

Governance Committee Agenda
March 21, 2025, following Full Authority meeting.
Carolinian Hall
3350 Merrittville Hwy., Thorold ON
AGENDA

1. APPROVAL OF AGENDA

2. DECLARATIONS OF CONFLICT OF INTEREST

3. APPOINTMENT OF CHAIR & VICE-CHAIR

4. PREVIOUS MEETING MINUTES

4.1. Minutes of the Governance Committee Meeting dated November 15, 2024

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5. CORRESPONDENCE

6. PRESENTATIONS

6.1. Planning & Permitting Policy Review Workshop

Presented by Director, Planning & Development, David Deluce and Manager, Environmental Planning & Policy, Kim Peters.

7. DELEGATIONS

8. CONSENT ITEMS

8.1. Report No. GC-03-25 RE: Public Sector Salary Disclosure

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9. DISCUSSION ITEMS

9.1. Report No. GC-01-25 RE: Governance Committee – 2025 Work Plan

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9.2. Report No. GC-02-25 RE: NPCA Policy Document and Procedural Manual Update

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10. NEW BUSINESS

11. CLOSED SESSION

12. ADJOURNMENT

Governance Committee
November 15, 2024
Carolinian Hall
3350 Merrittville Hwy., Thorold ON
MEETING MINUTES

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

STAFF PRESENT: L. Lee-Yates, CAO/Secretary–Treasurer
M. Davis, Manager, Office of the CAO & Board

The meeting was called to order at 10:48 a.m.

1. APPROVAL OF AGENDA

Resolution No. GC-11-2024
Moved by: Donna Cridland
Seconded by: Stew Beattie

THAT the Agenda for the Governance Committee Meeting held on November 15, 2024 **BE APPROVED**.

CARRIED

2. DECLARATIONS OF CONFLICT OF INTEREST

None.

3. APPROVAL OF THE MINUTES

Resolution No. GC-12-2024
Moved by: John Metcalfe
Seconded by: Donna Cridland

THAT the Minutes of the Governance Committee Meeting, dated May 17, 2024 **BE APPROVED**.

CARRIED

4. CORRESPONDENCE

None.

5. PRESENTATIONS

None.

6. DELEGATIONS

None.

7. CONSENT ITEMS

None.

8. DISCUSSION ITEMS

8.1. Report No. GC-06-24 RE: Administrative By-Law Revisions

Manager, Office of the CAO & Board, Melanie Davis, provided an overview of the above noted report. Discussion ensued regarding revision of appendices and next steps.

Resolution GC-13-24:

Moved by: Stew Beattie

Seconded by: John Metcalfe

THAT Report No. GC-06-24 RE: Administrative By-Law Review **BE RECEIVED**;

AND THAT the *DRAFT* Niagara Peninsula Conservation Authority Administrative By-Law **BE ENDORSED**;

AND FURTHER THAT the updated Administrative By-Law and associated Appendices be brought forward **FOR FULL AUTHORITY APPROVAL** on or before February 21, 2025.

CARRIED

9. NEW BUSINESS

None.

10. CLOSED SESSION

None.

11. ADJOURNMENT

The meeting was adjourned at 10:58 a.m.

Report To: Governance Committee

Subject: Public Sector Salary Disclosure

Report No: GC-03-25

Date: March 21, 2025

Recommendation:

THAT Report No. GC-03-25 RE: Public Sector Salary Disclosure **BE RECEIVED.**

Purpose:

The purpose of this report is to inform the Governance Committee of the reporting requirements under the Ontario *Public Sector Salary Disclosure Act, 1996* and provide an update on actions taken by the Niagara Peninsula Conservation Authority (NPCA) to aid in the openness and transparency in public disclosure of staff salaries.

Background:

The *Public Sector Salary Disclosure Act, 1996* (the Act) makes Ontario's public sector more open and accountable to taxpayers. The Act requires organizations that receive public funding from the Province of Ontario to disclose annually the names, positions, salaries and total taxable benefits of employees paid \$100,000 or more in a calendar year.

Public sector is defined under section 2(1) of the Act with various stipulations, including:

(c) subject to the Government funding condition in subsection (2), every local board as defined by the Municipal Affairs Act and every authority, board, commission, corporation, office or organization of persons some or all of whose members, directors or officers are appointed or chosen by or under the authority of the council of the corporation of a municipality in Ontario,

Under the Act, the funding condition in subsection (2) states:

(2) A body referred to in clause (c), (g), (h) or (k) of the definition of "public sector" in subsection (1) is included in the definition of "public sector" in a year only if the body

receiving funding from the Government of Ontario in that year of an amount that is at least equal to,

(a) \$1,000,000; or

(b) 10 per cent of the body's gross revenues for the year if that percentage is \$120,000 or more.

NPCA's total funding from the Government of Ontario in 2024 was \$688,929, representing approximately 4.75% of gross revenues for 2024. Based on the above requirements the NPCA does not qualify under this legislation and is unable to submit salaries through the Public Sector Salary Disclosure tool.

Discussion:

At the October 22, 2019, Governance Committee meeting, the committee suggested to staff that as a best practice the title and salary ranges for staff earning in excess of \$100,000 annually should be published by the NPCA going forward. Since 2019, the NPCA has consistently been below the 10% provincial funding reporting threshold, and therefore, has not been required to report under the PSSD. To promote transparency and at the suggestion of the Governance Committee, titles and salary ranges for positions with the potential to earn above \$100,000 have been published annually on the NPCA website.

The release of NPCA salary information has been conducted in a responsible way, keeping in mind that the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), 14(3)(f), considers a disclosure of an individual's salary to be a presumed invasion of privacy. Specific sections that were considered include:

A head shall refuse to disclose personal information to any person other than the individual to whom the information relates except,

(a) upon the prior written request or consent of the individual, if the record is one to which the individual is entitled to have access;

(3) A disclosure of personal information is presumed to constitute an unjustified invasion of personal privacy if the personal information,

(f) describes an individual's finances, income, assets, liabilities, net worth, bank balances, financial history or activities, or creditworthiness;

With a focus on pay transparency across the province, the Ontario Government has also passed legislation to come into effect January 1, 2026, as part of the *Working for Worker's Act* requiring any publicly advertised job posting to produce compensation range information for the position. As a best practice the NPCA already includes compensation information within publicly advertised job postings and will continue to do so under this new legislation.

Both NPCA staff and Board Members have worked towards incorporating a commitment to transparency and openness into our organizational practices and procedures. This, coupled with the provincial government actions promoting transparency have served their purpose

in providing a sound base to continue to enhance public trust in the NPCA. With current practices in place, the annual publishing of salary ranges is deemed to be a duplication of efforts, and as such, the NPCA will continue to promote open compensation data through the job posting process, which is also a requirement under new legislation.

Financial Implications:

There are no financial implications to this report.

Links to Policy/Strategic Plan:

Aligned with NPCA’s Mission of remaining responsive, innovative, accountable and financially sustainable organization.

Authored by:

Original Signed by:

Misti Ferrusi, CHRL
Manager, People & Performance

Reviewed by:

Original Signed by:

Lise Gagnon, CPA, CGA
Director, Corporate Services

Submitted by:

Original Signed by:

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

Report To: Governance Committee

Subject: Governance Committee – 2025 Work Plan

Report No: GC-01-25

Date: March 21, 2025

Recommendation:

THAT Report No. GC-01-25 RE: Governance Committee – 2025 Work Plan **BE RECEIVED;**

AND THAT the Governance Committee – 2025 Work Plan attached as Appendix 1 **BE APPROVED.**

Purpose:

The purpose of this report is to identify governance objectives and timelines for approval through the establishment of a Work Plan for the 2025 Governance Committee.

Background:

The Governance Committee began receiving an annual report that included a proposed Work Plan in 2021 to clearly communicate the integration of Board objectives into day-to-day operations of the NPCA.

Discussion:

It has become common practice for the Governance Committee to receive a proposed Work Plan outlining items for review and approval at the first meeting of the year. Attached as Appendix A is the proposed 2025 work plan for the Committee's consideration.

The proposed work plan for 2025 has been developed collaboratively with NPCA staff to identify items of priority within the role of the Committee.

With the completion of the Administrative By-Law and Committee Terms of Reference through 2024, the proposed work plan for 2025 focuses on Committee engagement on strategy development and various priority items identified in the *2021-2031 Strategic Plan*.

Financial Implications:

There are no financial implications pertaining to the approval of the 2024 Work Plan.

Links to Policy/Strategic Plan

Approving a Governance Committee Work Plan supports the advancement of the 2021-2031 strategic plan by promoting Organizational Excellence. Providing clear guidance for progress and reporting to Committees allows for thorough development of internal workplans and prioritization of workflow.

Recommendations contained herein also support the Strategic Plan's Core Value of conducting business with transparency to achieve high quality Customer Service.

Related Reports and Appendices:

Appendix 1: 2025 Proposed Work Plan

Report No. GC-05-20 RE: Board Evaluation Process

Report No. GC-05-22 RE: Board Evaluation Summary

Report No. GC-02-23 RE: Governance Committee – 2023 Work Plan

Report No. GC-02-24 RE: Governance Committee – 2024 Work Plan

Authored by:

Original signed by:

Melanie Davis, M.A.
Manager, Office of the CAO & Board

Reviewed and submitted by:

Original signed by:

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

Appendix 1 to Report No. GC-01-25 RE: Governance Committee – 2025 Work Plan

Governance Committee Annual Work Plan - 2025

	Quarter 1			Quarter 2			Quarter 3			Quarter 4		
	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
DRAFT - SUBJECT TO APPROVAL			21-Mar			27-Jun					21-Nov	
Governance Committee												
Full Authority Board												
1. Work Plan												
Workplan Approval			X									
2. Legislative Updates												
Administrative By-Law Review		X										
Standing Committee Terms of Reference		X										
3. Board Training												
Hearing Board Procedures Training							X					
5. Corporate Policies and Procedures												
Planning & Permitting Policy Document Review			X			X						
6. Strategic Plan												
Indigenous Engagement Guidelines						X						
Digital Transformation Strategy											X	
Government Relations Strategy											X	
7. Other												
Salary Disclosure			X									
FOI Statistical Reporting						X						
Insurance Update											X	

Report To: Governance Committee

Subject: NPCA Policy Document and Procedural Manual Updates

Report No: GC-02-25

Date: March 21, 2025

Recommendation:

THAT Report No. GC-02-25 regarding NPCA Policy Document and Procedural Manual Updates **BE RECEIVED**.

Purpose:

The purpose of this report is to provide the Governance Committee with an opportunity to provide initial input to policy gaps within the existing [NPCA Policy Document: Policies for Planning and Development in the Watersheds of the Niagara Peninsula Conservation Authority](#) (“NPCA Policy Document”), and to offer advice on how consultation with interested parties should proceed.

Background:

Staff presented a work plan for the review of the NPCA Policy Document (in December 2024 (FA-61-24), which was approved by the Board. The work plan committed staff to conducting a workshop with the Governance Committee in March 2025 to solicit the Governance Committee’s initial thoughts on gaps in the current Policy Document.

The existing NPCA Policy Document was approved by the Board in November 2022, and staff now has almost 2.5 years of experience in using the Policy Document to complete planning reviews and to process Section 28 Permits. Since the Policy Document’s implementation, there have been several changes to provincial legislation and policies affecting both conservation authorities and municipalities including:

- Bill 23 (Changes to various legislation including the *Conservation Authorities Act* and *Planning Act*)
- Update to the Ontario Wetland Evaluation System for Southern Ontario (OWES)

- Bill 185 (Changes to various legislation including *Planning Act* and *Municipal Act*)
- New Provincial Planning Statement (PPS)
- Ontario Regulation 41/24 (replaced the 36 distinct conservation authority regulations with a single minister's regulation)
- Ontario Regulation 474/24 (Minister's Reviews and Orders)

Over the last five years, these and other legislative changes have signaled the increasing priority of growth (particularly housing) and a more streamlined development review process.

Although some housekeeping amendments were made to the Policy Document in April 2024 when Ontario Regulation 41/24 came into effect, additional review of the Policy Document is needed to ensure the NPCA's planning and permitting policies align with the new legislative and policy landscape. Concurrently with the review of the NPCA Policy Document, staff will ensure that the NPCA Procedural Manual is updated to ensure reflect changes to the Policy Document.

It is important to note that despite all the legislative and policy changes, the role of conservation authorities as the primary agencies tasked with protecting people and property from natural hazards remains. This includes our role in *Planning Act* review and our regulatory role through Section 28 of the *Conservation Authorities Act*.

Discussion:

Staff are currently working on the internal review of the Policy Document and preparing to begin consultations with key interest groups/stakeholders. Feedback to date from Planning and Development staff helped to identify areas of the Policy Document that require revisions, and contributed to the discussion questions that will guide consultation.

Staff have identified the following focus areas for key updates:

- Policy areas that need to be updated because of a change in provincial policy or legislation;
- Policies that need greater clarity to aid in interpretation;
- Gaps in policies; and
- Consideration of new science or methodologies

The Policy Document review will be formally launched in early April. This will include sending out letters to interested parties introducing the project and offering an opportunity to meet and discuss the existing Policy Document. Interested parties are highlighted in the presentation and represent a broad range of industries, government, Indigenous communities and other groups that may have interest in the NPCA Policy Document.

To further help staff with assessing policy gaps within the existing Policy Document, the following questions are provided to the Governance Committee for discussion:

1. Have you received any feedback from watershed residents, interested groups, etc. regarding the NPCA Policy Document?
2. How do you see the work we do to manage natural hazards assisting with provincial priorities (e.g., housing, employment, transportation, infrastructure)?
3. Are there any particular interested parties that we should engage with as part of the Policy Review?
4. Do you have any examples of innovative policies or other approaches that we should consider to reduce and/or mitigate the impacts of natural hazards?

Similar questions will be posed to interested parties and key stakeholders as part of the consultation process. NPCA staff welcomes feedback from the Governance Committee on these questions.

Once the consultation and analysis phases of the project are complete, staff will report back to the Governance Committee in Fall 2025 with the findings and recommended amendments to the Policy Document and Procedural Manual.

Financial Implications:

There are no financial implications to this report. Costs associated with this project are included in the 2025 Operating Budget, approved by the NPCA Board of Directors.

Links to Policy/Strategic Plan:

The upkeep of key Planning and Permitting documents such as the Policy Document is in keeping with the following strategic priorities:

- Goal 1.2 Protect people and properties from natural hazards and climate impacts.
- Goal 2.1 Maintain a high standard of client services, tools and procedures for planning review and permits.
- Goal 5.2 Improve internal operations and processes.
- Goal 5.3 Provide high standards of customer service.

Related Reports and Appendices:

Report No. FA-061-24 RE: Planning and Permitting Policy Review Work Plan

Authored by:

Original Signed by:

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