

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

Friday, March 19, 2021

9:30 A.M.

A G E N D A

CALL TO ORDER – ROLL CALL

The Niagara Peninsula Watershed is located on the traditional territory of Indigenous peoples dating back countless generations. We want to show our respect for their contributions and recognize the role of treaty-making in what is now Ontario.

1. APPROVAL OF AGENDA

2. DECLARATIONS OF CONFLICT OF INTEREST

3. APPROVAL OF MINUTES

- a) Minutes of the Full Authority Meeting dated February 18, 2021 (For Approval)

Page #1

- b) Minutes of the Full Authority Closed Session Meeting dated February 18, 2021 (enclosed separately to remain private and confidential) (For Approval)

4. CORRESPONDENCE

- a) Correspondence dated March 1, 2021 from the City of St. Catharines, City Clerk Bonnie Nistico-Dunk RE: Stormwater Fees Financing Study (For Receipt)

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- b) Correspondence dated March 3, 2021 from the Regional Municipality of Niagara, Regional Clerk, Anne-Marie Norio RE: Niagara Official Plan Process and Local Municipality Conformity (For Receipt)

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- c) Correspondence dated March 3, 2021 from the Regional Municipality of Niagara, Regional Clerk, Anne-Marie Norio RE: Natural Environment Work Program – 2nd Point of Engagement (For Receipt)

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- d) Correspondence dated March 3, 2021 from the Regional Municipality of Niagara, Regional Clerk, Anne-Marie Norio RE: Review of Options – South Niagara Aquifer (For Receipt)

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- e) Correspondence dated March 8, 2021 from the City of St. Catharines, City Clerk Bonnie Nistico-Dunk RE: Air and Water Monitoring Results, 282 and 285 Ontario Street (For Receipt)

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5. PRESENTATIONS

- a) NPCA 2020 Year in Review Video Presentation
- b) Verbal Update from Jackie Oblak, Chair NPCA Public Advisory Committee

6. DELEGATIONS

7. CONSENT ITEMS

- a) Report No. FA-18-21 RE: NPCA Communications and Marketing 2020 Year End Summary (For Receipt)

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- b) Report No. FA-19-21 RE: Wainfleet Bog Pathway Designation (For Receipt)

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8. DISCUSSION ITEMS

- a) Report No. FA-13-21 RE: 2021 Restoration Projects Approval - Second 2021 Application Intake (For Approval)

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9. COMMITTEE REPORTS

9.1 FINANCE COMMITTEE

- 9.1.1 Minutes of the Finance Committee Meeting dated February 24, 2021 (For Receipt)

Page # 113

- a) Report No. FA-14-21 RE: Procurement – 2020 Activity (For Receipt)

Page # 116

- b) Report No. FA-15-21 RE: Banking and Investments – 2020 Activity (For Receipt)

Page # 120

- 9.1.2 Report No. FA-16-21 RE: Award of Legal Services Standing Offer of Agreement (For Approval)

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- 9.1.3 Report No. FA-17-21 RE: Finance Committee – 2021 Work Plan (For Approval)

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9.2 PUBLIC ADVISORY COMMITTEE

- 9.2.1 Minutes of the Public Advisory Committee Meeting dated February 25, 2021 (For Receipt)

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10. NOTICES OF MOTION

- a) Community Connecting Trails (by Vice Chair Mackenzie)

11. MOTIONS

- a) Motion RE: NPCA Appointment to the Foundation

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12. NEW BUSINESS

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

13. CLOSED SESSION

- a) A Proposed or Pending Acquisition or Disposition of Land

14. ADJOURNMENT



**FULL AUTHORITY
ONLINE VIDEO CONFERENCE
MEETING MINUTES
Thursday, February 18, 2021
9:30 a.m.**

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

MEMBERS PRESENT: B. Johnson (Chair)
S. Beattie
R. Brady
B. Clark
D. Coon-Petersen (attended at 9:35 a.m.)
D. Cridland
L. Feor
R. Foster
J. Hellinga
D. Huson
J. Ingrao
K. Kawall
B. Mackenzie
J. Metcalfe
W. Rapley
R. Shirton
E. Smith
B. Steele (departed 9:56 a.m.; returned 10:47 a.m.)
M. Woodhouse

MEMBERS ABSENT: B. Wright

STAFF PRESENT: C. Sharma, C.A.O. / Secretary – Treasurer
G. Bivol, Executive Co-ordinator to the C.A.O. / Board
R. Bisson, Manager, Communications and Public Relations
A. Christie, Director, Operations and Strategic Initiatives
J. Culp, Supervisor, Permits and Compliance
M. Ferrusi, Manager, Human Resources
L. Gagnon, Director, Corporate Services
D. MacKenzie, Director, Watershed Management
S. Mastroianni, Manager, Planning and Development
S. Miller, Senior Manager, Water Resources
K. Royer, Coordinator, Community Outreach and Volunteers
G. Shaule, Administrative Assistant
G. Verkade, Integrated Watershed Planning/Information Management

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

1. APPROVAL OF AGENDA

Resolution No. FA-18-2021

Moved by Member Beattie

Seconded by Member Brady

THAT the Full Authority Agenda dated February 18, 2021 **BE APPROVED**.

CARRIED

2. DECLARATIONS OF CONFLICT OF INTEREST

None declared.

3. APPROVAL OF MINUTES

a) Minutes of the Full Authority meeting dated January 21, 2021

b) Minutes of the Full Authority closed session meeting dated January 21, 2020

Resolution No. FA-19-2021

Moved by Member Clark

Seconded by Member Cridland

THAT the minutes of the following meetings be **BE ADOPTED** as presented:

- The Full Authority meeting minutes dated January 21, 2021; and
- The Closed session meeting minutes dated January 21, 2021.

CARRIED

4. CORRESPONDENCE

a) Correspondence from Ann-Marie Norio, Regional Clerk, Niagara dated January 25, 2021 to the NPCA RE: Niagara Official Plan - Steps and Directions Moving Forward

Resolution No. FA-20-2021

Moved by Member Feor

Seconded by Member Foster

THAT the correspondence from Ann-Marie Norio, Regional Clerk, Niagara dated January 25, 2021 to the NPCA RE: Niagara Official Plan - Steps and Directions Moving Forward **BE RECEIVED**.

CARRIED

b) "Drainage Act Regulatory Proposal" (ERO #019- 2814)

i) Correspondence from Leslie Rich, Policy and Planning Liaison, Conservation Ontario dated February 4, 2021 to Sara Peckford, Food Safety and Environmental Policy Branch RE: Conservation Ontario's Comments on the "Drainage Act Regulatory Proposal" (ERO #019-2814)

ii) Memorandum from Jason Culp, NPCA Supervisor, Permits and Compliance dated February 2, 2021 to Environmental Registry of Ontario RE: Drainage Act Regulatory Proposal Comments

Resolution No. FA-21-2021
Moved by Member Hellinga
Seconded by Member Huson

THAT the following items **BE RECEIVED**:

- Correspondence from Leslie Rich, Policy and Planning Liaison, Conservation Ontario dated February 4, 2021 to Sara Peckford, Food Safety and Environmental Policy Branch RE: Conservation Ontario's Comments on the "Drainage Act Regulatory Proposal" (ERO #019-2814); and
- Memorandum from Jason Culp, NPCA Supervisor, Permits and Compliance dated February 2, 2021 to Environmental Registry of Ontario RE: Drainage Act Regulatory Proposal Comments.

CARRIED

- c) Correspondence from Len Aarts, President, Welland River Floodplain Association dated February 10, 2021 RE: Floodplain Mapping - Member Beattie requested that a meeting be convened between the association and the NPCA. Chair Johnson indicated an interest in participating in such meeting.

Resolution No. FA-22-2021
Moved by Member Ingrao
Seconded by Member Kwall

THAT the correspondence from Len Aarts, President, Welland River Floodplain Association dated February 10, 2021 RE: Floodplain Mapping. **BE RECEIVED**.

CARRIED

5. PRESENTATIONS

None.

6. DELEGATIONS

None.

7. CONSENT ITEMS

- a) Report No. FA-11-21 RE: Niagara Region Tree and Forest Bylaw Annual Report – Staff was requested to circulate the report directly to the Region's Agricultural Policy and Action Committee.

Resolution No. FA-23-2021
Moved by Member Mackenzie
Seconded by Member Metcalfe

THAT Report No. FA-11-21 RE: Niagara Region Tree and Forest Bylaw Annual Report **BE RECEIVED**.

CARRIED

8. DISCUSSION ITEMS

a) Report No. FA-06-21 RE: Board of Directors' 2021 Meeting Schedule

Resolution No. FA-24-2021

Moved by Member Rapley

Seconded by Member Smith

THAT Report No. FA-06-21 RE: Board of Directors' 2021 Meeting Schedule **BE RECEIVED**.

THAT Appendices 1 and 2 to Report No. FA-06-21 RE: Board of Directors' 2021 Meeting Schedule **BE APPROVED**.

THAT the meeting schedule **BE MADE** available on the NPCA website and **PROVIDED** to the participating and local area municipalities.

CARRIED

b) Report No. FA-07-21 RE: 'Grimsby and Lincoln Floodplain Mapping Update and Formal Adoption'

Resolution No. FA-25-2021

Moved by Member Beatty

Seconded by Member Brady

WHEREAS the Grimsby and Lincoln Floodplain Mapping Update Report:

- a) Provides an updated and more accurate delineation of the floodplain than the floodplain mapping studies undertaken more than 25 years ago; and
- b) Identifies broad and shallow floodplain 'Spill Areas' that allow landowners within these zones far greater opportunity to expand their residential, commercial, and industrial structures and operations than they were afforded by the previous floodplain mapping; and
- c) Provides floodproofing recommendations that can be undertaken to reduce the risk of flooding; and
- d) Has undergone public consultation; and
- e) The NPCA Watershed Floodplain Sub-Committee (WFSC) has reviewed the study's methodology, results, and Public Engagement campaign and has recommended that the NPCA Board of Directors approve the Grimsby and Lincoln Floodplain Mapping Update report and associated flood maps, as such;

NOW THEREFORE, BE IT RESOLVED:

1. **THAT** Report No. FA-07-21 RE: 'Grimsby and Lincoln Floodplain Mapping Update and Formal Adoption' the NPCA Board of Directors **BE RECEIVED**.
2. **THAT** Grimsby and Lincoln Floodplain Mapping Update report and the associated flood maps as presented **BE APPROVED** for use in the administration of the NPCA's Ontario Regulation 155/06, a Regulation intended to reduce the negative impacts of natural hazards including flooding.
3. **AND THAT** the Board **DIRECTS** staff to circulate the approved finalized report to the Towns of Grimsby and Lincoln, the Region of Niagara and the Ministry of Natural Resources and Forestry (MNRF) for their information and use.

- c) Report No. FA-08-21 RE: Richardson Creek Floodplain Mapping and Priority Study Formal Adoption

Resolution No. FA-26-2021

Moved by Member Clark

Seconded by Member Coon-Petersen

WHEREAS the Richardson Creek Floodplain Mapping and Priority Study, undertaken by the City of St. Catharines:

- a) Provides an updated delineation of the floodplain against the previous study undertaken 15 years prior; and
- b) Provides floodproofing recommendations that can be undertaken to reduce the risk of flooding; and
- c) Has been presented to the public at 3 Public Information Centres; and
- d) The City of St. Catharines has already adopted the study and is utilizing it to direct road operations and maintenance and to plan for future Capital projects; and
- e) The City of St. Catharines has approved the use of the report, models, and associated flood maps by the NPCA; and
- f) The NPCA Watershed Floodplain Sub-Committee has reviewed the study's methodology, results, and Public Information campaign and has recommended that the NPCA Board of Directors approve the Richardson Creek Floodplain Mapping Update and Priority Study' report and associated flood maps as such;

NOW THEREFORE, BE IT RESOLVED:

- 1. **THAT** Report No. FA-08-21 RE: Richardson Creek Floodplain Mapping and Priority Study Formal Adoption **BE RECEIVED**.
- 2. **THAT** the Richardson Creek Floodplain Mapping and Priority Study and the associated flood maps presented within said report **BE APPROVED** the Richardson Creek Floodplain Mapping and Priority Study report and associated flood maps to be used in the administration of the NPCA's Ontario Regulation 155/06, and to ensure consistency between the City of St. Catharines and NPCA's floodplain mapping.
- 3. **THAT** the Board **DIRECTS** staff to circulate the approved finalized report to the City of St. Catharines, the Region of Niagara and the Ministry of Natural Resources and Forestry (MNRF) for their information and use.

CARRIED

- d) Report No. FA-09-21 RE: Progress Update - 2018 Special Audit of the Niagara Peninsula Conservation Authority

Resolution No. FA-27-2021

Moved by Member Cridland

Seconded by Member Feor

THAT Report No. FA-09-21 RE: Progress Update - 2018 Special Audit of the Niagara Peninsula Conservation Authority **BE RECEIVED**.

CARRIED

Resolution No. FA-28-2021

Moved by Member Kawall

Seconded by Member Feor

THAT staff **BE DIRECTED** to review the response to recommendation 9 of the 2018 Auditor General report and report back on the implications of the Auditor General's Dec 2020 follow-up report that the new policy regarding development near wetlands may be more permissive than the direction set out in the regulation under the Act.

CARRIED

e) Report No. FA-10-21 RE: NPCA Public Advisory Committee – Member Appointment

Resolution No. FA-29-2021

Moved by Member Hellinga

Seconded by Member Huson

1. **THAT** Report No. FA-10-21 RE: NPCA Public Advisory Committee - Member Appointment **BE RECEIVED** for information.
2. **THAT** the NPCA Board of Directors **APPOINT** the individual identified in Confidential Appendix 1 to Report No. FA-10-21 as the member representing First Nations on the NPCA Public Advisory Committee.
3. **THAT** Confidential Appendix 1 to Report No. FA-10-21 **BE DEEMED** a public document and received into the record.

CARRIED

f) Report No. FA-12-21 RE: Bill 229 - Implications of (February 2021) Proclamation of Various Provisions – Staff was directed to include the previously discussed skills matrix within the circulation to the member municipalities.

Resolution No. FA-30-2021

Moved by Member Foster

Seconded by Member Ingraio

WHEREAS the amendments to the Conservation Authorities Act ("CAA") in Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures) was passed by the legislature on December 8, 2020 resulting in a number of un-proclaimed provisions in the CAA;

AND WHEREAS on February 2, 2021, some these provisions related to housekeeping, governance, and government requirements were proclaimed with the NPCA having received further direction from the Ministry of Environment Conservation and Parks (MECP) on February 5, 2021 in regards to implementation of said proclaimed provisions;

NOW THEREFORE, BE IT RESOLVED:

1. **THAT** Report No. FA-12-21 RE: Bill 229 - Implications of (February, 2021) Proclamation of Various Provisions **BE RECEIVED**.
2. **THAT** the recommended actions related to NPCA governance provisions **BE APPROVED** as below:

- a) As per amended CAA Section 14(1), the NPCA requests partner municipalities to initiate the process of determining NPCA Board composition and associated appointments to be completed in time for NPCA's January 2023 Annual General Meeting (AGM). (No membership changes are required for the remainder of the current term until the end of 2022);
 - b) As per amended CAA Section 14(2), on February 5, 2021 the NPCA provides a copy of existing (2018-2019) municipal resolutions/Order in Council regarding NPCA Board composition and appointments to the Province by April 1st 2021;
 - c) As per amended CAA Section 17(1), and in keeping with NPCA Resolution No. FA - 11-21, the Board consider reconfirmation of Chair and Vice Chair term for the remainder of 2021 at the June 2021 AGM and the matter be referred to the Governance Committee for further discussion in consultation with member municipalities. Any exceptions to this provision be formally requested for approval by the Minister and included in the updated Administrative By-Law.
3. **AND FURTHER THAT** a copy of this report **BE CIRCULATED** to the NPCA's partner municipalities for their consideration.

CARRIED

9. COMMITTEE ITEMS

9.1 STRATEGIC PLANNING COMMITTEE

9.1.1 Minutes of the Strategic Planning Committee Meeting dated January 21, 2021

Resolution No. FA-31-2021

Moved by Member Kawall

Seconded by Member Huson

THAT the minutes of the Strategic Planning Committee meeting dated Strategic Planning Committee Meeting dated January 21, 2021 **BE RECEIVED**.

CARRIED

9.2 WATERSHED FLOODPLAIN SUB-COMMITTEE

9.2.1 Minutes of the Watershed Floodplain Sub-Committee Meeting dated January 26, 2021

Resolution No. FA-32-2021

Moved by Member Mackenzie

Seconded by Member Metcalfe

THAT the minutes of the Watershed Floodplain Sub-Committee meeting dated Strategic Planning Committee Meeting dated January 21, 2021 **BE RECEIVED**.

CARRIED

10. NOTICES OF MOTION

None.

11. NEW BUSINESS

- a) Chief Administrative Officer, Chandra Sharma provided a verbal update to the Board on operations relative to pandemic restrictions, provincial requests for comment on growing the greenbelt, staff participation on local municipalities' committees and new hires at the NPCA. Discussion ensued.

Resolution No. FA-33-2021

Moved by Member Steele

Seconded by Member Smith

THAT the verbal update from C.A.O. Sharma **BE RECEIVED**.

CARRIED

12. CLOSED SESSION

- a) Personal matters about an identifiable individual including NPCA employees – Member Huson was appointed as a recording secretary to record proceedings should any portion of the closed session be convened in the absence of staff.

Resolution No. FA-34-2021

Moved by Member Rapley

Seconded by Member Woodhouse

THAT the meeting of the Board of Directors of the Niagara Peninsula Conservation Authority **CONVENE** in closed session at 10:49 a.m. in accordance with Section 10.1 of the NPCA Administrative By-law for the discussion on personal matters about identifiable individual(s), including NPCA employees.

CARRIED

Resolution No. FA-35-2021

Moved by Member Beattie

Seconded by Member Brady

THAT the meeting **RECONVENE** in open session at 11:33 a.m..

CARRIED

13. ADJOURNMENT

Resolution No. FA-36-2021

Moved by Member Clark

Seconded by Member Coon-Petersen

THAT the Full Authority Meeting **BE ADJOURNED** at 11:34 a.m..

CARRIED

Brenda Johnson, Chair
Niagara Peninsula Conservation Authority

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

March 1, 2021

Chandra Sharma
Chief Administrative Officer and Secretary Treasurer
Niagara Peninsula Conservation Authority
250 Thorold Road West, 3rd Floor
Welland, ON L3C 3W2

Sent via email: csharma@npca.ca

**Re: Stormwater Fees Financing Study
Our File 18.20.99**

Dear Ms. Sharma,

At its meeting held on February 22, 2021, St. Catharines City Council approved the following motion:

WHEREAS stormwater contributes to substantial water pollution in Ontario Lakes and waterways, resulting in damaged fish habitat, increased algae blooms, and impacting drinking water sources and beach closures; and

WHEREAS urbanization continues to increase the total area of hard surfaces resulting in increased amounts of stormwater runoff; and

WHEREAS climate change has contributed to flooding and created additional challenges and risks for stormwater management in cities, including costly repairs for damages; and

WHEREAS inadequate funding has created a stormwater infrastructure deficit in Ontario estimated at close to \$10 billion; and

WHEREAS stormwater fees have been championed by the Environmental Commissioner of Ontario and adopted in over two dozen major Canadian cities as a transparent and sustainable way to recover the full costs of stormwater management;

THEREFORE BE IT RESOLVED that staff be directed to explore a dedicated, stable, fair and equitable funding source that would achieve the following outcomes:

- A transparent and sustainable funding source for stormwater management and infrastructure in the city.
- Protection of lives and property through flooding and pollution reduction.

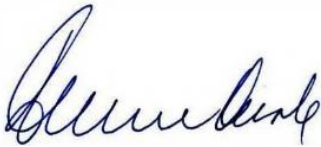
- Improvement of the city's efforts in climate change risk management.
- Provision of incentives to public and private property owners who limit the runoff and pollution they create.
- Outreach opportunities to educate the public about the importance of stormwater infrastructure; and

BE IT FURTHER RESOLVED that staff be directed to apply for potential funding opportunities for the Stormwater Financing Study that may come available through the Federation of Canadian Municipalities or other levels of government; and

BE IT FURTHER RESOLVED that staff forward this Motion to the Niagara Peninsula Conservation Authority for review in advance of their strategic planning sessions, with a request that the NPCA board and staff explore potential partnership opportunities on stormwater fees and credit programs with municipalities.

As directed by Council, you are receiving this motion for review as part of the NPCA's strategic planning sessions, with a request that the NPCA board and staff explore potential partnership opportunities on stormwater fees and credit programs with municipalities.

If you have any questions, please contact the Office of the City Clerk at extension 1524.



Bonnie Nistico-Dunk, City Clerk
Legal and Clerks Services, Office of the City Clerk
:em

cc Tami Kitay, Director of Planning and Building Services
Anthony Martuccio, Director of Engineering, Facilities and Environmental Services
Melissa Wenzler, Government Relations Advisor

Administration

Office of the Regional Clerk

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

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www.niagararegion.ca

March 3, 2021

CL 4-2021, February 25, 2021
PEDC 2-2021, February 17, 2021
PDS 7-2021, February 17, 2021

DISTRIBUTION LIST

SENT ELECTRONICALLY

RE: Niagara Official Plan Process and Local Municipality Conformity

Regional Council, at its meeting of February 25, 2021, approved the following recommendation of its Planning and Economic Development Committee:

That Report PDS 7-2021, dated February 17, 2021, respecting Niagara Official Plan Process and Local Municipality Conformity, **BE RECEIVED** and **BE CIRCULATED** to the Local Area Municipalities, Niagara Peninsula Conservation Authority (NPCA), and Niagara Home Builders Association.

A copy of Report PDS 7-2021 is enclosed for your information.

Yours truly,



Ann-Marie Norio
Regional Clerk
:me

CLK-C 2021-032

Distribution List: Local Area Municipalities
 Niagara Peninsula Conservation Authority
 Niagara Home Builders Association
 K. McCauley, Acting Manager, Long Range Planning
 D. Giles, Acting Commissioner, Planning & Development Services
 N. Oakes, Executive Assistant to the Commissioner, Planning & Development Services

Subject: Niagara Official Plan Process and Local Municipal Conformity

Report to: Planning and Economic Development Committee

Report date: Wednesday, February 17, 2021

Recommendations

1. That Report PDS 7-2021 **BE RECEIVED** for information; and
2. That Report PDS 7-2021 **BE CIRCULATED** to the Local Area Municipalities, Niagara Peninsula Conservation Authority (NPCA), and Niagara Home Builders Association.

Key Facts

- The purpose of this report is to provide Committee with an overview of the Niagara Official Plan (“NOP”) process and the subsequent conformity requirements of local municipalities.
- The NOP is the planning document that guides land use and development over the long term. Its requirements are set out in the *Planning Act, 1990* and it is foundational for the management of growth and the social, economic and environmental resources across the region.
- The Niagara Official Plan must be adopted by July 1, 2022 to meet the conformity deadline set by the Province.
- The policies of the NOP are prepared in the Regional context but must also consider their applicability to each community and must be balanced and implementable for Local Councils.
- Each local municipality has its own Official Plan and Zoning By-law that will require amendments to be brought into conformity with the NOP, once approved.
- Section 27 of the *Planning Act, 1990* requires local area municipalities to initiate conformity amendments to implement the policy direction of the NOP. Local municipalities have one year to bring the local Official Plan and Zoning By-laws into conformity once the NOP comes into effect.

- Public consultation is an important part of the planning process. In a two-tier system, the regulatory responsibilities between upper and lower tier municipalities is not always clear. This has been evident during consultation for the NOP.
- Consultation at the local level will occur, and may be supplemented by consultation from the NOP, as local municipalities will be required to initiate public and stakeholder consultation programs in conjunction with their Local Official Plan and Zoning By-law update programs.
- As required by the *Planning Act, 1990*, local planning documents are required to be brought into conformity quite expeditiously and doing so will require adequate resource allocation by local municipalities.
- This report was discussed with Area Planners on Friday January 22, 2021, and the direction and objective of this report was supported.

Financial Considerations

There is no financial impact directly associated with this report.

Local municipalities should be prepared to commit funding to their own Official Plan and Zoning By-law update programs upon adoption of the NOP. The funding commitment for conformity work could commence as early as 2022-2023.

Funding for Official Plans and Zoning By-laws are recoverable, in part, through Development Charge and Building Permit revenues. Local municipalities presently or intending to update their Development Charges By-law or Building Permit fee structure should ensure these items are captured accordingly.

Analysis

An Official Plan is the planning document that guides land use and development over the long term. Its requirements are set out in the *Planning Act, 1990* and is foundational for the management of growth and the social, economic, and environmental resources across the region.

Regional Planning staff have been working towards the preparation of NOP since 2017, following the completion of the Province's Coordinated Plan Review (CPR). Through the CPR, the Region consulted area planners and prepared joint submissions to the

Province on comments related to the review and update of *A Place to Grow – Growth Plan for the Greater Golden Horseshoe*, the *Greenbelt Plan* and the *Niagara Escarpment Plan*. These submissions demonstrated the alignment of Regional and local municipal interest in how Provincial policy is applied in Niagara.

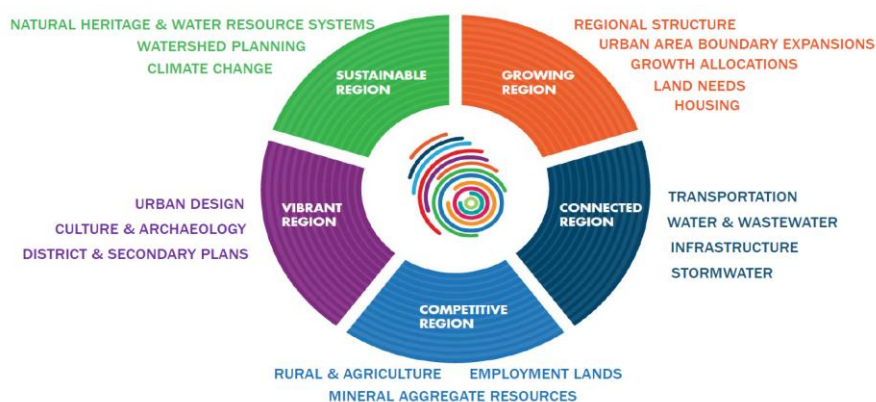
The *Planning Act, 1990* requires all municipal Council decisions to be consistent with, conform to, or not conflict with the applicable Provincial policy. Regional and local planning staff must provide planning advice and make recommendations under the same requirements.

The NOP program has a number of background studies that are informing the NOP, including Growth Management, Natural Heritage Systems, Employment Strategy, Housing Strategy, Land Needs Assessment and Settlement Area Boundary Review, Agricultural Systems Review and climate change considerations. This work is completed at a Regional scale and in the context of the Region's mandate.

Throughout the NOP work plan and the preparation of the background studies, the Region has maintained a consistent level of engagement with area planners, stakeholders, special interest groups, Regional and Local committees and Council, and the public. General input and specific input on key milestones has been consolidated and reflected in the work going forward. Consultation is further detailed later in the report.

Regional Planning staff will continue to finalize these background studies, collect data and prepare draft policies to present a complete draft of the NOP for the end of 2021. Timing for conformity with the *Growth Plan* is July 1, 2022.

The NOP has five components, as shown in the graphic below:



The following sections highlights some of the NOP topic areas that may require additional study work by local municipalities to implement the direction of the NOP. Other areas of the NOP will need to be implemented through the local municipal conformity exercises and this implementation will be done in the context of conformity with Provincial policy.

The policies of the NOP are prepared in the Regional context but must also consider their applicability to each community and must be balanced and implementable for Local Councils.

Growth Management

Growth is coming to Niagara and the governments must proactively prepare for and manage this growth. Within the NOP, the Regional Structure will identify strategic growth areas where a significant portion of growth and intensification should be directed.

As discussed with area planners, the NOP will allocate the Niagara's population and employment growth forecasts to local municipalities to 2051. This growth will be accommodated through specific density targets in strategic growth areas, designated greenfield areas for new development and intensification rates in built-up areas.

Through conformity exercises, local municipalities will define the boundaries for strategic growth areas (where applicable), prepare secondary plans or district plans for new or evolving areas and identify areas for potential redevelopment through intensification strategies.

Within the context of the local official plan, municipalities will have the ability to balance and manage growth and development at the local level.

Employment

The employment strategy will identify and map employment areas to protect clusters of employment land across the Region. The employment areas will be mapped in a schedule of the NOP and policies will set a framework to maintain and protect existing employment areas to meet forecasted need.

Protecting employment areas will contribute to a complete community structure and ensure a full spectrum of employment job options is available to support the local economy.

Through the conformity exercise, local municipalities will update mapping to designate employment areas at the local level and include policy that supports the long-term retention of these areas.

In addition, population related employment growth will need to be provided through commercial and mixed use development. This type of employment is typically more compatible with and serves residential needs. Local municipalities will be encouraged to incorporate mixed-use area policies to support population-related employment and the creation of a complete community.

Housing Strategy

Niagara is in need of more diverse housing options in order to remain affordable. A diverse range of housing will ensure choice and provide the opportunity for residents to stay within their neighbourhood as housing needs change over time and provide the ability to age in place.

The Housing Strategy suggests Niagara will require more mid to higher density development than has traditionally occurred. This means development of townhouses, apartments and mixed-use building to meet the needs of current and future residents. Compact, denser development will enhance the community structure, support transit, and make efficient use of services and public facilities.

Forecasted population growth allocations together with demographic analysis will inform the housing mix (i.e. the ratio of types of housing) and affordability targets for the Region.

Local Official Plans will implement the recommendations of the Housing Strategy to ensure an appropriate housing mix and affordability. Not all municipalities will plan for the same housing mix. For this reason, the local municipality may wish to use local data to complete their own detailed housing analysis to identify their housing needs.

Secondary planning and intensification strategies will also assist local municipalities to prepare plans for a strong, healthy, balanced and complete community, as well as

address development and redevelopment pressure, to ensure growth aligns with the context of the surrounding neighbourhood.

Natural Heritage System/Watershed Study

The NOP will have policies that identify and protect the natural heritage system and the water resource system. Together, these will form the Region's environment system.

The natural environmental system approach must be balanced and designed with consideration of the unique attributes of each geographic area of the Region. The preferred approach to implement is still under review. The final direction will require detailed policies and other implementation tools.

Each local municipality will implement the preferred approach through their conformity exercise. This conformity will provide a level of protection of the natural heritage system. Through future planning applications/projects, more detailed environmental planning studies or environmental impact statements may be undertaken to support the proposal. These studies/statements would be reviewed and approved by the local municipality through development application process.

Niagara Official Plan Completion and Local Implementation Programs

Once adopted by Council, the NOP will require approval from the Ministry of Municipal Affairs and Housing (MMAH). The Ministry will review the policy content, post to the ERO for public comment and confirm consistency, conformity, or no conflict, with Provincial Plans. MMAH may modify the NOP as a result of this review.

Following approval on the NOP, under Section 27 of the *Planning Act, 1990*, local municipalities are required to initiate conformity amendments and have one year to update their Official Plans to bring them into conformity with the NOP.

The amount of work to be done by local municipalities to conform to the NOP will depend on a number of factors, including how recently the local Official Plan was updated, if the municipality chooses to undertake more localized study work, and if the local Official Plan has already completed amendments to implement changes made through coordinated Provincial plan review.

Potential tools and options to assist with conformity are discussed below.

District Planning / Regional Strategic Growth Areas

District Plans are prepared by the Region, with input and involvement of the local municipality, as an intermediate step for more detailed planning analysis between Regional growth planning and local planning instruments. District Plans provide proactive planning strategies that focus on growth, the development of complete communities, and support economic prosperity. These Plans are prepared in collaboration with a variety of stakeholders and with input from the public.

Existing District Plan locations were selected for their ability to accommodate a significant amount of the future growth. The Region continue to engage the local municipalities and key stakeholders to implement and monitor these Plans.

Secondary Plans

Secondary Plans are prepared and implemented by the local municipality for areas that require detailed land use planning direction. They follow a statutory process and involve significant community and stakeholder consultation at the local level. The Region's role is to participate in the process and act as the approval authority, where required.

Secondary Plans are intended to implement the Regional Structure at the local level and will be prerequisite for strategic growth areas, new designated greenfield areas and to implement District Plans. They may also be required for detailed land use direction for existing greenfield areas and built-up areas that are facing development pressure.

Proactive Secondary Planning is essential to manage growth and to set expectations for the community. The Region will continue to work collaboratively with the local municipalities on these plans to proactively guide development. This process will also ensure efficient land use, appropriate mix of built form, consider infrastructure and transportation requirements, natural and cultural heritage protection, urban design, and similar matters beyond general policy.

Secondary Plans are prepared based on community input. No two Secondary Plans are the same; each plan is different and dependent on the surrounding neighbourhood context and input from the public.

Zoning

In addition to local Official Plan conformity, local municipalities must update their Zoning By-law to conform with the NOP. This is where *"the rubber hits the road"* – when

individual property owners are explicitly informed of land use changes affecting their property. This process is the responsibility of the local municipality and provides another opportunity to engage local area residents, businesses and stakeholders on changes required for conformity.

Zoning can be the most volatile phase as this process targets properties that will see land use permissions change. It also provides for opportunities for representation to local Council. For this reason, it is important for the Regional policies to allow for some discretion, as the Region is only a commenting authority on zoning by-law updates and amendments.

Consultation and engagement

Local area planners have been included throughout the NOP process. The Region has connected with area planners regularly since 2016, including monthly or bi-monthly scheduled area planners meetings, one-on-one meetings to discuss topic-specific content, information sharing and joint report submissions on changes to provincial policy, and information and discussion on policy direction. This consultation will continue with regular area planners meetings already scheduled for the balance of 2021. Additional meetings will be added as required or desired.

Other consultations undertaken to date include presentations to Regional and local councils, regular Planning Advisory Committee meetings, in-person and virtual public information centres, online surveys and meetings with stakeholder groups.

Consultation efforts will continue throughout the preparation of the NOP. Engagement with Regional Councillors, local area municipal staff and Council members, as well as future public information centres and stakeholder meetings will help collect a broad spectrum of input to inform the NOP policies and mapping. Ongoing consultation will continue leading up to the release of the NOP in late 2021.

As robust as the NOP engagement strategy is, consultation and involvement does not stop there. Local municipalities will engage their communities through their own Official Plan and Zoning By-law conformity exercises. Engagement through this process is often more targeted to local landowners as specific property changes can be identified.

Development Application Portal

The Region and local municipalities are working together to create a development portal that will standardize development applications and track performance of allocations, intensification and density assignments. Some local governments have already moved to digital submission, but the first step in Niagara is to establish uniformity in planning applications, submission requirements and key performance indicators for monitoring.

Conclusion

Regional Planning staff have provided this report for information and awareness of the importance of the NOP process and the subsequent responsibility of local municipalities to bring planning documents into conformity with the NOP.

Local planning documents are required to be brought into conformity quite expeditiously. Doing so will require adequate resource allocation by local municipalities. Local municipalities may wish to start identifying staffing resources and budget allocation early to accommodate a timely conformity exercise.

As noted above, local municipal Councils will have the opportunity to further refine planning policy/mapping through detailed planning analysis in the local context. In addition, there will be many opportunities to consult and engage local residents through the NOP, local Official Plan conformity exercises, zoning updates, future Secondary Plans/planning studies and development applications.

This report was discussed with the Area Planners on Friday January 22, 2021, and the direction and objective of this report was supported.

Alternatives Reviewed

This report is for information purposes and to note the requirement under Section 27 of the *Planning Act, 1990* to bring local Official Plans and Zoning By-laws into conformity following the approval of the NOP.

No alternatives are available.

Relationship to Council Strategic Priorities

The Niagara Official Plan is important to address Council's priorities, being:

- Supporting Businesses and Economic Growth;
- Healthy and Vibrant Community; and
- Responsible Growth and Infrastructure Planning.

Implementation of the Niagara Official Plan will help support these priorities and serve to provide local municipalities the policy guidance needed during the own Official Plan conformity exercises.

Other Pertinent Reports

PDS 4-2021	Niagara Official Plan – Steps and Directions Moving Forward
PDS 35-2020	Niagara Official Plan - Consultation Update
PDS 28-2020	Regional Structure Background Report
PDS 1-2020	New Niagara Official Plan - Public Consultation Summary
PDS 33-2019	Growth Management Program Update for New Official Plan
PDS 9-2019	New Official Plan Consultation Timeline Framework
CWCD 421-2019	New Niagara Official Plan Updates

Prepared by:

Kirsten McCauley, MCIP, RPP
Acting Manager, Long Range Planning
Planning and Development Services

Recommended by:

Doug Giles, MES, BUP
Acting Commissioner
Planning and Development Services

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was reviewed by Isaiah Banach, Acting Director of Community and Long Range Planning.

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March 3, 2021

CL 4-2021, February 25, 2021
PEDC 2-2021, February 17, 2021
PDS 1-2021, February 17, 2021

Local Area Municipalities
Niagara Peninsula Conservation Authority

SENT ELECTRONICALLY

RE: Natural Environment Work Program – 2nd Point of Engagement

Regional Council, at its meeting of February 25, 2021, approved the following recommendation of its Planning & Economic Development Committee:

That Report PDS 1-2021, dated February 17, 2021, respecting Natural Environment Work Program - 2nd Point of Engagement, **BE RECEIVED** and **BE CIRCULATED** to the Local Area Municipalities and the Niagara Peninsula Conservation Authority (NPCA).

A copy of Report PDS 1-2021 is enclosed for your information. The appendices to Report PDS 1-2021 can be found attached to the Planning and Economic Development Committee agenda of Wednesday, February 17, 2021, at the link below:

<https://www.niagararegion.ca/government/council/committees/pedc/default.aspx>

Yours truly,



Ann-Marie Norio
Regional Clerk
:me

CLK-C 2021-031

Distribution List: S. Norman, Senior Planner
D. Giles, Acting Commissioner, Planning & Development Services
N. Oakes, Executive Assistant to the Commissioner, Planning & Development Services

Subject: Natural Environment Work Program – 2nd Point of Engagement

Report to: Planning and Economic Development Committee

Report date: Wednesday, February 17, 2021

Recommendations

1. That Report PDS 1-2021 **BE RECEIVED** for information; and
2. That Report PDS 1-2021 **BE CIRCULATED** to the Local Area Municipalities and the Niagara Peninsula Conservation Authority (NPCA)

Key Facts

- The purpose of this report is to present a summary of the 2nd Point of Engagement for the Natural Environment Work Program, including input received, which has recently been completed in support of the new Niagara Official Plan.
- A decision on the final preferred option for the Natural Heritage System (NHS) and Water Resource System (WRS) is not being requested at this time. That will be requested from Committee and Council as part of the Joint Consolidated Official Plan Report to be considered in April 2021.
- Based on the input received – additional analysis of each of the NHS and WRS options in each of the urban areas of the Region is currently being undertaken by Staff with the support of the Consultant team. The results of this additional analysis will be used to inform the decision on the final preferred options.
- The full report entitled “*Natural Environment Work Program: Consultation Summary Report – 2nd Point of Engagement*” prepared by the Consultant team is attached to this report as Appendix 1.

Financial Considerations

The ongoing costs associated with the current Natural Environment Work Program are accommodated within the Council approved project budget for the Niagara Official Plan.

Analysis

The 2nd Point of Engagement is Phase 5 of the Natural Environment Work Program - Consultation on Options for the Natural Systems. The following is an overview of the activities undertaken and a summary of the input received.

List of Consultation Activities Conducted

The following activities were undertaken as part of the 2nd Point of Engagement:

Date	Activity
July 15, 2020	Presentation to Planning and Economic Development Committee (PEDC) (PDS 26-2020)
August 28, 2020	Introduction Presentation to Area Planners
September 11, 2020	Meeting with Port Colborne Planning Staff
September 14, 2020	Meeting with Niagara Falls Planning Staff
September 15, 2020	Meeting with St. Catharines Planning Staff
September 16, 2020	Presentation to Provincial Planning Staff (MMAH, MNRF, & MECP)
September 16, 2020	Presentation to Niagara Escarpment Commission (NEC) Staff
September 16, 2020	Presentation to Planning Advisory Committee (PAC)
September 17, 2020	Presentation to Niagara Peninsula Conservation Authority (NPCA) Board
September 18, 2020	Meeting with Lincoln Planning Staff
September 18, 2020	Stakeholder Workshop – Development Community & Planning and Ecological Consultants
September 21, 2020	Meeting with Wainfleet Planning Staff
September 21, 2020	Meeting with Fort Erie Planning Staff
September 21, 2020	Stakeholder Workshop – Agricultural Community

Date	Activity
September 22, 2020	Meeting with West Lincoln Planning Staff
September 22, 2020	Stakeholder Workshop – Environmental Stakeholder Groups
September 23, 2020	Meeting with Grimsby Planning Staff
September 23, 2020	Virtual Public Information Centre 1 (Natural Heritage System)
September 24, 2020	Presentation to NPCA Public Advisory Committee
September 24, 2020	Virtual Public Information Centre 2 (Water Resource System and Watershed Planning)
September 25, 2020	Meeting with Pelham Planning Staff
September 25, 2020	Presentation to the Agricultural Policy and Action Committee (APAC)
September 28, 2020	Meeting with Welland Planning Staff
September 29, 2020	Presentation to NPCA Staff
September 29, 2020	Presentation to Niagara Parks Commission (NPC) Staff
September 29, 2020	Meeting with Thorold Planning Staff
September 30, 2020	Participate in Trout's Unlimited 12 Mile Creek Subwatershed Study Meeting
October 1, 2020	Meeting with Niagara-on-the-Lake Planning Staff
November 19, 2020	Presentation to Team Niagara
December 11, 2020	Meeting with Mississauga of the Credit First Nation Staff

In addition to formal planned activities – numerous other submission were made by members of the pubic and other stakeholders through e-mail, the Region's website, and delegations and submissions to Committee and Council. Several formal letters were also received from industry groups in the Region. A copy of all submissions and other correspondence received is included as part of the attached Consultation Summary Report.

Summary of What We Heard

Through the 2nd Point of Engagement there were a range of opinions expressed and comments made related to the options for the NHS and WRS to be implemented as part of the new Niagara Official Plan.

It is clear that there is no consensus on which option best meets the needs of all stakeholders in the Region over the long-term. There are differing land use planning priorities among the range of stakeholders engaged and consulted. There was a general understanding amongst most participants on the interconnectedness of policy sections of the new Official Plan and that natural environment protection plays an important role in outlining where growth can and cannot occur.

What we heard can be briefly summarized as follows. For complete details, please see the attached Consultation Summary Report.

Local Planning Departments:

- No consensus on what is the preferred option in Niagara. Range of opinions and input received is reflective of the diversity of communities and priorities across Niagara.
- Generally speaking, prefer an approach that recognizes the inherent balance between a range of land uses.
- Request that additional analysis of options be undertaken in urban areas to inform decision-making on preferred option.

Agricultural Community:

- Prefer an option that reflects the primacy of the agricultural system over the natural heritage and water resource systems.
- Request that agricultural drainage and irrigation systems be excluded from the natural heritage and water resource systems.

Development Community:

- Concerns expressed with options that go beyond minimum provincial standards, including decreasing housing affordability in the Region and reducing the amount of developable land within urban areas.

- Reinforced the need for flexibility, site specific analysis, and local decision-making.
- Suggestion for additional analysis in urban areas to inform decision-making on preferred option.

Environmental Stakeholder Groups:

- Prefer an approach which prioritizes natural heritage and environmental protection in the Region.
- Prefer an approach where natural environment planning in the Region is primarily a science-based exercise.

Public:

- A range of comments received, but generally speaking, prefer an approach with the highest number of optional features and areas to be included in the NHS and WRS.
- Request for goals and objectives to be included as part of the final NHS and WRS.
- Biodiversity loss and climate change were identified as highly important issues.

Key Themes and Discussion

The attached Consultation Summary Report prepared by the Consultant team identifies six key themes that emerged through the 2nd Point of Engagement. Three of the themes are related to the identification of the preferred option for the NHS and WRS and three of the themes are more generally related to the overall Natural Environment Work Program. These themes are summarized in the tables below.

To Inform the Identification of the Preferred NHS and WRS Option

Key Theme:	Discussion and Implications:
1. Balanced Land use Planning: Protection of the Natural Environment and Opportunities for Growth	<ul style="list-style-type: none">• A range of opinions and comments were received – from increased environmental protection to concerns regarding the ability to accommodate growth, and affordability in the Region.• The range of opinions and comments speak to the need for a natural environment system

Key Theme:	Discussion and Implications:
	<p>that goes beyond the minimum provincial standard, with a policy framework that allows for growth and development.</p> <ul style="list-style-type: none"> • A shift in mindset and approach to natural environment planning that makes both the protection of the natural environment and potential for growth simultaneously achievable is required – the goal is for a balanced approach to land use planning.
2. Recognize and Protect Agricultural Uses	<ul style="list-style-type: none"> • Exemptions for a full range of agricultural uses should be clearly articulated in policy, including those policies and exemptions already provided through the PPS and Provincial Plans. • Additional consideration is required regarding how watercourses that are also agricultural infrastructure should be recognized in the NHS and WRS.
3. Informed by Science and Guided by Goals and Objectives with Numerical Targets	<ul style="list-style-type: none"> • Numerous comments were received reinforcing the need for goals, objectives, and numerical targets to be part of the Region's natural systems. • Goals, objectives, and targets will be included as part of the NHS and WRS and will be developed to be specific, measurable, achievable, and informed by science to the extent possible.

To Inform the Overall Natural Environment Work Program

Key Theme:	Implication:
1. Accurate and Comprehensive Mapping of the Natural Environment Systems	<ul style="list-style-type: none"> • Mapping needs to be consistent with provincial requirements, be easily available and user-friendly, and be updated on a regular basis.

Key Theme:	Implication:
	<ul style="list-style-type: none"> • Features that are not mapped, but where some data exists, should be used as internal screening tools, as part of pre-consultation, and for review of studies. • Policies need to allow for site-specific studies to refine mapping, through studies approved by the Region.
2. Clear, Consistent Policies and Guidance for Implementation	<ul style="list-style-type: none"> • Need to ensure consistency with the policies of other agencies to the extent possible. • To support implementation, clear definitions, criteria, and guidance documents (e.g. updated EIS Guidelines, WRS Guidelines, etc.) will be required. • If included as part of the natural environment systems, there will be a need to provide more clarity on how linkages and buffers will be identified, refined, and mapped through site-specific studies.
3. Build Trust Through Continued Engagement, Collaboration and Education	<ul style="list-style-type: none"> • The public and other stakeholders have been actively engaged with the Natural Environment Work Program. • Compared with other municipalities, the consultation and engagement undertaken as part of the Natural Environment Work Program is extensive and exceeds typical consultation undertaken as part of municipal natural environment planning. • Niagara should continue with this enhanced level of consultation and engagement.

Next Steps

As the 2nd Point of Engagement was being completed it became clear that Council and other stakeholders were seeking additional details on each of the options to assist with the decision-making process.

To satisfy this request, as first reported in CWCD 314-2020 (November 20, 2020), Region staff have engaged our Consultant team to assist in completing additional analysis on each of the options for the NHS and WRS in the urban areas of the Region.

This additional work will include establishing a preliminary methodology and criteria for each feature-type and providing detailed statistics and comparison of each option. The comparison will be completed on both a quantitative and qualitative basis. To accompany these detailed statistics, our Consultant team will also be preparing preliminary information on the policy intent of each option on a feature by feature basis.

This additional analysis has begun and will be presented to Committee and Council in April 2021 (as part of the Joint Consolidated Official Plan Report) to assist with the selection of the preferred NHS and WRS options.

Alternatives Reviewed

No alternatives have been considered.

Relationship to Council Strategic Priorities

This report is being brought forward as part of the ongoing reporting on the Niagara Official Plan. The Natural Environment Work Program aligns with Objective 3.2 Environmental Sustainability and Stewardship:

A holistic and flexible approach to environmental stewardship and consideration of the natural environment, such as in infrastructure, planning and development, aligned with a renewed Official Plan.

Other Pertinent Reports

- PDS 40-2016 Regional Official Plan Update
- PDS 41-2017 New Official Plan Structure and Framework
- PDS 3-2018 New Official Plan Update
- PDS 6-2018 Natural Environment Project Initiation Report
- PDS 18-2018 Natural Environment – Project Framework
- PDS 9-2019 New Official Plan Consultation Timeline Framework
- PDS 10-2019 Update on Natural Environment Work Program – New Regional Official Plan

- CWCD 122-2019 Agricultural and Environmental Groups – Draft Stakeholder Lists
- CWCD 150-2019 Update on Official Plan Consultations – Spring 2019
- CWCD 179-2019 Notice of Public Information Centres – Natural Environment Work Program, New Regional Official Plan
- CWCD 271-2019 Update on Consultation for New Official Plan
- PDS 32-2019 Natural Environment Work Program – Phases 2 & 3: Mapping and Watershed Planning Discussion Papers and Comprehensive Background Study
- PDS 1-2020 New Niagara Official Plan – Public Consultation Summary
- PDS 3-2020 Ecological Land Classification Mapping Update
- PDS 9-2020 Niagara Official Plan – Consultation Details and Revised Framework
- CWCD 153-2020 Natural Environment Work Program Update – New Niagara Official Plan
- PDS 26-2020 Natural Environment Work Program – Phase 4: Identification and Evaluation of Options
- CWCD 314-2020 Update Natural Environment Work Program
- PDS 35-2020 Niagara Official Plan Consultation Update
- PDS 4-2021 Niagara Official Plan – Steps and Direction Moving Forward

Prepared by:
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Senior Planner
Planning and Development Services

Recommended by:
Doug Giles, BES, MUP
Acting Commissioner
Planning and Development Services

Submitted by:
Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was reviewed by Erik Acs, MCIP, RPP, Manager, Community Planning, Dave Heyworth, MCIP, RPP, Official Plan-Policy Consultant, and Isaiah Banach, Acting Director, Community and Long Range Planning.

Appendices

Appendix 1:	Consultation Summary Report - 2nd POE
Appendix A:	Regional Planning and Economic Development Committee Presentation
Appendix B:	Presentation to Local Planning Staff
Appendix C:	Virtual Stakeholder Workshops
Appendix D:	Virtual Public Information Centres
Appendix E:	Additional Feedback
Appendix F:	Planning Advisory Committee Presentation
Appendix G:	Agricultural Policy and Action Committee Presentation
Appendix H:	Niagara Peninsula Conservation Authority Consultation
Appendix I:	Provincial Planning Staff
Appendix J:	Niagara Escarpment Commission Staff Consultation
Appendix K:	Niagara Parks Commission Staff Consultation

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March 3, 2021

CL 4-2021, February 25, 2021
PEDC 2-2021, February 17, 2021
PDS 9-2021, February 17, 2021

DISTRIBUTION LIST

SENT ELECTRONICALLY

RE: Review of Options – South Niagara Aquifer

Regional Council, at its meeting of February 25, 2021, approved the following recommendation of its Planning & Economic Development Committee:

That Report PDS 9-2021, dated February 17, 2021, respecting Review of Options - South Niagara Aquifer, **BE RECEIVED** and **BE CIRCULATED** to the City of Port Colborne, Town of Fort Erie, City of Welland, Township of Wainfleet, Niagara Peninsula Conservation Authority (NPCA), and the Niagara Peninsula Source Protection Committee.

Regional Council also approved the following motion related to this matter:

That staff **BE FURTHER DIRECTED** to state within the new Regional Official Plan that groundwater across the Region is an important resource to all Niagara residents and specifically a source of potable drinking water to many rural residents.

A copy of Report PDS 9-2021 is enclosed for your information.

Yours truly,



Ann-Marie Norio
Regional Clerk

:me

CLK-C 2021-029

Distribution List:

City of Port Colborne
Town of Fort Erie
City of Welland
Township of Wainfleet
Niagara Peninsula Conservation Authority (NPCA)
Niagara Peninsula Source Protection Committee
S. Norman, Senior Planner
D. Giles, Acting Commissioner, Planning & Development Services
N. Oakes, Executive Assistant to the Commissioner, Planning & Development Services

Subject: Review of Options – South Niagara Aquifer

Report to: Planning and Economic Development Committee

Report date: Wednesday, February 17, 2021

Recommendations

1. That Report PDS 9-2021 **BE RECEIVED** for information; and
2. That Report PDS 9-2021 **BE CIRCULATED** to the City of Port Colborne, Town of Fort Erie, City of Welland, Township of Wainfleet, Niagara Peninsula Conservation Authority (NPCA), and the Niagara Peninsula Source Protection Committee.

Key Facts

- This report responds to direction given at the December 9, 2020 Planning and Economic Development Committee (PEDC) meeting where staff were requested to prepare a report outline existing policies and options for the protection of the south Niagara aquifer.
- In considering the protection of groundwater resources and drinking water systems in the region there are primarily two pieces of Provincial legislation that need to be reviewed, the *Planning Act, 1990* (Planning Act) and the *Clean Water Act, 2006* (Clean Water Act).
- In Niagara, the NPCA is the Source Protection Authority under the Clean Water Act. The responsibility for source water protection planning is that of the Source Protection Committee (SPC) with staff support from the NPCA. The Province is the approval authority for Source Protection Plans prepared by the SPC.
- Policies included in the Regional Official Plan related to drinking water systems, Intake Protection Zones (IPZs), and Wellhead Protection Areas (WPAs) must be directly informed by the Source Protection Plan (SPP). The Regional Official Plan cannot designate an IPZ or WPA without it first being identified in the SPP by the SPC following a technical evaluation process.
- This report outlines several tools and policies which can protect the south Niagara aquifer, such as provincial policy requirements, official plan policies, zoning by-laws, site alteration by-laws, and Ontario Building Code regulations. The report

however draws the conclusion that the provisions of the Clean Water Act are unlikely to apply to a number of private drinking water wells across a wide geographic area, and the Clean Water Act not the appropriate tool to achieve the desired outcome of protecting the Highly Vulnerable Aquifer (HVA) in south Niagara.

- In 2020, specific actions were taken by Regional Council and the City of Port Colborne City relating to the south Niagara aquifer. In January 2020, PEDC passed a resolution directing staff to include specific policies for the protection of the south Niagara aquifer in the new Niagara Official Plan. At its October 26, 2020 meeting, the Port Colborne City Council passed a resolution directing additional protection of the aquifer including local official plan policies and changes to their zoning by-law.

Financial Considerations

There are no financial implications stemming from this report.

Analysis

Part A – Review of Background Information and Existing Policies

A.1 - Important Terminology Related to Groundwater Resources:

To ensure a common understanding of groundwater resources in the Region the following terminology is used in this report. These terms are based on provincial definitions.

- Key Hydrologic Feature – permanent streams, intermittent streams, inland lakes and their littoral zones, seepage areas and springs, and wetlands (Growth Plan).
- Key Hydrologic Areas – significant groundwater recharge areas, highly vulnerable aquifers, and significant surface water contribution areas that are necessary for the ecological and hydrologic integrity of a watershed (Growth Plan).
- Highly Vulnerable Aquifer (HVA) – aquifers, including lands above the aquifer, on which external sources have or are likely to have a significant adverse effect (Growth Plan).

- Significant Groundwater Recharge Area (SGRA) – an area that has been identified:
 - a) as a significant groundwater recharge area by any body for the purpose of implementing the PPS, 2014;
 - b) as a significant groundwater recharge area in the assessment report required under the Clean Water Act, 2006; or
 - c) as an ecologically significant groundwater recharge area delineated in a subwatershed plan or equivalent in accordance with provincial guidelines

For the purposes of this definition, ecologically significant groundwater recharge areas are areas of land that are responsible for replenishing groundwater systems that directly support sensitive areas like cold water streams and wetlands (Growth Plan).

- Intake Protection Zone (IPZ) – an area as delineated in Schedule H of this Plan and in the Source Protection Plan for the Niagara Peninsula Source Protection Area that surrounds a municipal surface water intake and within which it is desirable to regulate or monitor drinking water threats. Where a conflict in mapping arises, the Source Protection Plan shall prevail (ROP, 2014).
- Wellhead Protection Area (WPA) – an area that is related to a wellhead and within which it is desirable to regulate or monitor drinking water threats (O. Reg. 287/07).

A.2 - Mapping of HVAs and SGRAs in the Region:

To provide context - a map showing the extent of HVAs and SGRAs in the Region is included as **Appendix 1**. The following is a brief description of the sources of the data:

- HVAs are a vulnerable area delineated for the Source Water Protection Assessment Report (Chapter 4 - NPCA, 2010). The HVAs were based largely upon earlier vulnerability mapping completed as part of the 2005 NPCA Groundwater Study. This earlier mapping combined two vulnerability assessment methods: (i) intrinsic susceptibility index (ISI) and (ii) aquifer vulnerability index (AVI).
- SGRAs are also a vulnerable area delineated for the Source Water Protection Assessment Report (Chapters 3 and 4 - NPCA, 2010). The SGRAs are classified as “significant” when they supply more water to an aquifer than the surrounding

area. SGRAs were identified where groundwater is recharged by a factor of 1.15 or more than the average recharge rate for the whole watershed.

A.3 - Role of the Planning Act vs. Role of the Clean Water Act:

In considering the protection of groundwater resources and drinking water systems in the Region there are primarily two pieces of provincial legislation that need to be considered, the Planning Act and the Clean Water Act.

	<i>Planning Act</i>	<i>Clean Water Act</i>
What is it?	The Planning Act sets out the ground rules for land use planning in Ontario. It describes how land uses may be controlled, and who may control them.	The Clean Water Act assists communities with protecting their municipal drinking water supplies at the source.
What tools are available?	Municipal Official Plans (Regional, Local), Zoning By-Laws (Local)	Source Protection Plans, Official Plans and Zoning By-Laws (which have been informed by the SPP)
How is it implemented?	Through a mix of Provincial tools such as the Provincial Policy Statement and Growth Plan, as well as upper and lower tier Official Plans.	Through a Source Protection Plan prepared by the Source Protection Committee and approved by the Province.
Who is primarily responsible?	Regional and Local Planning Departments, Regional and Local Councils.	Source Protection Authority, Risk Management Official.

In addition, there are other pieces of Provincial legislation that can apply on a topic-specific basis, for example: the Ontario Water Resource Act, Safe Drinking Water Act, Aggregate Resource Act, Municipal Act, and Ontario Building Code.

A.3 - Recent Reporting to Planning and Economic Development Committee:

At the January 15, 2020 PEDC meeting, there was a Councillor request for more information on how the Region has been involved in the Port Colborne Quarry project and the Region's obligations under Provincial policies.

In response to that request, PDS 8-2020, dated March 11, 2020 was prepared. PDS 8-2020 includes a discussion on the Region's involvement in the quarry project as well as additional information related to drinking water, source protection, the south Niagara aquifer, and the development of a new comprehensive water resource system (WRS) in the Region. PDS 8-2020 is attached for reference as **Appendix 2**.

A.4 - Provincial Planning Requirements:

There are a number of Provincial planning policies that require municipalities to protect groundwater and other water resources in their jurisdictions. This includes a relatively new Provincial requirement for a comprehensive water resource system (WRS). A WRS is currently being developed and will be implemented in Niagara for the first time as part of the new Niagara Official Plan. Other associated water resources planning policies are being brought into conformance with Provincial requirements through the new Niagara Official Plan project.

The policies of the Provincial Policy Statement (PPS, 2020) related to water resources are included in **Appendix 3**.

The policies of A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan, 2020) related to water resources are included in **Appendix 4**.

A.5 - Existing Regional Official Plan Policies:

Although the requirements for a comprehensive WRS are new, there are policies in the existing Regional Official Plan (ROP, 2014) related to water resources (both surface and groundwater). For example Policy 7.A.2.1 a) states that:

"Development and site alteration shall only be permitted if it will not have negative impacts, including cross-jurisdictional and cross-watershed impacts, on the quantity and quality of surface and groundwater"

The policies of the ROP are generally triggered when there is a proposed change in land use requiring an approval under the Planning Act (e.g. Official Plan Amendment,

Zoning By-Law Amendment, Draft Plan of Subdivision, Site Plan, etc.). For other forms of development and site alteration, other mechanisms apply, such as the Ontario Building Code and site alteration by-laws. The Region does not have a site alteration by-law; this is an area of local jurisdiction.

The complete policies of Section 7.A.2 'Water Resources' of the ROP, 2014 are included in **Appendix 5**.

A.6 - In-Effect Council Resolution:

At the January 15, 2020 PEDC meeting, the following resolution was adopted:

*“That staff **BE DIRECTED** to consider the highly vulnerable aquifer as an important, vital source of water to our rural residents in Niagara from Wainfleet, through Port Colborne to Fort Erie and ensure specific Official Plan policies are developed to reflect the importance and subsequent protection of this water source.”*

As directed, staff will include policies in the new Official Plan related to the HVA in south Niagara. The specific wording of these policies will be developed as Staff move forward with the Natural Environment Work Program and related Niagara Watershed Plan projects.

A.7 - Natural Environment Work Program and Niagara Watershed Plan Project:

The Natural Environment Work Program is the project that is being undertaken to identify and protect regional natural systems through the new Niagara Official Plan. Natural systems to be developed include a natural heritage system (NHS) and a water resource system (WRS). The WRS will include both groundwater and surface water features and areas.

Additional information regarding the Natural Environment Work Program can be found on the website for the new Official Plan:

<https://www.niagararegion.ca/projects/rural-and-natural-systems/default.aspx>

One of the three background reports that was completed for Natural Environment Work Program was the Watershed Planning Discussion Paper. This report identified the need for a watershed plan to be completed to inform various aspects of the new Niagara Official Plan (including the development of the WRS). To meet this need, a Consultant

team has been retained and a project to prepare a Niagara Watershed Plan (NWP) is underway. NPCA staff are involved in the project.

The NWP is being prepared in accordance with Provincial requirements, including direction that the new comprehensive water resource system be informed by watershed planning. The consideration of the south Niagara aquifer was identified as an important issue during the project kick-off phase.

A.8 - Source Water Protection Planning:

Source water protection planning is the process in which communities identify potential risks to local water quality and water supply and create a plan to reduce or eliminate the risks. Source water protection planning is undertaken based on a process prescribed by the Clean Water Act and its regulations.

In Niagara, the NPCA is the Source Protection Authority under the Clean Water Act. The program is administered by the Source Protection Committee (SPC) and staff support from the NPCA. Through the SPC, municipalities work to identify, assess and address risks to drinking water within their municipal Intake Protection Zones (IPZs) and Wellhead Protection Areas (WPAs).

Once risks and threats are identified through the Source Protection Plan, municipalities are responsible to develop and implement policies to reduce risks posed by activities located in areas under their jurisdiction. This could include requiring individual property owners to take action on significant drinking water threats located within IPZs and WPAs. In Niagara, this work has been completed and source protection policies are included in Section 7.E of the existing Regional Official Plan (ROP, 2014). These policies were subsequently included in local zoning by-laws. Policies in the Regional Official Plan must be directly informed by the Niagara Source Protection Plan, including the identification of IPZs (there are no municipal well water supplies in Niagara, and therefore no WPAs have been identified).

Schedule H of the ROP, 2014 – Source Water Protection is included as **Appendix 6**.

Additional information regarding drinking water source protection in Niagara can be found here: <http://www.sourceprotection-niagara.ca/>

In general, source water protection planning is a process that is undertaken in regards to municipal drinking water systems. In Niagara, all municipal drinking water is from

surface/lake-based sources. Within the Clean Water Act and O. Reg. 287/07 there is a very limited ability for other (i.e. non-municipal) drinking water systems to be evaluated and considered as part of the program. These provisions apply in circumstances where:

- there is a cluster of six or more private wells or intakes,
- the system is located in a settlement area, or
- the private residence is a designated facility or public facility as defined in O. Reg. 170/03 of the Safe Drinking Water Act.

The geographic area of what constitutes a 'cluster' is not defined in the Clean Water Act or its regulations, however, it is interpreted to be a concentration of systems in a small geographic area. A resolution from the Local Municipality is required for the Source Protection Committee to initiate the process to add a system to the Source Protection Plan. A technical evaluation process is required to support that process. The Province is the decision-making authority for the Source Protection Plan and any proposed changes.

A document entitled "Drinking Water Source Protection Primer: For Municipal Councillors" is included as **Appendix 7**.

A.9 - Provincial Direction Regarding the Implementation of Clean Water Act:

The Province does not maintain a guidance document for adding 'other systems' to source protection plans through the use of municipal resolution. However, the Province has advised that this is possible, subject to the criteria set out in the Clean Water Act and its regulations (as outlined above).

In considering this approach, the Province encourages municipalities to first look at how they can use other tools such as the Planning Act, Municipal Act, and Ontario Building Code to protect vulnerable sources of drinking water.

The Province further recommends that municipalities should encourage landowners to take steps to protect their own private wells by ensuring that their septic systems are functioning properly, and any on-site sources of contamination such as fuel oil tanks and pesticides, are properly stored and managed.

A.10 - Case Study – Trout Creek:

Trout Creek is a community in the Municipality of Powassan, ON, located near North Bay. The entire community is served by private drinking water and septic systems. Trout

Creek is understood to be the only community in Ontario that has attempted to add a 'cluster' of private drinking water wells into their jurisdiction's Source Protection Plan (SPP).

The experience in Trout Creek began with the municipality passing a resolution for the cluster of private drinking water wells to be included in the SPP. A technical evaluation process was undertaken, the system characterized, and threats identified. Based on the threats identified, numerous mitigation measures and policies were recommended including the mandatory inspections of private septic systems, a comprehensive risk management program to be implemented by the municipality, and other prohibitions.

Once the scope of the restrictions, and associated costs were understood and realized by the cluster residents and the municipality, a resolution was passed revoking the earlier resolution, and the process to include the cluster of wells was abandoned. The process took over 5 years and the community was not added to the SPP.

A.11 - Other Municipal Tools:

As noted above, there are other tools that can be used to protect vulnerable sources of drinking water and other sensitive groundwater resources. Some of these are as follows.

- Site Alteration By-Laws – are enacted under the Municipal Act and regulate the removal of topsoil, the placing or dumping of fill and the alteration of the grade of land in areas of the municipality. A component of a site alteration by-law can be to ensure that surface and groundwater quality is maintained. Site alteration by-laws are an area of local municipal jurisdiction.
- Zoning By-Law – like official plans, zoning by-laws are enacted under the Planning Act. An official plan sets out a municipality's general policies for future land use. Zoning by-laws are legal instruments that regulate the use of land and day-to-day administration. They contain specific planning requirements and are law within the municipality where they are enacted. A zoning by-law controls how land may be used and where buildings and other structures can be located. Zoning by-laws are an area of local municipal jurisdiction.
- Development Approval Process - through implementing Regional Official Plan policies, conditions of approval may be requested by Regional staff requiring that a property owner submit a hydrogeological assessment for certain development

applications located in an HVA (e.g. plan of subdivision, multiple lot severances and/or proposed residential lot(s) under 1 ha, etc.)

- Building Permits – are issued under the Building Code Act. A building permit is necessary to construct, renovate, demolish or change the use of a building. A Building Permit under Part 8 of the Building Code is also required for work regarding the installation, alteration, extension or repair of an on-site sewage or septic system. Building Code enforcement, including issuing building permits, is generally carried out by municipal building departments. In Niagara, in the case of on-site sewage or septic systems under Part 8 of the Code, issuing permits and enforcement is the responsibility of the Region in most local municipalities, while others (Welland, Wainfleet and West Lincoln) carry out the program internally.

Rural and other homeowners with private sewage or septic systems are also wastewater treatment system operators and need to take this role seriously. A regular maintenance schedule along with proactive care is the best strategy to lifelong system functionality and optimizing the system's performance. A homeowner's guide to a healthy sewage (septic) system can be found at the Ontario Onsite Wastewater Association's website and at the following link:

<https://www.oowa.org/homeowner-resources/>

A.13 - City of Port Colborne October 26, 2020 Resolution:

On October 26, 2020 the City of Port Colborne passed a resolution stating:

"That Council recognizes the Aquifer as identified in Schedule B3 of the Official Plan as a source water for the rural residents of the City; and

That the Director of Planning and Development be directed to amend the Official Plan to include the Aquifer such that the Aquifer receives the same consideration and protection from susceptible threats of contamination or adverse impact as the intake protection zones (IPZ-1 and IPZ-2); and

That the Region of Niagara, Township of Wainfleet, City of Welland, Town of Fort Erie and Niagara Peninsula Conservation Authority be notified of the City's action and be requested to pursue similar updates to their municipal planning documents in order to protect the aquifer."

Region staff understand the above-captioned resolution to be direction to Staff. Region staff do not interpret the resolution as being an official resolution from City of Port Colborne Council requesting an addition be made to the Source Protection Plan.

In response for the resolutions request for updates to be made to Regional planning document - Regional Planning staff note we are already developing a comprehensive WRS for the Region as part of the new Niagara Official Plan. The WRS will include specific policies in regards to the south Niagara HVA in accordance with the January 15, 2020 PEDC resolution.

A copy of the October 26, 2020 City of Port Colborne resolution is included as **Appendix 8**.

A.14 - Ongoing City of Port Colborne Initiative:

Region Planning staff understand the City of Port Colborne is considering a Local Official Plan Amendment and Zoning By-Law Amendment for additional protection of the aquifer and private drinking water systems in response to the October 26, 2020 resolution. Region Planning staff have had ongoing discussions with City Planning staff regarding that initiative in preparation of this report.

Part B - Analysis of Information Reviewed

The proceeding sections provide an overview of the protection of water resources, drinking water, and drinking water systems from the perspectives of the Planning Act and Clean Water Act, as follows:

B.1 - Planning Act:

- There are policies in the Provincial Policy Statement (PPS, 2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan, 2020) for the protection of water resources including key hydrologic features and key hydrologic areas. The policies are in effect now, and must be considered by Regional and Local Planning staff in making recommendations and Regional and Local Councils when making decisions. Regional planning policies will be brought into conformance through the ongoing work to prepare the new Niagara Official Plan.

- There are policies within the existing Regional Official Plan (ROP, 2014) that require the protection of water resources, including a restriction on site alteration and development that would cause a negative impact on water quality.
- On January 15, 2020, PEDC passed a resolution directing staff to include specific policies for the protection of the south Niagara aquifer. This direction is being incorporated as part of the Natural Environment Work Program, Niagara Watershed Plan, and Niagara Official Plan projects. The specific wording of the policies will be developed as Regional staff move these projects to completion.
- On October 26, 2020, the City of Port Colborne passed a resolution directing additional protection of the aquifer including official plan and zoning by-law policies that provide the same level of consideration and protection as Intake Protection Zones in the City. As a local planning document, the Port Colborne Official Plan may include more specific and detailed policies, provided that they do not conflict with Provincial or Regional policy. Similarly, zoning by-laws are a local document that provide for the day-to-day regulation of land use controls.
- Policies included in the Regional Official Plan related to drinking water systems, Intake Protection Zones, and Wellhead Protection Areas must be directly informed by the Source Protection Plan, and the work of the Source Protection Committee. The Regional Official Plan cannot designate an Intake Protection Zones or Wellhead Protection Areas without it first being identified in the Source Protection Plan following a technical evaluation process and acceptance by the Province.

B.2 - Clean Water Act:

- Intake Protection Zone (IPZs) is the terminology used to describe an area around a surface water intake. Wellhead Protection Area (WPAs) is the terminology used in regards to groundwater wells. IPZs and WPAs are identified through a technical evaluation process.
- The Clean Water Act generally applies to municipal drinking water systems, with a very limited ability to apply to other systems based on criteria set out in the Act and its regulations. Other systems generally apply to clusters of private wells or other private systems for designated facilities.
- Once a property has been identified as being within an IPZ or WPA there will be restriction on existing and proposed land uses or activities that are considered

“significant threats”, including potentially existing or new agricultural uses.

Restrictions can range from risk management to outright prohibitions. The nature of the restrictions and associated land use planning policies would be identified based on the specific characteristics of the area, existing land uses, vulnerability of the system and potential threats. This work would be completed through the technical evaluation process.

- In Niagara, the NPCA is the Source Protection Authority. The responsibility for source water protection planning is that of the Source Protection Committee, with staff support from the NPCA. The Province is the approval authority for Source Protection Plans. Municipalities would be responsible for undertaking and funding technical evaluations in support of requested changes to the Source Protection Plans.

Part C - Summary of Options

- There are existing Provincial policies requiring the protection of key hydrologic features, key hydrologic areas, and other water resources. Provincial direction also requires the identification of a water resources systems (WRS). In addition, the January 15, 2020 staff direction requires the identification of specific policies for the south Niagara aquifer. All of these requirements are being considered as part of the Natural Environment Work Program and Niagara Watershed Plan projects, and will be addressed as part of the Niagara Official Plan. Additional direction to Regional Planning Staff to complete this work is not required.
- There are a range of other mechanisms and existing tools for the protection of groundwater resources that should be used as available and where appropriate such as zoning by-laws, site alteration by-laws, and the provisions of the Ontario Building Code. Regional Council should support and encourage the most appropriate mechanisms for the protection of ground water resources.
- Regional Council should continue to encourage private land owners to take all necessary steps to maintain and protect any private drinking water systems on their properties. Niagara Region Public Health has information on well maintenance for residential settings available on their website at:

<https://www.niagararegion.ca/living/water/cistern-maintenance.aspx>

- Although an October 26, 2020 resolution was made by City of Port Colborne Council and was forwarded to the NPCA as the Source Protection Authority

under the Clean Water Act, Regional staff do not interpret this as being an official resolution to add a system to the Source Protection Plan. Should the City of Port Colborne, or other Local Council, pass a resolution requesting that private drinking water wells in south Niagara be considered as part of the Source Protection Planning program, Regional Council could choose to pass a resolution in support. As this would be a unique situation, it is expected that the Source Protection Committee would need to consult with the Province on resolution and the proposed approach. The completion of the required technical evaluation process, including costs, would be the responsibility of the municipality.

Following a resolution by a Local Council and consultation with the Province, a technical evaluation process would be undertaken to accurately characterize the systems, identify the threats, and recommend appropriate mitigation and policies. A technical evaluation of this type would need to be completed by a comprehensive Consultant team. This type of technical evaluation is beyond the scope of the Region's Natural Environment Work Program or Niagara Watershed Plan projects. The completion of the technical studies that would need to be completed, including costs, would be the responsibility of the municipality.

However, Regional Planning staff are of the opinion that the provisions of the Clean Water Act are unlikely to apply to a number of private drinking water wells across a wide geographic area, and are not the appropriate mechanisms to achieve the desired outcome of protecting the Highly Vulnerable Aquifer in south Niagara.

There are more appropriate mechanisms and existing tools at the Local and Regional level for the protection of groundwater resources that should be used. These include official plan policies, zoning by-laws, site alteration by-laws, and Ontario Building Code regulations. The use of these tools should be prioritized and supported.

Alternatives Reviewed

As this report is for information, alternatives are not applicable.

Relationship to Council Strategic Priorities

This report was prepared in response to staff direction given at the December 9, 2020 Planning and Economic Development Committee.

Other Pertinent Reports

- PDS 8-2020 Overview of Regional Involvement in Port Colborne Quarry Proposal

Prepared by:

Sean Norman, PMP, MCIP, RPP
Senior Planner
Planning and Development Services

Recommended by:

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

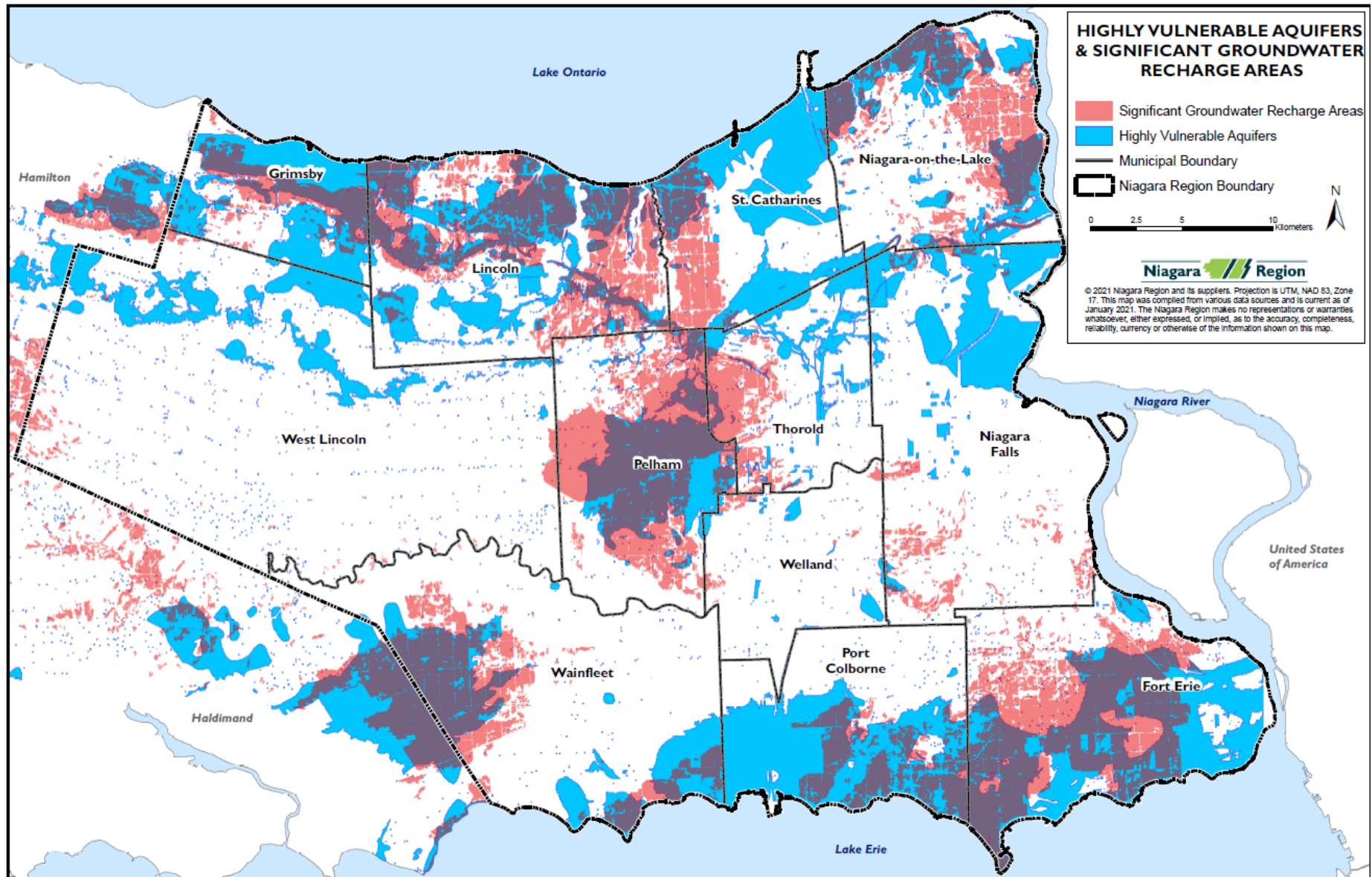
Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Erik Acs, MCIP, RPP, Manager, Community Planning and Dan Aquilina, MCIP, RPP, CPT, Director of Planning and Development - City of Port Colborne, with input from Phill Lambert, P.Eng, Director of Infrastructure Planning & Development Engineering, Pat Busnello, MCIP, RPP, Acting Director of Development Planning, Thomas Proks, P.Geo, Source Water Protection Coordinator - Niagara Peninsula Conservation Authority, David Ellingwood, Supervisor, Source Water Protection - North Bay-Mattawa Conservation Authority, and reviewed by Isaiah Banach, Acting Director, Community and Long Range Planning.

Appendices

Appendix 1	Map showing the extent of HVAs and SGRAs in the Region
Appendix 2	PDS 8-2020 Overview of Regional Involvement in Port Colborne Quarry Proposal (March 11, 2020)
Appendix 3	Policies of the Provincial Policy Statement (PPS, 2020) related to Water Resources
Appendix 4	Policies of A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan, 2020) related to Water Resources
Appendix 5	Policies in the existing Regional Official Plan (ROP, 2014) related to Water Resources
Appendix 6	Schedule H of the Existing Regional Official Plan (ROP, 2014) – Source Water Protection
Appendix 7	Drinking Water Source Protection Primer: For Municipal Councillors
Appendix 8	October 26, 2020 City of Port Colborne Resolution



Subject: Overview of Regional Involvement in Port Colborne Quarry Proposal

Report to: Planning and Economic Development Committee

Report date: Wednesday, March 11, 2020

Recommendations

1. That Report PDS 8-2020 **BE RECEIVED** for information

Key Facts

- The purpose of this report is to respond to a request for information that was made at the Planning and Economic Development Committee meeting on January 15, 2020.
- Information was requested regarding the Region's involvement in the Port Colborne Quarry proposal and any action taken as part of the Region's obligations under Provincial policies.

Financial Considerations

The cost of preparing this report was accommodated within the approved 2020 Operating Budget.

Analysis

At the Planning and Economic Development Committee on January 15, 2020, Council requested information: *"respecting how much the Region has been engaged in the Port Colborne quarry proposal and any action taken as part of the Region's obligations under Provincial policies"*.

To date, Region staff's involvement has included providing information, advice, and formal comments related to a range of issues including:

1. Long-term planning/redevelopment of the quarry lands
2. Interpretation of aggregate definitions and policies
3. A provincial ANSI designation
4. The City of Port Colborne Site Alteration By-Law

5. The role of Regional Public Health in the protection of private drinking water systems
6. Source water protection planning
7. The implementation of O. Reg. 153/04
8. The identification of a water resource system in the new Niagara Official Plan

1. Long-Term Planning / Redevelopment of the Quarry Lands

Region planning staff have participated in periodic discussions over the past several years regarding the long-term redevelopment of the Port Colborne Quarry lands. This has included the potential for employment uses in the area and the need to ensure an appropriate interaction with surrounding land uses. Region planning staff provided comments on a proposed zoning by-law amendment and official plan amendment in December 2016. Discussions have included Port Colborne planning staff as well as the owner of the quarry lands. The position of Region planning staff continues to be that a secondary planning process would be the appropriate mechanism to ensure the development of a long-term comprehensive plan. To support the secondary planning process a range of environmental and water resource studies could potentially be required.

2. Interpretation of Aggregate Definitions and Policy

In March 2019, Region planning staff were contacted by planning staff at the City of Port Colborne to provide support in the interpretation of aggregate definitions and policy as it related to the City's zoning by-law and the Port Colborne Quarry Lands.

As the definitions were the implementation of provincial policy and direction, Region planning staff reached out to the Ministry and Municipal Affairs and Housing (MMAH) for support. A clarification on the definition was provided to the City as requested.

3. Provincial ANSI Designation

In March 2019, Region planning staff were contacted by planning staff at the City of Port Colborne regarding a provincially-identified ANSI (area of natural and scientific interest) within Pit 1 of the Port Colborne quarry.

Region planning staff completed research into the matter which lead to contacting staff at several provincial ministries, including the Senior Conservation Geologist at the

Province. The original earth science inventory checklist from 1980 was provided to Port Colborne planning staff to provide the requested information.

4. City of Port Colborne Site Alteration By-Law

The Municipal Act identifies that the preparation and implementation of Site Alteration By-Laws are a local responsibility. It is Region planning staff's understanding that a site alteration permit application has been made to the City for the Pit 1 lands. The Ministry of Environment, Conservation, and Parks (MECP) provided comments related to that application. It is Region staff's understanding that discussion around this site alteration permit have triggered the City to consider updates to its Site Alteration By-Law. It is our understanding that a site alteration permit has not been granted, and that the City has not yet passed a new by-law.

The Region does not have a Site Alteration By-Law. Because the proposed filling of Pit 1 does not require Planning Act approval, the policies of the Regional Official Plan are not triggered.

5. Role of Regional Public Health in the Protection of Private Drinking Water

Over the course of mid-2019, Niagara Region Public Health received several inquiries regarding the role of the department in the protection of groundwater as it related to private drinking water wells (in reference to the proposed filling of Pit 1). There were inquiries from both local residents and Councillors. It was advised that Niagara Region Public Health did not have a role in permitting and would only become involved if a contamination of groundwater was detected. Niagara Region Public Health will continue to provide support if there are questions on any potential health impacts.

6. Source Water Protection Planning

Source water protection is a process for the protection of municipal drinking water sources (i.e. not individual private wells). In Niagara, all municipal drinking water is lake-based. In November 2019, Region planning staff met with Councillor Butters regarding the protection of drinking water in south Niagara. As a follow-up to that meeting, Region planning staff had a detailed discussion with Source Water Protection Coordinator (an NPCA staff person) to learn more. Councillor Butters was provided follow-up information and a point of contact for the source water protection program.

7. O. Reg. 153/04 – Environmental Protection Act: Records of Site Condition

In March 2019, Region planning staff had discussions with staff at the Ministry of Environment, Conservation, and Parks (MECP) regarding O. Reg 153/04 as it pertains to the proposed filling of Pit 1. At that time it was confirmed by MECP that O. Reg. 153/04 only applies if there is a change to a more sensitive use, which is not being triggered by the proposed filling of Pit 1. MECP staff advised that the Excess Soil Best Management Practices document should be followed, and that land owners need to ensure that filling does not cause adverse effects.

8. The New Niagara Official Plan

A relatively new direction from the Province is the requirement for Municipalities to identify and protect a water resource system. A water resource system, including groundwater resources will be identified in the new Niagara Official Plan. Over the past several months Region planning staff have had numerous discussion with Councillors and members of the public regarding ground water resources in south Niagara. This has included discussions at PEDC, public information centres, and other events attended by Region planning staff.

Alternatives Reviewed

Not applicable – this report is in response to a request for information

Other Pertinent Reports

None

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Senior Planner
Planning and Development Services

Recommended by:

Rino Mostacci, MCIP, RPP
Commissioner
Planning and Development Services

Submitted by:

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Acting, Chief Administrative Officer

This report was prepared in consultation with Erik Acs, MCIP, RPP, Manager, Community Planning, Pat Busnello, MCIP, RPP, Manager, Development Planning, Phill Lambert, P. Eng, Director, Infrastructure Planning & Development Engineering, and Anthony Habjan, MEd, B.A.,B.A.Sc., C.P.H.I.(C), Manager Environmental Health, and reviewed by Doug Giles, Director, Community and Long Range Planning.

Appendix 3 – PDS 9-2021

Excerpt from Provincial Policy Statement (PPS, 2020)

2.2 Water

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

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

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

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

Appendix 4 – PDS 9-2021

Excerpt from A Place to Grow: Growth Plan for the Greater Golden Horseshow (Growth Plan, 2020)

4.2.1 Water Resource Systems

1. Upper-and single-tier municipalities, partnering with lower-tier municipalities and conservation authorities as appropriate, will ensure that *watershed planning* is undertaken to support a comprehensive, integrated, and long-term approach to the protection, enhancement, or restoration of the *quality and quantity of water* within a *watershed*.
2. *Water resource systems* will be identified to provide for the long-term protection of *key hydrologic features*, *key hydrologic areas*, and their functions.
3. *Watershed planning* or equivalent will inform:
 - a) the identification of *water resource systems*;
 - b) the protection, enhancement, or restoration of the *quality and quantity of water*;
 - c) decisions on allocation of growth; and
 - d) planning for water, wastewater, and stormwater *infrastructure*.
4. Planning for large-scale *development* in *designated greenfield areas*, including secondary plans, will be informed by a *subwatershed plan* or equivalent.
5. Municipalities will consider the Great Lakes Strategy, the targets and goals of the Great Lakes Protection Act, 2015, and any applicable Great Lakes agreements as part of *watershed planning* and coastal or waterfront planning initiatives.

4.2.3 Key Hydrologic Features, Key Hydrologic Areas and Key Natural Heritage Features

1. Outside of *settlement areas*, *development* or *site alteration* is not permitted in *key natural heritage features* that are part of the *Natural Heritage System for the Growth Plan* or in *key hydrologic features*, except for:
 - a) forest, fish, and wildlife management;
 - b) conservation and flood or erosion control projects, but only if they have been demonstrated to be necessary in the public interest and after all alternatives have been considered;
 - c) activities that create or maintain infrastructure authorized under an environmental assessment process;
 - d) mineral aggregate operations and wayside pits and quarries;

- e) expansions to existing buildings and structures, accessory structures and uses, and conversions of legally existing uses which bring the use more into conformity with this Plan, subject to demonstration that the use does not expand into the *key hydrologic feature* or *key natural heritage feature* or *vegetative protection zone* unless there is no other alternative, in which case any expansion will be limited in scope and kept within close geographical proximity to the existing structure;
 - f) expansions or alterations to existing buildings and structures for *agricultural uses*, *agriculture-related uses*, or *on-farm diversified uses* and expansions to existing residential dwellings if it is demonstrated that:
 - i. there is no alternative, and the expansion or alteration in the feature is minimized and, in the *vegetation protection zone*, is directed away from the feature to the maximum extent possible; and
 - ii. the impact of the expansion or alteration on the feature and its functions is minimized and mitigated to the maximum extent possible; and
 - g) small-scale structures for recreational uses, including boardwalks, footbridges, fences, docks, and picnic facilities, if measures are taken to minimize the number of such structures and their *negative impacts*.
2. Outside of *settlement areas*, proposals for large-scale *development* proceeding by way of plan of subdivision, vacant land plan of condominium or site plan may be permitted within a *key hydrologic area* where it is demonstrated that the *hydrologic functions*, including the *quality and quantity of water*, of these areas will be protected and, where possible, enhanced or restored through:
- a) the identification of planning, design, and construction practices and techniques;
 - b) meeting other criteria and direction set out in the applicable *watershed planning* or *subwatershed plans*;
 - c) and meeting any applicable provincial standards, guidelines, and procedures.

4.2.4 Lands Adjacent to Key Hydrologic Features and Key Natural Heritage Features

1. Outside settlement areas, a proposal for new development or site alteration within 120 metres of a key natural heritage feature within the Natural Heritage System for the Growth Plan or a key hydrologic feature will require a natural heritage evaluation or hydrologic evaluation that identifies a vegetation protection zone, which:
- a) is of sufficient width to protect the key natural heritage feature or key hydrologic feature and its functions from the impacts of the proposed change;
 - b) is established to achieve and be maintained as natural self-sustaining vegetation; and

- c) for key hydrologic features, fish habitat, and significant woodlands, is no less than 30 metres measured from the outside boundary of the key natural heritage feature or key hydrologic feature.
- 1.
- 2. Evaluations undertaken in accordance with policy 4.2.4.1 will identify any additional restrictions to be applied before, during, and after *development* to protect the *hydrologic functions* and *ecological functions* of the feature.
- 3. *Development* or *site alteration* is not permitted in the *vegetation protection zone*, with the exception of that described in policy 4.2.3.1 or shoreline *development* as permitted in accordance with policy 4.2.4.5.
- 4. Notwithstanding policies 4.2.4.1, 4.2.4.2 and 4.2.4.3:
 - a) a natural heritage or hydrologic evaluation will not be required for a proposal for development or site alteration on a site where the only key natural heritage feature is the habitat of endangered species and threatened species;
 - b) new buildings and structures for agricultural uses, agriculture-related uses, or on-farm diversified uses will not be required to undertake a natural heritage or hydrologic evaluation if a minimum 30 metre vegetation protection zone is provided from a key natural heritage feature or key hydrologic feature; and
 - c) uses permitted in accordance with policy 4.2.4.4 b):
 - iii. are exempt from the requirement of establishing a condition of natural self-sustaining vegetation if the land is, and will continue to be, used for agricultural purposes; and
 - iv. will pursue best management practices to protect and restore key natural heritage features, key hydrologic features, and their functions.
- 5. Outside of *settlement areas*, in developed shoreline areas of inland lakes that are designated or zoned for concentrations of *development* as of July 1, 2017, infill *development*, *redevelopment* and resort *development* is permitted, subject to municipal and agency planning and regulatory requirements, if the *development* will:
 - a) be integrated with existing or proposed parks and trails, and will not constrain ongoing or planned stewardship and remediation efforts;
 - b) restore, to the maximum extent possible, the ecological features and functions in developed shoreline areas; and
 - c) in the case of redevelopment and resort development:
 - i. establish, or increase the extent and width of, a *vegetation protection zone* along the shoreline to a minimum of 30 metres;
 - ii. increase the extent of fish habitat in the littoral zone;
 - iii. be planned, designed, and constructed to protect hydrologic functions, minimize erosion, and avoid or mitigate sedimentation and the introduction of nutrient or other pollutants into the lake;

- iv. exclude shoreline structures that will impede the natural flow of water or exacerbate algae concerns along the shoreline;
- v. enhance the ability of native plants and animals to use the shoreline as both wildlife habitat and a movement corridor;
- vi. use lot-level stormwater controls to reduce Stormwater runoff volumes and pollutant loadings;
- vii. use natural shoreline treatments, where practical, for shoreline stabilization, erosion control, or protection;
- viii. meet other criteria and direction set out in applicable watershed planning and subwatershed plans;
- ix. be serviced by sewage works which reduce nutrient inputs to groundwater and the lake from baseline levels; and
- x. x. demonstrate available capacity in the receiving water body based on inputs from existing and approved development.

Appendix 5 – PDS 9-2021

Excerpt from the Existing Regional Official Plan (ROP, 2014)

7.A.2 Water Resources

Objectives

- Objective 7.A.2.A To protect, improve or restore the quantity and quality of ground and surface water resources.
- Objective 7.A.2.B To maintain or restore natural stream form and flow characteristics in the region's watercourses.

Policies

- Policy 7.A.2.1 Development and site alteration shall only be permitted if it will not have negative impacts, including cross-jurisdictional and cross-watershed impacts, on:
- a) The quantity and quality of surface and ground water;
 - b) The functions of ground water recharge and discharge areas, aquifers and headwaters;
 - c) The natural hydrologic characteristics of watercourses such as base flow;
 - d) Surface or ground water resources adversely impacting on natural features or ecological functions of the Core Natural Heritage System or its components;
 - e) Natural drainage systems, stream forms and shorelines; and
 - f) Flooding or erosion.
- Policy 7.A.2.2 Development and site alteration shall be restricted in the vicinity of vulnerable surface and ground water features of importance to municipal water supplies so that the safety and quality of municipal drinking water will be protected or improved.
- Policy 7.A.2.3 As watershed and ground water studies identify surface and ground water features, hydrologic functions and natural heritage features and areas necessary for the ecological and hydrologic integrity of Niagara's watersheds, the Region shall consider appropriate amendments to this Plan.

Policy 7.A.2.4 Efficient and sustainable use of water resources shall be promoted, including practices to conserve water and protect or enhance water quality.

Policy 7.A.2.5 Combined sewer overflows and sewage treatment plant bypasses have significant environmental impacts. The elimination of sewer overflows and bypasses shall be a Regional priority.

Policy 7.A.2.6 A stormwater management plan and a sediment and erosion control plan prepared and signed by a qualified engineer may be required with a development application depending on:

- a) The scale and nature of the proposal; and
- b) Site-specific environmental conditions.

A stormwater management plan shall be required with an application for development or site alteration in the Unique Agricultural Areas.

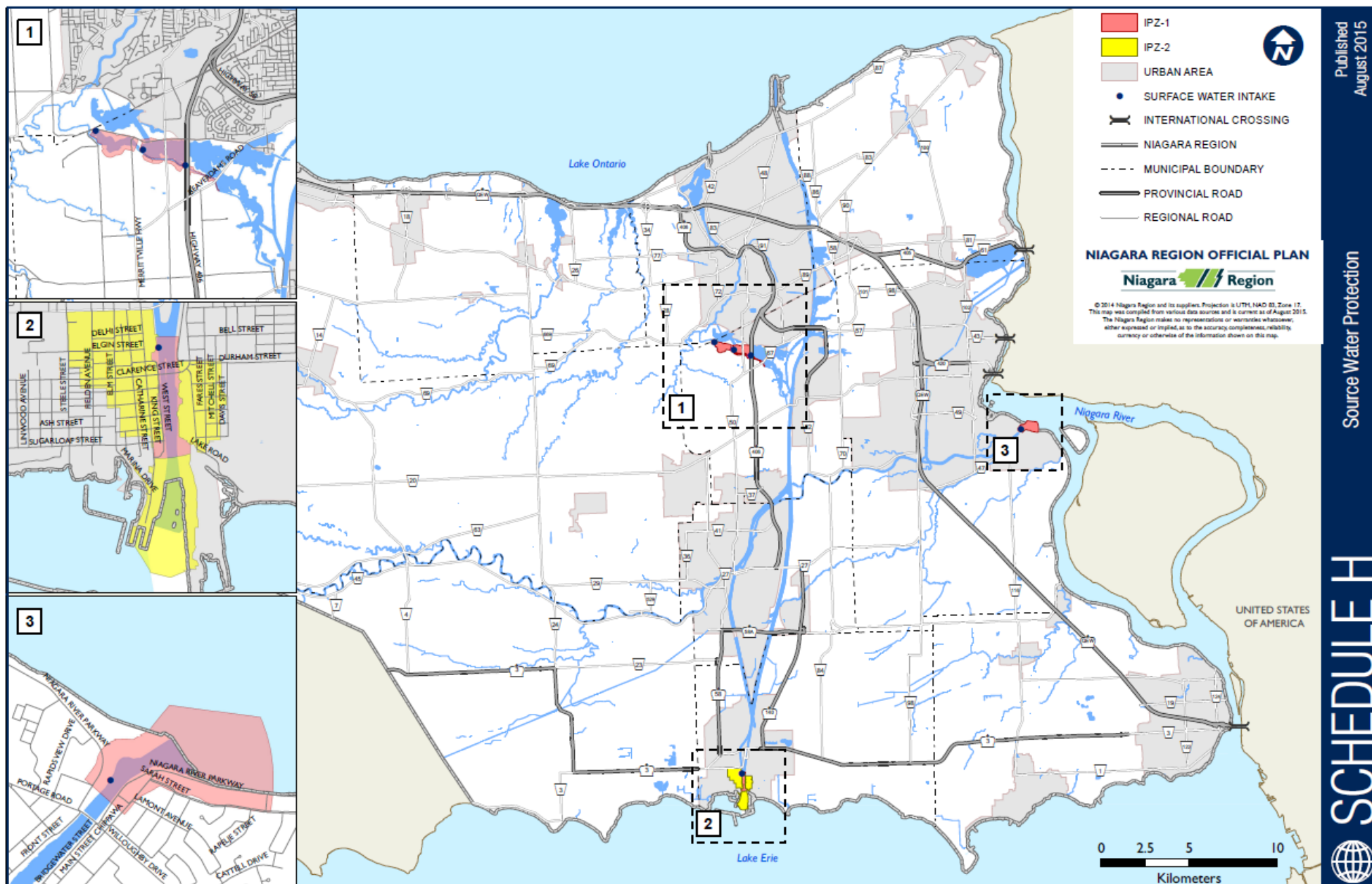
Stormwater management plans shall be prepared in accordance with Policy 7.A.2.1, with the Ontario Ministry of the Environment Stormwater Management Planning and Design Manual 2003 or its successor, and with watershed and/or environmental planning studies for the area.

A stormwater management plan and a sediment and erosion control plan shall not be required for a new mineral aggregate operation or an expansion to an existing operation where these matters are adequately addressed through studies prepared to meet the requirements of the Aggregate Resources Act.

Policy 7.A.2.7 A stormwater management plan submitted with an application for development shall demonstrate that the proposal will minimize vegetation removal, grading and soil compaction, erosion and sedimentation, and impervious services as well as meeting the requirements of Policy 7.A.2.6. Stormwater management facilities shall not be constructed in Core Natural Heritage Areas, Fish Habitat, key hydrologic features, or in required vegetation protection zones in the Unique Agricultural Areas unless permitted under Chapter 7.B of this Plan.

Policy 7.A.2.8 Prior to any planning approvals, new development applications requiring a Provincial Permit to Take Water shall satisfy the Region that the water taking will not have negative impacts on natural ecosystems or the quality and quantity of water to meet existing and planned uses.

- Policy 7.A.2.9 Development and site alteration shall not have significant adverse impacts on ground water quality or quantity. In areas where development and site alteration could significantly affect ground water quality or quantity the Region shall require further review of potential impacts.
- Policy 7.A.2.10 The Region shall oppose the transfer of water outside the Great Lakes Basin.
- Policy 7.A.2.11 The Region recognizes the importance of municipal drains for drainage of agricultural lands and, in some areas, for conveying irrigation water. The Region supports design, construction and maintenance of Requisition and Petition Drains authorized under the Drainage Act in accordance with Best Management Practices to avoid significant detrimental effects on farmland, water resources, natural areas and fish and wildlife habitat and encourages local municipalities to include policies in their official plans to achieve this.





Drinking Water Source Protection Primer: For Municipal Councillors

Your community relies on safe, sustainable drinking water. Protecting the water at its source is an important first step in the drinking water safety net.

Ontario has a comprehensive Drinking Water Source Protection Program to ensure sources of municipal drinking water are protected now and into the future. Under this program, local source protection plans developed under the *Clean Water Act, 2006*, are in place. These plans contain policies that protect municipal drinking water sources (water found in lakes, rivers and groundwater aquifers) from contamination and overuse.

Meet your statutory standard of care responsibilities

Source protection plans require municipalities to implement policies to protect the source water for their drinking water systems. The *Safe Drinking Water Act, 2002*, includes a statutory standard of care (section 19) for individuals with oversight responsibilities for municipal drinking water systems, including municipal councillors.

This standard ensures that you are practicing due diligence to protect public health when making decisions that could affect drinking water. This includes a consideration of the source water characteristics as well as the risks posed to it.



Learn more at: ontario.ca/page/taking-care-your-drinking-water-guide-members-municipal-councils.

Ensure source protection planning is in place

New regulation 205/18 has been established under the *Safe Drinking Water Act, 2002*, to ensure that source protection planning is in place for new and changing municipal systems, before treated drinking water is provided to the public. The



regulation came into effect on July 1, 2018. Municipal residential drinking water system owners are now responsible for ensuring that vulnerable areas are delineated and vulnerability scores are identified before they apply for a drinking water works permit. Source protection plans must also be amended and approved prior to the treated water being supplied to the public.

Notify your local conservation authority immediately, when planning changes to your drinking water systems, or planning for a new well/intake or a new system.

Provincial Policy Statement

Municipalities and other planning authorities must follow the Provincial Policy Statement. Section 2.2.1 mandates planning authorities to protect, improve or restore the quality and quantity of water. This includes protecting vulnerable areas associated with drinking water sources.

Be informed

- **Your constituents** may come to you with questions about the source of their drinking water supply. Find out how drinking water source protection benefits your region, and the cost of the protection. Know how many municipal wells/surface water intakes there are, where they are located, and who they serve in your municipality. Determine these with help from your municipal staff and local conservation authority.
- **Municipalities** are responsible for implementing more than half of the policies found in source protection plans. Many of these policies are legally binding.

Review the source protection plan for your area to find out what policies are to be implemented within your municipality and what actions are being taken to protect drinking water vulnerable areas.

- Understand how **source protection plan policies** can impact building requirements. Development applications and planning or building permits may be flagged at a municipality for land use planning policies. These applications or permits often need to be reviewed by the local risk management official (RMO) before they can be submitted to the municipality. Proposed activities may require a risk management plan, or in some cases are prohibited.
- When a **risk management plan** is needed, a risk management official works with the landowners/renters to develop a plan that contains measures to protect drinking water sources. A risk management plan is only required when a property is in a vulnerable area and the activity being undertaken poses a significant level risk to drinking water sources.
- **Sewage systems** identified under the *Clean Water Act* as causing significant level risks to drinking water sources, are subject to mandatory inspections through the *Building Code Act, 1992*.
- The Drinking Water Source Protection Program does not include **individual private wells**. A private well owner needs to regularly sample their water to test its quality, and properly maintain their well to protect water sources.

For more on source protection planning, visit protectingwatermatters.ca.



What's a vulnerable area?

Drinking water source protection is based on science. Local scientific data was used to create maps that show drinking water vulnerable areas. In these areas, we need to pay attention to activities causing contamination and overuse of our municipal drinking water sources.

To find out if a property is located in a drinking water vulnerable area, search the Source Protection Information Atlas at ontario.ca/page/source-protection.

There are four types of vulnerable areas:

1. Wellhead protection areas (WHPAs)

are areas around municipal wells where the groundwater is travelling toward that well when the well is being pumped. These areas should be protected from risks to the quality and quantity of the drinking water source.

2. Intake protection zones (IPZs) are areas of land and water around surface water intakes that should be protected from risks to the quality and quantity of the drinking water source.

3. Significant groundwater recharge areas (SGRAs) are areas where a relatively high percentage of precipitation seeps into the ground to help maintain the water level in an aquifer that supplies a community or private residence with drinking water.

4. Highly vulnerable aquifers (HVs) are areas that are particularly susceptible to contamination based on factors such as the aquifer depth underground, the soil types, soil permeability and other characteristics of the surrounding soil or rock.

If a water quality issue is identified by source protection committees under the *Clean Water Act*, issue contributing areas (ICAs) can be delineated within the vulnerable areas. Examples of issues identified in Ontario include nitrate and sodium. Mandatory policies apply within issue contributing areas in order to ensure that the source water quality is protected or improved.

Know the threats to drinking water sources

The *Clean Water Act* identifies activities that could pose a threat to drinking water sources under certain circumstances. These threat activities may be significant, moderate or low level risks. Identified threats include:

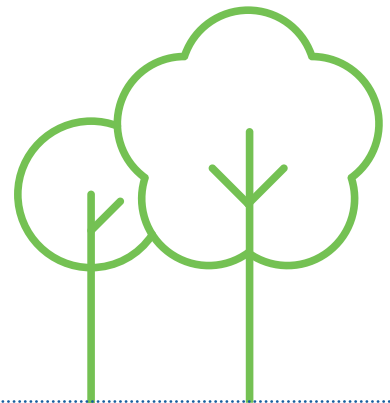
- Application, handling and storage of agricultural source material (such as manure), non-agricultural source material (such as biosolids), commercial fertilizer, and pesticides.
- Handling and storage of fuel, dense non-aqueous phase liquids (DNAPLs*), and organic solvents.
- Management of aircraft de-icing chemical runoff.
- Land used for livestock grazing or pasturing, outdoor confinement areas, and farm-animal yards.
- Application, handling and storage of road salt, and storage of snow.
- The establishment, operation and maintenance of systems that collect, store, transmit, treat or dispose of sewage (such as septic systems and sewage treatment plants, stormwater management facilities).
- The establishment, operation and maintenance of waste disposal sites (such as landfills).
- Activities that take water from a water body without returning the water to the same water body.
- An activity that reduces the recharge of an aquifer.
- The establishment and operation of a liquid hydrocarbon pipeline (added in April 2018, through an amendment to the *Clean Water Act*).

**DNAPLs, or dense non-aqueous phase liquids, are a particularly hazardous group of substances that are heavier than water and are difficult to remove once they contaminate a water source.*



Have you seen this Drinking Water Protection Zone sign?

These signs are appearing across Ontario to raise awareness about the vulnerability of our municipal drinking water sources. Governments at the local and provincial level are placing signs along roadways where a pollution spill could have a negative impact on our drinking water sources.



120 Bayview Pkwy
Newmarket, ON L3Y 3W3
905-895-0716





CITY OF PORT COLBORNE

Municipal Offices
66 Charlotte Street
Port Colborne, Ontario
L3K 3C8
www.portcolborne.ca

Corporate Services Department, Clerk's Division

November 5, 2020

Ann-Marie Norio

Regional Clerk, Niagara Region
1815 Sir Isaac Brock Way
Thorold, ON L2V 4T7

Sent via E-mail

Dear Ms. Norio:

Re: Resolution – Designating the Vulnerable Aquifer Schedule B of Official Plan as a Source Water for Rural Residents of Port Colborne

Please be advised that, at its meeting of October 26, 2020, the Council of The Corporation of the City of Port Colborne resolved as follows:

That Council recognizes the Aquifer as identified in Schedule B3 of the Official Plan as a source water for the rural residents of the City; and

That the Director of Planning and Development be directed to amend the Official Plan to include the Aquifer such that the Aquifer receives the same consideration and protection from susceptible threats of contamination or adverse impact as the intake protection zones (IPZ-1 and IPZ-2); and

That the Region of Niagara, Township of Wainfleet, City of Welland, Town of Fort Erie and Niagara Peninsula Conservation Authority be notified of the City's action and be requested to pursue similar updates to their municipal planning documents in order to protect the aquifer.

A copy of the above noted resolution is enclosed for your reference. Your favourable consideration of this request is respectfully requested.

Sincerely,

Amber LaPointe
City Clerk

Encl.

ec: Township of Wainfleet, City of Welland, Town of Fort Erie, and Niagara Peninsula Conservation Authority



Memorandum

To: Mayor Steele and Members of Council

From: Councillor Harry Wells

Date: October 26, 2020

Re: **Designating the Vulnerable Aquifer Schedule B3 of Official Plan as a source water for rural residents of Port Colborne**

The City has received a significant number of requests from citizens urging and pleading the decision makers for the City to protect the vulnerable aquifer identified in Schedule B3 of the City's Official Plan (OP). The rural community of Port Colborne and other settlements in Ontario and New York state depend on this same aquifer to supply them their everyday need for fresh consumable water.

We are surrounded by high quality fresh water and because of this many of us take it for granted until we turn on the tap and no water comes out or the water that does come out is not suitable for consumption. A mere 0.014% of all water on Earth is both fresh and easily accessible with 97% of the remaining water being saline, and a little less than 3% being difficult to access. We are so fortunate to have this quality and quantity of fresh water and we as decision makers for the City are accountable to make the appropriate decision to protect it. This Council has to take the lead in acknowledging that water is a scarce and precious resource and that protecting the quality of the aquifer is a necessity, not an option.

The Provincial Policy Statement (PPS) calls for the protection of resources, public health and safety, and the quality of the natural environment. The policies of the PPS represent minimum standards and the PPS recognizes and expects Planning authorities and decision-makers to go beyond these minimum standards to address matters of importance to their community, as long as doing so does not conflict with any policy of the PPS. The policies of the PPS are expected to be complemented by City generated policies and plans regarding matters of interest to the City such as protecting the Aquifer.

The Clean Water Act regulates the municipal drinking water system and addresses Intake Protection Zones and *recognizes that the people of Ontario are entitled to expect their drinking water to be safe*. The Niagara Peninsula Source Protection Plan, and the City's OP and Zoning By-law (ZBL) establish levels of protection for identified intake protection zones for the City's urban drinking water system but, presently there are no policies for private water supply for rural residents. The issue being the Aquifer is not

privately owned and is accessible to the public. The current Regional Official Plan calls on the City to develop and adopt Local Official Plans and Secondary Plans containing more detailed environmental policies in conformity with Provincial and Regional policies and Plans.

The City is responsible for its local water distribution network and local sewer collection system so it should also be responsible for protecting the City's rural source of water the Aquifer. The *Niagara Peninsula Conservation Authority's*, Niagara Drinking Water Source Protection Plan States "We all need and deserve safe drinking water and, in this regard, it is in everyone's interest to ensure that our drinking water is safe and secure".

I am requesting that Council approve the following motion;

That Council recognizes the Aquifer as identified in Schedule B3 of the Official Plan as a source water for the rural residents of the City; and

That the Director of Planning and Development be directed to amend the Official Plan to include the Aquifer such that the Aquifer receives the same consideration and protection from susceptible threats of contamination or adverse impact as the intake protection zones (IPZ-1 and IPZ-2); and

That the Region of Niagara, Township of Wainfleet, and Town of Fort Erie be notified of the City's action and be requested to pursue similar updates to their municipal planning documents in order to protect the aquifer.

Thank you for your consideration,

Harry Wells
Ward 4 Councillor

March 8, 2021

Chandra Sharma
Chief Administrative Officer and Secretary Treasurer
Niagara Peninsula Conservation Authority
250 Thorold Road West, 3rd Floor
Welland, ON L3C 3W2

Sent via email: csharma@npca.ca

**Re: Air and Water Monitoring Results, 282 and 285 Ontario Street
Our File 35.31.61**

Dear Ms. Sharma,

At its meeting held on December 22, 2020, St. Catharines City Council approved the following motion:

That Council receive the presentation from the Ministry of the Environment, Conservation and Parks regarding Air and Water Monitoring Results, 282 and 285 Ontario Street; and

That staff be directed to report back on the issues identified by the Ministry of the Environment, Conservation and Parks as part of the presentation and reports from the Ministry of the Environment, Conservation and Parks; and

That the reports from the Ministry of the Environment, Conservation and Parks be submitted to the NPCA for input from the NPCA and that the input be included as part of the report to be prepared by the City; and

Further, that staff be directed to report back on opportunities to improve the stormwater system in the city.

The reports from the Ministry of the Environment, Conservation and Parks were submitted to the NPCA by Tami Kitay, Director of Planning and Building Services with the City of St. Catharines. This letter is being submitted to inform the NPCA of the request from St. Catharines City Council that the NPCA comment on the studies from the Ministry of the Environment, Conservation and Parks.

If you have any questions, please contact the Office of the City Clerk at extension 1524.



Bonnie Nistico-Dunk, City Clerk
Legal and Clerks Services, Office of the City Clerk
:em

cc Tami Kitay, Director of Planning and Building Services

Report To: NPCA Board of Directors

Subject: NPCA Communications and Marketing 2020 Year End Summary

Report No: FA-18-21

Date: March 19, 2021

Recommendation:

THAT Report No. FA-18-21 RE: NPCA Communications and Marketing 2020 Year End Summary **BE RECEIVED.**

Purpose:

This purpose of this report is to provide the Board of Directors with an overview of the NPCA communications and marketing results achieved through various integrated campaigns during 2020.

Strategic communications and marketing require consistent evaluation that can be used to analyze the effectiveness of an organization's communication activities with its target audiences. With detailed insight on communications and marketing activities, this report aims to tell the story of the NPCA's success in strengthening relationships, building trust, and fostering community collaboration and support, while navigating several challenges as a result of the global pandemic.

Background:

The NPCA serves a large watershed jurisdiction with varied communication needs for diverse audiences. As such, efforts must be ample, but strategic, in order to reach these unique communities effectively. The NPCA uses the PESO model to apply best practices in the implementation of campaigns that involve different forms of media and media consumption. (See Diagram 1).

The value of PESO as a planning tool for marketing, public relations, and communications lies in the integration of different widely recognized forms of media— Paid, Earned, Shared, and Owned— understanding their strengths and weaknesses and leveraging each one to achieve the best results.

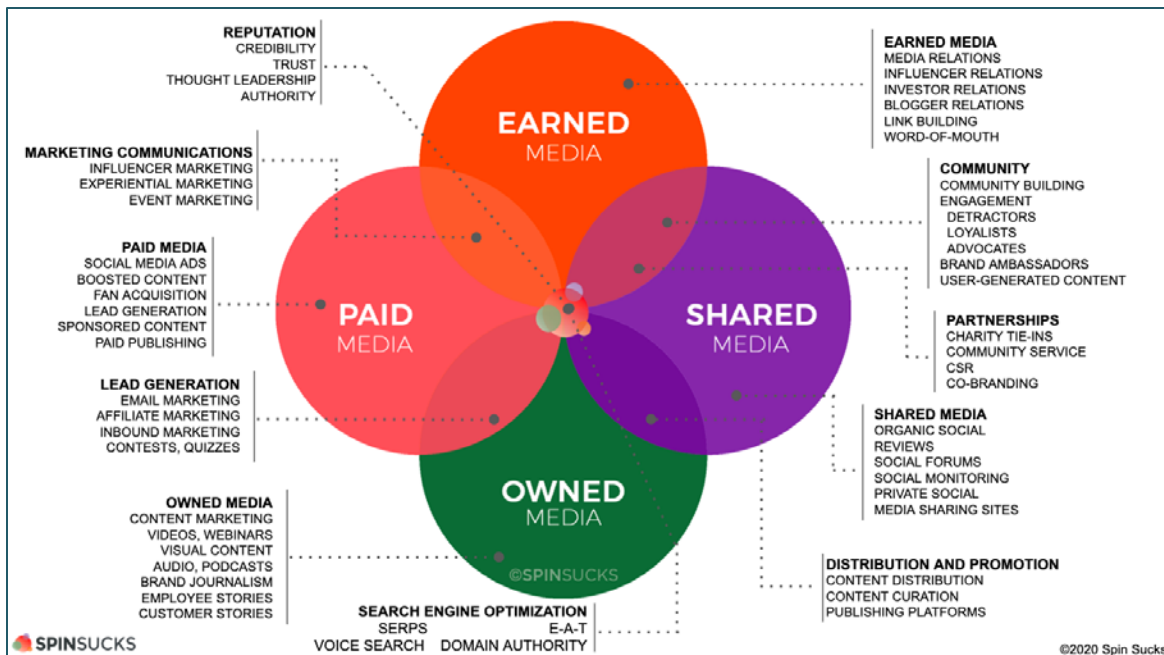


Diagram 1 of PESO Model

Examples of Some NPCA Paid, Earned, Owned, and Shared Media in 2020

Paid Media

Several social media and digital marketing campaigns were implemented throughout the year in collaboration with Postmedia Solutions. A great example is the integrated campaign created for the Virtual Ball's Falls Thanksgiving Festival, which was tailored to existing audiences to increase lead generation and the potential of conversions.

- The social advertising campaign resulted in more than 263,881 impressions, with a Click Through Rate of 5.6 per cent (average is 1.59).
- Digital Display Advertising resulted in more than 447,000 impressions, with a Click Through Rate of 0.1 per cent (average is 0.5).

Earned Media

The Niagara Peninsula Conservation Authority had a successful year as a result of improved media relations and increased trust and support from the community—online and offline. While the year began with several controversial issues, the NPCA continued to trend positively throughout 2020.

In comparison to 2019 and previous years, overall tonality has greatly shifted and remains mostly positive, with few exceptions. The NPCA continues to see a peak in media coverage every year leading up to spring and summer with the opening of conservation areas, in the fall with major events like the Ball's Falls Thanksgiving Festival, and towards the end of the year with holiday events and end-of-year campaigns.

The NPCA was able to communicate all COVID-19 related changes efficiently and consistently through local media partners. Thanks to these improved relationships, there were numerous

opportunities to discuss and promote the great work of the organization and staff. (See Appendix 1 for full Meltwater Media Insight Report)

- Total Editorial Mentions (number of appearances in articles)- 405
- Potential Reach (approximate number of article views)- 115 million
- Tonality- 46 per cent neutral, 44 per cent positive, 9 per cent negative
- Advertising Equivalent Value- \$1.1 million
- The Largest Broadcaster to mention NPCA was Global News with a reach of 11.4 million
- 293 Articles with 36.7K shares
- News Exposure (Recreation)- increased 5 percent
- Social Media Exposure (Recreation) increased 425 percent
- Twitter had the most traction with 143,000 tweets

Shared Media

The NPCA is active across several social media platforms including:

Facebook (Corporate, Ball's Falls, Binbrook, Chippawa, Long Beach, Comfort Maple, Stevensville)

- 949 New Followers, increase of 26 percent
- 12 per cent Engagement Rate (Average is 0.9)
- 1.06 million Impressions- increase of 19 percent

Twitter

- 141 New Followers, increase of 7 per cent
- 2 per cent Engagement Rate (Average is 0.045)
- 216,000 Impressions- increase of 144 percent

Instagram

- 467 New Followers- increase of 39 percent
- 5 per cent Engagement Rate (Average is 0.98)
- 173,000 Impressions- increase of 85 percent

LinkedIn

- No 2019 benchmark as this platform is new for NPCA
- 562 New Followers
- 6.13 per cent Engagement Rate (Average 0.54)
- 62,238 Impressions

Owned Media

Websites

- Niagara Peninsula Conservation Authority- www.npca.ca
 - AOAD Legislation- Fully WCAG 2.0 Compliant
 - Website traffic increased by 41.48 per cent in comparison to 2019, for a total of 850,000 visits
- Get Involved NPCA Engagement Portal
 - 9.3K visits
- Niagara Source Protection Authority- www.sourceprotection-niagara.ca
- Ball's Falls Thanksgiving Festival- www.thanksgivingfestival.ca

Owned media library for shared media purposes

- Photo, Video, Content for articles, editorials, advertisements, newsletters, presentations etc.
- In-house graphic design services- 50 projects

- Videography- two in-house projects, two collaborative projects
- The NPCA continues to build on its photo library

Discussion:

The discussion below highlights key marketing and communications activities implemented by the NPCA in 2020, and their organizational impact as a result of the integrated PESO model approach.

Organizational Response to COVID-19 Global Pandemic

When the World Health Organization declared the global pandemic, the following corporate priorities were established:

- Keep staff and the community safe by implementing the necessary public health regulations and protocols.
- Continue to deliver the services that the community depends on, such as flood watch and warnings, conservation area management, planning and permitting, and enforcement and compliance, etc.
- Provide safe outdoor recreation, education opportunities and access to nature and green spaces for the benefit of the community's physical health and mental well-being.

The NPCA crafted its corporate messaging to respond to the immediate needs of the organization, keeping strategies fluid as new information on COVID-19 regulations were released by the province. While a degree of flexibility was important to the organization's ability to pivot to changes in a timely manner, communications activities such as digital marketing, online and traditional advertising, social media management and community engagement were still carried out. Given the level of uncertainty, these activities supported business continuity and increased brand awareness, building on the existing momentum leading up to conservation area operating season.

These priorities informed communication and marketing, evolving into key messages that would continue to be emphasized throughout the year. Various tools and tactics were used to communicate consistently and effectively with the community, keeping them up to date on the constant changes to NPCA operations, programs, and services such as online options for applications, the modified delivery of educational camps, the closure and reopening of conservation areas and newly implemented public health rules and regulations.

The NPCA re-launched the 'Get Involved' online engagement portal to provide the community with additional opportunities to connect and stay up to date with the organization. Recognizing the significant concerns surrounding the pandemic, an 'NPCA & COVID-19' project tile was created on the portal, to house key information such as public health resources, announcements, and updates on changes to operations, programs, and services. Each department submitted a list of Frequently Asked Questions which were updated regularly to ensure stakeholders were always informed with the latest and most accurate information.

To encourage two-way dialogue, while also streamlining the increased number of email and phone inquiries the organization was receiving daily, a Q&A tool was made available so members of the community could submit anonymous questions that may not have been covered in the FAQs. Regular monitoring of the portal ensured questions were being answered in a timely manner and that the NPCA was proactively communicating changes as they were implemented.

With more than 6,300 total visits and 70 subscribers to the COVID-19 project page alone, the portal has proven to be an accessible and effective modernized approach to informing, consulting, and engaging the community on different projects and initiatives.

Other tools and tactics used to communicate changes included:

- Design and printing of 60 informational and new rules and regulations signs for installation at open conservation areas.
 - We Ask for Assistance—Please Keep Your Distance
 - Stay Safe, Stay Healthy—Equipment not Sanitized
- Sharing of 12 media releases and 10 corporate statements.
- Consistent, positive, and proactive media relations, resulting in 17 broadcast (TV & Radio) interviews, and more than 203 online and print articles with an estimated reach of 73,865,261.
- Content curation and social media planning to proactively keep the public informed of any disruptions and ensure a timely response to incoming questions across Facebook, LinkedIn, Twitter and Instagram platforms. An average of seven posts per week were produced, which resulted in improved performance on various metrics. (See Diagram 2 and 3.)

Performance			
Posts	Retweets	Impressions	Engagements
268 ▲67%	481 ▲292%	199.9k ▲308%	4,300 ▲179%
Replies	Clicks	Likes	New Followers
45 ▲310%	668 ▲127%	963 ▲180%	115 ▲18%

Diagram 2- Twitter Performance by Buffer, March to December 2020, compared to 2019.

Performance			
Engaged Users	Post Impressions	Reactions	Post Reach
72.3k ▲117%	969.9k ▲53%	16.7k ▲66%	759.1k ▲85%
Page & Post Engagements	Link Clicks	New Fans	Posts
96.9k ▲106%	13.3k ▲50%	889 ▲89%	374 ▲36%

Diagram 3- Facebook Performance by Buffer, March to December 2020, compared to 2019.

When the NPCA introduced its phased approach for the reopening of conservation areas, large numbers of visitors began to flock to local natural greenspaces after more than six weeks of complete lock down. As the pandemic progressed and communities endured several closures throughout the

year, NPCA conservation areas provided the much-needed greenspace for many residents and their families.

Consistent, clear, timely, and honest communication resulted in an increase in public trust, organizational credibility, and confidence in the NPCA as the managers of the watershed and trusted caretakers of 41 conservation areas. (See Appendix 1 for full Meltwater Media Insight Report)

Organizational Response to Bill 229 Budget Measures Act and Public Outreach Campaign to garner Municipal and Community support

Toward the end of 2020, the Government of Ontario passed Bill 229 Budget Measures Act, approving Schedule 6 with changes to the Conservation Authorities Act. Since its first announcement on November 5, to the day the omnibus bill was passed, the NPCA was diligent in keeping residents and partners informed on the issue and participated in a robust public outreach campaign to build support for conservation in Ontario.

Details on the NPCA's response to Bill 229 included:

- Working closely with Conservation Ontario to prepare and deliver a coordinated response and consistent messaging.
- Monitoring and responding to partner and stakeholders' concerns online, via emails or phone.
- Crafting and publishing five media releases to inform the community and members of the media of the impacts of the amendments. This resulted in six TV and radio interviews.
- Ongoing media monitoring to track earned media and public response.
- A MailChimp Email campaign sent to more than 1,000 partners and stakeholders thanking them for their support.

The results of these collected efforts were very effective, with more than 50,000 Ontarians providing input to the province. The NPCA received 56 letters of support, and 63 earned online and print articles with an estimated reach of 24,504,828.

Virtual Ball's Falls Thanksgiving Festival

The Ball's Falls Thanksgiving Festival is NPCA's annual signature event and a long-standing tradition that attracts thousands of visitors from across Ontario. Due to the pandemic, the NPCA had to adapt to deliver a safe, modified 46th Annual Festival— featuring a virtual shopping store and Heritage Tours by reservation. Given the scale of these changes and COVID-19 protocols, an integrated marketing and communications campaign was executed, utilizing the four types of media, and tools and tactics ranging from content curating and graphic design, to website management, media relations, social and digital, and traditional advertising.

When taking into consideration the typical strategies used for a large-scale, well-established event, it was evident that the organization needed to focus its efforts to be able to maximize revenue potential. Past data showed that this audience consisted of mainly women ages 25 to 65, interested in online shopping, DIY, and hand-made artisan crafts, living in the Niagara Peninsula Watershed. Since purchases would need to be picked up and delivery was only available within the watershed, any investment to target the GTA market would not have been valuable.

- The campaign, which used the PESO model, resulted in an estimated total of 1,152,520 impressions and 16 earned online and print media articles.
- Online shopping generated a revenue of \$18,774.04.
- Heritage Tours generated a revenue of \$17,522.

Successes in NPCA Recreation, Education and Outreach Marketing Campaigns

The organization had a successful year, with record-breaking results on various levels. Visitor traffic increased exponentially and the demand for NPCA programs, services, and events were historically high. This increased pressure caused short-term challenges, but staff persevered by thinking outside the box and discovering new ways to meet the needs of the community.

For most of 2020, the NPCA's communications and marketing focused on supporting these key areas as they were the most impacted by the pandemic. Several integrated campaigns using paid, earned, shared, and owned media were implemented to help ensure the continuity and success of outdoor educational programs, increase awareness of changes and new regulations, promote conservation areas and recreational opportunities, and assist in the seamless delivery of corporate and community outreach events and initiatives that had been modified to meet public health guidelines.

Shifting to virtual delivery methods and developing new ways to engage, inspire, and share knowledge through different accessible platforms allowed the NPCA to connect with a broader audience. With new regulations, protocols, and screening policies implemented across the organization, particularly within conservation area services, programs, and operations, these business areas achieved great success despite operating at 50 per cent capacity in some cases and having to reimagine entire programs in others.

During a time when face-to-face conversations were not possible and interactions limited to only virtual meetings, the NPCA prioritized the strengthening of positive media relations, and sought to establish new relations with social media influencers. This change in direction resulted in substantial exposure of active and passive conservation areas, and programs such as the Ball's Falls Nature School, in addition to numerous opportunities for staff expertise to be at the forefront of the evolving trends in the media.

The year saw an average increase of 69 per cent in conservation area visitors compared to 2019:

- 71,000 paid day-use admissions.
- NaturePlus Pass Campaign sold more than 800 passes marking a 40 per cent increase.

All applicable seasonal campsites were filled for the 2020 season:

- 96 at Chippawa Creek; 140 at Long Beach.

Only 50 per cent of transient sites were made available for reservation in 2020 as per COVID-19 capacity restrictions and campground operator best practice.

- 2,299 sites booked at Chippawa; 2,913 sites booked at Long Beach.

New Ball's Falls Holiday Trail with Niagara Peninsula Conservation Foundation:

- Event was sold out.
- \$6,000 raised for the Foundation.
- 15,000+ website visits.

Outdoor Education

The NPCA At-Home-Learning resources were very popular among families, educators and educational coordinators with local school boards and groups. Additional technical support and equipment purchases were provided to enable sharing of virtual educational content for parents, educators, and community partners.

Marketing for the Ball's Falls Nature School launch and registrations supported:

- Operation at full capacity for nine weeks in 2020, following COVID-19 restrictions on group size and gatherings.

Marketing for Ball's Falls Outdoor Summer Adventure Day Camp:

- This resulted in 144 day-campers in 2020, approximately 50 percent of the total available capacity under normal operations.

Outreach

"We are NPCA-Part 2" video campaign highlighted staff and business areas:

- 100 organic views on YouTube.
- The video will continue to be used in promotional campaigns, outreach initiatives, and future presentations.

Staff subject matter experts featured in various virtual events:

- Celebration of Nations, World Turtle Day.
- Niagara Children's Water Festival.
- WWF Bioblitz.

Volunteer Engagement:

- 243 Active in 2020 during COVID-19.
- A total of 3,704 volunteer hours.

Community Plantings:

- More than 2,188 trees and 3,200 wildflowers planted with 25 different community partners.

Other Marketing and Communication to support ongoing programs and Services

Customer Service

- 24/7 Social media monitoring for customer service inquiries.

Human Resources

- A total of 77 employment opportunities were promoted throughout the year, and new talent and expertise was brought on board through strategic marketing support.

Flood Forecasting

- 13 bulletins released to stakeholders and through the Alertable App.
- Website flood monitoring updated.
- Social media messaging promoted.
- Continuous media relations for all announcements.
- Staff subject matter expert interviews.

Updated Floodplain Mapping Information Sessions

- Project tile on Get Involved portal attracted a total of 1,200 visitors, an average of 155 per day.

- 261 downloaded the draft plans and maps.
- Informational postcard was designed, printed, and mailed out to 7,038 homes near both Grimsby and Lincoln creeks.
- A total of 57 residents attended the live information sessions and an additional 85 have watched the recorded videos on YouTube.

Restoration Grant Projects and Application Process

- Integrated communications and marketing campaign that resulted in 55 applications.
- The NPCA continues to explore new avenues to target more rural areas that may be best suited for this grant program.
- Social boosted posts reached approximately 33,625 people, with 741 engagements.

Public Advisory Committee

- Social media, email marketing, content curating, and media relations were used to promote a call for applications, resulting in 25 highly qualified applicants.
- Application was housed on Get Involved NPCA, with more than 1,000 visitors on the page, 500 of which were re-directed from social media channels.

Source Water Protection Plan

- Program maintained progress throughout the pandemic and communications deliverables were met.
- #WaterWednesday continues to be used across NPCA social platforms to promote Source Water Protection and tips and tricks residents can follow at home to have a positive impact on drinking water.

Niagara River Remedial Action Plan

- Program maintained progress throughout the pandemic and communication deliverables were met.

NPCA 2021-2031 Strategic Plan - Communications and Engagement

A robust communication and engagement plan has been developed to support the Strategic Plan. Some of the communication and marketing elements that were developed include:

- Launch Video Storyboard and Production
- Communications, Marketing and Engagement Plans
- Engagement Portal Project Tile
- Branded Marketing Collateral

Conclusion

The digital landscape has proven to be the most effective medium to connect and reach the widest audience across all stakeholder groups. Social media is no longer just a tool used for sharing information as it has grown into a platform that allows an organization to foster positive relationships and experiences with the communities it serves. While many residents were under lockdown, online tools and virtual software became the safest and most cost-effective solutions to gravitate to.

Engagement and high-quality customer service now form the base of public opinion, and when coupled with consistent messaging and branding, an increase in organizational credibility can

be achieved. The NPCA was successful in establishing quick turnarounds to public inquiries and in keeping online content accurate, informative, and engaging.

Financial Implications:

All NPCA Communications and Marketing expenses were allocated in the 2020 operational budget.

Links to Policy/Strategic Plan:

NPCA Media and Communications Policy

Related Reports and Appendices:

Appendix 1 Meltwater Media Coverage Insight Report

Authored by:

Original Signed by:

Erika Navarro, B.A. (Hons)
Communications Specialist

Authored and Reviewed by:

Original Signed by:

Renee Bisson
Manager, Communications & Public Relations

Submitted by:

Original Signed by:

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



NPCA 2020 Media Coverage Insight Report

Photo: St. Johns Conservation Area

EXECUTIVE SUMMARY

HIGHLIGHTS FROM THE YEAR

- Editorial mentions decreased 62% as a result of less controversial reporting on past governance issues in comparison to 2019.
- Niagara Peninsula Conservation Authority's Positive tonality increased by 36% with a major focus on good news stories relating to NPCA conservation areas, recreational opportunities, and programs and services.
- Total Overall Media Mentions were 2,410 across both Editorial and Social Media.



Editorial Mentions

The number of appearances in articles

405 ▼62%

Potential Reach

Approximate number of article views you appeared in

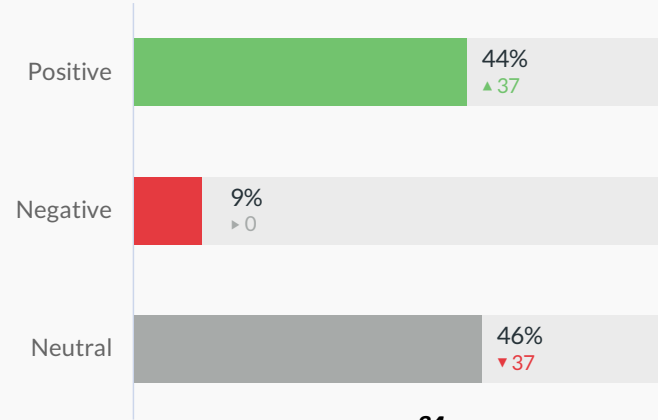
115M ▼69%

Net Tonality Score

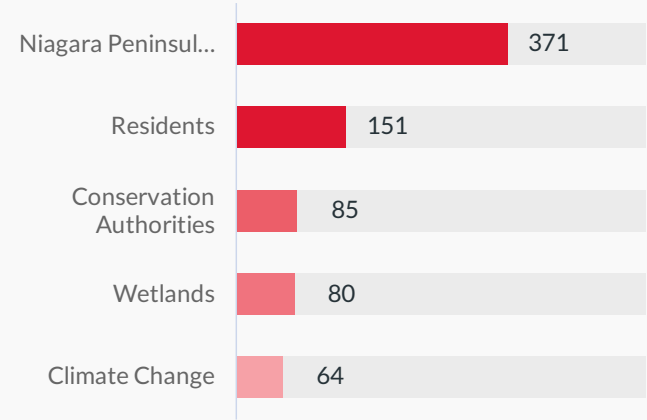
The net change (up or down) in sentiment over the time period

+35 ▲36

TONALITY



KEY MESSAGES



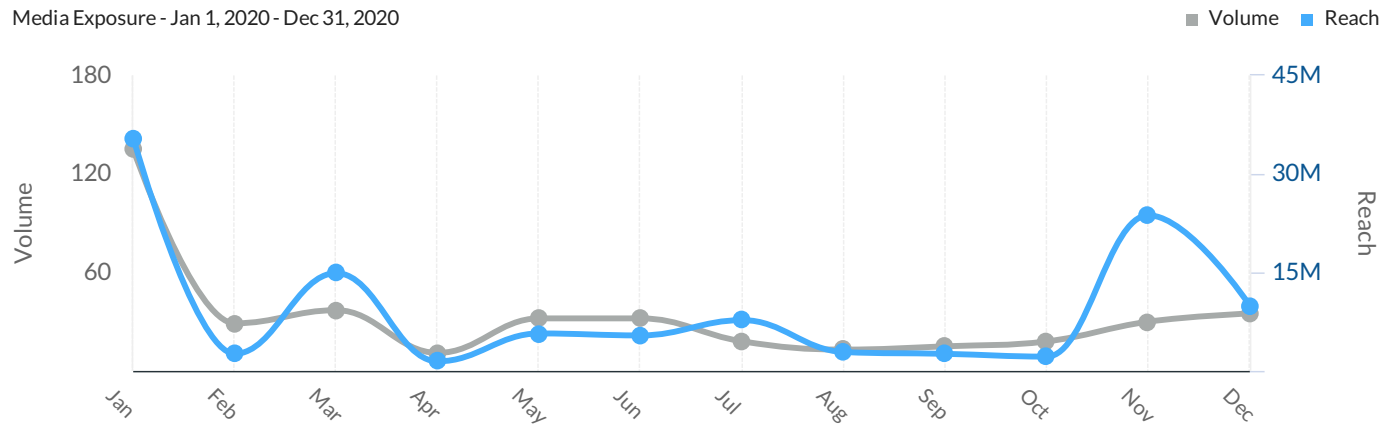
MEDIA EXPOSURE

HIGHLIGHTS FROM THE YEAR

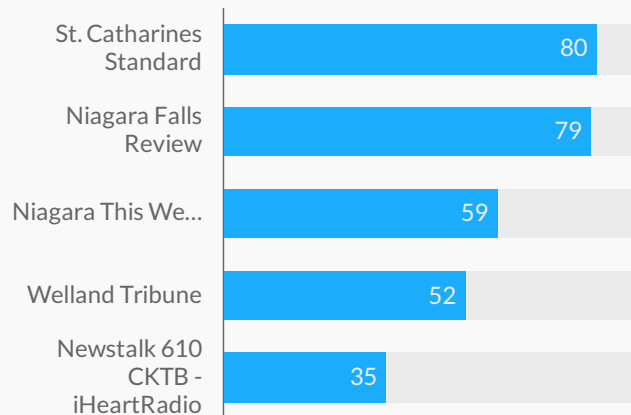
- 1 "St. Catharines Standard" was the Top Publisher in this period, with the higher number of stories accounting for 20% of volume.
- The higher volume of stories appeared in January as a result of several controversial issues but the NPCA continued to trend positive.

NPCA's Editorial Exposure decreased 61%

Media Exposure - Jan 1, 2020 - Dec 31, 2020

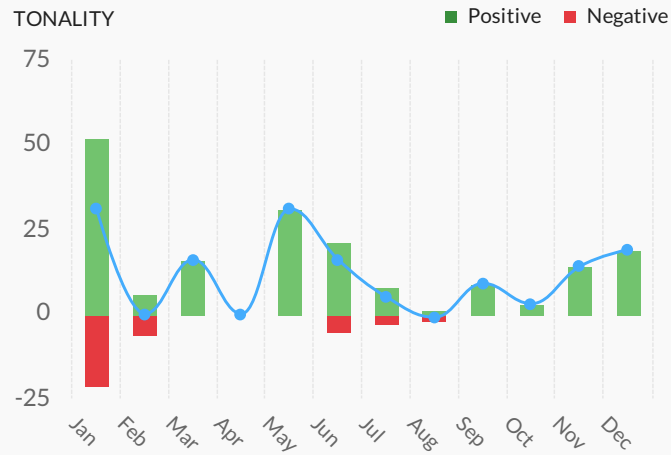


TOP PUBLICATIONS



85

TONALITY



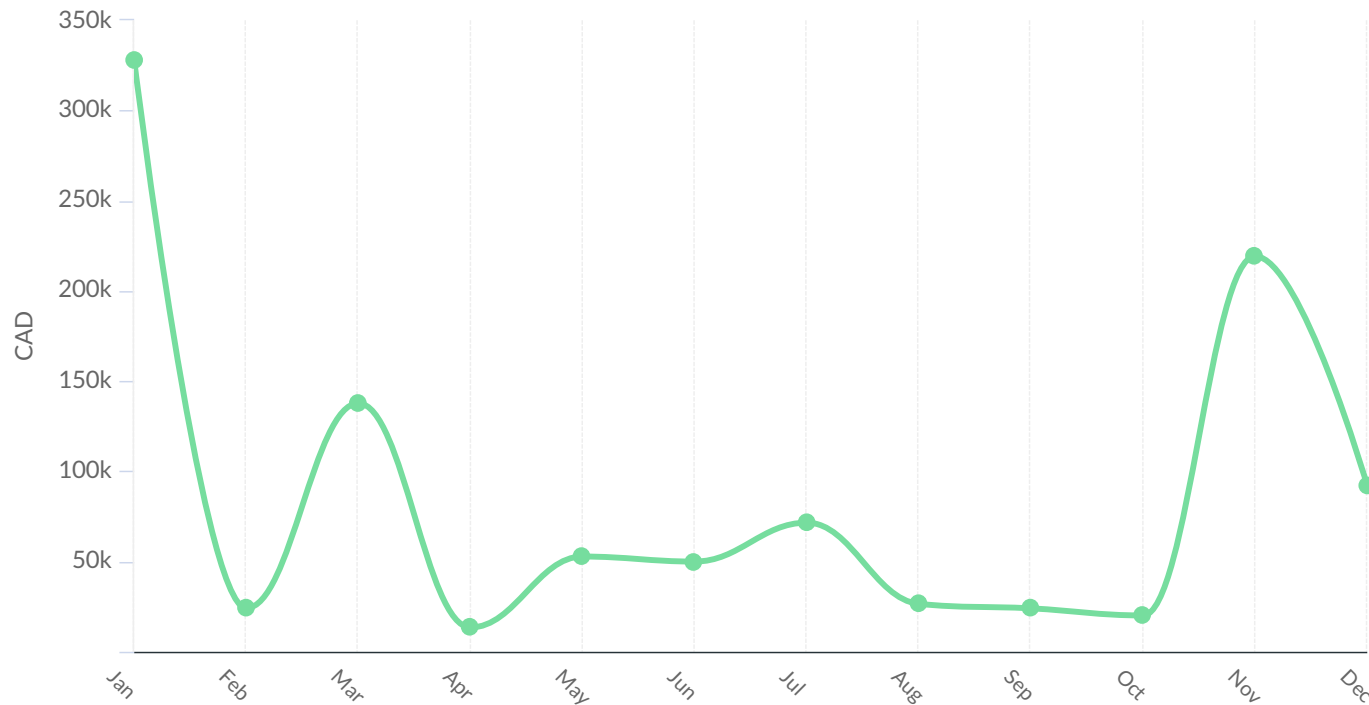
AVE

HIGHLIGHTS FROM THE YEAR

- Communications budget was leveraged to achieve an impressive AVE in 2020.
- AVE - Estimated monetary value attributed to the reach of a story/publication based on Google Ad Spend.

NPCA's total Estimated Ad Value was \$1.1M

AVE - Jan 1, 2020 - Dec 31, 2020



\$1.1M

TOP ARTICLES

HIGHLIGHTS FROM THE YEAR

- The top 25 articles combined for a total reach of 68M.
- The sentiment was predominantly positive in the top articles with high reach.

Editorial Reach - Global News had the largest reach of 11.4M

Top Articles - Jan 1, 2020 - Dec 31, 2020



Global News | Nov 24

Changes to provincial legislation worry Hamilton area conservation authorities

Reach 11.4M ● Positive

CBC.CA News | Nov 24

Province's Bill 229 limits ability to protect the environment, conservation authorities say

Reach 7M ● Positive

The Hamilton Spectator | Jun 30

Can I put out the garbage? What's open and closed and some things to do in Hamilton on Canada Day.

Reach 913k ● Positive

St. Catharines Standard | Dec 11

Welland opposed to provincial changes made to conservation authorities

Reach 516k ● Positive

SOCIAL ECHO

HIGHLIGHTS FROM THE YEAR

- Social Echo - Understanding the impact of your news coverage across Social Media ("Most Viral").
- Bill 229 was the most 'viral' topic in 2020, for Conservation Authorities across Ontario.

293 articles were shared 36.7k times on social media

Social Echo - Jan 1, 2020 - Dec 31, 2020

THOROLD NEWS.com | Dec 9

'A matter of principle:' Niagara MPPs, NPCA respond to Greenbelt Council resignations

Reach 71k ● Positive

 3  18



Sachem.ca (Metroland Media Group) | Dec 27

NPCA board members call for resistance against Ontario's changes to conservation authorities' powers

Reach 25k ● Positive

 2  4

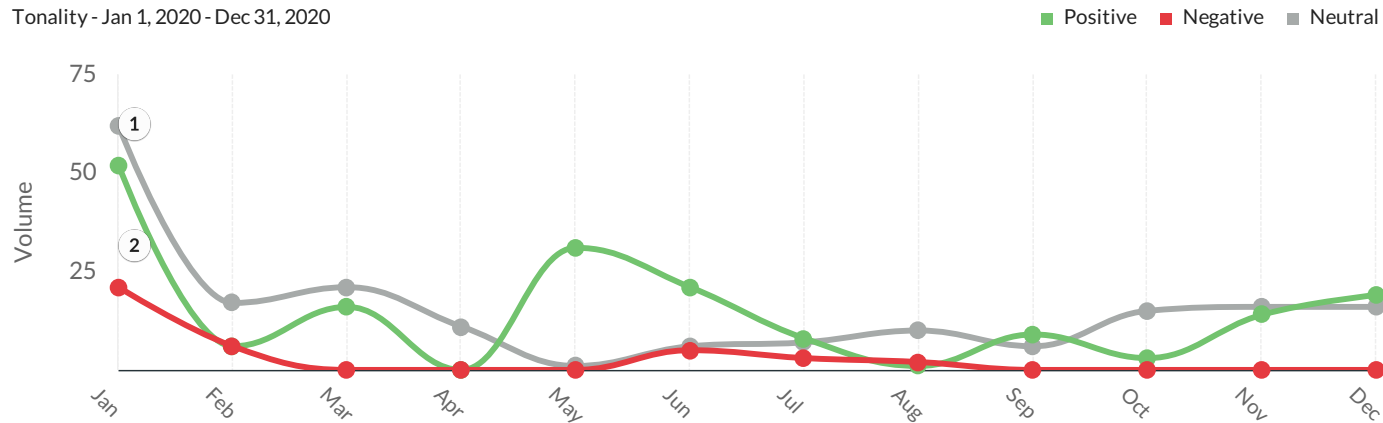
TONALITY

HIGHLIGHTS FROM THE YEAR

- **1** January had the highest volume of 52 positive articles.
- **2** January had the highest volume of 21 negative articles.
- May followed with the highest volume of articles, focusing on the opening of conservation area operating season.
- "Global News", with 11.4M reach, drove positive sentiment in an article titled "Changes to provincial legislation worry Hamilton area conservation authorities"

NPCA's Net Editorial Tonicity increased 1 point

Tonicity - Jan 1, 2020 - Dec 31, 2020



ARTICLES WITH MOST IMPACT



Global News | Nov 24

Changes to provincial legislation worry Hamilton area conservation authorities

Reach 11.4M ● Positive



The Hamilton Spectator | Jan 15

Protestors call for change in leadership at NPCA

Reach 703k ● Negative

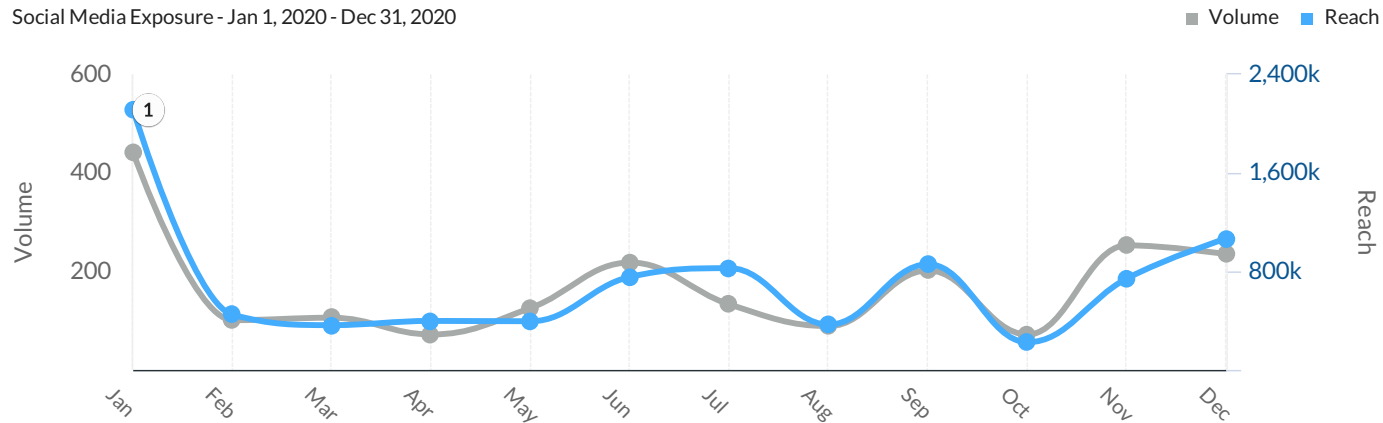
SOCIAL MEDIA EXPOSURE

HIGHLIGHTS FROM THE YEAR

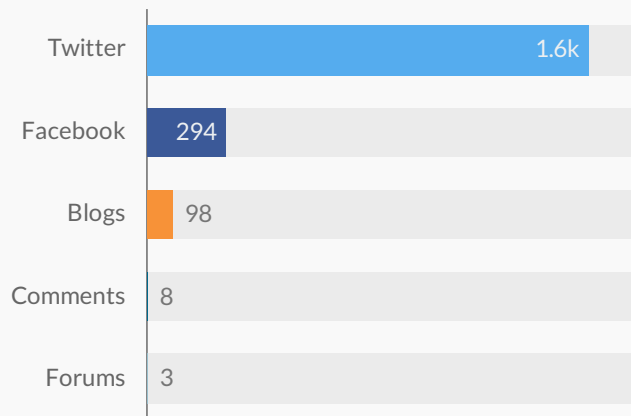
- **1** Social volume peaked in January at 441.
- Twitter accounted for 80% of social volume, followed by Facebook with 15% share.
- Instagram data is not accounted for in this year's report.

NPCA's Social Media Exposure increased 219%

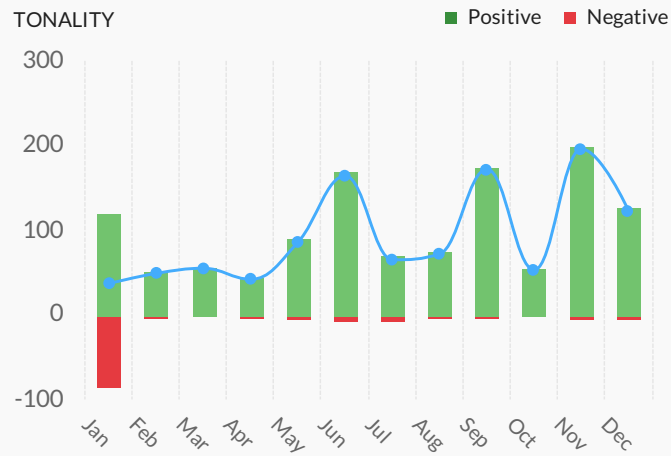
Social Media Exposure - Jan 1, 2020 - Dec 31, 2020



SOCIAL CHANNELS



TONALITY



TOP ARTICLES

HIGHLIGHTS FROM THE YEAR

- The top 25 articles combined for a total reach of 2M.
- The sentiment was predominantly positive in the top articles with high reach.

Social Media Reach - Twitter had the largest reach of 143k

Top Articles - Jan 1, 2020 - Dec 31, 2020

 Twitter | Dec 3

RT @vankayak: Proud to stand in the House of Commons today in support of Conservation Authorities across Ontario today, in firm opposition t...

Reach 143k ● Neutral

 Twitter | Jan 15

As about two dozen environmentalists protested against @NPCA_Ontario outgoing chair Dave Bylsma, the agency's board went in a different dire...

Reach 117k ● Neutral

 Twitter | Jan 15

RT @GrantRants: @NPCA_Ontario The votes are in. The next chair of the @NPCA_Ontario is Brenda Johnson, a councillor for the city of Hamilton...

Reach 117k ● Positive

 Twitter | Jan 10

The Niagara Peninsula Conservation Authority has approved its first whistleblower protection policy that is expected to create "integrity an...

Reach 117k ● Positive

BROADCAST EXPOSURE

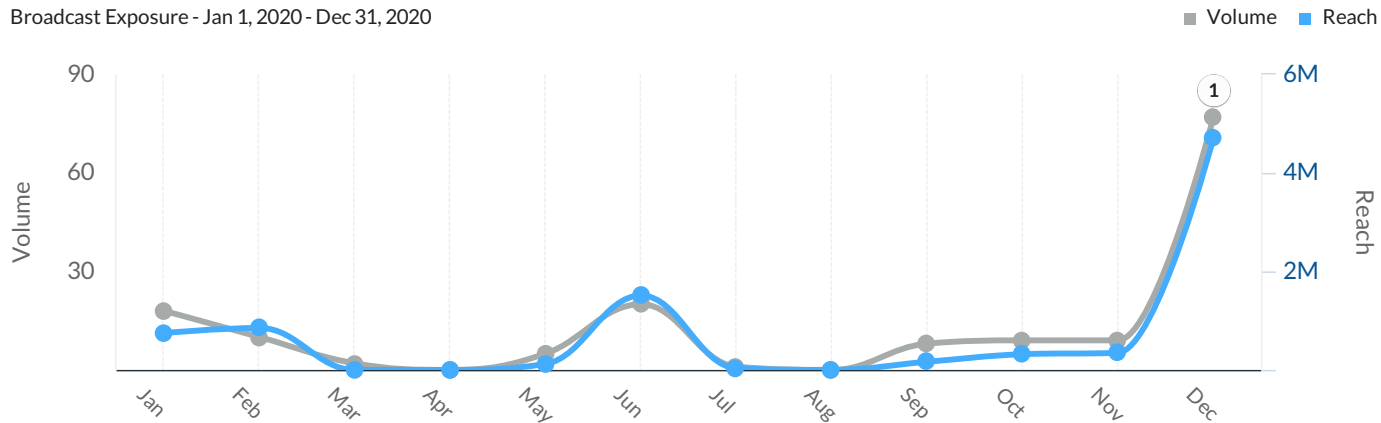
HIGHLIGHTS FROM THE YEAR

- **1** Broadcast volume peaked in December at 77 as a result of Ball's Falls Holiday Trail, end-of-year media relations, and holiday campaigns.
- Newstalk 610 CKTB provided the highest number of interview and coverage opportunities.
- Decrease in broadcast coverage is presumed to be a result of the pandemic's impact on studios, and the fact that COVID-19 remained the focus of all newsrooms throughout the year.

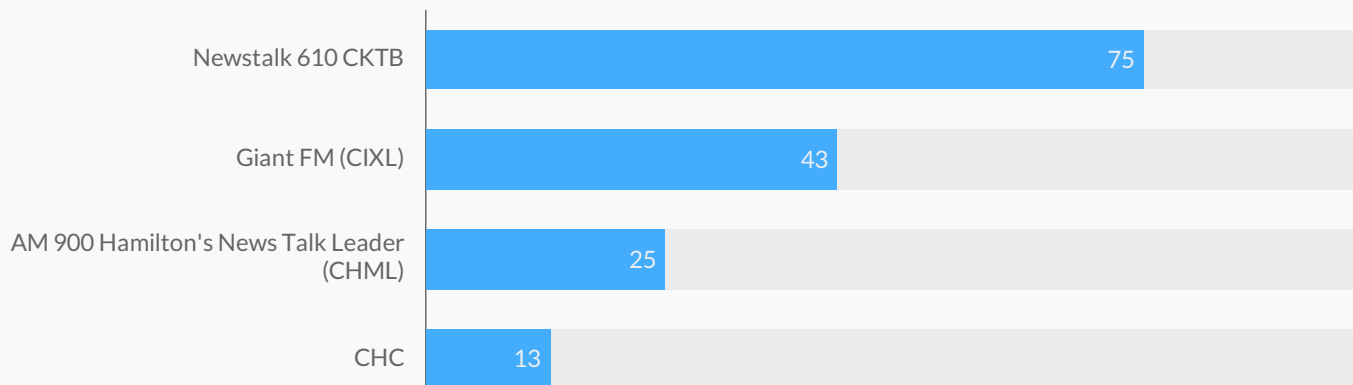
Broadcast = Canadian TV & Radio

NPCA's Broadcast Exposure decreased 36%

Broadcast Exposure - Jan 1, 2020 - Dec 31, 2020



TOP STATIONS



TOP PUBLICATIONS

HIGHLIGHTS FROM THE YEAR

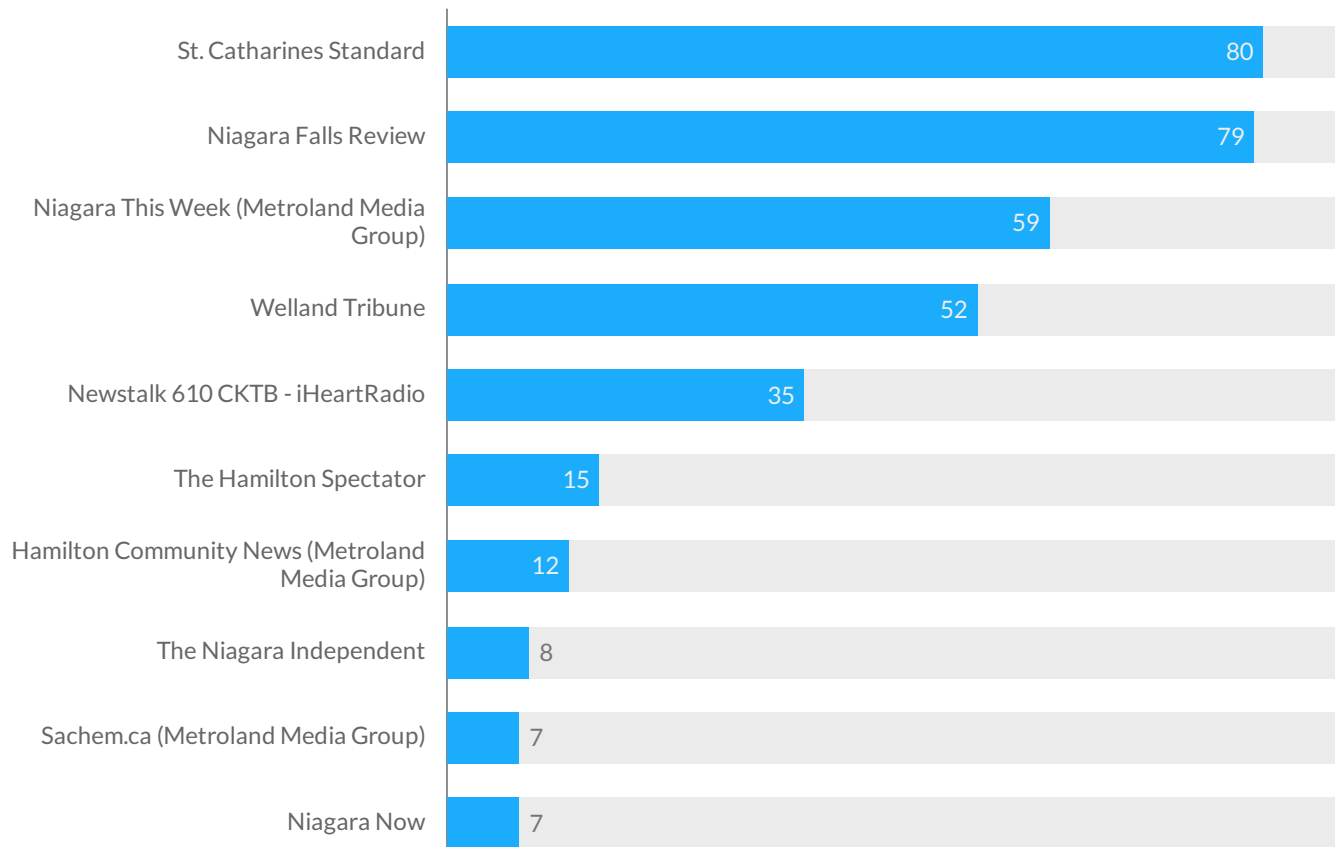
- "St. Catharines Standard", "Niagara Falls Review", and "Niagara This Week (Metroland Media Group)" accounted for 55% of the volume share among the 25 highest publications

TOP CITIES FROM THE YEAR

- St. Catharines 246
- Thorold 59
- Hamilton 40
- Toronto 20

St. Catharines Standard mentioned NPCA the most

Top Publications by Volume - Jan 1, 2020 - Dec 31, 2020



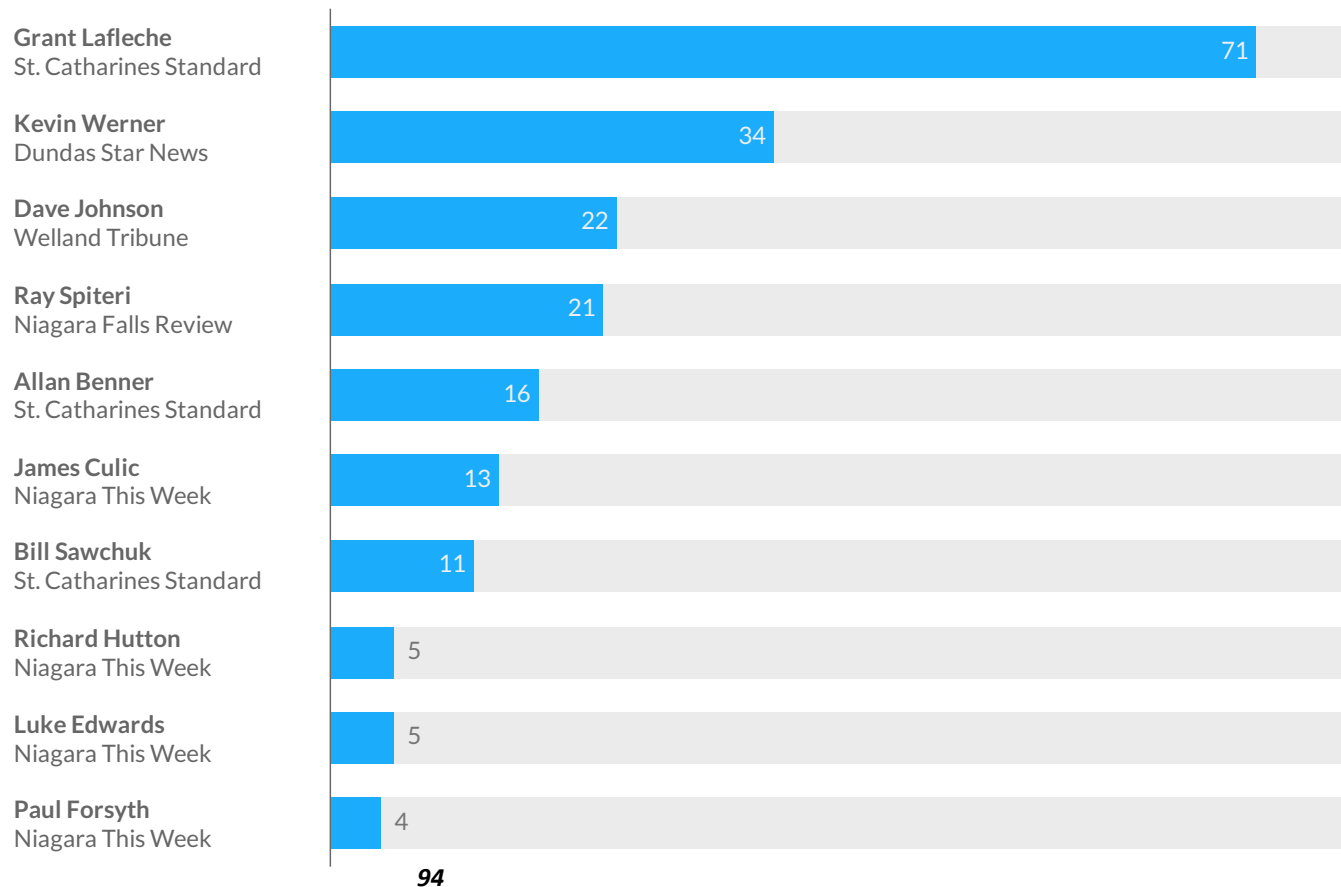
TOP INFLUENCERS

HIGHLIGHTS FROM THE YEAR

- Niagara Falls Review, Niagara This Week, and St. Catharines Standard had the most representation among the top 25 Influencers
- The three most popular beats among the Influencers are Regional interest, Crime, and Local government
- The top 3 accounted for 56% of the volume among the 25 highest.

Media Contacts engaging with NPCA

Top Editorial Influencers by Volume - Jan 1, 2020 - Dec 31, 2020



WORD CLOUD

HIGHLIGHTS FROM THE YEAR

- "community" (79)
"letter" (73)
"conservation authorities" (66)
- The above 3 keywords covered 29% of the mentions across the top 17
- As the proposed changes to conservation authorities were a major focus in 2020, community partners came together to support the NPCA and all conservation authorities, voicing their concerns through letter submitted to government entities.

NPCA's most popular Social Media keyphrase was "community"

Word Cloud - Jan 1, 2020 - Dec 31, 2020



WEBSITE IMPACTS

Powered by 

HIGHLIGHTS FROM THE YEAR

- 22% of website traffic is from returning users
- 8% of website sessions came from Referrals
- 66% of website sessions were driven from Organic Searches

Organic = Through Google searching NPCA or related terms

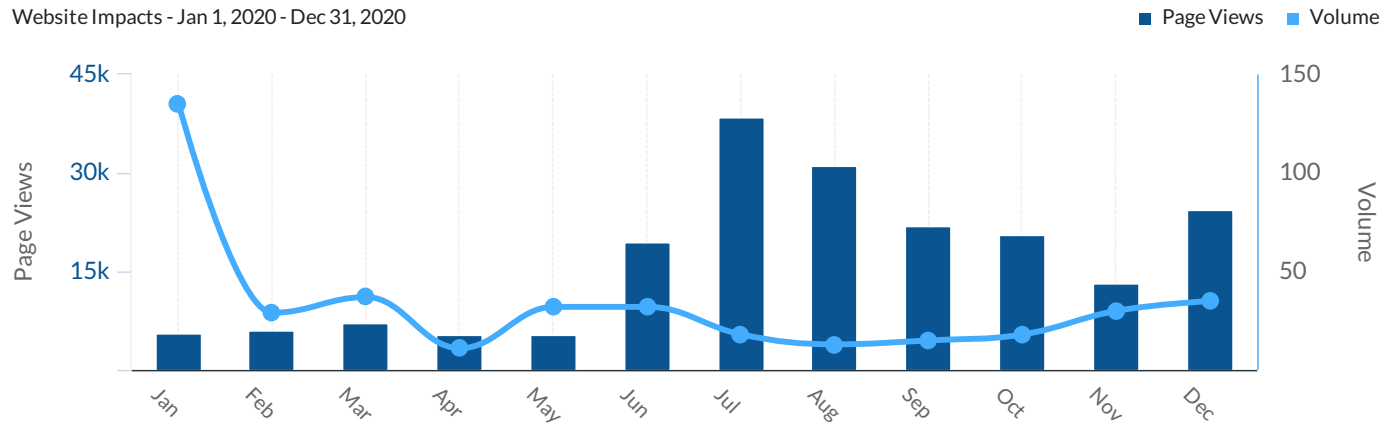
Direct = Inputting NPCA website directly into browser. If they had previously been on the website, this may be auto-populated on device.

Referral = Clicking through a link located on an article or social post.

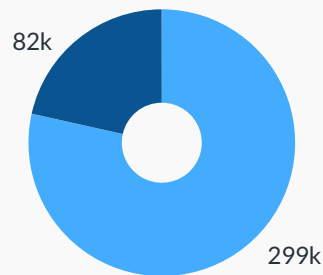


Website page views increased while volume went down

Website Impacts - Jan 1, 2020 - Dec 31, 2020

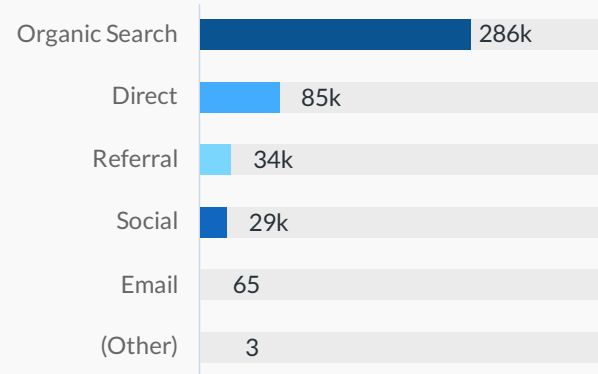


USERS



■ New ■ Return **96**

SESSIONS



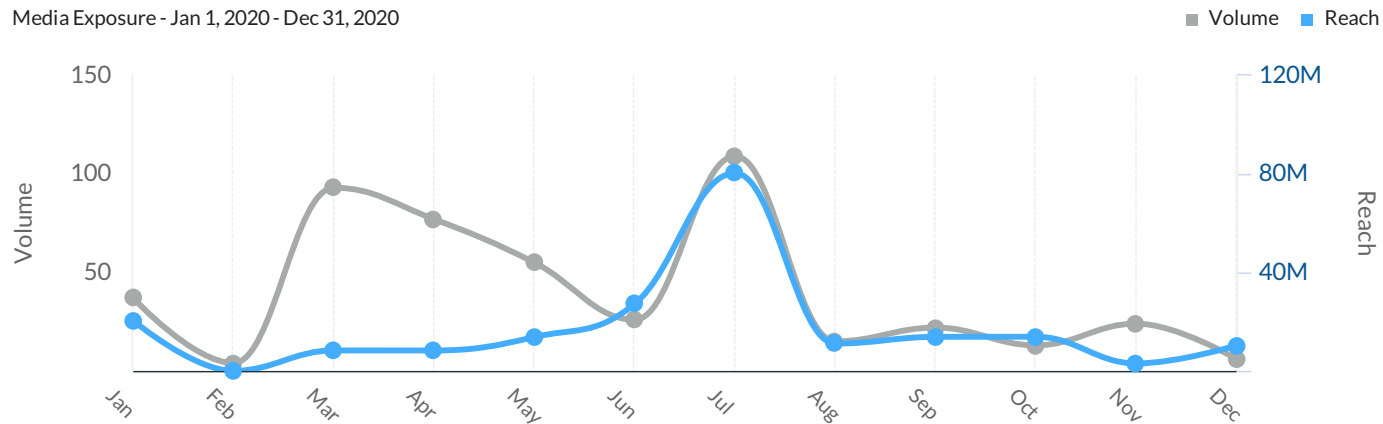
MEDIA EXPOSURE

HIGHLIGHTS FROM THE YEAR

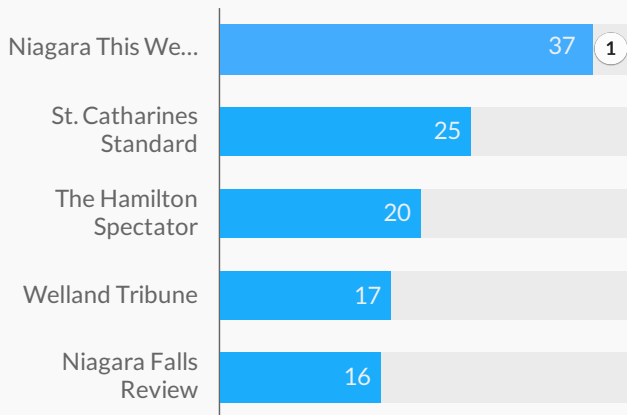
- **1** "Niagara This Week (Metroland Media Group)" accounted for 32% of volume, followed by "St. Catharines Standard" with 22% share
- Overall reach increased 1k%

NPCA Recreation's News Exposure increased 5%

Media Exposure - Jan 1, 2020 - Dec 31, 2020

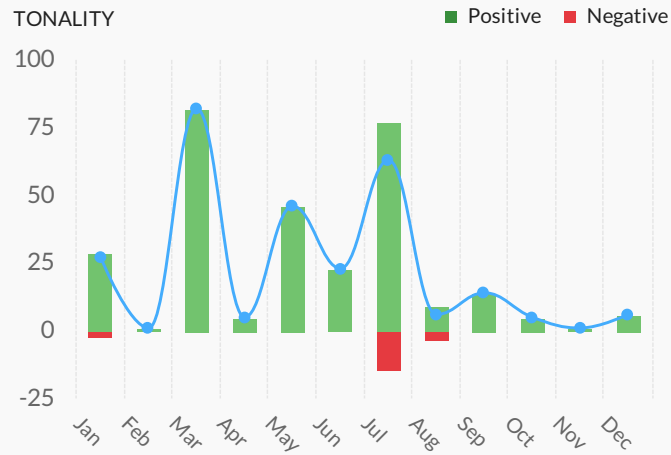


TOP PUBLICATIONS



97

TONALITY



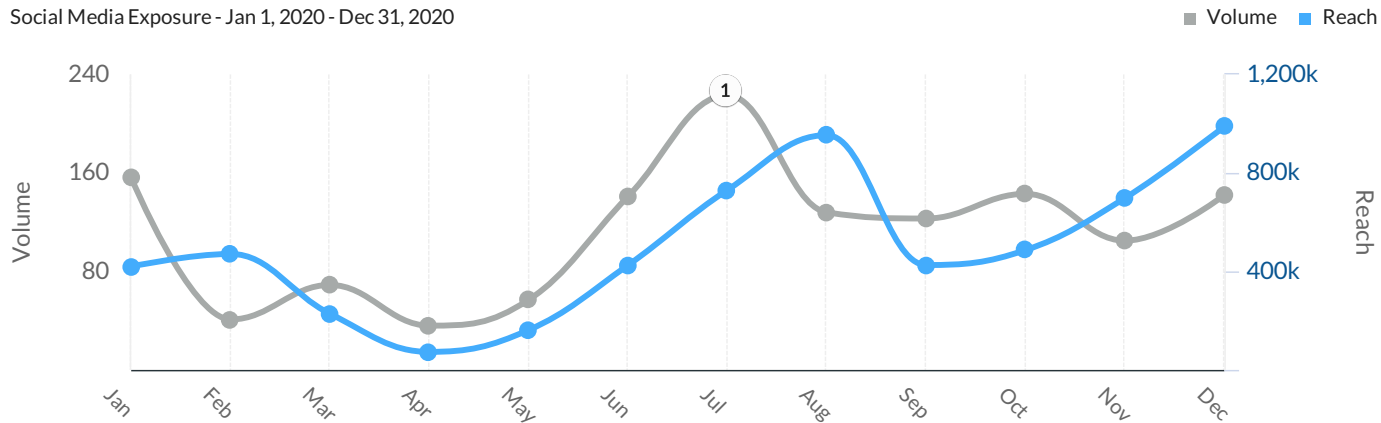
SOCIAL MEDIA EXPOSURE

HIGHLIGHTS FROM THE YEAR

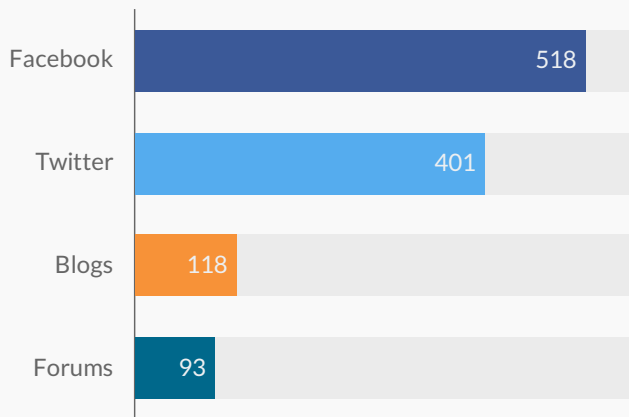
- **1** Social volume peaked in July at 223
- Facebook accounted for 46% of social volume, followed by Twitter with 35% share
- Instagram data is not accounted for in this year's report.

NPCA Recreation's Social Media Exposure increased 425%

Social Media Exposure - Jan 1, 2020 - Dec 31, 2020

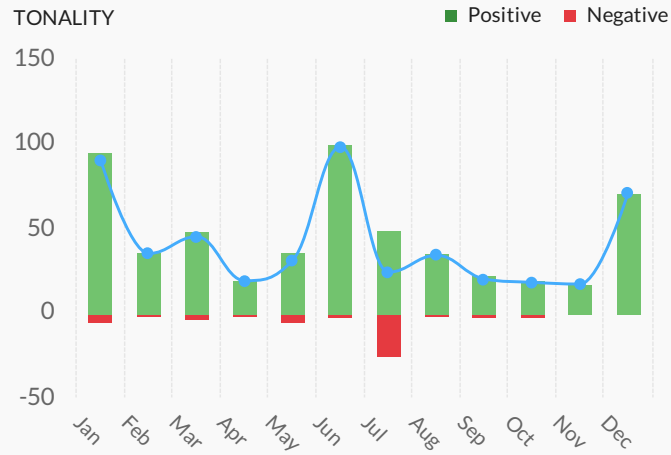


SOCIAL CHANNELS



98

TONALITY



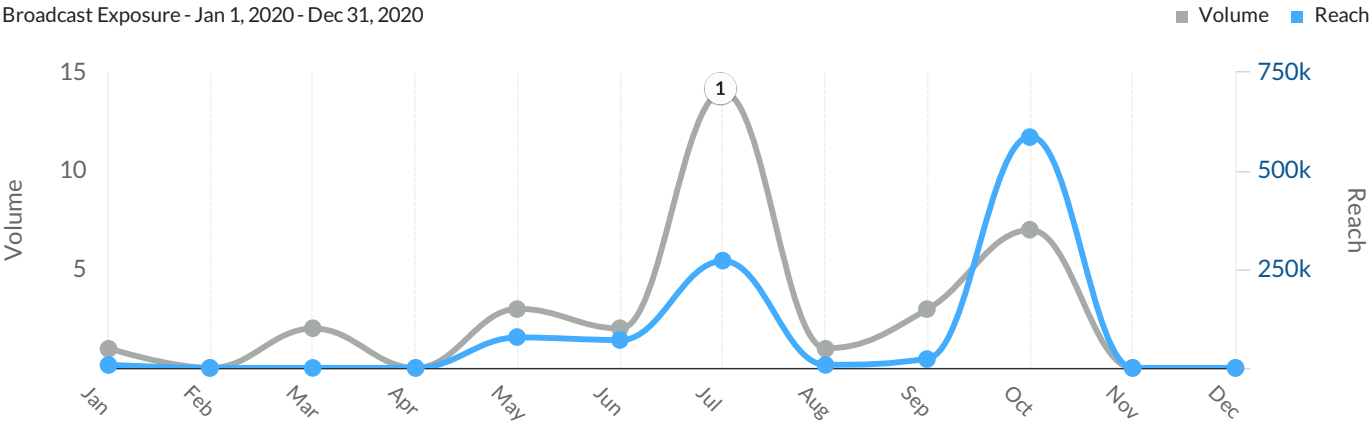
BROADCAST EXPOSURE

HIGHLIGHTS FROM THE YEAR

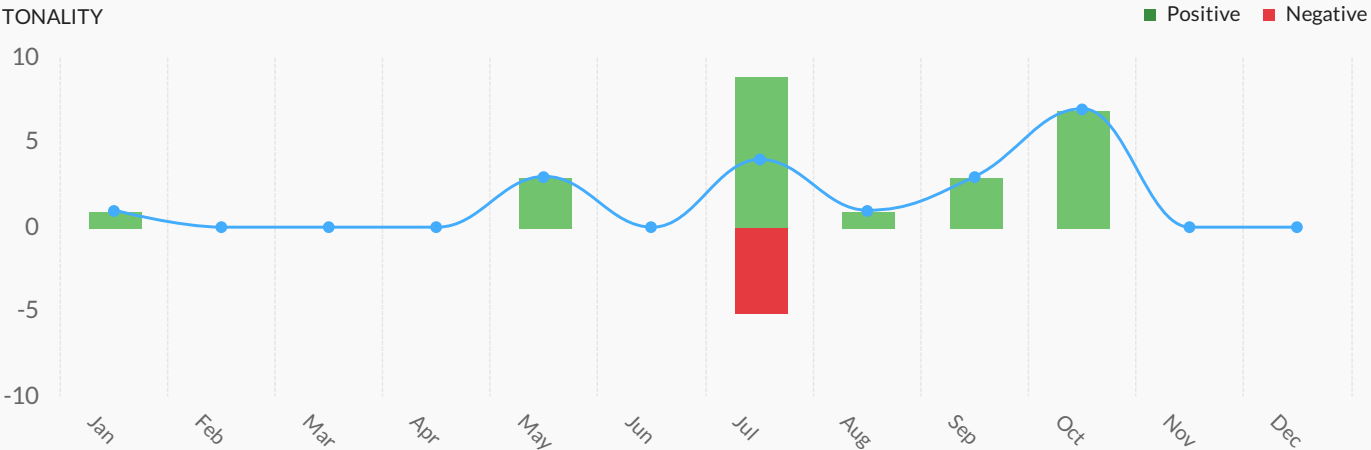
- 1 Broadcast volume peaked in July at 14

NPCA Recreation's Broadcast Exposure increased 15%

Broadcast Exposure - Jan 1, 2020 - Dec 31, 2020



TONALITY



TOP ARTICLES

Recreation News - Global News had the largest reach of 17.7M

Top Articles - Jan 1, 2020 - Dec 31, 2020



Narcity | Jun 5

8 Majestic Ontario Waterfalls
Where You Can Soak Up The
Summer Sun

Reach 6.2M ● Neutral

St. Catharines Standard | Dec 11

Niagara bright lights shine in COVID-19 season

Reach 516k ● Positive



Orangeville (Metroland Media
Group) | May 8

Fall in love with these underrated
waterfalls in Ontario's Golden
Horseshoe

Reach 8.5k ● Neutral

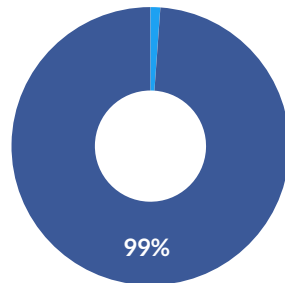
SOCIAL ECHO



HIGHLIGHTS FROM THE YEAR

- BlogTO had the most popular article on social media with 14.2k shares

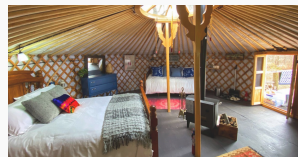
Recreation - Four articles were shared 4.5k times on social

Social Echo - Jan 1, 2020 - Dec 31, 2020



	Twitter	497
	Facebook	42.9k

MOST SHARED ARTICLES



BlogTO | Nov 22

You can stay overnight in a yurt surrounded by alpacas in Ontario

Reach 3M ● Positive

 15  14.2k

The Hamilton Spectator | Aug 1

E. coli closes Binbrook Conservation Area beach

Reach 644k ● Negative

 2  3.5k

Meltwater is the global leader in media intelligence. This report has been created and configured from billions of online documents, using cutting edge data science and machine learning to curate crisp, clean insights, delivered directly to you.

Summary

- The Niagara Peninsula Conservation Authority had a successful year as a result of improved media relations and an increase in trust and support from the community-online and offline.
- While the year began with several controversial issues, the NPCA continued to trend positively throughout 2020.
- In comparison to 2019 and previous years, overall tonality has greatly shifted and remains mostly positive, with few exceptions.
- The NPCA continues to see a peak in media coverage every year leading up to spring and summer with the opening of conservation areas, in the fall with major events like the Ball's Falls Thanksgiving Festival, and towards the end of the year with holiday events and end-of-year campaigns.
- The NPCA was able to communicate all COVID-19 related changes efficiently and consistently through local media partners. Thanks to these improved relationships, there were numerous opportunities to discuss and promote the great work of the organization and its staff.

Report To: Board of Directors

Subject: Wainfleet Bog CA Pathway Designation

Report No: FA-19-21

Date: March 19, 2021

Recommendation:

1. **THAT** Report No. FA-19-21 RE: Wainfleet Bog CA Pathway Designation **BE RECEIVED**.
2. **AND FURTHER THAT** this report **BE CIRCULATED** to the Regional Municipality of Niagara and the Township of Wainfleet.

Purpose:

The purpose of this report is to update NPCA Board Members on a new Canadian designation for the Wainfleet Bog.

Background:

The Wainfleet Bog Conservation Area was acquired in 1995 and is the largest of NPCA's Conservation Areas, at nearly 2,000 acres (800 hectares) in size. It is a valuable site with significant resources including a provincially significant wetland with a variety of unique flora and fauna. A Management Plan was developed by staff in 1997 with input from stakeholders and the community, with an objective to restore the healthy state of the Wainfleet Bog and provide passive recreation and educational opportunities. Site restoration activities have included: blocking peat canals, creating surface indentations to mimic bog topography (hummocks and pools), plantings and seedings of bog plant species, removing invasive European birch trees, and installing boardwalks.

To date, the bog is positively progressing towards a more natural bog ecosystem by progressively retaining more water (allowing for better recharge and discharge functions), increasingly wetter soils of acidic and low nutrient conditions supporting the regrowth of *sphagnum* moss and peat and supporting species-at-risk populations. The NPCA continues to monitor site features to ensure management plan goals are being met.

Throughout this process of site enhancement, the NPCA has been involved with many partners, including but not limited to: the Ontario Ministry of Natural Resources and Forestry (MNRF), funders/donors, volunteers, the Township of Wainfleet and City of Port Colborne, the adjacent landowners, regional residents, the Toronto Zoo and other provincial, national and international agencies.

Discussion:

Designation of Wainfleet Bog as Protected Area

On February 3rd, 2021, NPCA received correspondence from the Ministry of Environment Conservation and Park (MECP) stating that the Wainfleet Bog meets the pan-Canadian standards for “protected areas” based on the Canadian Protected and Conserved Areas Database (CPCAD). These standards inform the measurement of the total percentage of area in Ontario and Canada that is protected under the ‘Pathway to Canada Target 1 Initiative’. As a result, the Wainfleet Bog has now been designated as a site under the ‘Pathway to Canada Target 1 Initiative’. It was assessed to contain the attributes of a “protected area and/or other effective area-based conservation measures” to be formally recognized as contributing to the conservation of Canada’s biodiversity and to Canada’s area-based conservation target - Canada Target 1. This recognition acknowledges the ways in which Wainfleet Bog is already being managed to conserve biodiversity. Recognition does not place any additional restrictions or requirements on NPCA.

With this designation, NPCA’s work is recognized internationally and nationally for our conservation practices. The designation also contributes to “branding” and reinforcing community values regarding conservation, environmental protection, and sustainable land use, particularly in the context of climate change and global threats to biodiversity.

The ‘Pathway to Canada Target 1 Initiative’ program helps to conserve biodiversity in Canada. Its goal is to help understand how much biodiversity is being conserved nationally, and where further efforts may be needed. As a result, the program was recently launched to evaluate conserved areas (other than government protected lands) that are contributing to the conservation of Canada’s biodiversity and that are conserved for the long-term. The national program target was to conserve at least 17% terrestrial and inland water and 10% of marine and coastal areas by 2020, through a network of protected areas and/or other effective area-based conservation measures.

This designation is strictly voluntary and does not result in any additional policy or regulatory restrictions for the Wainfleet Bog property. However, to be recognized, all criteria must be met, including that NPCA management will ensure that conservation will continue long-term.

Financial Implications:

While there is no additional funding attached to the designation at the present time, this designation may allow for future funding opportunities for conservation and enhancement of the Wainfleet Bog. NPCA staff will continue to follow good conservation practices as has been the practice in the past.

Links to Policy/Strategic Plan

Links to the Policy and Strategic Plan through recognition of an existing Conservation Area and the values of its ecological significance and biodiversity for furthering the conservation objectives of the NPCA.

Related Reports and Appendices: Appendix 1-

Correspondence from Rob Davis, MECP

Authored by:

Original Signed by:

Kim Frohlich, BSs/BA
Ecologist

Reviewed by:

Original Signed by:

Adam Christie
Director, Land Operations

Submitted by:

Original Signed by:

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

From: Davis, Rob (MECP) <rob.davis@ontario.ca>
Sent: Tuesday, February 23, 2021 7:44 PM
To: Chandra Sharma <csharma@npca.ca>
Cc: Brdar, Corina (MECP) <corina.brdar@ontario.ca>; Chora, Louis (MECP) <louis.chora@ontario.ca>
Subject: Congratulations on recognition of Wainfleet Bog CA as a protected area!

Hello Ms. Sharma,

In the fall of 2019, Niagara Peninsula Conservation Authority was approached by a consultant working with Environment and Climate Change Canada to request your participation in a project related to the Pathway to Canada Target 1 initiative. This work involved assessing NPCA properties using a Decision Support Tool to determine if they meet the pan-Canadian standards for protected areas or “other effective area-based conservation measures” (OECMs). Sites that meet these standards can be submitted to the Canadian Protected and Conserved Areas Database (CPCAD) and count towards the total percentage area of Ontario and Canada that is protected. More information on this accounting process is found [here](#).

Ontario Parks with the Ministry of the Environment, Conservation and Parks is responsible for submitting areas that meet these standards to CPCAD. We received the draft assessment completed through this project, as well as associated spatial data and a copy of your signed consent letter.

We are pleased to let you know that Wainfleet Bog Conservation Area was found to meet the criteria for a protected area. We submitted its spatial data (property boundary) and associated information (year of establishment, ownership, legislative mechanisms) to CPCAD at the end of November, and it now counts towards the 10.7% of Ontario that is protected. NPCA has been a leader in restoration and species at risk protection at this unique site for decades.

We are currently finalizing the assessment report that was done for your property and will provide that to you for your records in the next few weeks. If you or your staff would like to provide input into this report, or have questions about the project, I encourage them to contact Corina Brdar (copied).

Conservation Authority properties are an important part of Ontario’s network of conserved areas. We plan to use the lessons learned from this process to ensure more Conservation Authority properties that meet the standards can be included in CPCAD in the future.

Sincere thanks for your contributions to nature conservation, and congratulations on achieving this recognition.

Rob

Rob Davis | Manager – Protected Areas Section – Ontario Parks
300 Water St., Peterborough, Ontario, K9J 3C7
C: 705-740-3704 **W:** OntarioParks.com



Ministry of the Environment, Conservation and Parks

Please note: As part of providing accessible customer service, please let me know if you have any accommodation needs or require communication supports or alternate formats.

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Report To: Board of Directors

Subject: 2021 Restoration Projects Approval - Second 2021 Application Intake

Report No: FA-13-21

Date: March 19, 2021

Recommendation:

1. **THAT** Report No. FA-13-21 RE: 2021 Restoration Projects Approval- Second 2021 Application Intake **BE RECEIVED**.
2. **AND THAT** restoration projects selected from the Second 2021 Application intake (as per Appendix 1) **BE APPROVED**.

Purpose:

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

Background:

In the fall of 2020, the NPCA initiated a first call for applications for the Restoration Grant Program for projects to be completed in 2021. In January 2021, the Board of Directors approved 46 projects. Since January, two approved projects have been withdrawn at the request of the landowners. Additionally, our partners at Ducks Unlimited Canada have projected higher contributions toward the wetland projects in 2021. These two changes will allow additional projects to be selected for implementation in the remainder of 2021.

A second intake date occurred on February 1, 2021. For the second intake, forty-three (43) applications were received from landowners and partner agencies. The applications were reviewed, evaluated and brought forward to the standing Staff Restoration Program Review Committee in February 2021.

Discussion:

At the February 24th, 2021 NPCA Restoration Program Review Committee meeting, staff selected sixteen (16) of the 43 applications for Board approval. (See Appendix 1.) Partnerships from this round of applications include Ducks Unlimited Canada, Forests Ontario, and Ontario Power Generation.

In total, the projects selected will result in 3.75 ha of reforestation, 1.4 ha of wetlands, 2.9km of new or improved hedgerows, 1.2 ha of riparian restoration, 3.2 ha of upland restoration and 1 conservation farm best practice.

The NPCA received a high volume of project applications for the 2021 program year. This has resulted in thirteen (13) projects being placed on a waiting list for 2021. All projects were evaluated based on the board-approved criteria for the Restoration Program and ranked accordingly. Funding was then allocated to the top ranked projects. If additional funding becomes available in 2021, projects will be selected from the waiting list based on amount of funding available, timing and staff capacity. Any projects not completed in 2021 will be considered with new applications in 2022.

Financial Implications:

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

Total NPCA projected contributions to the selected 16 projects total \$65,161.50 funded from the NPCA 2021 Restoration Program budget. A significant leveraging of NPCA investment is demonstrated in these projects (Appendix 1).

The 2021 Budget allocated for restoration projects is \$255,000. Current projections to year end indicate that approximately \$254,807 has been allocated to approved and proposed projects. Confirmation of potential partner funding will be finalized shortly and typically decreases cost estimates. In the event of unforeseen financial pressures, staff will adjust and/or defer projects accordingly to ensure financial targets are not exceeded.

Related Reports and Appendices:

Appendix 1- Management Approved Restoration Projects for March 2021

Authored by:

Original Signed by:

Steve Gillis
Restoration Specialist

Reviewed by:

Original Signed by:

Geoff Verkade
Senior Manager, Integrated Watershed Planning/
Information Management

Reviewed by:

Original Signed by:

Lise Gagnon, CPA, CGA
Director, Corporate Services

Submitted by:

Original Signed by:

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

Appendix 1- Management Approved Restoration Projects for January 2021

Project Number	Project Type	Project Description	Watershed	Municipality	Potential Partner	Partner Projected Funds	Landowner Projected Cost	NPCA Projected Cost	Total Estimated Cost	NPCA %
RP202104001	Instream/Riparian Habitat Restoration	1500m2 riparian restoration	12 Mile Creek	Thorold	TUC	TBD	\$3,334.00	\$10,000.00	\$13,334.00	75.00%
RP202103002	Tree Planting	2.4 ac tree planting	12 Mile Creek	Pelham	LCN	\$2,284.80	\$1,056.00	\$3,168.00	\$6,580.08	48.15%
RP202104002	Instream/Riparian Habitat Restoration	1000m2 Riparian buffer	Richardson's Creek	St. Catharines			\$522.63	\$1,567.88	\$2,090.50	75.00%
RP202101001	Livestock Restriction	Buffer planting	Six Mile Creek	Fort Erie			\$1,906.88	\$5,720.63	\$7,627.50	75.00%
RP202104003	Instream/Riparian Habitat Restoration	1.6 ac riparian buffer	Sixteen Mile Creek	Lincoln	FO	\$1,500.00	\$750.00	\$2,250.00	\$4,500.00	50.00%
RP202105003	Wetland Restoration	Wetland expansion 0.5ac	Coyle Creek	Pelham	DUC	\$7,500.00	\$1,875.00	\$5,625.00	\$15,000.00	37.50%
RP202105004	Wetland Enhancement	Planting along expanded wetland	Coyle Creek	Pelham	LCN/FO		\$1,614.50	\$4,843.50	\$8,362.00	57.92%
RP202107001	Nutrient Management	Clean Water Diversion	Twenty Mile Creek	Grimsby			\$565.00	\$1,695.00	\$2,260.00	57.92%
RP202108001	Water Conservation	Converting from overhead to trickle irrigation	Twenty Mile Creek	Lincoln			\$61,670.00	\$5,000.00	\$66,670.00	7.50%
RP202105005	Wetland Restoration	0.34ac Wetland excavation	Lyon's Creek	Welland	DUC	\$7,500.00	\$1,875.00	\$5,625.00	\$15,000.00	37.50%
RP202105006	Wetland Enhancement	Planting around created wetland	Lyon's Creek	Welland			\$1,017.00	\$3,051.00	\$4,068.00	75.00%
RP202105001	Wetland Restoration	1.2 ac Wetland creation	Forty Mile Creek	West Lincoln	DUC	\$7,500.00	\$1,875.00	\$5,625.00	\$15,000.00	37.50%
RP202105002	Wetland Enhancement	Wetland planting	Forty Mile Creek	West Lincoln			\$375.00	\$1,125.00	\$1,500.00	75.00%
RP202104006	Instream/Riparian Habitat Restoration	Grassed waterway creation	Wolf Creek	West Lincoln			\$3,334.00	\$10,000.00	\$13,334.00	75.00%
RP202105007	Wetland Restoration	0.5 ac Wetland creation	Wolf Creek	West Lincoln	DUC	\$7,500.00	\$4,340.00	\$13,020.00	\$24,860.00	52.37%
RP202105008	Wetland Enhancement	Planting around created wetland	Wolf Creek	West Lincoln			\$565.00	\$1,696.00	\$2,260.00	75.04%
RP202104004	Instream/Riparian Habitat Restoration	0.85 ac riparian planting	Twenty Mile Creek	West Lincoln	FO	\$1,000.00	\$2,250.00	\$6,750.00	\$10,000.00	67.50%
RP202103013	Tree Planting	2.25 ha forest restoration	Lake Ontario 32	Grimsby			\$600.00	\$1,800.00	\$2,400.00	75.00%
RP202103011	Tree Planting	Planting trees in Malcolmsen Eco Park	North Canal	St. Catharines	NCF	\$1,000.00	\$375.00	\$1,125.00	\$2,500.00	45.00%
RP202103003	Tree Planting	1 ac tree planting	Black Creek	Fort Erie	LCN	\$1,856.00	\$644.00	\$1,932.00	\$4,432.00	43.59%
RP202103004	Tree Planting	6.5 ac tree planting	40 Mile Creek	West Lincoln	LCN	\$6,032.00	\$2,025.50	\$6,076.50	\$14,134.00	42.99%
RP202103005	Tree Planting	10 ac tree planting	20 Mile Creek	Lincoln	LCN	\$9,280.00	\$3,100.00	\$9,300.00	\$21,680.00	42.90%
RP202102001	Conservation Farm Practices	Hedgerow Planting 550m	Campden Creek	Lincoln	LCN	\$1,102.00	\$394.56	\$1,183.69	\$2,680.25	44.16%
RP202102002	Conservation Farm Practices	Hedgerow Planting 1100m	Vineland Drain	Lincoln	LCN	\$1,856.00	\$644.00	\$1,932.00	\$4,432.00	43.59%
RP202102003	Conservation Farm Practices	Hedgerow Planting 450m	Big Forks Creek	Wainfleet	LCN	\$1,392.00	\$490.50	\$1,471.50	\$3,354.00	43.87%
RP202102004	Conservation Farm Practices	Hedgerow Planting 500m+	12 Mile Creek	Pelham	LCN	\$2,320.00	\$797.50	\$2,392.50	\$5,510.00	43.42%
RP202103007	Tree Planting	2.1 ac tree planting	CWR	Wainfleet	LCN	\$1,856.00	\$644.00	\$1,932.00	\$4,432.00	43.59%
RP202103008	Tree Planting	7.5 ac tree planting	20 Mile Creek	West Lincoln	LCN	\$2,332.50	\$6,960.00	\$6,997.50	\$16,290.00	42.96%
RP202103009	Tree Planting	4 ac tree planting	4 Mile Creek	Niagara-on-the-lake	LCN	\$3,712.00	\$1,258.00	\$3,774.00	\$8,744.00	43.16%
RP202104007	Tree Planting	0.9 ac riparian planting	Twelve Mile Creek	Thorold	TUC/FO	\$930.00	\$775.00	\$2,325.00	\$4,000.00	58.13%
RP202103006	Tree Planting	4.2 ac tree planting	Twelve Mile Creek	Pelham	TUC/FO	\$5,392.00	\$1,348.00	\$4,044.00	\$11,390.00	35.50%
RP202105009	Wetland Restoration	1.3 ac wetland	Beaver Dam Drain	Port Colborne	DUC	\$7,500.00	\$19,468.00	\$15,000.00	\$41,968.00	35.74%
RP202105010	Wetland Enhancement	1.3 ac wetland enhancement	Beaver Dam Drain	Port Colborne			\$1,017.00	\$3,051.00	\$4,068.00	75.00%
RP202104005	Tree Planting	2 ac tree planting	Black Creek	Fort Erie		\$580.00	\$561.25	\$1,683.75	\$2,825.00	59.60%
RP202105011	Wetland Restoration	1.5 ac wetland creation	Beaver Creek	Fort Erie	DUC	\$7,500.00	\$1,875.00	\$5,625.00	\$15,000.00	37.50%
RP202105012	Wetland Enhancement	Wetland enhancement	Beaver Creek	Fort Erie			\$500.00	\$1,500.00	\$2,000.00	75.00%
RP202104008	Instream/Riparian Habitat Restoration	0.3ac riparian planting	20 Mile - Spring Creek	Lincoln			\$375.00	\$1,125.00	\$1,500.00	75.00%
RP202103014	Tree Planting	2ac tree planting	16 Mile Creek	West Lincoln			\$500.00	\$1,500.00	\$2,000.00	75.00%
RP201904002	Instream/Riparian Habitat Restoration	Replanting	Central Welland River	Wainfleet			\$0.00	\$960.50	\$960.50	100.00%
RP201904003	Instream/Riparian Habitat Restoration	Replanting	Black Creek	Fort Erie	FO		\$0.00	\$6,893.00	\$6,893.00	100.00%
RP202003003	Tree Planting	Infill	Coyle Creek	Pelham	FO		\$0.00	\$3,769.71	\$3,769.71	100.00%
RP202004007	Instream/Riparian Habitat Restoration	Replanting	12 Mile Creek	Pelham	FO		\$0.00	\$3,847.50	\$3,847.50	100.00%
RP202004009	Instream/Riparian Habitat Restoration	Replanting	12 Mile Creek	Thorold	FO		\$0.00	\$5,920.49	\$5,920.49	100.00%
RP202006001	Upland Habitat Restoration	Replanting	Coyle Creek	Pelham			\$0.00	\$4,972.00	\$4,972.00	100.00%
						\$89,425.30	\$133,277.32	\$188,895.65	\$414,148.53	45.61%

Appendix 1- Management Approved Restoration Projects for March 2021

RP202102006	Conservation Farm Practices	Hedgerow planting ~180m	15 Mile Creek	Pelham	OPG/FO	\$2,085.00	\$1,241.50	\$3,724.50	\$7,051.00	52.82%
RP202102007	Conservation Farm Practices	Hedgreow planting ~530m	16 Mile Creek	Pelham	OPG/FO	\$2,955.00	\$380.50	\$1,141.50	\$4,477.00	25.50%
RP202102008	Conservation Farm Practices	Hedgerow Planting	Lyons Creek	Welland	OPG/FO	\$1,741.00	\$1,006.00	\$3,018.00	\$5,765.00	52.35%
RP202102009	Conservation Farm Practices	Hedgerow planting ~1700m	20 Mile Creek	West Lincoln			\$1,250.00	\$3,750.00	\$5,000.00	75.00%
RP202102010	Conservation Farm Practices	Contour Swales	Six Mile Creek	Fort Erie	LEADs		\$775.00	\$2,325.00	\$3,100.00	75.00%
RP202103015	Tree Planting	3.8 ac tree planting	Beaver Creek	West Lincoln	OPG/FO	\$4,788.00	\$1,348.50	\$4,045.50	\$10,182.00	39.73%
RP202103016	Tree Planting	5.45 ac tree planting	Usshers Creek	Niagara Falls	OPG/FO	\$7,854.00	\$1,024.00	\$3,072.00	\$11,950.00	25.71%
RP202104009	Instream/Riparian Habitat Restoration	~3ac riparian planting	Upper Welland River	Hamilton			\$1,750.00	\$5,250.00	\$7,000.00	75.00%
RP202105013	Wetland Restoration	~0.75ac wetland	Central Welland River	West Lincoln	DUC	\$7,500.00	\$1,875.00	\$5,625.00	\$15,000.00	37.50%
RP202105014	Wetland Enhancement	Wetland enhancement planting	Central Welland River	West Lincoln			\$500.00	\$1,500.00	\$2,000.00	75.00%
RP202105015	Wetland Restoration	~1ac wetland	Big Forks Creek	Haldimand	DUC	\$7,500.00	\$4,375.00	\$13,125.00	\$25,000.00	52.50%
RP202105016	Wetland Enhancement	Wetland enhancement planting	Big Forks Creek	Haldimand			\$187.50	\$562.50	\$750.00	75.00%
RP202105017	Wetland Restoration	~0.8ac wetland	Upper Welland River	West Lincoln	DUC	\$7,500.00	\$1,875.00	\$5,625.00	\$15,000.00	37.50%
RP202105018	Wetland Enhancement	Wetland enhancement planting	Upper Welland River	West Lincoln			\$187.50	\$562.50	\$750.00	75.00%
RP202105019	Wetland Restoration	~1ac wetland	16 Mile Creek	Lincoln	DUC	\$7,500.00	\$1,875.00	\$5,625.00	\$15,000.00	37.50%
RP202105020	Wetland Enhancement	Wetland enhancement planting	16 Mile Creek	Lincoln			\$375.00	\$1,125.00	\$1,500.00	75.00%
RP202106001	Upland Habitat Restoration	8ac upland restoration	Beaver Creek	West Lincoln			\$1,695.00	\$5,085.00	\$6,780.00	75.00%
						\$49,423.00	\$21,720.50	\$65,161.50	\$136,305.00	47.81%

2021 Total	\$138,848.30	\$154,997.82	\$254,057.15	\$550,453.53	46.15%
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FINANCE COMMITTEE
ON-LINE VIDEO CONFERENCE
MEETING MINUTES
Wednesday, February 24, 2021
9:30 a.m.

MEMBERS PRESENT:	K. Kawall, Chair S. Beattie R. Foster B. Mackenzie (arrived 9:38 a.m.) J. Metcalfe B. Steele M. Woodhouse (arrived 9:35 a.m.)
STAFF PRESENT:	C. Sharma, Chief Administrative Officer/Secretary–Treasurer G. Bivol, Executive Co-Ordinator to the C.A.O/Board L. Gagnon, Director, Corporate Services D. MacKenzie, Director, Watershed Management

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

1. APPROVAL OF AGENDA

Recommendation No. FC-01-2021
Moved by Member Steele
Seconded by Member Foster

THAT the Finance Committee Meeting agenda dated **BE APPROVED** as presented.
CARRIED

2. DECLARATIONS OF CONFLICT OF INTEREST

None declared.

3. APPROVAL OF THE MINUTES

- a) Minutes of the Finance Committee meeting dated Thursday, December 3, 2020

Recommendation No. FC-02-2021
Moved by Member Metcalfe
Seconded by Member Steele

THAT the minutes of the NPCA Finance Committee meeting dated Thursday, December 3, 2020 **BE APPROVED**.

CARRIED

4. CORRESPONDENCE

None.

5. DELEGATIONS / PRESENTATIONS

None.

6. CONSENT ITEMS

- a) Report No. FC-04-21 RE: Procurement - 2020 Activity

Recommendation No. FC-03-2021

Moved by Member Woodhouse

Seconded by Member Foster

THAT Report No. FC-04-21 RE: Procurement – 2020 Activity **BE RECEIVED.**

CARRIED

- b) Report No. FC-03-21 RE: Banking and Investments - 2020 Activity

Recommendation No. FC-04-2021

Moved by Member Woodhouse

Seconded by Member Steele

THAT Report No. FC-03-21 RE: Banking and Investments – 2020 Activity **BE RECEIVED.**

CARRIED

7. DISCUSSION ITEMS

- a) Report No. FC-01-21 RE: Award of Legal Services Standing Offer of Agreement

Recommendation No. FC-05-2021

Moved by Member Steele

Seconded by Member Beattie

1. **THAT** Report FC-01-21 RE: Award of Legal Services Standing Offer of Agreement **BE RECEIVED.**

2. **THAT** the Legal Services Standing Offer of Agreement **BE RECOMMENDED** to the Board of Directors for approval to award for a three (3) year term (2021-2024) with the option to renew for two (2) one (1) year extensions to Legal Firm(s) listed in this report for each of their respective practice disciplines.

CARRIED

- b) Report No. FC-02-21 RE: Finance Committee – 2021 Work Plan – The Committee requested that an update on the asset management program be brought to the Finance Committee meeting scheduled for July.

Recommendation No. FC-06-2021

Moved by Member Woodhouse

Seconded by Member Foster

1. **THAT** Report No. FC-02-21 RE: Finance Committee – 2021 Work Plan **BE RECEIVED.**

2. **THAT** the Finance Committee - 2021 Work Plan attached as Appendix 1 **BE APPROVED.**

CARRIED

8. NEW BUSINESS

L. Gagnon, Director, Corporate Services provided a verbal update on the NPCA's 2021 Budget presentations to the participating municipalities and on the upcoming 2020 year-end audit. Members requested copies of the Binbrook Conservation Area septic funding agreement and related documentation.

9. ADJOURNMENT

Recommendation No. FC-07-2021

Moved by Member Beattie

Seconded by Member Metcalfe

THAT Finance Committee meeting of February 24, 2021 **BE ADJOURNED** at 10:18 a.m..

CARRIED

Ken Kawall,
Committee Chair

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

Report To: Board of Directors

Subject: Procurement – 2020 Activity

Report No: FA-14-21

Date: March 19, 2021

Recommendation:

1. **THAT** Report No. FA-14-21 RE: Procurement – 2020 Activity **BE RECEIVED.**

Purpose:

The purpose of this report is to provide the Board of Directors with an annual report on:

- Non-Competitive Procurement transactions for 2020;
- Unsolicited Proposals received in 2020;
- 2020 transactions approved by the CAO/Secretary-Treasurer in excess of \$100,000 for Board approved capital projects;
- Listing of current agreements sourced through cooperative purchasing.

Background:

Section 8.3 – Non-Competitive Procurement Business Case Requirements of the Procurement Policy states:

The Procurement Specialist shall provide a full written report on all Non-Competitive Procurement transaction(s) to the Board of Directors annually, within 3 months of subsequent year.

The minutes of the Audit and Budget Committee from March 12, 2020 include the following recommendation:

8.1 Report No. A&BC-01-2020 RE: Procurement Policy – The Committee requested an annual listing of unsolicited proposals.

The minutes of the Board of Directors meeting from April 16, 2020 include the following recommendation:

- 4d) Report No. FA-19-2020 RE: Delegation of Authority Policy – Ms. Sharma indicated that she would report in annually on the delegation of authority in the procurement of goods and services.

Discussion:

Non-Competitive Procurement

In 2020, NPCA proceeded with a total of 3 transactions in a non-competitive environment:

1. Form and Effect - \$13,760 (P.O. #1314)
Goods or services acquired: website redesign
Procurement Policy Section 8.2 defines allowable exceptions for non-competitive procurement: *“h)i) only one vendor can meet the requirements of a procurement to recognize exclusive rights or to maintain specialized products and/or systems”*
2. Lights by Skedaddle - \$20,998 (P.O. #1320)
Goods or services acquired: outdoor lights – Holiday Trail – Balls Falls
Procurement Policy Section 8.2 defines allowable exceptions for non-competitive procurement: *“a) an unforeseen situation of urgency exists and the goods, services or construction cannot be obtained by means of competitive procurement”*. The operational decision to proceed with the Holiday Trail initiative was made in November. As such, only one vendor had available resources to deliver the service within our timelines.
3. City View - \$119,761 (P.O. #1331)
Goods or services acquired: existing software upgrade (Development Application Tracking System)
Board approved: December 17, 2020, Resolution #175-2020
Procurement Policy Section 8.2 defines allowable exceptions for non-competitive procurement: *“h)i) only one vendor can meet the requirements of a procurement to recognize exclusive rights or to maintain specialized products and/or systems”*

Unsolicited Proposals

There were no unsolicited proposals received in 2020.

CAO/Secretary-Treasurer Approved Capital Project Transactions – 2020

In 2020, the CAO/Secretary-Treasurer approved a total of 3 transaction in excess of \$100,000 for Board approved capital projects:

1. Duomax - \$146,900 (P.O. #1304)
Project: Tree Top Trekking pavilion – Binbrook
2. Walters Custom Works - \$211,355 (P.O. #1311)
Project: Balls Falls septic system – Lincoln
3. R & M Construction - \$122,240 (P.O. #1312)
Project: Shriner's Creek Dyke repairs – Niagara Falls

Cooperative Procurement

NPCA participates in multiple Group Purchasing Organizations to aggregate volume and raise the purchasing power of each participating entity. Through collaborative and consortium buying agreements, NPCA benefits from best value, while also reducing time spent on procurement processes. Vendors benefit from large volume and efficient competitive bidding processes that come with multiple awards to a single contract. NPCA also benefits from aggregated national/provincial/regional pricing which allows the smallest of public agencies to leverage the same buying power and contracts as a large public sector agency.

NPCA has entered into the following collaborative agreements, leveraging the benefits of cooperative procurement:

- Containerized waste removal
- Supply and delivery of fuel
- Workplace print and services
- Corporate credit card services
- Courier services
- Mobile devices and related services
- Fine paper agreement
- Customs broker service
- Group health benefits
- Insurance
- Uniforms

NPCA currently participates in the following Group Purchasing Organizations:

- Niagara Public Purchasing Committee (NPPC)
- Ministry of Government and Consumer Services (MGS)
- Ontario Education Collaborative Marketplace (OECM)
- Kinetic Group Purchasing Organization (KGPO)
- Conservation Ontario (CO)

Related policies:

1. Procurement Policy
2. Delegation of Authority Policy

Authored by:

Original Signed by:

Eric Gervais
Procurement Specialist

Reviewed by:

Original Signed by:

Lise Gagnon, CPA, CGA
Director, Corporate Services

Submitted by:

Original Signed by:

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

Report To: Board of Directors

Subject: Banking and Investments – 2020 Activity

Report No: FA-15-21

Date: March 19, 2021

Recommendation:

1. **THAT** Report No. FA-15-21 RE: Banking and Investments – 2020 Activity **BE RECEIVED**.

Purpose:

The purpose of this report is to provide the Board of Directors with a report on banking and investments for the 2020 fiscal year.

Discussion:

Cash and Cash Equivalents				
	2020 *	2019	Change	%
Bank of Montreal	\$ 4,122,503	\$ 2,659,034	\$ 1,463,469	55.0%
Petty Cash	4,000	4,200	- 200	-4.8%
CIBC	11,650	715,534	- 703,884	-98.4%
Meridian	4,632	75,266	- 70,634	-93.8%
Total	\$ 4,142,785	\$ 3,454,034	\$ 688,751	19.9%

Investments				
	2020 *	2019	Change	%
GIC - Meridian	\$ 4,465,369	\$ 4,381,512	\$ 83,857	1.9%

* *Unaudited*

Please note that the variances Staff consolidated balances from CIBC and Meridian to the Bank of Montreal in order to maximize interest income. The CIBC and Meridian accounts are not interest bearing.

Indebtedness

NPCA has an operating line of credit available in the amount of \$765,000. This credit facility was not utilized in 2020.

Authored by:

Original Signed by:

Lise Gagnon, CPA, CGA
Director, Corporate Services

Submitted by:

Original Signed by:

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

Report To: Board of Directors

Subject: Award of Legal Services Standing Offer of Agreement

Report No: FA-16-21

Date: March 19, 2021

Recommendation:

1. **THAT** Report FA-16-21 RE: Award of Legal Services Standing Offer of Agreement **BE RECEIVED**.
2. **THAT** the Legal Services Standing Offer of Agreement **BE APPROVED** to award for a three (3) year term (2021-2024) with the option to renew for two (2) one (1) year extensions to Legal Firm(s) listed in this report for each of their respective practice disciplines.

Purpose:

The purpose of this report is to request that the Board of Directors approve the award of a Legal Services Standing Offer of Agreement to the 7 legal firms listed in Appendix A in each of their respective practice disciplines for a three (3) year term (2021 to 2024) to provide legal services on an as needed basis.

Background:

In 2018 the Office of the Auditor General of Ontario conducted a Special Audit of the Niagara Peninsula Conservation Authority. It was recommended that the NPCA revise its procurement policy for legal services and assess the benefit of establishing continuity and achieving cost savings from contracting with a preferred law firm for each field of law it requires.

In December of 2019, the Governance Committee (Report GC-15-19 RE) directed staff to develop a vendor of record roster for legal services, subject to approval by the Board of Directors.

It was the intention of the Niagara Peninsula Conservation Authority to enter into a Standing Offer Agreement (SOA) in whole or in part for legal services in seven (7) required practice disciplines. Work is to be “as and when required”. Based on a competitive process, the NPCA has elected to enter into a Standing Offer of Agreement in part, to the top four (4) firms in each required practice discipline.

In October 2020, an Evaluation Committee was created that included key member(s) of the Senior Leadership Team: Director of Corporate Services, Director of Watershed Management, Human Resources Manager and Compliance Supervisor. CAO was briefed for approval as required.

With the assistance of the Evaluation Committee, A Request for Standing Offer of Agreement (RFSO) was developed that included the following evaluation criteria and posted to Merx (www.merx.com) on November 12th, 2020.

Rated Criteria Category	Weighting (Points)
1. Firms Profile & Executive Summary	5 Point(s)
2. Desirable Criteria that included Qualification of key personnel, Experience, Area of expertise and Response time	35 Point(s)
3. Firm Credentials	15 Point(s)
4. Reference(s)	5 Point(s)
5. Other Services	5 Point(s)
6. Rate(s)	35 Point(s)

The RFSO was reviewed and/or downloaded by 22 law firms. Upon closing on November 27th, 2020, the NPCA received a total of twelve submissions for the seven required practice disciplines.

The evaluation team individually scored each qualified proposal based on the non-price rate criteria as set out in Section F of the RFSO for each practice discipline identified.

Upon completion, each individual evaluation score was calculated then added together with the price evaluation and were ranked based on their total scores. The top four ranked firms for each practice discipline were selected and are summarized below and contained in Appendix A.

Standing Offer of Agreement

<i>Local Government Law</i>	<i>Environmental Law</i>	<i>Municipal and Development Law</i>	<i>Employment & Labour Law</i>	<i>Construction & Procurement Law</i>	<i>Real Estate Law</i>	<i>Civil Litigation Law</i>
<u>Boghosian & Allen LLP</u>	Duncan Linton LLP	Duncan Linton LLP	Duncan, Lipton LLP	Duncan Linton LLP	Duncan Linton LLP	<u>Boghosian & Allen LLP</u>
Duncan Linton LLP	Fasken, Martineau DuMoulin LLP	Fasken, Martineau DuMoulin LLP	Hicks Morley Hamilton Stewart <u>Storie LLP</u>	Fasken, Martineau DuMoulin LLP	Fasken, Martineau DuMoulin LLP	Duncan Linton LLP
Gardiner Roberts LLP	Gardiner Robert LLP	Gardiner Robert LLP	Gardiner Robert LLP	Gardiner Robert LLP	Gardiner Robert LLP	Gardiner Roberts LLP
<u>Suregrant Professional Corporation & Graham Stephenson LLP</u>	<u>Gowling WLG (Canada) LLP</u>	<u>Gowling WLG (Canada) LLP</u>	Rae Christen Jeffries LLP	<u>Gowling WLG (Canada) LLP</u>	<u>Gowling WLG (Canada) LLP</u>	<u>Suregrant Professional Corporation & Graham Stephenson LLP</u>

This Standing Offer of Agreement (SOA) is a nonexclusive agreement that makes no guarantee of the value or volume of work to be assigned to any of the successful firm. The NPCA reserves the right to contract with others for the same or similar deliverables to those that were described in the RFSO.

On February 24, 2021 Report No. FC-01-21 – Award of Legal Services Standing Offer of Agreement was presented to the Finance Committee, and the following resolution (FC-05-2021) was passed:

THAT Report FC-01-2021 RE: Award of Legal Services Standing Offer of Agreement BE RECEIVED.

THAT the Legal Services Standing Offer of Agreement BE RECOMMENDED to the Board of Directors for approval to award for a three (3) year term (2021 to 2024) with the option to renew for two (2) one (1) year extensions to Legal Firm(s) listed in this report for each of their respective practice disciplines.

Financial Implications:

The financial impact of this Standing Offer of Agreement will be reviewed in the Operating Budgets year over year.

Related Reports and Appendices:

Appendix A – RFSO Legal Services NPCA-2020-2022 Roster

Authored by:

Original Signed by:

Eric Gervais
Procurement Specialist, Corporate Services

Reviewed by:

Original Signed by:

Lise Gagnon, CPA, CGA
Director, Corporate Services

Submitted by:

Original Signed by:

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

Appendix A – Report No. FA-16-21

RFSO Legal Services NPCA-2020-2022 Roster

Local Government Law

Boghosian & Allen LLP
65 Queen St W #1000,
Toronto, ON M5H 2M5

Gardiner Roberts LLP
22 Adelaide St W #3600
Toronto, ON M5H 4E3

Duncan Linton LLP
45 Erb St E,
Waterloo, ON N2J 1L7

Suregrant Professional Corporation
& Graham Stephenson LLP
905-550 North Service Road
Burlington, ON L7L 6W6

Environmental Law

Duncan Linton LLP
45 Erb St E,
Waterloo, ON N2J 1L7

Fasken, Martineau DuMoulin LLP
333 Bay St #2400,
Toronto, ON M5H 2T2

Gardiner Robert LLP
22 Adelaide St W #3600
Toronto, ON M5H 4E3

Gowling WLG (Canada) LLP
160 Elgin Street
Ottawa, ON K1P 1C3

Municipal and Development Law

Duncan Linton LLP
45 Erb St E,
Waterloo, ON N2J 1L7

Fasken, Martineau DuMoulin LLP
333 Bay St #2400,
Toronto, ON M5H 2T2

Gardiner Robert LLP
22 Adelaide St W #3600
Toronto, ON M5H 4E3

Gowling WLG (Canada) LLP
160 Elgin Street
Ottawa, ON K1P 1C3

Employment & Labour Law

Duncan Linton LLP
45 Erb St E,
Waterloo, ON N2J 1L7

Hicks Morley Hamilton Stewart Storie LLP
150 Caroline Street S, Suite 404
Waterloo, ON N2L 0A5

Gardiner Robert LLP
22 Adelaide St W #3600
Toronto, ON M5H 4E3

Rae Christen Jeffries LLP
70 University Ave #320
Toronto, ON M5J 2M4

Construction & Procurement Law

Duncan Linton LLP
45 Erb St E,
Waterloo, ON N2J 1L7

Fasken, Martineau DuMoulin LLP
333 Bay St #2400,
Toronto, ON M5H 2T2

Gardiner Robert LLP
22 Adelaide St W #3600
Toronto, ON M5H 4E3

Gowling WLG (Canada) LLP
160 Elgin Street
Ottawa, ON K1P 1C3

Real Estate Law

Duncan Linton LLP
45 Erb St E,
Waterloo, ON N2J 1L7

Fasken, Martineau DuMoulin LLP
333 Bay St #2400,
Toronto, ON M5H 2T2

Gardiner Robert LLP
22 Adelaide St W #3600
Toronto, ON M5H 4E3

Gowling WLG (Canada) LLP
160 Elgin Street
Ottawa, ON K1P 1C3

Civil Litigation Law

Boghosian & Allen LLP
65 Queen St W #1000,
Toronto, ON M5H 2M5

Gardiner Roberts LLP
22 Adelaide St W #3600
Toronto, ON M5H 4E3

Duncan Linton LLP
45 Erb St E,
Waterloo, ON N2J 1L7

Suregrant Professional Corporation
& Graham Stephenson LLP
905-550 North Service Road
Burlington, ON L7L 6W6

Report To: Board of Directors

Subject: Finance Committee – 2021 Work Plan

Report No: FA-17-21

Date: March 19, 2021

Recommendation:

1. **THAT** Report No. FA-17-21 RE: Finance Committee – 2021 Work Plan **BE RECEIVED**.
2. **THAT** the Finance Committee - 2021 Work Plan attached as Appendix 1 **BE APPROVED**.

Purpose:

The purpose of this report is to present the draft 2021 Work Plan to the Board of Directors for approval.

Discussion:

The 2021 Finance Committee Work Plan forms a key component of the financial reporting, planning and control structures of the organization, and identifies key priority initiatives required in the year ahead. Additionally, the Work Plan outlines how implementation of this work will be monitored against major deliverables and the Key Performance Indicator (KPI) framework.

On February 24, 2020 Report No. FC-02-21 – Finance Committee - 2021 Work Plan was presented to the Finance Committee, and the following resolutions (FC-06-2021) was passed:

THAT Report No. FC-02-2021 RE: Finance Committee – 2021 Work Plan BE RECEIVED for information.

THAT the Finance Committee – 2021 Work Plan attached as Appendix 1 BE APPROVED.

Related Reports and Appendices:

Appendix 1: Finance Committee – 2021 Work Plan (Draft)

Authored by:

Submitted by:

Original Signed by:

Original Signed by:

Lise Gagnon, CPA, CGA Chandra Sharma, MCIP, RPP
Director, Corporate Services Chief Administrative Officer/Secretary-Treasurer

Finance Committee Annual Work Plan - 2021

Appendix 1 - No. FA-17-21

Amended: 17-FEB-2021

DRAFT	Quarter 1			Quarter 2			Quarter 3			Quarter 4		
	JAN-2021	FEB-2021	MAR-2021	APR-2021	MAY-2021	JUN-2021	JUL-2021	AUG-2021	SEP-2021	OCT-2021	NOV-2021	DEC-2021
Finance Committee		24-Feb		28-Apr			28-Jul			27-Oct		
Full Authority Board	21-Jan	18-Feb	18-Mar	15-Apr	20-May	17-Jun	15-Jul		16-Sep	21-Oct	18-Nov	16-Dec
1. Terms of Reference, Audit Work Plan, Committee Evaluation, Appointment of Officers												
a) 2021 work plan		X		X								
b) 2021 work plan to the Board for approval			X		X							
c) Evaluation and review of Committee performance				X								
2. External Audit												
a) Review audit engagement and audit approach		X										
b) Recommend to the Board the appointment of external auditor and remuneration			X									
c) Review draft audited financial statements and Audit Findings Report				X								
b) Recommend to the Board the approval of draft audited financial statements					X							
3. Reporting												
a) Review 2020 Q4 and preliminary year end results, variance reports - Committee				X								
Review 2020 Q4 and preliminary year end results, variance reports - Board					X							
b) Review quarterly results, variance reports and projections - 2021 - Q1 - Committee				X								
Review quarterly results, variance reports and projections - 2021 - Q1 - Board					X							
c) Review quarterly results, variance reports and projections - 2021 - Q2 - Committee							X					
Review quarterly results, variance reports and projections - 2021 - Q2 - Board									X			
d) Review quarterly results, variance reports and projections - 2021 - Q3 - Committee										X		
Review quarterly results, variance reports and projections - 2021 - Q3 - Board											X	
e) Report on banking and investments - Committee		X										
Report on banking and investments - Board			X									
f) Report on procurement: sole sourcing, emergency purch, unsolicited proposals - Committee		X										
Report on procurement: sole sourcing, emergency purch, unsolicited proposals - Board			X									
4. Operating and Capital Budgets												
a) 2021 Operating and Capital budget assumptions - Committee							X					
2021 Operating and Capital budget assumptions - Board									X			
b) 2021 Draft Operating and Capital budgets - Committee										X		
2021 Draft Operating and Capital budgets - Board											X	
5. Corporate Policies and Procedures												
a) Banking and Cash Management Policy - Committee review and approval							X					
Banking and Cash Management Policy - Board review and approval									X			
b) Investments Policy - Committee review and approval							X					
Investments Policy - Board review and approval									X			
c) Operating Loans and Borrowing Policy - Committee review and approval							X					
Operating Loans and Borrowing Policy - Board review and approval									X			
d) Capital Debt Policy - Committee review and approval							X					
Capital Debt Policy - Board review and approval									X			

Niagara Peninsula Conservation Authority

Finance Committee Annual Work Plan - 2021

Appendix 1 - No. FA-17-21

Amended: 17-FEB-2021

	Quarter 1			Quarter 2			Quarter 3			Quarter 4		
	JAN-2021	FEB-2021	MAR-2021	APR-2021	MAY-2021	JUN-2021	JUL-2021	AUG-2021	SEP-2021	OCT-2021	NOV-2021	DEC-2021
DRAFT												
Finance Committee		24-Feb		28-Apr			28-Jul			27-Oct		
Full Authority Board	21-Jan	18-Feb	18-Mar	15-Apr	20-May	17-Jun	15-Jul		16-Sep	21-Oct	18-Nov	16-Dec
7. Other (note - agenda for Oct may be too heavy to accommodate b) and c))												
a) Review of insurance coverage and policy										X		
b) Review Risk Management Framework										X		
c) Review Records Retention Policy and Records Management Protocols										X		
d) Bill 229 Levy Regulations				X								
e) Report on Asset Management and Capital Planning							X		X			
f) Green Procurement Guidelines							X		X			
7. Mid and Long Term Objectives	2022	2023	2024									
Annually report assessing compliance with legislation and regulatory requirements, financial policies, including procurement, financial reporting, payroll, delegation of authority and accounting procedures												
Review effectiveness of corporate reporting systems regarding administrative and program performance												
Review financial management and controls policy												
Review business expense policy												
Review capital planning policy												



**PUBLIC ADVISORY COMMITTEE
ONLINE VIDEO CONFERENCE
MEETING MINUTES**

**Thursday February 25, 2021
5:00 p.m.**

MEMBERS PRESENT: J. Oblak (Committee Chair)
J. Ariens
C. Ecker-Flagg
B. Johnson, NPCA Board
M. Kauzlaric
D. Kelly
H. Korosis
B. Mackenzie, NPCA Board
J. Musso
D. Pont
J. Schonberger
D. Speranzini

MEMBERS ABSENT: E. Furney
N. Seniuk

STAFF PRESENT: C. Sharma, Chief Administrative Officer / Secretary – Treasurer
R. Bisson, Manager, Communications and Public Relations
N. Green, Project Manager, Niagara River Remedial Action Plan
K. Royer, Coordinator, Community Outreach
G. Verkade, Senior Manager, Integrated Watershed
Planning/Information Management

The Committee Chair called the meeting to order at 5:05 p.m. welcoming the Members and acknowledging and welcoming new Members to the Committee.

1. APPROVAL OF AGENDA

Recommendation No. PAC-01-2021

Moved by Member Korosis

Seconded by Member Pont

THAT the agenda for the February 25, 2021 NPCA Public Advisory Committee meeting **BE ADOPTED** as presented.

CARRIED

2. DECLARATIONS OF CONFLICT OF INTEREST

D. Speranzini declared that her opinions are her own and not that of her employer Agriculture and AgriFood Canada.

3. PRESENTATIONS

3 a) Strategic Plan Update (verbal update from Natalie Green)

N. Green shared that in January 2021 the Board Strategic Planning Committee directed staff to move forward with the strategic plan in 2021 after a brief hold at the end of the year because of changes to Conservation Authorities Act. The Communication and Engagement Plan presented to PAC in September was updated with the new timelines (the updated Plan was circulated to all PAC members after the meeting). Public engagement process is expected to begin near the end of March and the PAC will be approached for input on the public survey.

4. DELEGATIONS

None.

5. APPROVAL OF MINUTES

5 a) Minutes of the NPCA Public Advisory Committee dated November 26, 2020

Recommendation No. PAC-02-2021

Moved by Member Korosis

Seconded by Member Pont

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

CARRIED

5 b) Minutes of the NPCA Public Advisory Committee Watershed Floodplain Sub-Committee dated November 26, 2020

Recommendation No. PAC-03-2021

Moved by Member Speranzini

Seconded by Member Schonberger

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

CARRIED

5 c) Minutes of the NPCA Public Advisory Committee Watershed Floodplain Sub-Committee dated January 28, 2021

Recommendation No. PAC-04-2021

Moved by Member Korosis

Seconded by Member Schonberger

THAT the minutes of the NPCA Public Advisory Committee Watershed Floodplain Sub-Committee meeting dated January 28, 2021 **BE APPROVED**.

CARRIED

6. CORRESPONDENCE

None.

7. CONSENT ITEMS

- a) Bill 229 Conservation Authorities Act update (Report FA-12-21)
- b) Drainage Act Regulatory Proposal (ERO#019-2814)
- c) NPCA Media Releases – <https://npca.ca/our-voice>

C. Sharma provided an update on the Conservation Authorities Act and the Drainage Act from the Province. There was a discussion and questions from members about the Nutrient Act and the Drainage Act. Staff will follow-up with a response to these questions. Members were encouraged to check NPCA's website for recent media releases.

8. DISCUSSION ITEMS

None.

9. COMMITTEE REPORTS

None.

10. NEW BUSINESS

10. a) Member Meet and Greet (verbal discussion/round table)

Members were asked to respond to three (3) questions:

- Short background about you and why you want to be on PAC
- What are the two (2) most important issues in your sector
- How do they relate to the NPCA
- What actions would be useful/suggested for NPCA in addressing these issues?

Each member had 5 minutes to answer this question. General discussion around the various topics.

Recommendation No. PAC-05-2021

Moved by Member Kelly

Seconded by Member Ecker-Flagg

THAT the committee directs Member Oblak to develop a draft discussion paper summarizing key issues as discussed, for approval at the next PAC meeting.

CARRIED

Action item for all members: submit 2 key points/concerns to Jackie and Kerry via email with a short explanation for inclusion in the discussion paper.

10. b) General Discussion on Low-Impact Development, Green Infrastructure and Climate Change as related to NPCA mandate.

G. Verkade, Senior Manager of Integrated Watershed Planning/Information Management introduced a number of NPCA initiatives related to climate change, LID, and green infrastructure. Some examples Geoff shared included:

- LID workshop in partnership with Trout Unlimited Niagara Chapter
- restoration feasibility study (looking at other CAs and municipal partners)
- information gathering, developing partnerships in the community
- looking at climate change mitigation metrics related to restoration work
- climate change statement on NPCA website
- full, dynamic and high-functioning staff
- floodplain mapping and shoreline resiliency strategies
- 10 year NPCA Strategic Plan
- asset management program to look at incorporating green infrastructure
- working closely with Niagara Region on their Official Plan

A general discussion followed with some members sharing ideas to move some items forward, including lunch and learns, bus tours, development incentives, and creating demonstration projects.

11. ADJOURNMENT

Resolution No. PAC-06-2021

Moved by Member Speranzini

Seconded by Member Ariens

THAT this meeting of the NPCA Public Advisory Committee **BE** hereby **ADJOURNED** at 6:59PM.

CARRIED

Jackie Oblak
Public Advisory Committee Chair

Chandra Sharma
Chief Administrative Officer / Secretary –
Treasurer



DATE: March 19, 2021

MOTION:

Moved By: _____

Seconded By: _____

WHEREAS it has been determined that the CAO Chief Administrative Officer /Secretary-Treasurer of NPCA will participate as an ex-officio member on the Board of the Niagara Peninsula Conservation Foundation and another Authority Board member needs to be appointed to fill the second Director position on the Foundation.

NOW THEREFORE, BE IT RESOLVED:

1. **THAT** Board Member Donna Cridland **BE APPOINTED** to the Board of Directors of the Niagara Peninsula Conservation Foundation with re-affirmation to occur at the Annual General Meeting of the NPCA in June, 2021.
2. **AND FUTHER THAT** the Niagara Peninsula Conservation Foundation be so advised.

Chair: _____