 45% increase of day use guests at our four flagship parks, with over 160,000 visitors throughout the year.
- Our passive parks had **five times** the visits in 2023, with about 500,000 visitors compared to 100,000 in 2022.
- 1,200 NaturePlus annual membership passes were sold, with an additional 60 free passes made available at local libraries and community organizations.
- Self-generated revenues represented **33.8%** of the NPCA's total revenues at \$5.4 million.

### Collective Impact by the Numbers:

NPCA strives to create a common ground for conservation-inspired action within the Niagara Peninsula watershed. Below are some figures showing the

significance of staff, volunteers, and community supporters' efforts that have advanced NPCA initiatives throughout 2023.

- 184 kilometres of riverine floodplain were mapped.
- 379 permits were issued, and 880 planning files were reviewed.
- 734 surface and 52 groundwater water quality samples were collected.
- 70,700 trees, 4,347 shrubs, and 6,340 native wildflowers were planted across the watershed.
- 27 hectares of forest were reforested, and 3.9 hectares of wetland have been restored.
- 846+ active volunteers supported NPCA initiatives and there were 163+ new volunteers welcomed, with a total of 8,269 volunteer hours logged throughout 2023.
- Our top 25 news articles garnered more than 8.8 million impressions online.

The final report will be published online and distributed in several formats to municipalities, government agencies, community stakeholders, NPCA's Public Advisory Committee, Drinking Water Source Protection Committee, and the public.

**Financial Implications:**

None.

**Related Reports and Appendices:**

Appendix 1: Annual Report 2023 (*distributed separately*)

**Authored by:**

*Original Signed by:*

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Melanie Davis  
**Manager, Office of the CAO & Board**

**Reviewed by:**

*Original Signed by:*

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Sofia Zavarella  
**Manager, Communications & Public Relations**

**Submitted by:**

*Original Signed by:*

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Chandra Sharma  
**Chief Administrative Officer/Secretary-Treasurer**

**Report To: Board of Directors**

**Subject: Water Quality Monitoring Program Summary Report for the Year 2023**

**Report No: FA-29-24**

**Date: June 21, 2024**

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**Recommendations:**

**THAT** Report No. FA-29-24 RE: Water Quality Monitoring Program Summary Report for the Year 2023 **BE RECEIVED**;

**AND THAT** the Water Quality Fact Sheet 2023 **BE RECEIVED**;

**AND THAT** the actions identified herein to inform municipalities, stakeholders, and the public about the report findings and best practices to improve local water quality **BE IMPLEMENTED**;

**AND FURTHER THAT** a copy of this report **BE CIRCULATED** to NPCA watershed municipalities, Ministry of Natural Resources and Forestry (MNR), Ministry of the Environment and Parks (MECP) and the Federal Ministry of Environment and Climate Change Canada (ECCC).

**Purpose:**

The purpose of this report is to provide key highlights of NPCA's "Water Quality Monitoring Program Summary Report for the Year 2023," and to recommend actions to inform our partner and local-area municipalities, First Nations partners, community stakeholders, and the public about the report's findings and actions that can be taken to improve local water quality.

**Background:**

The NPCA Water Quality Monitoring Program was implemented in 2001 and is operated in partnership with the Ministry of Environment, Conservation and Parks (MECP), Niagara Region, Haldimand County, and the City of Hamilton. This program consists of a

combination of MECP surface water and groundwater monitoring stations combined with locally established NPCA watershed monitoring stations.

The NPCA collects and analyzes hundreds of water samples each year from the streams and groundwater resources within the watershed. From this information, the NPCA can identify sources of pollution, track water quality trends, and help to assess and direct NPCA environmental programs. The long-term data serves as a baseline by which to compare the success of various water quality improvement initiatives being undertaken by different organizations throughout the watershed.

At the October 22, 2020, NPCA Board Meeting, the NPCA Board directed staff (via Resolution FA-134-2020) to share the annual Water Quality Monitoring results and trends to partner municipalities and to develop water quality education resources to facilitate engagement regarding the state of water quality and suggested best practices.

### **Discussion:**

The NPCA Water Quality Monitoring Report for the Year 2023 summarizes the results of the NPCA's surface water and groundwater monitoring program. The complete report can be found on the NPCA's website at the following link: <https://npca.ca/watershed-health#water-quality-monitoring>

### Surface Water

The NPCA collects monthly surface water quality samples, during the ice-free season, at 84 monitoring stations. Including 13 Provincial Water Quality Monitoring Network stations and 71 NPCA stations, samples are analyzed using several indicator parameters including chloride, nitrate, total phosphorus, total suspended solids, copper, lead, zinc, and *E. coli*. These indicator parameters are used to calculate the Canadian Water Quality Index (WQI) which provides a descriptive water quality rating for each station.

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

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



Watercourses under the direct influence from the Great Lakes and Niagara River, such as the Lower Welland River, cause dilution of contaminant concentrations and therefore have higher water quality ratings. Watercourses that are strongly influenced by groundwater discharge, like the Upper Twelve Mile Creek (Effingham Branch) and Upper Welland River, also have higher water quality ratings as do watercourses located in areas with substantial natural landscapes like the Point Abino Drain and Beaver Creek (both located in Fort Erie). Additional information can be found in Appendix 1 on the water quality ratings from 2019-2023.

### Groundwater

The NPCA collects water quality data from 46 groundwater monitoring wells, comprised of 15 wells Provincial Groundwater Water Monitoring Network and 31 NPCA wells. Appendix 2 identifies the location of the wells within the NPCA groundwater monitoring network.

This data is important to assess the ambient conditions of several bedrock and overburden aquifers found in NPCA watershed. For groundwater, monitoring results indicate that water quality was found to be highly variable with some wells exceeding the Ontario Drinking Water Standards. All groundwater quality exceedances were related to naturally occurring bedrock conditions, have been investigated through MECP exceedance protocols, and appropriate municipal Public Health Departments have been notified.

### Next Steps

The NPCA Water Quality Monitoring Program continues to provide valuable information about the health of the watershed. The poor surface water quality in the NPCA watershed has been caused by decades of environmental degradation. However, water quality programs that improve how nutrients are managed, serve to increase riparian buffers, and improve forest cover can contribute to addressing these impacts.

While collective efforts across the NPCA watershed will improve water quality over time, there is much work to be done before the water quality in the NPCA watershed improves to the point where it is able to meet federal and provincial ambient water quality guidelines.

Going forward into 2024, this program continues to inform the NPCA's restoration priorities, such as "Trees for All" and provide critical data for the Welland River Soil and Water Assessment Tool (SWAT) project with the University of Guelph, which will model nutrient loading in that watershed.

As such, the Water Quality Monitoring Report recommends that the NPCA continue to monitor both our surface water and groundwater to ensure that there is up-to-date water quality information available, quantify trends, and continue to identify sources of contamination within the Niagara Peninsula watershed.

## Communication Strategy

In response to the direction for the NPCA Board of Directors, staff will undertake the following actions:

1. The Water Quality Monitoring Summary Report for the Year 2023 will be distributed to the Clerks at Niagara Region and its lower-tier municipalities, the City of Hamilton, Haldimand County, Mississaugas of the Credit First Nation, and Six Nations on the Grand River. Further, an offer will be extended for NPCA staff to present the report and its associated findings to respective councils and/or senior staff, should any partners be interested in additional information.
2. The Summary Report for the Year 2023 will further be distributed to all Public Health Departments within the Niagara Peninsula watershed and the local Ministry of Environment, Conservation and Parks Office for their information.
3. A NPCA Water Quality Fact Sheet 2023 summarizing the report's findings and a list of actions that individuals, communities, and businesses can undertake to improve local water quality will also be published via various mediums. Please see Appendix 3 for a copy of the 2023 summary report fact sheet.
4. The Water Quality Monitoring Summary Report and Fact Sheet will be posted on the NPCA website.
5. NPCA will seek opportunities to share information about our Water Quality Monitoring Program through other NPCA programs and events.

### **Financial Implications:**

The Water Quality Monitoring Program is funded through the annual operating budgets.


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

The NPCA Water Quality Monitoring Program directly supports Goal 1.1 of the *2021-31 Strategic Plan* by providing information to partners and members of the community to support evidence-based decision-making for climate-resilient watersheds.

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

Appendix 1 – Water Quality Ratings in 2019-2023  
Appendix 2 – NPCA Groundwater Monitoring Network  
Appendix 3 – NPCA 2023 Water Quality Fact Sheet

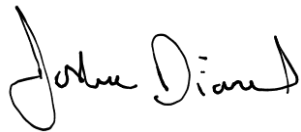
**Authored by:**



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Eric Augustino, M.Sc., C.E.T.  
Water Quality Specialist

**Reviewed by:**



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Joshua Diamond, M.Sc. C. Tech.  
Manager, Watershed Monitoring and Reporting

*Original Signed by:*

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

**Submitted by:**

*Original Signed by:*

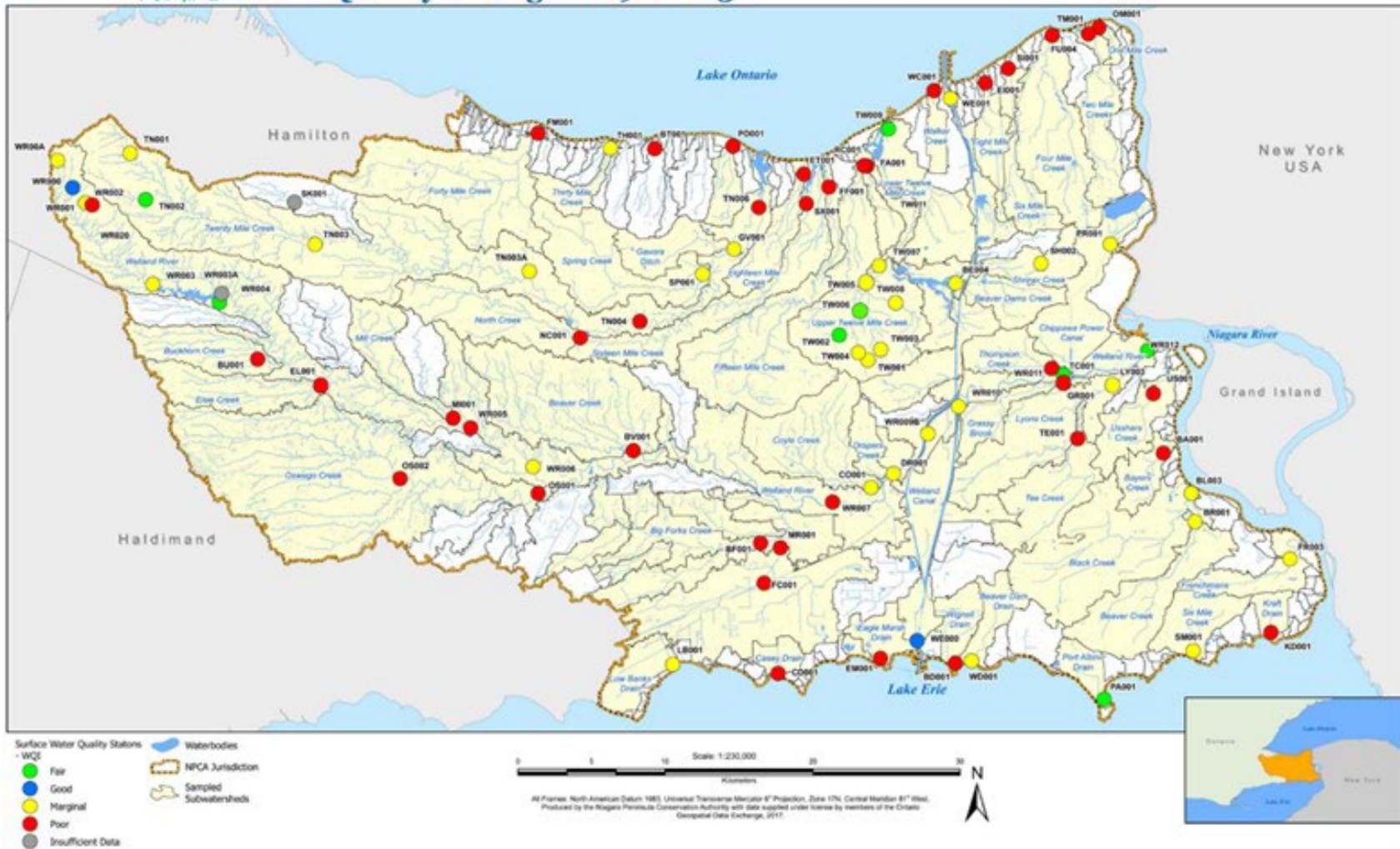
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Chandra Sharma, MCIP, RPP  
Chief Administrative Officer/Secretary-Treasurer

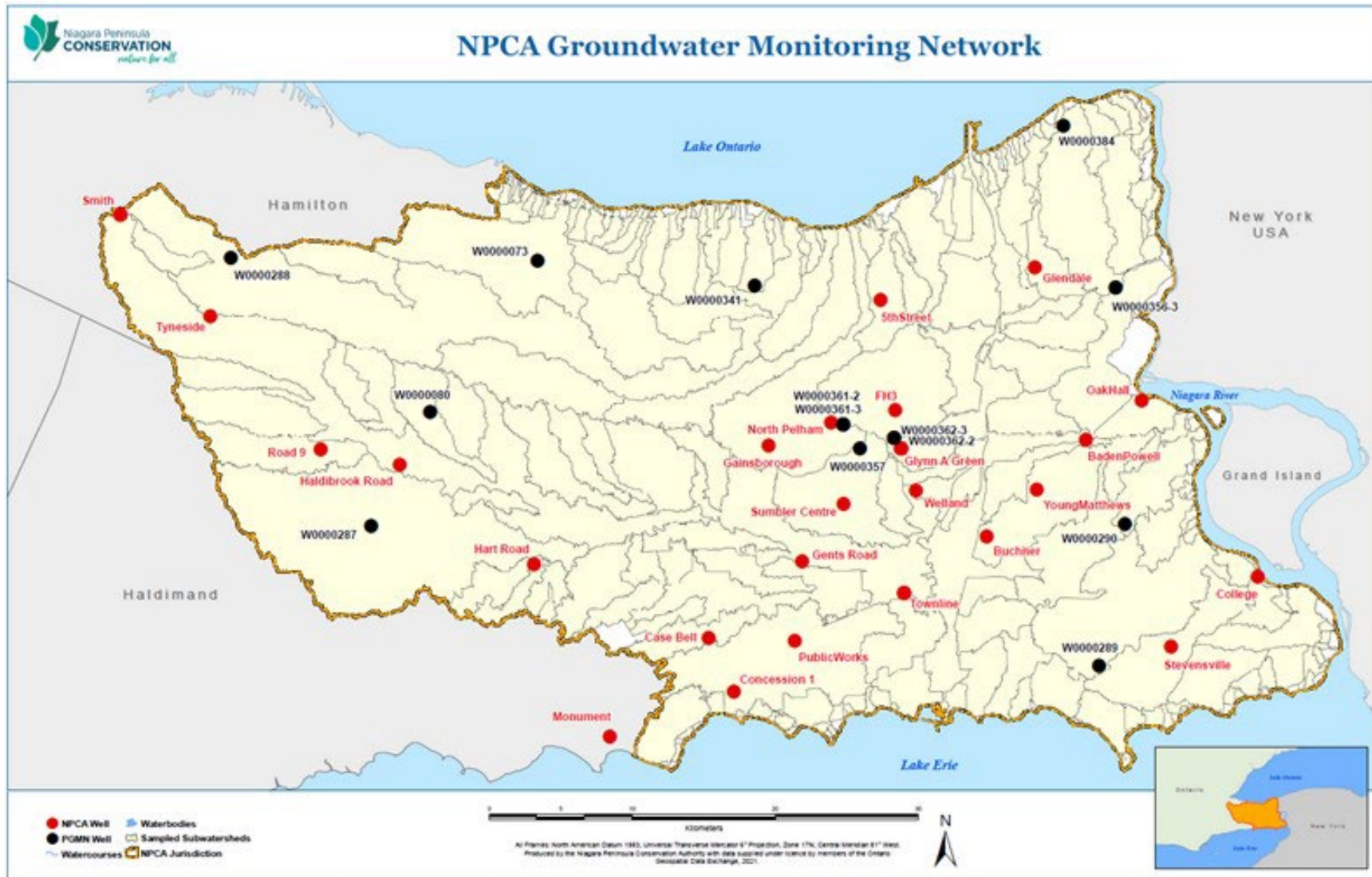
Report No. FA-29-24  
 Appendix 1 – Water Quality Ratings, 2019-2023



## Niagara Peninsula Conservation Authority Water Quality Ratings 2019 - 2023














# 2023 Water Quality Monitoring Report Fact Sheet

## NPCA Water Quality Monitoring Program by the Numbers

-  **84**  
Surface Water Monitoring Stations
-  **980**  
Surface Water Samples Collected
-  **17**  
MacroInvertebrate Samples
-  **11,204**  
Surface Water Samples Collected Since 2001
-  **46**  
Groundwater Monitoring Wells
-  **41**  
Groundwater Samples
-  **2**  
Decommissioned Abandoned Water Wells for Watershed Landowners

### NPCA SURFACE WATER MONITORING STATIONS

- 48%** are rated as poor
- 40%** are rated as marginal
- 10%** are rated as fair
- 2%** are rated as good

June 21, 2024  
NPCA Full Authority Board Meeting

The NPCA regularly collects and tests surface water and groundwater samples (non-drinking water) at stations located throughout our watershed jurisdiction.

### SURFACE WATER: WHAT ARE WE FINDING?

- Surface Water monitoring results indicate most of the watersheds in the NPCA's jurisdiction have marginal to poor water quality.
- The high concentrations of total phosphorus, E. coli and chlorides within the surface water continue to be a major cause of poor water quality.
- The sources of these pollutants are generally from both rural areas (agricultural runoff and faulty septic systems) and urban areas (combined sewer overflows and stormwater runoff).
- The best water quality is found in watercourses where water is introduced from Lake Erie and the Niagara River, in watercourses with significant groundwater discharges and in watersheds with substantial natural landscapes.

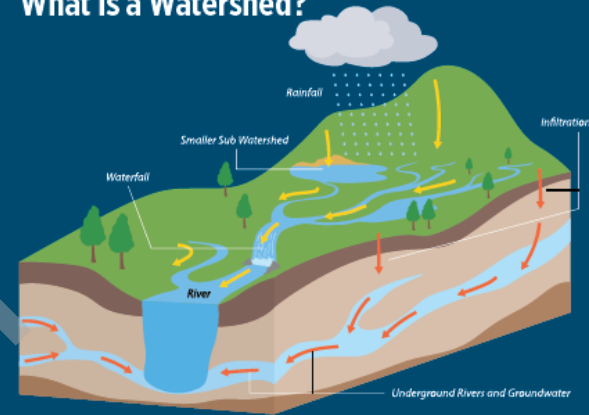
### GROUNDWATER: WHAT ARE WE FINDING?

- The groundwater quality in NPCA's jurisdiction was found to be highly variable depending on the aquifer where it was found.
- The natural groundwater conditions from its host rocks and sediments and local human contaminant sources can contribute to poor groundwater quality.
- Private well owners are responsible for having their well water tested regularly and to ensure their well is properly maintained and in good condition.

WATER QUALITY RATINGS 2019-2023



## What is a Watershed?



A watershed is an area of land that catches rain and snow, and drains or seeps into a marsh, stream, river, lake or groundwater. Homes, farms, cottages, forests, small towns, big cities and more can make up watersheds. Some cross municipal, provincial and even international borders.





## NPCA Restoration Program



BEFORE RESTORATION



AFTER RESTORATION

The NPCA has developed a cost sharing program that is geared specifically towards working with area residents to develop projects that will improve water quality, increase habitat diversity and expand forest cover. This program provides funding and expertise to help landowners to undertake restoration projects in priority areas.

## Restoration Program by the Numbers

**24.6**  
Hectares Reforested

**3.9**  
Hectares of Wetland Restored

**3.0**  
Hectares of Riparian Habitat

**70,370**  
Trees Planted

**4,109**  
Shrubs Planted



## What we can do to help?



### What Can You Do?

- Plant native trees, wildflowers, shrubs, and/or rainwater gardens.
- Reduce the amount of mown grass on your property.
- Reduce the amount of pesticides, herbicides and fertilizers.
- Conserve water by using low flow showers and toilets, high efficiency clothes washers and dishwashers.
- Install rain barrels to collect water for use around your yard.



### What Can Your Community Do?

- Sponsor community clean ups to keep waste out of natural areas.
- Look for ways to expand the existing urban tree canopy.
- Reduce the amount of pesticides, herbicides and fertilizers used.



### What Can Your Business Do?

- Establish a corporate volunteering program to support local initiatives such as tree plantings.
- Invest in 'greener' alternatives to current practices.
- Encourage recycling and composting in the workplace.
- Donate towards water quality and habitat improvement programs.
- Evaluate the effectiveness of environmental programs.

## NPCA Corporate Programs and Initiatives

**Become an NPCA volunteer:** learn new skills, network, support local conservation projects, and step into nature.

**Niagara Peninsula Conservation Foundation:** is a registered charity, governed by a volunteer Board of Directors who are dedicated to raising funds that aid in the conservation of our natural environment for present & future generations. Donate today!

**Land Securement:** NPCA's new Land Securement Strategy lays the foundation for an ambitious and technically sound acquisition program that will address priorities for greenspace access, climate change, and protection of natural and cultural heritage across the watershed.

### Cost Sharing Programs

**Restoration:** fostering collaboration among partners in the watershed to protect and restore water quality and diverse habitats by completing projects that meet the long-term mandate of the NPCA.

**Water Well Decommissioning:** the NPCA is pleased to offer a cost sharing program to watershed residents for the plugging and sealing of abandoned or unused water wells.

## More Information

[Annual Water Quality Report](#)

[Watershed Report Cards](#)

Do you have questions not answered by this summary document? Visit [npca.ca](http://npca.ca) for the full report or contact us for more information: [info@npca.ca](mailto:info@npca.ca)

Property owners can scan this QR code for more information on Water Quality Best Management Practices



3350 Merrittville Highway, Unit 9,  
Thorold, Ontario L2V 4Y8

**Governance Committee**  
**May 17, 2024**  
**Carolinian Hall**  
**3350 Merrittville Hwy., Thorold ON**  
**MEETING MINUTES**

MEMBERS PRESENT: S. Beattie  
D. Cridland  
R. Foster  
J. Metcalfe  
M. Seaborn, Chair

STAFF PRESENT: C. Sharma, CAO/Secretary-Treasurer  
M. Davis, Manager, Office of the CAO & Board  
G. Shaule, Administrative Assistant

The meeting was called to order at 10:00 a.m.

**1. APPROVAL OF AGENDA**

Resolution No. GC-06-2024  
Moved by: Stew Beattie  
Seconded by: Donna Cridland

**THAT** the Agenda for the Governance Committee Meeting held on Friday, May 17, 2024 **BE APPROVED**.

**CARRIED**

**2. DECLARATIONS OF CONFLICT OF INTEREST**

None.

**3. APPOINTMENT OF CHAIR & VICE-CHAIR**

Member Seaborn yielded the floor to Chair Metcalfe to proceed with appointments of Chair and Vice Chair of the Committee for 2024.

Nomination  
Moved by: Donna Cridland

**THAT** Member Michelle Seaborn **BE NOMINATED** for Chair of the Governance Committee for 2024.



Nomination

Moved by: Stew Beattie

**THAT** Member Donna Cridland **BE NOMINATED** for Vice Chair of the Governance Committee for 2024.

Resolution No. GC-07-2024

Moved by: Stew Beattie

Seconded by: John Metcalfe

**THAT** Michelle Seaborn **BE APPOINTED** Chair of Governance Committee for 2024;

**AND THAT** Donna Cridland **BE APPOINTED** Vice Chair of Governance Committee for 2024.

**CARRIED**

**4. APPROVAL OF THE MINUTES**

Resolution No. GC-08-2024

Moved by: Robert Foster

Seconded by: Donna Cridland

**THAT** the Minutes of the Governance Committee Meeting, dated February 16, 2024 **BE APPROVED**.

**CARRIED**

**5. CORRESPONDENCE**

None.

**6. PRESENTATIONS**

None.

**7. DELEGATIONS**

None.

**8. CONSENT ITEMS**

**8.1. Report No: GC-03-24 RE: Freedom of Information Statistical Report 2023**

Manager, Office of the CAO & Board, Melanie Davis, provided an overview of the statistics for Freedom of Information requests in 2023 and answered questions of the Committee.

## **8.2. Report No: GC-05-24 RE: Hamilton-Oshawa Port Authority – Memorandum of Understanding**

CAO/Secretary-Treasurer, Chandra Sharma, provided an overview of the Memorandum of Understanding. Discussion regarding a forthcoming backgrounder memorandum to be developed and focus at the Region on this in Economic Development ensued.

Resolution No. GC-09-2024

Moved by: Robert Foster

Seconded by: John Metcalfe

**THAT** Consent Items Report No. GC-03-24 and Report No. GC-05-24 **BE RECEIVED.**

**CARRIED**

## **9. DISCUSSION ITEMS**

### **9.1. Report No. GC-04-24 RE: Administrative By-Law Review**

Committee Members provided feedback on items identified for revision and provided additional suggestions to bring forward. Members expressed interest in the By-Law returning to the Committee before presentation to the Board.

Resolution No. GC-10-24:

Moved by: John Metcalfe

Seconded by: Stew Beattie

**THAT** Report No. GC-04-24 RE: Administrative By-Law Review **BE RECEIVED;**

**AND THAT** the proposed updates to the NPCA Administrative By-Law dated February 17, 2023, including housekeeping amendments and material changes as outlined herein **BE REVIEWED** and brought back to Governance Committee on or before October 18, 2024;

**AND FURTHER THAT** the updated Administrative By-Law be referred to the Board of Directors **FOR APPROVAL** upon the Committee's recommendation.

**CARRIED**

## **10. NEW BUSINESS**

None.

## **11. CLOSED SESSION**

None.

## **12. ADJOURNMENT**

The meeting was adjourned at 10:28 a.m.

**PUBLIC ADVISORY COMMITTEE  
MEETING MINUTES**

**NPCA Main Office  
Carolinian Hall  
3350 Merrittville Hwy., Thorold ON  
Tuesday, May 28, 2024  
5:00 PM**

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**MEMBERS PRESENT:** Lennie Aarts  
Philip Beale  
Tracy Boese  
Lageera Chatheechan  
David Cribbs, Vice Chair  
John Metcalfe  
Naheed Qureshi  
William Rapley  
Albert Witteveen, Chair  
David Wyllie

**MEMBERS ABSENT:** Julia Baird  
Leslie Clarke  
Cindilee Ecker-Flagg  
George McKibbon  
Jonathan Musso

**STAFF PRESENT:** E. Augustino, Water Quality Specialist  
M. Davis, Manager Office of the CAO & Board  
J. Diamond, Manager, Watershed Monitoring and Reporting  
N. Green, Manager, Climate Change & Special Programs  
L. Lee-Yates, Director, Planning & Development and  
A/Director, Watershed Strategies & Climate Change  
S. MacIntyre, Remedial Action Plan Coordinator  
K. Royer, Coordinator, Community Engagement

Chair Albert Witteveen called the meeting to order at 5:07pm.

**1. OPENING WELCOME**

**2. APPROVAL OF AGENDA**

Recommendation No. PAC-07-24

Moved by: Philip Beale

Seconded by: David Wylie

**THAT** the Public Advisory Committee Agenda dated May 27, 2024 **BE APPROVED.**

**CARRIED**

### **3. DECLARATIONS OF CONFLICT OF INTEREST**

None.

### **4. APPROVAL OF MINUTES**

#### **4.1 Minutes of the Public Advisory Committee meeting dated February 27, 2024.**

Recommendation No. PAC-08-24

Moved by: Philip Beale

Seconded by: Naheed Qureshi

**THAT** the Public Advisory Committee Minutes dated February 27, 2024 **BE APPROVED.**

**CARRIED**

### **5. CORRESPONDENCE**

#### **5.1 Correspondence from NPCA RE: Report FA-09-24 RE: Conservation Authorities Act Legislative and Regulatory Changes**

Discussion regarding implications of the removal of pollution from a test of Conservation Authorities' permitting powers and coordination with municipalities and partners with jurisdiction ensued. Staff informed the Committee that knowledge-sharing and best management practices will be provided where appropriate.

#### **5.2 Correspondence from NPCA RE: Report FA-23-24 RE: Fish & Wildlife Populations Beneficial Use Impairment Change Status – Public Engagement**

**5.2.1 Public Engagement Page open for comment until May 31, 2024: <https://getinvolved.npca.ca/niagara-river-fish-wildlife>**

Recommendation No. PAC-09-24

Moved by: David Cribbs

Seconded by: Philip Beale

**THAT** Correspondence from NPCA regarding Report FA-09-24 RE: Conservation Authorities Act Legislative and Regulatory Changes, AND Report FA-23-24 RE: Fish & Wildlife Populations Beneficial Use Impairment Change Status – Public Engagement **BE RECEIVED.**

## **6. PRESENTATIONS**

### **6.1 Draft Findings of Annual Water Quality Monitoring Report.**

Eric Augustino, Water Quality Specialist, presented the draft findings that will be released in the Annual Water Quality Monitoring Report in June.

Discussion regarding the promotion of the well decommissioning program through rural libraries and town halls ensued. Committee expressed interest in highlighting which sites' index ratings are improving and which are decreasing. Discussion regarding the increases of Chloride over five years and impact of road salt ensued.

### **6.2 Fish and Wildlife Populations Beneficial Use Impairment Change Status – Public Engagement.**

Sydney MacIntyre, Remedial Action Plan Coordinator, presented on the above noted and answered questions of the Committee.

Discussion ensued regarding the relationship between Canadian and American RAP partners, symbiotic relationship between cormorants and fish in the area, and societal changes that have positively impacted health of the populations. Discussion regarding community engagement, positive responses, and next steps ensued.

#### Recommendation No. PAC-10-24

Moved by: David Wylie

Seconded by: Philip Beale

**THAT** the following presentations **BE RECEIVED**:

- Draft Findings of Annual Quality Monitoring Report, and
- Fish and Wildlife Populations Beneficial Use Impairment Change Status – Public Engagement

**CARRIED**

## **7. DELEGATIONS**

None.

## **8. CONSENT ITEMS**

None.

## **9. DISCUSSION ITEMS**

### **9.1 Report No. PAC-03-24 RE: Conservation Authorities Act Conformity Requirements – Conservation Areas Strategy and Watershed-based Resource Management Strategy Draft Engagement Plan**

Discussion regarding the questions for Committee consideration ensued. Members discussed the importance of engaging at events with high foot traffic in the summer, such as festivals and farmers markets across the watershed. Committee members suggested a webinar in the summer would achieve higher attendance, with an in-person open house in the fall when drafts are available for public comment.

Recommendation No. PAC-11-24

Moved by: Philip Beale

Seconded by: David Cribbs

**THAT** Report PAC-03-24 RE: Conservation Authorities Act Conformity Requirements – Conservation Areas Strategy and Watershed-based Resource Management Strategy Draft Engagement Plan **BE RECEIVED.**

**CARRIED**

## **10. COMMITTEE REPORTS**

None.

## **11. NEW BUSINESS**

### **11.1 Members' Updates**

- Member Rapley provided an update on the presence of white pelicans in the community.
- Member Boese shared that Metis Nation of Ontario will now be hosting their events at Ball's Falls.
- Member Beale noted that Heritage Day at Ball's Falls will be hosted on July 21, 2024 and encouraged folks to volunteer and attend.
- Discussion ensued regarding potential heritage designation of Ball's Falls and the 50<sup>th</sup> anniversary of the Niagara Escarpment Commission.

## **12. ADJOURNMENT**

The meeting was adjourned at 6:53 p.m.