

## **11-22-BOD Agenda (2022 Business)**

Nottawasaga Valley Conservation Authority

Jan 27, 2023 at 9:00 AM EST to Jan 27, 2023 at 12:00 PM EST

### **Agenda**

#### **1. Events**

##### **PA/PD Camp**

**Date:** Friday January 27, 2023

**Location:** Tiffin Centre for Conservation

#### **2. Call to Order**

#### **3. Land Acknowledgement**

The Nottawasaga Valley Conservation Authority Board acknowledges that we are situated on the traditional land of the Anishinaabeg. The Anishinaabeg include the Odawa, Saulteaux, Anishinaabeg, Mississauga and Algonquin who spoke several languages including Anishinaabemowin and Potawatomi. We are dedicated to honouring Indigenous history and culture and committed to moving forward in the spirit of reconciliation and respect with all First Nation, Métis and Inuit people.

#### **4. Declaration of Pecuniary and Conflict of Interest**

#### **5. Motion to Adopt the Agenda**

Recommendation:

**RESOLVED THAT:** the agenda for the Board of Directors Meeting #11-22-BOD dated January 27, 2023 be approved.

#### **6. Announcements**

#### **7. Presentations**

##### **7.1. 2022 Accomplishments**

2022 NVCA Chair, Mariane McLeod will present a video focusing on NVCA's 2022 accomplishments.

##### **7.2. Keynote Speaker**

Maple Leaves Forever - Ken Jewett (Founder) & Deb Pella Keen (Executive Director)

#### **8. Deputations**

There are no deputations for this meeting.

#### **9. Hearings**

There are no hearings for this meeting.

#### **10. Determination of Items Requiring Separate Discussion**

Board Members are requested to identify items from the Consent List that they wish to have considered for separate discussion.

## **11. Adoption of Consent List and Identification of Items Requiring Separate Discussion**

Recommendation:

**RESOLVED THAT:** agenda item number(s), was identified as requiring separate discussion, be referred for discussion under Agenda Item #9; and

**FURTHER THAT:** all Consent List Agenda Items not referred for separate discussion be adopted as submitted to the board and staff be authorized to take all necessary action required to give effect to same; and

**FURTHER THAT:** any items in the Consent List not referred for separate discussion, and for which conflict has been declared, are deemed not to have been voted on or discussed by the individual making the declaration.

## **12. Consent List**

### **12.1. Adoption of Minutes**

Recommendation:

**RESOLVED THAT:** the minutes of the Board of Directors meeting 02-22-BOD dated on November 25, 2022 be approved.

#### **12.1.1. Adoption of Agricultural Advisory Committee Minutes**

Recommendation:

**RESOLVED THAT:** the minutes of the Agricultural Advisory Committee 04-22-AAC dated on December 1, 2022 be approved.

### **12.2. Staff Reports**

#### **12.2.1. Staff Report No. 49-10-22-BOD from Chris Hibberd, Director, Watershed Management Services**

Recommendation:

**RESOLVED THAT:** the Board of Directors receive Staff Report No. 49-10-22-BOD regarding Bill 23 (*More Homes Built Faster Act, 2022*) update.

## **13. Other Business**

### **13.1. Thanking of outgoing Board of Directors**

### **13.2. Recognizing volunteers & community groups**

## **14. Adjourn to Board of Directors 2023 Annual General Meeting and Elections**

Recommendation:

**RESOLVED THAT:** this meeting adjourn at \_\_\_\_\_ and the position of the Chair be vacant.



09-22-BOD Minutes **(DRAFT)**  
Nottawasaga Valley Conservation Authority  
Nov 25, 2022 at 9:00 AM EST

**Attendance**

**Members Present:**

Vice-Chair Gail Little, Amaranth (Township); Chair Mariane Mcleod, Collingwood (Town); Rob Nicol, Innisfil (Town); Thom Paterson, Clearview (Township); Don Allen, Springwater (Township); Shirley Boxem, Mulmur (Township); Cllr. Ralph Manktelow, Mono (Town); Cathy Keane, Oro-Medonte (Township); Floyd Pinto, Adjala Tosorontio (Township); Donna Jebb, New Tecumseth (Town)

**Members Absent:**

Deputy Mayor Michael Smith, Essa (Township); Walter Benotto, Shelburne (Town); Cllr. Andrea Matrosovs, Blue Mountains (Town); Margaret Mercer, Melancthon (Township); George Watson, Wasaga Beach (Town); Cllr. Dane Nielsen, Grey Highlands (Municipality); Cllr. Gary Harvey, Barrie (City); Cllr. Raj Sandhu, Bradford West Gwillimbury (Town)

**NVCA Staff:**

Sheryl Flannagan, Director, Corporate Services; Doug Hevenor, Chief Administrative Officer; Chris Hibberd, Director, Watershed Management Services; Byron Wesson, Director, Conservation Services; Ben Krul, Manager, Planning; Hendrik Amo, Manager, Info Services & Technology (*departed at 9:10am*); Kerry Jenkins, Administrative Assistant/Recorder

**Guests:**

Kyle Fegan, Shelburne (Town)

**1. Events**

**Tiffin Nature Program (Nov-Dec) - Half Day**

**Date:** Occurs Tuesday every 1 week(s), from Tuesday, November 1, 2022 9:30:00 AM - Tuesday, December 6, 2022 12:30:00 PM

**Location:** Tiffin Centre for Conservation

**Tiffin Nature Program (Nov-Dec) - Full Day**

**Date:** Occurs Thursday every 1 week(s), from Thursday, November 3, 2022 9:30:00 AM - Thursday, December 8, 2022 3:30:00 PM

**Location:** Tiffin Centre for Conservation

**2. Call to Order**

Chair Mariane Mcleod called the meeting to order at 9:03am.

**3. Land Acknowledgement**

The Nottawasaga Valley Conservation Authority Board acknowledges that we are situated on the traditional land of the Anishinaabeg. The Anishinaabeg include the Odawa, Saulteaux, Anishinaabeg, Mississauga and Algonquin who spoke several languages including Anishinaabemowin and Potawatomi. We are dedicated to honouring Indigenous history and culture and committed to moving forward in the spirit of reconciliation and respect with all First Nation, Métis and Inuit people.

**4. Declaration of Pecuniary and Conflict of Interest**

**5. Motion to Adopt the Agenda**

Recommendation:

*RES: 43-22*

Moved by: Don Allen

Seconded by: Cathy Keane

**RESOLVED THAT:** the agenda for the Board of Directors Meeting #09-22-BOD dated on November 25, 2022 be approved.

**Carried;**

**6. Announcements**

There were no announcements at this time.

**7. Presentations**

There were no presentations at this time.

**8. Deputations**

There were no deputations at this time.

**9. Hearings**

There were no hearings at this time.

**10. Determination of Items Requiring Separate Discussion**

Board Members are requested to identify items from the Consent List that they wish to have considered for separate discussion.

**11. Adoption of Consent List and Identification of Items Requiring Separate Discussion**

Recommendation:

*RES: 44-22*

Moved by: Shirley Boxem

Seconded by: Don Allen

**RESOLVED THAT:** agenda item number(s) 12.2.4, 12.2.5 and 12.2.6 were identified as requiring separate discussion, be referred for discussion under Agenda Item #9; and

**FURTHER THAT:** all Consent List Agenda Items not referred for separate discussion be adopted as submitted to the board and staff be authorized to take all necessary action required to give effect to same; and

**FURTHER THAT:** any items in the Consent List not referred for separate discussion, and for which conflict has been declared, are deemed not to have been voted on or discussed by the individual making the declaration.

**Carried;**

## **12. Consent List**

### **12.1. Adoption of Minutes**

Recommendation:

*Approved by Consent*

**RESOLVED THAT:** the minutes of the Board of Directors Meeting #08-22-BOD dated on September 23, 2022 be approved.

#### **12.1.1. Adoption of AAC Minutes**

Recommendation:

*Approved by Consent*

**RESOLVED THAT:** the minutes of the Agricultural Advisory Committee Meeting #03-22-AAC dated on June 30, 2022 be approved.

### **12.2. Staff Reports**

#### **12.2.1. Staff Report No. 42-09-22-BOD from Sheryl Flannagan, Director, Corporate Services**

Recommendation:

*Approved by Consent*

**RESOLVED THAT:** the Board of Directors receive Staff Report No. 42-09-22-BOD regarding the 2022 third quarter financials; and

**FURTHER THAT:** staff continue to monitor budget activities.

#### **12.2.2. Staff Report No. 43-09-22-BOD from Sheryl Flannagan, Director, Corporate Services**

Recommendation:

*Approved by Consent*

**RESOLVED THAT:** the Staff Report No. 43-09-22-BOD regarding surplus/deficit allocations be approved; and

**FURTHER THAT:** The NVCA Auditor be directed to place any 2022 surplus/ deficit funds in/out of the following reserves as specified:

- Planning Reserve – all planning programs surplus/deficits;
- New Lowell Reserve – all New Lowell CA program surplus;

- Operational Reserve – 25% of any surplus not allocated to another reserve or any potential deficits, including those from Planning not covered by that reserve;
- Capital Reserve – 50% of any surplus not allocated to another reserve;
- Human Resources Reserve – 25% of other surplus not allocated to another reserve;
- Healthy Waters Reserve – all department 120 surplus, if any;
- Environmental Education Reserve - all department 630 surplus, if any;
- Forestry Reserve - all department 110 surplus, if any;
- Watershed Science Reserve – all department 420 surplus, minus any Source Water Protection, if any.

**12.2.3. Staff Report No. 44-09-22-BOD from Ben Krul, Manager, Planning Services and Hendrik Amo, Manager, Information Services & Technology**

Recommendation:

*Approved by Consent*

**RESOLVED THAT:** The Board of Directors receive Staff Report No. 44-09-22-BOD regarding investigating in-house opportunities to automate processes and explore commercial software solutions.

**12.2.4. Staff Report No. 45-09-22-BOD from Chris Hibberd, Director, Watershed Management Services**

**Moved by: Rob Nicol**

**Seconded by: Cathy Keane**

**RESOLVED THAT:** the Board of Directors receive Staff Report No. 45-09-22-BOD regarding proposed housekeeping changes to planning and permitting review fees and;

**FURTHER THAT:** the Fee Policy, which includes Appendices A to F Fee Schedules, be approved as attached.

Vice-Chair Gail Little introduced the following friendly amendment:

Recommendation:

*RES: 45-22*

Moved by: Rob Nicol

Seconded by: Cathy Keane

**RESOLVED THAT:** the Board of Directors receive Staff Report No. 45-09-22-BOD regarding proposed housekeeping changes to planning and permitting review fees and;

**FURTHER THAT:** the Fee Policy, which includes Appendices A to F Fee Schedules, be approved as attached and;

**FURTHER THAT:** a 2% COLA be added to all fees listed in the schedule effective December 1, 2022.

**Carried;**

**12.2.5. Staff Report No. 46-09-22-BOD from Chris Hibberd, Director, Watershed Management Services**

Recommendation:

*RES: 46-22*

Moved by: Ralph Manktelow

Seconded by: Don Allen

**RESOLVED THAT:** the Board of Directors receive Staff Report No. 46-09-22-BOD regarding Bill 23 (More Homes Built Faster Act, 2022) and Related ERO Postings.

**Carried;**

**12.2.6. Staff Report No. 47-09-22-BOD from Doug Hevenor, CAO**

Recommendation:

*RES: 47-22*

Moved by: Shirley Boxem

Seconded by: Don Allen

**RESOLVED THAT:** the update on Memorandums of Understanding and Nottawasaga Valley Conservation Authority's (NVCA) progress report, be received and;  
**FURTHER THAT:** NVCA's Board of Directors approves this progress report in fulfillment of the third progress report to be submitted to the Province by January 1, 2023, as required by O.Reg. 687/21: Transition Plans and Agreements for Programs and Services under Section 21.1.2 of the Act.

**12.2.7. Staff Report No. 48-09-22-BOD from Maria Leung, Communications Coordinator**

Recommendation:

*Approved by Consent*

**RESOLVED THAT:** Staff Report No. 48-09-22-BOD regarding NVCA Communications – September 10 – November 11, 2022, be received.

**13. Other Business**

Vice-Chair Gail Little expressed her appreciation to all members for all their dedication and hard work over the years.

CAO Doug Hevenor informed the members about NVCA's Giving Tuesday as well as thanked all the members for their participation over the years.

**14. Adjourn**

Recommendation:

*RES: 48-22*

Moved by: Donna Jebb

Seconded by: Cathy Keane

**RESOLVED THAT:** this meeting adjourn at 9:44am to meet again on January 27 2023, or at the call of the Chair.

**Carried;**





04-22-AAC Minutes (**Draft**)  
Nottawasaga Valley Conservation Authority  
Dec 1, 2022 at 10:00 AM EST

**Attendance**

**Members Present:**

Cllr. Gail Little, NVCA Member (Dufferin County FA Representative)  
Chair, Colin Elliot, North Simcoe Soil and Crop Assoc.  
Dave Ritchie, Preseident, SCFA  
Ted Woods, President, Christian Farmers Assoc.  
Dave Spring, Spring Valley Farms Inc. (*Arrived at 10:14am*)  
Andy Vanniekerk (*Arrived at 10:08am*)  
Donna Jebb, NVCA Member

**Members Absent:**

Cllr. Dane Nielsen, NVCA Member  
Vice-Chair, Hugh Simpson, Grey County FA

**NVCA Staff:**

Doug Hevenor, Chief Administrative Officer (*departed at 10:30am*)  
Chris Hibberd, Director, Watershed Management Services  
Byron Wesson, Director, Conservation Services  
Kerry Jenkins, Administrative Assistant/Recorder

**1. Call to Order**

Chair, Colin Elliot called the meeting to order at 10:03am

**2. Motion to Adopt the Agenda**

Recommendation:

Moved by: Donna Jebb

Seconded by: Ted Woods

**RESOLVED THAT:** the agenda for the Agricultural Advisory Committee 04-22-AAC dated December 1, 2022 be approved.

**Carried;**

**3. Declaration of Pecuniary and Conflict of Interest**

None declared.

**4. Approved Minutes**

*Approved by Consent*

(Board of directors approved the minutes during the 09-22-BOD meeting)

**5. Bill 23**

NVCA staff discussed Bill 23

**6. Other Business**

There was discussion on the NVCA's permitting process and timelines.

**7. Adjourn**

Recommendation:

Moved by: Donna Jebb

Seconded by: David Spring

RESOLVED THAT: this meeting adjourn at 11:20am, to meet again in-person on March 30, 2022 or at the call of the Chair.

**Carried;**



Staff Report: 49-10-22-BOD

Date: 27/01/2023

To: Chair and Members of the Board of Directors

From: Chris Hibberd  
Director, Watershed Management Services

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**SUBJECT: Bill 23 (*More Homes Built Faster Act, 2022*) Update**

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### **Recommendation**

**RESOLVED THAT: the Board of Directors receive Staff Report No. 49-10-22-BOD regarding Bill 23 (*More Homes Built Faster Act, 2022*) update.**

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### **Purpose of the Staff Report**

The purpose of this staff report is to provide an overview of Bill 23, *More Homes Built Faster Act, 2022* and Ontario Regulation 596/22: Prescribed Acts.

### **Background**

In 2021 the Province amended the Conservation Authorities Act to include the section 21.1 regarding Mandatory Programs and Services:

21.1 (1) An authority shall provide the following programs or services within its area of jurisdiction:

1. Programs or services that meet any of the following descriptions and that have been prescribed by the regulations:
  - i. Programs and services related to the risk of natural hazards.
  - ii. Programs and services related to the conservation and management of lands owned or controlled by the authority, including any interests in land registered on title.

iii. Programs and services related to the authority's duties, functions and responsibilities as a source protection authority under the Clean Water Act, 2006.

iv. Programs and services related to the authority's duties, functions and responsibilities under an Act prescribed by the regulations.

In November 2022, the Province passed Bill 23 which included the following key changes to the Conservation Authorities Act:

- Addition to Section 21.1.1: "(1.1) An authority shall not provide under subsection (1), within its area of jurisdiction, a municipal program or service related to reviewing and commenting on a proposal, application or other matter made under a prescribed Act."
- Addition to Section 21.1.2: "(1.1) An authority shall not provide under subsection (1), within its area of jurisdiction, a program or service related to reviewing and commenting on a proposal, application or other matter made under a prescribed Act."
- Addition of Section 21.3(1): "21.3 (1) The Minister may give a written direction to an authority directing it not to change the amount of any fee it charges under subsection 21.2 (10) in respect of a program or service set out in the list referred to in subsection 21.2 (2), for the period specified in the direction."

On December 28, 2022, the Province approved Ontario Regulation 596/22: Prescribed Acts. The intent of this regulation is to identify which Acts conservation authorities (CAs) will focus their review and comment on Section 21.1 – Mandatory Services.

In addition, on December 28, 2022, CAs also received a letter from the Minister of Natural Resources and Forestry to freeze CAs fees for the period from January 1, 2023 to December 31, 2023.

### Issues/Analysis

The effects of the December 28, 2022 items are that as of January 1, 2023, NVCA comments on any of the Acts listed in Reg 596/22 should be focused on our mandatory programs and services (e.g. natural hazards, drinking water source protection, and as a land owner). In addition, the NVCA may not alter the current fee schedule (approved by the NVCA Board of Director's on November 25, 2022) in 2023.

**Plan Review Services:** The Prescribed Acts Regulation restricts CAs from providing municipal (Category 2) or other (Category 3) programs or services related to

reviewing and commenting on a proposal, application, or other matter made under a number of Acts, including the Planning Act.

NVCA will continue to provide plan review and commenting under the Mandatory Programs and Services Regulation (O.R. 686/21) which includes natural hazards and source water protection. Recent changes to our non-mandatory review and commenting services for development applications as per the Prescribed Acts Regulation (O. Reg. 596/22) does not affect Conservation Authorities' provision of mandatory programs or services (Category 1) related to those prescribed Acts. Municipalities should continue with their regular circulation process to NVCA. Planning Services is committed to working with municipalities to clarify planning responsibilities moving forward. Furthermore, NVCA staff review all planning applications that were previously submitted in a timely manner to support municipalities in meeting the legislated deadlines under the Planning Act.

**Permits:** NVCA will continue to provide its regular permitting services except for new provisions concerning Minister's Zoning Orders and Community Infrastructure and Housing Accelerator Orders (*Conservation Authorities Act*, s. 28.0.1) as amended through Bill 23. The provision allowing the Minister to issue regulations to exempt certain development projects with *Planning Act* approval in certain municipalities from conservation authority permits is not currently in effect.

**Updated Fee Schedule:** The approved fee schedule for 2023 meets the requirements of the Minister's List of classes of programs and services in respect of which conservation authorities may charge a fee. The Minister has issued a direction to freeze our fees for planning and permitting for the year of 2023 so no additional changes will be made to our fee schedule for planning and permitting during this time.

### **Other Services Provided through MOUs/Agreements**

The recent legislative changes do not affect other services provided to municipalities. NVCA staff will continue work on formalizing these arrangements through Memoranda of Understanding and agreements where they are not already present.

### **Next Steps:**

The implementation of Ontario Regulation 596/22 is new and involving matter. This item is being examined by all 36 conservation authorities in a coordinated approach through Conservation Ontario. It is anticipated that further information and guidance will be provided over the next few weeks. NVCA staff will collaborate with municipal partners on how to best continue to support our municipal partners in meeting the various requirements under the *Planning Act* and other prescribed Acts.

Impact on Authority Finances

The financial implications of the legislative changes are unknown at this point time. Staff will keep the Board updated on revenues through the quarterly financial update reports. In addition, NVCA is currently carrying out a more in-depth review of the planning and permit fees with Watson and Associates Ltd. Once this review is completed, we will further engage the Board through a future staff report later in 2023.

Climate Change Implications

This staff report does not result in an increase in green house gases, temperature or precipitation exposure.

Submitted by:

*Original Signed by*

Chris Hibberd, MCIP, RPP

Director, Watershed Management Services

Approved for submission by:

*Original Signed by*

Doug Hevenor

Chief Administrative Officer