



**Board of Directors Meeting #8/20**  
**Thursday, October 22, 2020**  
**1:00 – 3:00 p.m.**

Virtual Meeting  
(Access Details to be Provided)

## AGENDA

---

- |  |              |
|--|--------------|
| 1. Adoption of Agenda  | Page 1       |
| 2. Declaration of Pecuniary Interest                                 |              |
| 3. Approval of Minutes   |              |
| • BOD Meeting #7/20  | Page 2-8     |
| 4. Business Arising from the Minutes                                 |              |
| 5. Deputation - None   |              |
| 6. Presentations   |              |
| • None   |              |
| 7. Consent Items   |              |
| 7.1 Permits Issued by Designated Staff (September)                   | Page 9-13    |
| 7.2 Strategic Actions Update – 3 <sup>rd</sup> Quarter               | Page 14-23   |
| 7.3 CAO Report   | Page 24-30   |
| 7.4 Correspondence   | Page 31-64   |
| 8. Action Items  |              |
| 8.1 Administrative By-Law Update                                     | Page 65-120  |
| 8.2 Planning and Permitting Client Service & Streamlining Initiative | Page 121-147 |
| 8.3 2021 Budget  | Page 148-149 |
| 9. New Business  |              |
| 10. Reports and Updates from Board Members                           |              |
| 11. Closed Session   |              |
| • None   |              |
| 12. Adjournment  |              |

## Agenda Item #3

BOD Meeting #8/20

October 22, 2020

Page 1 of 1

To: The Chair and Members of  
Kawartha Conservation Board of Directors

From: Mark Majchrowski, CAO

Re: Approval of Minutes

---

**KEY ISSUE:**

To approve the minutes of Meeting #7/20 held on Thursday, September 24, 2020.

**RECOMMENDED RESOLUTION:**

RESOLVED, THAT, the Board of Directors Minutes of Meeting #7/20 be adopted as circulated.

---

**BACKGROUND**

Minutes are attached for your review and approval.

## **Board of Directors Minutes of Meeting #7/20**

Meeting #7/20 was held on Thursday, September 24<sup>th</sup>, 2020 by Virtual Meeting. Chair Smith called the meeting to order at 1:00 p.m.

Present: Ted Smith, Chair  
Andy Letham, Vice Chair  
Angus Ross, Director  
Ron Hooper, Director  
Pat Dunn, Director  
Cathy Moore, Director  
Deborah Kiezebrink, Director  
Ron Windover, Director

Regrets: Kathleen Seymour-Fagan, Director

Staff: Mark Majchrowski, CAO  
Wanda Stephen, Director, Corporate Services  
Kristie Virgoe, Director, Stewardship and Conservation Lands  
Ron Warne, Director, Planning, Development and Engineering  
Emma Collyer, Director, Integrated Watershed Management  
John Chambers, Marketing and Communications Specialist  
Rob Stavinga, Watershed Resources Technician  
Melissa Creasy-Alexander, Conservation Areas Technician

Guests: None

<b>#1 - ADOPTION OF AGENDA</b>
--------------------------------

**RESOLUTION #72/20**

MOVED BY: Ron Windover

SECONDED BY: Cathy Moore

**RESOLVED THAT**, the Agenda for Meeting #7/20 be adopted as amended.

CARRIED

<b>#2 - DECLARATION OF PECUNIARY INTEREST</b>
---

None declared.

**#3 - APPROVAL OF MINUTES**

**RESOLUTION #73/20**

MOVED BY: Ron Hooper

SECONDED BY: Andy Letham

**RESOLVED, THAT,** the Board of Directors Minutes of Meeting #6/20 be adopted.

CARRIED

**#4 - BUSINESS ARISING FROM THE MINUTES**

None.

**# 5 – DEPUTATION**

None.

**# 6 - PRESENTATIONS**

**RESOLUTION #74/20**

MOVED BY: Pat Dunn

SECONDED BY: Ron Hooper

**RESOLVED, THAT,** the presentation on Program Innovation and Adaptation be received.

CARRIED

Mr. Chambers fielded a question on communication with patrons through the new website, while Ms. Stephen responded to queries about online security measures and payroll.

Director Kiezebrink joined the meeting during the staff presentation.

**#7 – CONSENT ITEMS**

The Chair reviewed the individual consent items and asked the Directors for any item they would like further discussion on. Agenda items #7.4 Program Innovation and Adaptation, and #7.5 Monthly CAO Report were pulled for discussion.

**RESOLUTION #75/20**

MOVED BY: Ron Windover

SECONDED BY: Angus Ross

**RESOLVED, THAT**, all the proposed resolutions shown in item #7 of the agenda be approved and adopted by the Board of Directors in the order they appear on the agenda and sequentially numbered, save and except agenda items #7.4 Program Innovation and Adaptation, and #7.5 Monthly CAO Report.

CARRIED

### **7.1 – Permits Issued by Designated Staff (July-August)**

#### **RESOLUTION #76/20**

**RESOLVED, THAT**, the following Section 28 Permits issued by staff during July and August 2020 be received, AND

THAT, the Permitting performance report be received.

CARRIED

### **7.2 – Permit Application Garage (166 Lakeland Road) City of Kawartha Lakes, former Fenelon Twp.**

#### **RESOLUTION #77/20**

**RESOLVED, THAT**, the Permit application submitted pursuant to Ontario Regulation 182/06: “Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses” to allow for the construction of a 66.9 m<sup>2</sup> detached garage at 166 Lakeland Road, City of Kawartha Lakes, be approved.

CARRIED

### **7.3 – Interim Financial Statement, June 30, 2020**

#### **RESOLUTION #78/20**

**RESOLVED, THAT**, the Interim Financial Statement to June 30, 2020 be received.

CARRIED

### **7.6 – Correspondence**

#### **RESOLUTION #79/20**

**RESOLVED, THAT**, the attached correspondence be received.

CARRIED

<b>#7 – CONSENT ITEMS REQUIRING SEPARATE DISCUSSION</b>
---

#### **7.4 – Program Innovation and Adaptation**

**RESOLUTION #80/20**

MOVED BY: Andy Letham

SECONDED BY: Ron Hooper

**RESOLVED, THAT,** the report on Program Innovation and Adaptation be received.

CARRIED

Vice Chair Letham passed along congratulations to everyone on embracing new technology and finding efficiencies.

#### **7.5 – Monthly CAO Report**

**RESOLUTION #81/20**

MOVED BY: Angus Ross

SECONDED BY: Pat Dunn

**RESOLVED, THAT,** the CAO Monthly Report for meeting #7/20 be received.

CARRIED

Ms. Virgoe fielded a question on the plan for education programs for the remainder of the year.

<b>#8 – ACTION ITEMS</b>
--------------------------

#### **8.1 – Proposed “Talking Forest” Initiative**

**RESOLUTION #82/20**

MOVED BY: Andy Letham

SECONDED BY: Ron Hooper

**RESOLVED, THAT,** the Talking Forest initiative be approved with authorization for up to \$16,000 utilized from the Conservation Initiatives reserve fund.

CARRIED

Ms. Virgoe provided the Board with a detailed explanation on the talking forest experience and fielded a question on the Conservation Initiatives reserve fund.

## 8.2 – 2021 Budget

### RESOLUTION #83/20

MOVED BY: Angus Ross

SECONDED BY: Pat Dunn

**RESOLVED THAT**, staff bring forward a draft budget considering a 0% municipal operating levy increase based on the current operating levels and identify separately a list for Board review any additional budget costs for consideration and direction at the meeting of October 2020.

CARRIED

CAO Majchrowski provided an overview of this report for the Board.

## 8.3 – Proposed Board Meeting Schedule 2021

### RESOLUTION #84/20

MOVED BY: Ron Hooper

SECONDED BY: Ron Windover

**RESOLVED THAT**, the Board of Directors 2021 meeting schedule as discussed be adopted for consideration by the Board.

CARRIED

## #9 – NEW BUSINESS

None.

## #10 – REPORTS AND UPDATES FROM BOARD MEMBERS

None.

## #11 – CLOSED SESSION

### RESOLUTION #85/20

MOVED BY: Ron Windover

SECONDED BY: Deborah Keizebrink

**RESOLVED THAT**, the Board enter a closed session at 2:11 p.m.

CARRIED

**RESOLUTION #86/20**

MOVED BY: Cathy Moore

SECONDED BY: Andy Letham

**RESOLVED THAT,** the Board exit out of closed session at 2:19 p.m.

CARRIED

<b>#12 - ADJOURNMENT</b>
--------------------------

There being no further business, the meeting adjourned at 2:20 p.m.

**RESOLUTION #87/20**

MOVED BY: Ron Windover

SECONDED BY: Pat Dunn

**RESOLVED THAT,** the Board of Directors Meeting #7/20 be adjourned.

CARRIED

---

Ted Smith  
Chair

---

Mark Majchrowski  
CAO



## Agenda Item #7.1

BOD Meeting #8/20

October 22, 2020

Page 1 of 2

To: The Chair and Members of  
Kawartha Conservation Board of Directors

From: Mark Majchrowski, Chief Administrative Officer  
Ron Warne, Director of Planning, Development and Engineering

Re: Permits Issued by Designated Staff

---

### KEY ISSUE:

A summary listing of Permits approved by designated staff for information purposes.

### RECOMMENDED RESOLUTION:

RESOLVED, THAT, the following Section 28 Permits issued by staff last month (September 2020) , being 2018-162, 2018-308 and 2018-318 (extended), 2019-196, 2020-134, 2020-160 and 2020-197 (re-issuance), and 2020-234, and 2020-240 through 2020-259 inclusive, be received, AND

THAT, the Permitting performance report be received.

---

**Of the Permits issued during this time period, 53 of 54 (98%) were issued within the 14-day CALC timeframe for determination of a complete application, while 54 of 54 (100%) were issued within the 21-day CALC timeframe pertaining to the issuance of the Permit.**

Permits issued include the extension of 3 permits as well as the renewal of 4 other permits.

Table 1 below illustrates those Permits that did not meet the revised CALC timeframes for determination of a complete application and Permit issuance during this reporting period. As a department, Planning, Development and Engineering continuously work to prioritize projects and re-allocate staff resources in order to ensure expeditious processing of Permits in order to achieve CALC timeframes while also ensuring customer service is a top priority.

**Agenda Item #7.1**

BOD Meeting #8/20

October 22, 2020

Page 2 of 2

**Table 1: Permits Exceeding CALC Guidelines for Permit Review and Issuance**

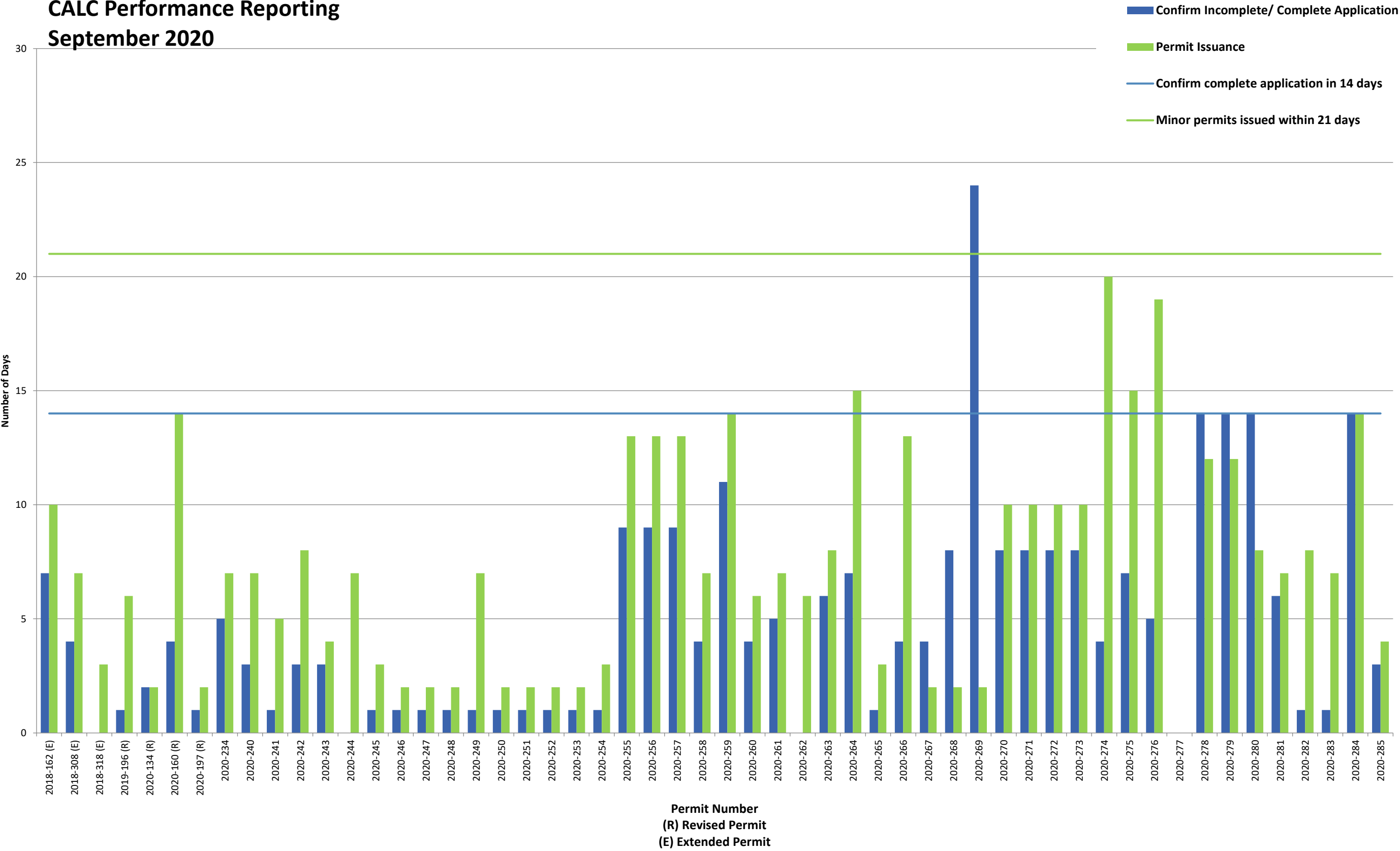
Permit Number	Guideline Not Met	CALC Review Guideline	# Days Taken to Review	Difference	Reason
2020-269	Complete Application	14	24	10	Application required detailed engineering review (Geo-technical) back in May when staff had been placed on temporary reduced hours due to COVID-19

**Acknowledgements/ Contributions from:**

Ashley Chlebak, Regulation &amp; Permitting Technician

For more information contact Ron Warne, Director, Planning, Development and Engineering at ext. 213.

CALC Performance Reporting  
September 2020



PERMITS ISSUED					
Permit #	Permit Type	Address	Geographic Township	Date Issued	Description
Column1	Column2	Column3	Column4	Column5	Column6
2018-162 (E)	Streamlined	35 Westview Drive	CITY OF KAWARTHA LAKES	Thursday, September 24, 2020	Construction of a 26.8 sqm deck. O/S floodplain, no fill, S/E controls
2018-308 (E)	Standard	728 Bexley/Laxton Township Line	CITY OF KAWARTHA LAKES	Thursday, September 24, 2020	Construction of a 460 sqm dwelling and a 147.2 sqm accessory building (shop). 60 m from wetland, clean fill, S/E controls
2018-318 (E)	Standard	1182 Traceys Hill Road	CITY OF KAWARTHA LAKES	Thursday, September 24, 2020	Construction of a 285 sqm dwelling with attached garage and assoc. fill placement. EIS completed with conditions, ffe & electrics raised, clean fill, S/E controls
2019-196 (R)	Standard	252 Four Points Road	CITY OF KAWARTHA LAKES	Thursday, September 10, 2020	Construction of an addition and an attached garage
2020-134 (R)	Standard	48 Glenvale Drive	CITY OF KAWARTHA LAKES	Thursday, September 17, 2020	Demolition of the existing dwelling and construction of a new dwelling with deck, septic, driveway and garage
2020-160 (R)	Standard	Waldweg Road	SCUGOG	Thursday, September 24, 2020	Replacement of the existing bridge
2020-197 (R)	Standard	11 Southside Road	CITY OF KAWARTHA LAKES	Thursday, September 10, 2020	Demolition of the existing dwelling; and construction of a new two-storey dwelling with basement and associated septic system
2020-234	Standard	10 West Bay Boulevard	CITY OF KAWARTHA LAKES	Thursday, September 10, 2020	Construction of a 78 square metre on-shore single-storey boathouse
2020-240	Standard	98 Francis Street West	CITY OF KAWARTHA LAKES	Tuesday, September 1, 2020	Replacement of the washroom facility
2020-241	Standard	65 Lakewood Crescent	CITY OF KAWARTHA LAKES	Tuesday, September 1, 2020	Construction of a detached garage
2020-242	Standard	586 Fire Route 364	TRENT LAKES	Tuesday, September 1, 2020	Demolition of the existing dwelling and construction of a new dwelling with attached garage
2020-243	Standard	358 Fralicks Beach Road	SCUGOG	Tuesday, September 1, 2020	Excavation/grading/fill placement for the installation of a new septic system
2020-244	Shoreline	303 Aldred Drive	SCUGOG	Friday, September 4, 2020	Excavation/grading/fill placement for the installation of sloped rock along the shoreline for erosion protection / shoreline stabilization
2020-245	Standard	4 Grove Road	CITY OF KAWARTHA LAKES	Thursday, September 3, 2020	Construction of a detached garage
2020-246	Streamlined	261 Gilmar Road	CITY OF KAWARTHA LAKES	Thursday, September 3, 2020	Replacement of the existing pool and construction of a new deck and cabana
2020-247	Standard	71 Crystal Heights	TRENT LAKES	Thursday, September 3, 2020	Construction of an addition to a detached garage
2020-248	Streamlined	6 Crescent Moon Lane	CITY OF KAWARTHA LAKES	Friday, September 4, 2020	Replacement of the existing deck
2020-249	Shoreline	49 Kenhill Beach Road	CITY OF KAWARTHA LAKES	Thursday, September 10, 2020	Excavation/grading/fill placement for the installation of ~18.3 metres (60') of an armour stone retaining wall with sloped rock along the toe for erosion protection/shoreline stabilization
2020-250	Streamlined	75 Kenhill Beach Road	CITY OF KAWARTHA LAKES	Thursday, September 10, 2020	Demolition of the existing deck and construction of a covered patio and deck
2020-251	Standard	164 Pine Point Lane	SCUGOG	Thursday, September 10, 2020	Raise the existing dwelling and replace the existing rubble foundation
2020-252	Standard	65 Crescent Drive	CITY OF KAWARTHA LAKES	Thursday, September 10, 2020	Demolition of the existing dwelling and construction of a new dwelling with associated septic system, screened porch and deck
2020-253	Shoreline	744 County Road 24	CITY OF KAWARTHA LAKES	Friday, September 11, 2020	Removal of an existing concrete wall and installation of a new armour stone wall
2020-254	Standard	15 Putsey Drive	SCUGOG	Friday, September 11, 2020	Excavation/grading/fill placement to raise the existing dwelling, move the existing driveway and replace the septic system
2020-255	Streamlined	County Road 48 (Culvert)	CITY OF KAWARTHA LAKES	Tuesday, September 15, 2020	Replacement of a culvert of the same length and diameter
2020-256	Streamlined	County Road 48 (Culvert)	CITY OF KAWARTHA LAKES	Tuesday, September 15, 2020	Replacement of a culvert of the same length and diameter
2020-257	Streamlined	County Road 48 (Culvert)	CITY OF KAWARTHA LAKES	Tuesday, September 15, 2020	Replacement of the existing culvert with the same length and diameter
2020-258	Streamlined	153 Victoria Drive	CITY OF KAWARTHA LAKES	Thursday, September 17, 2020	Construction of a new driveway
2020-259	Streamlined	Pigeon Lake Road (Culvert)	CITY OF KAWARTHA LAKES	Thursday, September 17, 2020	Replacement of the existing culvert with the same length and diameter

2020-260	Letter Of Permission	6 Gilson Point Place	CITY OF KAWARTHA LAKES	Thursday, September 17, 2020	Construction of a deck
2020-261	Letter Of Permission	42 Coldstream Road, Rosedale	CITY OF KAWARTHA LAKES	Thursday, September 17, 2020	Excavation/grading/fill placement for foundation repairs and repairs to the existing dwelling
2020-262	Standard	41 Andrew Court	CITY OF KAWARTHA LAKES	Thursday, September 17, 2020	Construction of a detached garage
2020-263	Standard	167 Walker's Road	CITY OF KAWARTHA LAKES	Thursday, September 17, 2020	Excavation/grading/fill placement for the construction of a new dwelling with associated septic system
2020-264	Shoreline	31 Fire Route 124	TRENT LAKES	Thursday, September 24, 2020	Excavation/grading/fill placement for the repair of the existing concrete wall and installation of new armour stone
2020-265	Letter Of Permission	309 Northline Road	CITY OF KAWARTHA LAKES	Thursday, September 24, 2020	Construction of an unenclosed accessory structure
2020-266	Standard	105 Clifford Drive	CITY OF KAWARTHA LAKES	Thursday, September 24, 2020	Construction of an addition onto the existing dwelling
2020-267	Other	Peter's Island Road Bridge	TRENT LAKES	Thursday, September 24, 2020	Bridge replacement
2020-268	Standard	2 Huntingdon Court	CITY OF KAWARTHA LAKES	Thursday, September 24, 2020	Construction of a boathouse
2020-269	Standard	Crosby Drive & Parkside Drive	CITY OF KAWARTHA LAKES	Thursday, September 24, 2020	Construction of a new dwelling with septic system
2020-270	Shoreline	28 Reid's Road	CITY OF KAWARTHA LAKES	Thursday, September 24, 2020	Excavation/grading/fill placement for the installation of ~27.4 metres (90') of an armour stone retaining wall with sloped rock along the toe for erosion protection/shoreline stabilization
2020-271	Shoreline	143 Meachin Drive	CITY OF KAWARTHA LAKES	Thursday, September 24, 2020	Excavation/grading/fill placement for the installation of ~58.2 metres (191') of an armour stone retaining wall with sloped rock along the toe for erosion protection/shoreline stabilization; and repairs to the existing concrete retaining wall in front of the boathouse
2020-272	Streamlined	113 Juniper Isle Road	CITY OF KAWARTHA LAKES	Thursday, September 24, 2020	Demolition of the existing garage
2020-273	Standard	2 Bruce Drive	CITY OF KAWARTHA LAKES	Thursday, September 24, 2020	Construction of an addition onto the existing dwelling
2020-274	Standard	15 Earl Kennedy Drive	CITY OF KAWARTHA LAKES	Thursday, September 24, 2020	Construction of a boathouse; replacement of the existing septic system; and excavation/grading/fill placement for the installation of an armour stone retaining wall with sloped rock for erosion protection
2020-275	Standard	79 Wiesenweg Road	SCUGOG	Tuesday, September 29, 2020	Construction of a detached garage
2020-276	Standard	37 Crescent Drive	CITY OF KAWARTHA LAKES	Tuesday, September 29, 2020	Construction of an addition
2020-277	Standard	Bethany Hills Road	CITY OF KAWARTHA LAKES	Tuesday, September 29, 2020	Construction of a new dwelling with associated septic
2020-278	Streamlined	Pigeon Lake Road (Culvert)	CITY OF KAWARTHA LAKES	Tuesday, September 29, 2020	Culvert replacement with the same length and diameter
2020-279	Streamlined	Pigeon Lake Road (Culvert)	CITY OF KAWARTHA LAKES	Tuesday, September 29, 2020	Replacement of the culvert with the same length and diameter
2020-280	Standard	91 Sturgeon Glen Road	CITY OF KAWARTHA LAKES	Tuesday, September 29, 2020	Construction of an addition to an existing garage
2020-281	Standard	1833 Crystal Lake Road	TRENT LAKES	Tuesday, September 29, 2020	Construction of a detached garage
2020-282	Standard	166 Lakeland Road	CITY OF KAWARTHA LAKES	Tuesday, September 29, 2020	Construction of a detached garage
2020-283	Streamlined	132 Mark Road	CITY OF KAWARTHA LAKES	Tuesday, September 29, 2020	Excavation/grading/fill placement for the construction of a new driveway
2020-284	Shoreline	Ops Drain #5	CITY OF KAWARTHA LAKES	Tuesday, September 29, 2020	DART - Full cleanout of muncipal drain - 300 metres
2020-285	Streamlined	Reach Street Bridge	SCUGOG	Tuesday, September 29, 2020	Emergency bridge repairs

## Agenda Item #7.2

BOD Meeting #8/20

October 22, 2020

Page 1 of 1

To: The Chair and Members of  
Kawartha Conservation Board of Directors

From: Mark Majchrowski, CAO  
Wanda Stephen, Director, Corporate Services  
Ron Warne, Director, Planning, Development & Engineering  
Kristie Virgoe, Director, Stewardship and Conservation Lands  
Emma Collyer, Director, Integrated Watershed Management

Re: Strategic Actions Update –3rd Quarter

---

**KEY ISSUE:**

To provide strategic action updates related to our programs and projects from July 1 to September 30, 2020.

**RECOMMENDED RESOLUTION:**

RESOLVED, THAT, the staff report on Strategic Actions Update for the third quarter be received.

---

**BACKGROUND**

Progress updates on our strategic plan actions related to our programs and projects for the third quarter are provided for review and information. Senior staff members will be present to address any questions.

## PROTECT

### **1 Complete Floodplain Mapping Projects for Priority Flood Damage Centres**

- Prepared a peer review package for McLarens Creek Flood Plain Study.
- Continued progress on Fenelon Falls South Tributary Flood Plain Mapping Study.

### **2 Explore opportunities to reduce flood risk by partnering with member municipalities and the development and insurance sectors**

- None

### **3 Expand the flood warning and forecasting network and emergency management system with municipalities and flood management agencies.**

- Continued providing reliable flood forecasting and warning services to member municipalities and the public through the period of limited staffing resources.
- Two flood messages, both Watershed Conditions Statement – Flood Outlook, were issued (Jul 11 and Aug 26).

### **4 Continue to ensure our permitting approvals and municipal planning decisions protect people, their property and investments and public infrastructure from natural hazards.**

- Issued a total of 123 permits.
- Conducted one virtual pre-consultation meeting with a private landowner.
- Under the Conservation Authorities Act and Regulations; received 6 complaints, investigated 5 violations, issued 2 remediation agreements, and resolved 3 violations.
- Commented on development within floodplain area to ensure the safety of public.
- Commented on subdivision projects to ensure the stormwater management system is properly designed for major and minor flows, without impacting the adjacent properties.
- Reviewed bridge replacement projects to ensure the safe conveyance of the flows and safety of the public.
- Continued to provide comments for municipal pre-consultation applications and attended meetings virtually.
- Provided comments for the following Planning Act Applications: Official Plan Amendment (3), Zoning By-law Amendment (8), Minor Variance (10), Consent (14), Site Plan (4), Plan of Subdivision (2).

### **5. Complete guidelines and communication tools that clarify the elements and standards for natural hazard assessments such as slope stabilization, large fill and sediment and erosion controls.**

- Renewed annual staff certification in CISEC (Certified Inspector of Sediment and Erosion Control); provides access to industry updates and innovations.

***Q3, 2020***

**6. Lead the Low Water Response program for the watershed**

- Initiated the Low Water Response Program due to prolonged low-precipitation conditions within the watershed jurisdiction.
- Level 1 Low Water conditions was declared (July 6) based on indicators calculated for March – June 2020.
- The Water Response Team was initiated and met on (July 16, Aug 11, and Sept 16).
- Level 2 Low Water conditions was declared (July 16) and remained active until (Sept 16) when it was downgraded to the Level 1.
- Three media releases were issued to inform the public and partner agencies on the low water situation.
- A series of five Infographics on Low Water were produced, Infographics focused on Agriculture, inside the home, outside the home, urban and wells. These infographics were shared to Kawartha Conservation's social media channels as well as sent to our member municipalities. All social media posts tagged our municipal partners.

**7. Ensure our conservation areas meet a high standard of public safety.**

- Enhanced cleaning/disinfecting scheduled for 2 public vaulted privies to twice daily – 7 days a week.
- Purchased an electrostatic backpack sprayer for enhanced disinfection of privies.
- Placed sanitize stations at high touch points such as outside privies and dog park entrance.

**8. Continue to implement the Drinking Water Source Protection Plan**

- Continued to promote Drinking Water Source Protection Social Media campaign. Trust the Tap was a multi-jurisdictional campaign to raise awareness about source water protection and involved multiple social media posts, media release, partner integration with the City of Kawartha Lakes and an online advertising campaign. Campaign was shared with all member municipalities within the Kawartha-Haliburton Source Protection Area.
- Supported the City of Kawartha Lakes and Ontario Clean Water Association during a small diesel fuel spill within the Wellhead Protection Area for Woodfield.
- Attended virtual training session (Aug 27) on the new Annual Reporting format which is being adopted by the Trent Conservation Coalition beginning in Feb 2021.
- Attended Trent Conservation Coalition Source Protection Committee meeting (July 23) to discuss COVID 19 response, risk management plan timeline extension, program progress, and policy amendment progress contained within the s.36 update.
- Attended Trent Conservation Coalition Source Protection Region Leads meeting (July 7, Aug 11, and Sept 8) and joint Leads/RMO meeting (Sept 22) to discuss policy updates/changes, s.34 amendment progress, application for Risk Management Plan timeline extension and progress.
- Reviewed and provided comments on the proposed changes to the Director's Technical Rules.
- Assisted the City of Kawartha Lakes in the drafting of the Official Plan Amendment and Zoning By-Law Amendments to incorporate source water protection.



## **Kawartha Conservation Strategic Plan 2017-2021: Strategic Goals and Enablers**

### **Accomplishments from July– September 2020.**

**Q3, 2020**

- Assisted in the creation of internal and external guidance documents for creation or alteration of transport pathways for municipal and source water protection staff.
- Assisted in the completion of the s.34 Amendment for Canadiana Shores, which was approved by the Ministry of the Environment, Conservation and Parks on Aug 14, 2020.
- Issued 8 s.59 Notices for construction activities within the Intake Protection Zone and Wellhead Protection Areas for Norland, Canadiana Shores, Bobcaygeon, Fenelon Falls, and Western Trent drinking water systems. Issued three letters for construction activities within the vulnerable areas for Norland and Lansdowne where significant drinking water threats cannot occur.
- Negotiated 1 Risk Management Plan (Kings Bay) for an agricultural property.
- Issued pre-consultation comments on two development proposals within the City of Kawartha Lakes which are also located within vulnerable areas around municipal drinking water systems.
- Began working through the legal process for “causing a thing to be done” (removal of fuel oil tank) for abandoned house in Birch Point after confirming possible fuel tank presence through a site visit (Sept 16).
- Began working with City of Kawartha Lakes to proceed through enforcement process for construction of a development conducted without any Planning or Building approvals or completed negotiation of Risk Management Plan.

## **CONSERVE & RESTORE**

### **1 Implement the Climate Change Strategy.**

- Participation in activities related to Climate Change Adaptation plans happening around the Durham Region.

### **2 Implement the Kawartha’s Naturally Connected (KNC) natural heritage system and use it to inform the Land Securement Policy, Climate Change and Stewardship Strategies.**

- None

### **3 Implement the Stewardship Strategy, and seek new partners in conducting shoreline, urban, rural, and agricultural stewardship restoration projects.**

- Completed our Water Fund allocations for 2020 including 15 landowner grants and 3 community grants in Kawartha Lakes, and 6 landowner grants in Township of Scugog.
- Collaboration with the 5 CA’s in Durham Region as well as the staff from Durham Region to establish a regional tree planting program. Leveraging support from Forest Ontario and Highway of Heroes.
- Conducted 7 site visits for 50 Million Tree programs across the watershed.
- Continued to provide remote site visits to landowners looking for advice on their properties.

## Kawartha Conservation Strategic Plan 2017-2021: Strategic Goals and Enablers

### Accomplishments from July– September 2020.

Q3, 2020

#### 4 Focus land securement on priorities identified within the Land Securement Strategy.

- None

#### 5 Complete and help implement the Nogies Creek Waterway with partners.

- None

#### 6 Complete and implement lake management plans with partners and residents.

- Extended RBC grant for urban stewardship into 2021 to allow for the Permeable Pavement pilot project in Port Perry.
- Negotiated OMAFRA funding to support Lake Management Implementation on agricultural properties in the Talbot watershed for \$99,750 over two years (2020-2022).
- Secured Environmental Damages Funding for \$75,000 over 2 years (2021-2023) to support urban stewardship within the City of Kawartha Lakes.
- Compiled background information for shoreline planning purposes, including water quality data (e.g., phosphorus, water clarity, dissolved oxygen) and shoreline land use (e.g., development within 120m of each lake) for 10 major lakes - Scugog, Sturgeon, Balsam, Cameron, Pigeon, Four Mile, Canal, Mitchell, Head, and Shadow.
- Engaged Carleton University and equipment suppliers to assist with the aquatic plant control research project, that will test the impacts of bubblers/thrusters on the aquatic environment.

#### 7 Institute a forest regeneration program with landowners.

- Continue to work with Region of Durham staff and other conservation authorities to implement a regional tree planting program.
- Began site visits for our first year in the 50 Million Tree program with Forest Ontario.

## DISCOVER

#### 1 Identify and address science and information gaps.

- Publication of “Durham Watershed Planning: Water Resources System” (Aug 2020); a document that provides the most up-to-date technical information including mapping layers for key water resources (e.g., permanent and intermittent streams, wetlands, significant surface water contribution areas, etc.) which is needed for quality and efficient planning and regulations functions.
- Continued to update our spatial dataset for landcover types along the shorelines of City of Kawartha Lakes as part of the CKL Lake Implementation Shoreline Policy and Background project.
- Attended a zoom meeting with Planet.Com (Sept 23), an American satellite imagery company. The company was providing information on their products. Unfortunately, their product costs are extremely high. Directed the sales representative to Conservation Ontario.

#### 2 Develop and Implement a Citizen Science program to increase knowledge.

- Received 2 website requests from individuals looking at becoming Citizen Scientists within our watershed.

**Q3, 2020**

**3 Track key environmental trends impacting the watershed and report on results at least every 3 years.**

- Initiated analysis of the long-term groundwater level data, which has recently been released by the Ministry of the Environment, Conservation and Parks for some of the PGMN wells within the watershed.
- Continue to monitor health of sensitive coldwater streams (30 stations) to track trends in warming water temperatures and degraded aquatic habitats.

**4 Develop the means to understand and report on the ecological value of our watershed's goods and services.**

- None

**5 Remain the go-to organization in the watershed for science and research-based information and data, mapping and GIS-generated resources and make that information easily accessible and understandable to the public.**

- Mosaiced 2018 imagery tiles into individual townships for entire watershed for in-house staff use.

**6 Invest in our monitoring programs and networks to support our ability to track the impacts of climate change and changes in our environment and inform our adaptation strategies.**

- Began transition to 'Bluetooth' water temperature data loggers, an easier-to-use and more reliable approach to tracking warming water temperatures on sensitive coldwater streams.
- Completed a round of verification, equipment maintenance, repair, or replacement where necessary to ensure all monitoring locations throughout the watershed are functioning properly.
- Worked with Environment Canada on modernization of the Pigeon River streamflow monitoring gauge.

**7 Lead and participate in collaborative research projects with our academic institutions, government agencies, private sector partners and environmental experts.**

- Continued partnership with Ontario Tech University and Carleton University on lake management plan implementation projects, including shoreline planning and policy project and aquatic plant control research project.
- Developed joint presentation delivered at Scugog Lake Stewards Annual General Meeting (Sep 24) with the Lake Scugog research collaborative (Ontario Tech, York University, and Scugog Lake Stewards) to showcase our Walleye Tributary Habitat and Nearshore Water Quality projects.
- Attended the Eastern Ontario WISKI hub meeting (Aug 24), discussed 2022 budget items such as annual user costs and special projects.

## **Connect and Collaborate**

### **1 Enhance engagement, collaboration and knowledge sharing with our First nation communities.**

- None

### **2 Expand partnerships with local school boards to deliver accessible, affordable, innovative outdoor education programs utilizing our conservation lands as a classroom.**

- Began developing the Talking Forest program to support outdoor education.
- Fleming College continues to use our areas as outdoor classroom for college students.

### **3 Maintain relationships with municipal partners through regular and targeted communication and engagement with municipal councils and staff members.**

- Worked with City of Kawartha Lakes Mayor Andy Letham and Brock Regional Councillor Ted Smith to produce a media release for Autumn in the Kawartha watershed.
- Ongoing negotiations with staff at the Region of Durham to develop a proposal to the Durham Regional Roundtable on Climate Change for a 3-year project to increase tree cover in Durham Region.
- Continued engagement with Durham Region Planning staff on the Envision Durham Municipal Plan conformity review exercise.
- Continued engagement with Drainage Superintendent of City of Kawartha Lakes on Municipal Drain maintenance activities, for example full clean-outs and bottom only clean-outs on agricultural watercourses.
- Partnering with the GTA CAs in delivering a flood emergency training workshop for municipal partners. The workshop will take place in January 2021 and will be offered remotely.

### **4 Maintain and create relationships with community groups, government organizations, stakeholders, and the agricultural and other industry sectors to better understand their interests, concerns, and opportunities.**

- Negotiated 2-year grant with OMAFRA to implement Best management practices on agricultural properties in the Talbot River watershed for \$99,750.
- Partnering with Kawartha Land Trust and local landowners in Fleetwood Creek watershed on projects to improve water quality, including a bed-level stream crossing project, and a bottom-draw pond retrofit project.

### **5 Connect communities and residents with nature by encouraging use of our conservation areas.**

- Partnered with Destination Ontario to produce a series of short videos, graphics, and two media releases promoting our Conservation Areas and the Kawartha watershed.
- Produced a new “Autumn in the Kawarthas” website page to provide information about our conservation areas, and tourism opportunities from our municipal partners.
- With funding from Enbridge, we provided 4 Forest Therapy walks in Ken Reid Conservation Area. A total of 59 participants attended.
- Installed new memorial bench at Ken Reid Conservation Area.

## **Kawartha Conservation Strategic Plan 2017-2021: Strategic Goals and Enablers**

### **Accomplishments from July– September 2020.**

**Q3, 2020**

#### **6 Collaborate and share services, expertise and resources with neighboring conservation authorities and Conservation Ontario.**

- Partnered with Central Lake Ontario Conservation on a project in the headwaters of the Nonquon River (Rogers Tract) that will improve water quality through by-passing a watercourse around 2 online ponds.
- Participated at the steering committee to organize Provincial Flood Forecasting and Warning Workshop. This year it is offered in new, digital format.
- Provided ongoing support to Couchiching Conservancy and Georgian Bay Land Trust with their mapping projects.
- Completed annual mapping updates for Huronia Land Conservancy.
- Networking and collaboration on various regional working groups and through Conservation Ontario (e.g. GM/CAO, Human resources, GIS, planning and permitting, conservation areas)

#### **7 Support activities of the Kawartha Conservation Foundation.**

- None

#### **8 Expand partnerships with our universities and colleges.**

- Partnering with a Trent University led research project that is testing genetics of Brook Trout in coldwater stream within Pigeon River Headwaters Conservation Area to help with managing sustainable native fish populations in our most sensitive watercourses.

#### **9 Explore opportunities and advance eco health across the watershed with public health partners.**

- Participated in interviews with Bob FM and Advocate Podcast on the health benefits of forest therapy.

## **OPTIMIZE SERVICE**

#### **1 Attract and retain a skilled workforce, promote information and knowledge transfer, and utilize our talent management program to facilitate staff training, mentoring, succession planning and professional and leadership skill development.**

- Continued adaptation and innovation activities responding to the pandemic

#### **2 Complete a professional and Value for Service Review of all programs and services to generate sustainable revenues, create efficiencies and to enhance benefits.**

- None

#### **3 Develop performance metrics standards and measures focused on corporate organizational performance and accountability; report key service targets monthly to our Board.**

- None

#### **4 Implement an Asset Management Plan.**

- None

## **Kawartha Conservation Strategic Plan 2017-2021: Strategic Goals and Enablers**

### **Accomplishments from July– September 2020.**

**Q3, 2020**

#### **5 Continue to pursue new funding relationships and opportunities, particularly relating to climate change, stewardship and education, source water protection implementation, conservation areas infrastructure and special project funding.**

- Successful in obtaining a Community Grant in the amount of \$1000 for Christmas at Ken Reid. Will be reaching out to see if we can defer funding until 2022 or put money towards another community event.
- Set up registration on the website for 2 upcoming innovation hub courses: Ontario Building Code Part 8 – Onsite Sewage System Exam Prep (Nov 2-6), Introduction to River Ice Engineering Online Course (Nov 16-18).
- Initiated a proposal for the Climate Action and Awareness Fund grant program, which closes October 21, 2020.

#### **6 Invest in technology to enhance business service delivery.**

- As an addition to the Kawartha Conservation website, we worked with eSolutions to implement a new mapping feature for the Planning/Permitting online application. The new mapping feature provides pin-point accuracy about where on a given property, development is proposed.
- Launched the Bids & Tenders component to the website (Sept 29) to help provide greater access and efficiency to sourcing specific services providers and a one-stop-shop approaching to tenders.
- Conducted two 'virtual' Board of Directors meetings using Zoom and live streaming through YouTube to bring together our board members remotely and provide an online platform for the public to follow the Board of Directors meetings.

#### **7 Take an outside-in approach, continue to look for opportunities to streamline and simplify the plan review and permitting processes to ensure quality, timely, responsive customer service.**

- Commenting provided on the Planning and Permitting Client Services initiative – Pre-Consultation guidelines
- Adapted planning and permitting processes to respond to a more virtual client experience

#### **8 Utilize our compliance activities as an education and outreach opportunity.**

- None

**Q3, 2020**

## OTHER ACTIVITIES

### 1 Lake Scugog Enhancement Project (LSEP)

- Worked towards finalizing a Fisheries Offsetting Plan, which includes numerous habitat rehabilitation proposals, as a requirement by Fisheries and Oceans Canada to achieve a net gain in the quality of fish habitat.
- Continued progress on addressing permitting requirements for the project.

### 2 Utilized Social Media across multiple channels to engage with our growing and diverse audiences, including:

- Continue to focus on two-way communications and engagement with online visitors using Facebook, Twitter, LinkedIn, Instagram, YouTube, and Google Places.

### 3. COVID 19 - Pandemic

- Provided ongoing news/municipal partner related updates on Covid-19 to our staff through our Microsoft Teams environment, as well as providing timely information to Directors in a real-time environment.

### 4 Other Activities

- None

FACEBOOK	TWITTER	LINKEDIN	INSTAGRAM	YouTube
Total Posts: <b>157</b>	Tweets: 310	Updates: 107	Posts: <b>76</b>	Video Views: 905
Total Reach: 111,800	Impressions: 110,730	Likes: 410	Profile Impressions: 37,451	Minutes Watched: 1,848
Post Impressions: <b>143,300</b>	Likes: 536	Shares: 88	Media Impressions: 29,971	
Comments: 125	Mentions: 86	Impressions: 22,766	Comments: 39	
Reactions: 1,831	Followers: 2,219	Followers: 1,591	Likes: 2,663	
Shares: 1,175			Followers: 2,376	

## Agenda Item #7.3

BOD Meeting #8/20

October 22, 2020

Page 1 of 7

To: The Chair and Members of  
Kawartha Conservation Board of Directors

From: Mark Majchrowski, CAO

Re: CAO Report

---

**KEY ISSUE:**

To provide the Board of Directors with the monthly CAO Report.

**RECOMMENDED RESOLUTION:**

RESOLVED, THAT, the CAO Monthly Report for meeting #8/20 be received.

---

**Corporate Services**

This team is focused on providing essential services to the organization such as payroll, accounts payable, accounts receivable, banking, financial reporting, board of directors' support, business process improvements, and continuous communications to the public. Work has been progressing on several fronts, including pooled commercial credit cards, third quarter financial reports and projections and preparation of the 2021 budget.

A review of our policies and procedures is being conducted, and a high-level gap analysis is being conducted, with an intent to update policies and associated procedures comprehensively in 2021.

Conservation Ontario's Council Meeting was held on September 28<sup>th</sup>, 2020, where elections were held for governance positions. Wayne Emmerson (Chair, Lake Simcoe Region) was declared the Chair. Lin Gibson (Chair, Conservation Sudbury) and Alan Revill (Chair, Cataraqui Region) were elected the Vice Chairs of Conservation Ontario. Three other CAOs round out director positions for Conservation Ontario's Board of Directors.

Conservation Ontario is embarking on a new strategic plan for the next several years and is formulating this with the assistance of four strategic planning committees (member services, governance & structure, public affairs & advocacy, science & policy). Other key items discussed include the endorsement of new pre-consultation guidelines stemming from work from the Client Service and Streamlining Initiative, Conservation Ontario's 2021 budget, and comments on several pieces of emerging legislation. Minister Yurek joined the meeting, thanking Conservation Authorities for their work and identified the intent to follow-up on consultation activities related to the most recent review of the Conservation Authorities Act during this sitting of Cabinet.

**Pandemic Response**

We continue to work in the office and remotely. Given the second wave is underway, we adjusted the number of people working remotely upwards, to help minimize any exposure to



**Agenda Item #7.3**

BOD Meeting #8/20

October 22, 2020

Page 2 of 7

our team. Our move to Office 365 late last year has paid dividends and we are recognizing our reliance on internet services, which underwent a hiccup as our internal team services have been temporarily hampered by a severed internet cable. Our phone service is a distinct service which is not harmonized with the other systems that we have been embracing during the pandemic and creates inefficiencies in our ability to work effectively in a remote setting from the office. We are investigating the change-over of our current hard-line system to a VOIP system to address this.

The pandemic has the potential to create a variety of stresses in our everyday lives, at work and at home. A team session was held focusing on mental health and wellness, where a representative from the Canadian Mental Health Association provided an informative talk and highlighted ways to stay healthy and be aware of our mental health. We have followed this talk up with a series of wellness walks for staff with a couple of different wellness themes to help promote this.

**Human Resources**

Holly Shipclark, our Stewardship Coordinator, has recently been successful in a complementary position with Credit Valley Conservation Authority. Her hard work, dedication, and teamwork will be missed. They will be gaining a great community ambassador and we wish her success in her new role.

**Planning, Development and Engineering**

Overall, Permitting, Planning comments and Regulation enforcement workloads have returned to pre-COVID levels. Staff have issued a total of 123 permits in the third quarter which is on our annual pace; additionally, permitting staff have coordinated nearly a dozen site visits with IWM staff in support of permit applications over the same period.

Regulation enforcement and compliance have continued to follow-up on complaints and investigate all regulation violations – working with our community clients and seeking compliance as a preferred approach.

Flood plain mapping projects have been somewhat stalled in recent months; however, a recent announcement from NDMP should allow projects currently underway to be completed. This also bodes well for other flood plain mapping opportunities with Haliburton County.

Our municipal partners have continued circulating a steady flow of planning applications and pre-consultation documents requiring our comments and input, while staff have continued to regularly attend meetings virtually.

**Agenda Item #7.3**

BOD Meeting #8/20

October 22, 2020

Page 3 of 7

**Stewardship and Conservation Lands****Stewardship**

Landowner and community grant program committees have finalized their decisions, providing 17 landowner and 3 community grants in the City of Kawartha Lakes, and 6 landowner grants in Scugog Township. Projects included windbreaks, well and septic upgrades, urban improvement projects, erosion control projects, and various Agricultural BMP's.

While the final Transfer Payment Agreement is still being signed, staff have the 'unofficial' approval to start work in the implementation of a 2-year grant with the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA). This project will provide for 4 demonstration sites within the Talbot River Subwatershed, as well as provide support to promote beneficial management practices and empower farmers to implement projects on their properties. This grant is for \$99,750 over two years beginning now and ending in March of 2022.

Our 50 Million Tree program is progressing nicely with an estimated 10 – 15 properties that will be participating in planting this coming spring. Staff continue to work on planting prescriptions and landowner agreements until the end of November. In addition, the presentation of the Regional tree planting program to the Durham Region Roundtable on Climate Change was highly supported. We hope to hear from the Region shortly on the approval timeline.

Our team was also successful in our application to the Environmental Damages Fund for a \$75,000 grant over two years to "Bring Back the Fish". This program will provide private land incentives to improve properties along a variety of urban creeks. Projects need to have a strong fish habitat component to them. In addition, this funding will support the work of the Implementation Action Plan in working with the development community and municipal partners on knowledge sharing around erosion and sedimentation controls. This project will start in April of 2021 and continue to March of 2023. We will provide more detailed updates once the project has begun.

**Conservation Lands**

The park attendance over the past month has increased significantly. Much of this is due to the fall colours and people looking for opportunities to get out into nature. At Ken Reid Conservation Area we have seen a significant increase in the number of family gatherings for outdoor picnics and bbq's. While this has had some management impacts, it is wonderful to see so many people out on our properties. Our team continues to look for solutions to the management issues so that we can continue to provide this service to our community.

**Agenda Item #7.3**

BOD Meeting #8/20

October 22, 2020

Page 4 of 7

Pigeon River:

The trail blazing for a new trail at Pigeon River Headwaters Conservation Area has been completed. Staff are working to install signage and to update our trail head map to show where this new trail can be found. Work also continues on the implementation of the new bridge construction. While this project was slated for this year, COVID closures impacted our original timeline. We are now working towards implementation next year.

Durham East Cross Forest:

Staff continue to work with Durham Regional Police and surrounding landowners to address trespassing at Durham East Cross Forest. Staff are also working to have Google Maps update their website so that it no longer directs traffic through the park. Currently, if you go to google maps, it shows the Mount Joy Road diverting through Durham East cross forest through some very unstable terrain. Multiple emails and requests have been sent to Google to address the issue.

At the end of the month, staff will be removing a shelter that has been built on the property just off the unopened road allowance for Cartwright East Quarter Line, locally known as "Nightmare Alley". The structure has been under video surveillance and we are working with Durham Regional Police on this. This area includes a shelter, an outhouse, fire pit, and significant garbage.

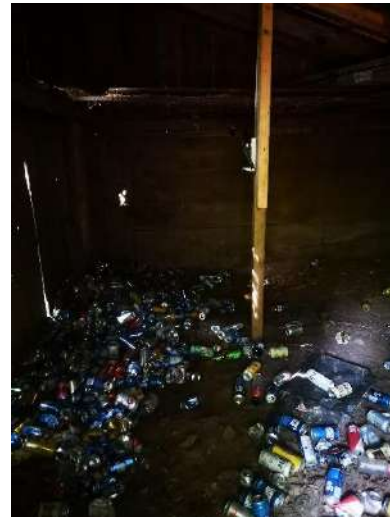


## Agenda Item #7.3

BOD Meeting #8/20

October 22, 2020

Page 5 of 7



### Ken Reid:

Our Forest Therapy program at Ken Reid continues to be well subscribed. Due to the restrictions in gathering sizes, we have had to limit enrollment to 24 people, which means we often end up with a waiting list. On October 14<sup>th</sup> and 16<sup>th</sup> we participated in the filming of a documentary of Forest Therapy with AMI TV.

### Windy Ridge:

Windy Ridge has seen some upgrades to the vault privy on the property. Our team has worked with a local contractor to upgrade the facilities on site and make them cleaner and easier to manage. While the washroom is still not open to the public due to COVID, we have been able to complete the upgrade for when restrictions are lifted.

## **Integrated Watershed Management**

The team has been focused on resuming normal operations, making maintenance repairs to equipment that has not been touched since before March this year and downloading data during this time frame.

The team is still heavily involved in supporting planning and permitting requests; undertaking numerous site visits to assess the environmental impact of proposed developments. Frequently proposals impact wetland areas within our watershed.

The provincially led water quality (PWQMN) and ground water monitoring (PGMN) programs that were previously on hold and being reviewed by the Province have now restarted. We are scheduling those activities alongside our special/capital project monitoring work.

**Agenda Item #7.3**

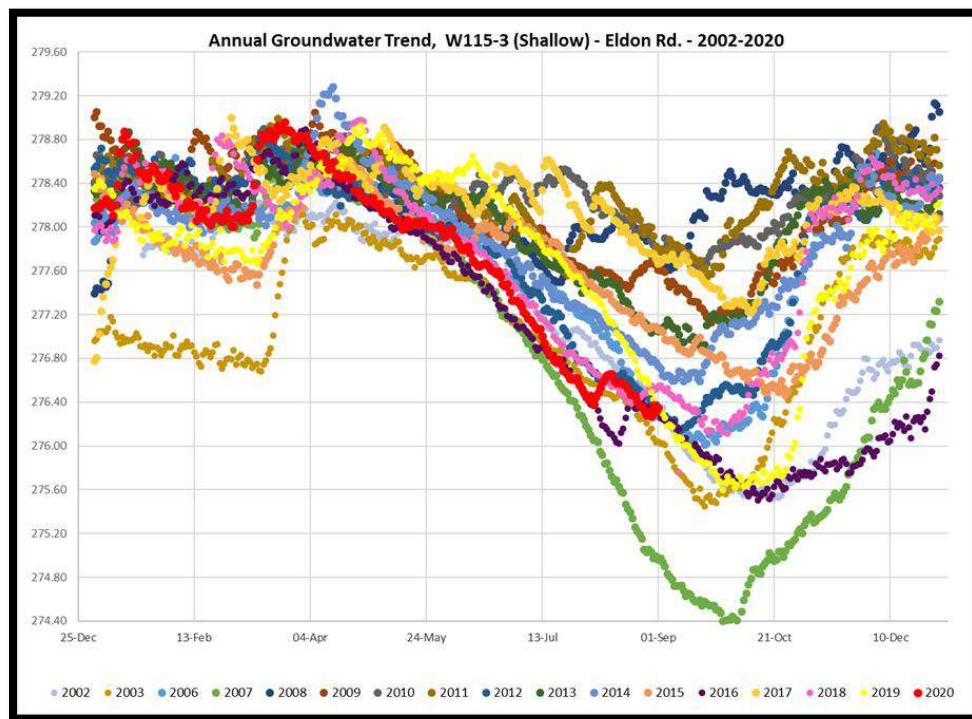
BOD Meeting #8/20

October 22, 2020

Page 6 of 7

The Ministry of the Environment, Conservation and Parks has approved and released the long-term groundwater level datasets for 5 of the provincial ground water wells within our watershed and we initiated their analysis. Below is an example for a shallow well located at the Mariposa Brook sub watershed. The red line shows the 2020 levels. This follows the general trend for higher levels during freshet and then lower levels during spring/summer.

Although levels were low during the summer, they were not the lowest observed as that period was during 2007. An abundance of precipitation in August improved the situation and reversed a downgrade trend. Overall, the drought conditions of 2020 are adverse, but not catastrophic for this local shallow aquifer.



The watershed remains at Level 1 of the Low Water Conditions as September's precipitation was distributed unevenly throughout the watershed and has not reached monthly normal levels across all the monitoring locations.

We have also undertaken some analysis of the water quality levels within our lakes, comparing phosphorous levels to water visibility (depth that we can see into the water).

The graph below demonstrates that as phosphorous levels increase, the water clarity reduces.

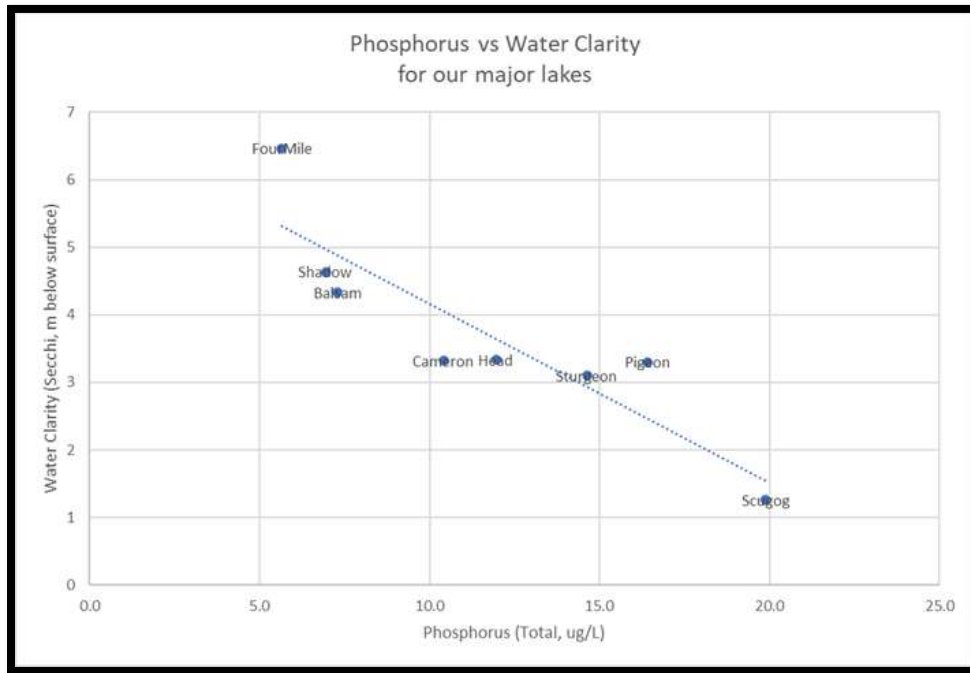


**Agenda Item #7.3**

BOD Meeting #8/20

October 22, 2020

Page 7 of 7

**Lake Scugog Enhancement Project**

Activities are progressing well on this project and are focused on addressing permitting requirements of the various regulatory agencies. Submission of a Human Health Impact report to the Federal Agencies has been made by the project consultant in relation to the proposed dredged material during and post construction. We are undertaking a pre hibernation survey of turtles within the study area to establish their presence and likelihood of being within the areas planned for dredging and quotes are being requested for the underwater archaeology work required as part of the project. Parks Canada are assisting the team with scope and review of proposals. First Nations consultation is being guided and facilitated by the Mississaugas of Scugog Island First Nations through their community liaison staff.

Items to be resolved within the next couple of months include the final submission of the Project File Report for the municipal class environmental assessment and the final submission of the Basic Impact Analysis.

**Acknowledgements in the preparation of this report:**

Emma Collyer, Director, Integrated Watershed Management, Wanda Stephen, Director, Corporate Services; Kristie Virgoe, Director, Stewardship and Conservation Lands and Ron Warne, Director, Planning, Development and Engineering.

For more information contact Mark Majchrowski, Chief Administrative Officer at extension 215.

## Agenda Item # 7.4

BOD Meeting #8/20

October 22, 2020

Page 1 of 1

To: The Chair and Members of  
Kawartha Conservation Board of Directors

From: Mark Majchrowski, CAO

Re: Correspondence

---

**KEY ISSUE:**

To provide the Board with correspondence received.

**RECOMMENDED RESOLUTION:**

RESOLVED, THAT, the attached correspondence be received.

---

**BACKGROUND**

The following correspondence which may be of some interest has been received since the last meeting of the Board of Directors.

**Wayne Emmerson, Chair, Conservation Ontario, October 1, 2020**

**RE:** Conservation Authorities Act (CAA) Review: Enforcement Provisions

On behalf of the member conservation authorities, the Chair is writing to share with the Minister that Conservation Ontario Council has identified that enactment of Part VII Enforcement and Offences clauses in the CAA would be positive, especially in light of an increase in illegal activities during the pandemic both on CA-owned lands and in CA regulated areas.

**Ralph Walton, Region of Durham, October 6, 2020**

**RE:** 2021 Regional Business Plans and Property Tax Supported Budget Guideline (2020-F-17), Our File: F33

The Council of the Region of Durham at its meeting of September 30<sup>th</sup> adopted recommendations of the Finance and Administration Committee which provides detailed direction and guidelines for the 2021 Business Plans and Budgets for conservation authorities. This correspondence was sent to staff to assist in the 2021 budget process and is being shared with the Board for their information.



October 1, 2020

The Honourable Jeff Yurek  
Minister of Environment, Conservation and Parks (MECP)  
777 Bay Street, 5th Floor  
Toronto, ON, M7A 2J3

The Honourable John Yakabuski  
Minister of Natural Resources and Forestry  
99 Wellesley Street West, 6<sup>th</sup> Floor  
Toronto, Ontario, M7A 1W3

Sent Via Email

**Re: Conservation Authorities Act (CAA) Review: Enforcement Provisions**

Dear Minister Yurek and Minister Yakabuski,

On behalf of our member conservation authorities, I am writing in follow-up to the September 28<sup>th</sup> Conservation Ontario (CO) Council meeting. Minister Yurek, thank you once again for providing some opening remarks and answering a couple of questions. It was very much appreciated.

We look forward to reviewing the outcomes of the stakeholder engagement sessions and the public survey further to which you are considering regulatory and legislative amendments. In follow-up discussion with our members at Council it was noted that these consultations included a focus on our Section 28 regulatory responsibilities; responsibility for which resides with Minister Yakabuski. It is our understanding that your ministries are working together to consider regulatory and legislative amendments. Therefore I am writing to let you both know that Council identified that a positive outcome of your review would be enactment of Part VII Enforcement and Offences clauses in the CAA.

To ensure compliance with the Section 28 regulations, conservation authorities (CAs) require the basic tools that are routinely provided to other agencies, including municipal by-law officers (e.g. stop work orders). In recent reports by both the Auditor General and the Special Advisor on Flooding, it has been recognized that the CAs lack basic tools to ensure compliance with the Act and regulation which are recognized as critical components of Ontario's approach to



reducing risks posed by flooding and other natural hazards and strengthening Ontario's resiliency to extreme weather events.

During the Pandemic, many CAs have experienced an increase in illegal activities on CA-owned lands and in CA regulated areas. In the case of some Section 28 infractions, extensive remediation costs and damages to neighbouring properties could have been avoided if tools such as enhanced powers of inspection and stop (work) orders were available to CA officers. Instead, CAs must rely on their municipal partners to assist with stop orders under municipal by-laws or the Building Code, when appropriate. This puts undue stress on municipalities to provide services to the CAs and results in duplication of effort. For egregious offences, a CA's only recourse is to proceed through the court system, resulting in significant legal costs to the CA and to the accused. These unnecessary costs to CA and municipal budgets, as well as to the taxpayers/property owners for damages that could have been avoided cannot continue.

When a Provincial response to the engagement sessions comes out, it would be very favourably received to see that it addresses the shortfall in our enforcement capabilities and includes enactment of Part VII Enforcement and Offences clauses in the *Conservation Authorities Act*.

Thank you for your consideration in support of our efforts to cost effectively deliver on the natural hazards mandatory program. We look forward to continuing to work together in this regard and as always CO staff are available at your convenience.

Sincerely,



Wayne Emmerson  
Chair, Conservation Ontario

c.c.

Graydon Smith, President, Association of Municipalities of Ontario  
CAOs, All Conservation Authorities



October 6, 2020

M. Majchrowski, Chief Administrative Officer  
Kawartha Region Conservation Authority  
277 Kenrei Road  
Lindsay, ON K9V 4R1

Dear Mr. Majchrowski:

The Regional  
Municipality  
of Durham

Corporate Services  
Department  
Legislative Services

605 Rossland Rd. E.  
Level 1  
PO Box 623  
Whitby, ON L1N 6A3  
Canada

905-668-7711  
1-800-372-1102  
Fax: 905-668-9963

durham.ca

**Don Beaton, BCom, M.P.A.**  
Commissioner of Corporate  
Services

**RE: 2021 Regional Business Plans and Property Tax Supported  
Budget Guideline (2020-F-17), Our File: F33**

---

Council of the Region of Durham, at its meeting held on September 30, 2020, adopted the following recommendations of the Finance & Administration Committee:

- “A) That the following detailed direction and guidelines for the 2021 Business Plans and Budgets for the Durham Regional Police Services Board, Conservation Authorities, Regional Operations and other Outside Agencies be approved:
- i) The 2021 Property Tax Guideline not exceed an overall tax impact of 2.0 per cent compared to the 2020 approved budget;
  - ii) The 2021 Business Plans and Budget for the Durham Regional Police Services Board not exceed \$221.16 million, an increase of approximately 3.0 per cent compared to the 2020 approved budget; and
  - iii) The 2021 Operating Budget for each Conservation Authority not exceed an increase of 2.5 per cent, plus or minus any current value assessment adjustments, and the 2021 Special Benefitting Programs Budget for each Conversation Authority not exceed an increase of 1.5 per cent, plus or minus any current value assessment adjustments, compared to the 2020 approved budget;
- B) That the preliminary timetable for the 2021 Regional Business Plans and Budgets be approved, as outlined in Attachment #2 to Report #2020-F-17 of the Commissioner of Finance, which includes the following key dates:
- i) December 16, 2020 – final Regional Council approval of the 2021 Water Supply and Sanitary Sewerage Business Plans and Budgets;

- ii) January 27, 2021 – final Regional Council approval of all 2021 Property Tax Supported Business Plans and Budgets; and
- C) That a copy of Report #2020-F-17 be forwarded to the Durham Regional Police Services Board, Durham Region Transit Commission, Conservation Authorities, Durham Regional Local Housing Corporation and other Outside Agencies to guide the development of detailed 2021 Business Plans and Budgets.”

Please find enclosed a copy of Report #2020-F-17 for your information.

*Per: Cheryl Bandel*

---

Ralph Walton,  
Regional Clerk/Director of Legislative Services

RW/ks

Attachment

- c: B. Clancy, Executive Director, Durham Regional Police Services Board
- C. Darling, Chief Administrative Officer, Central Lake Ontario Conservation Authority
- L. Laliberte, Chief Administrative Officer/Secretary-Treasurer, Ganaraska Region Conservation Authority
- M. Walters, Chief Administrative Officer, Lake Simcoe Region Conservation Authority
- J. MacKenzie, Chief Executive Officer, Toronto and Region Conservation Authority
- A. Robins, Director Housing Services, Durham Regional Local Housing Corporation
- W. Holmes, General Manager, Durham Region Transit
- N. Taylor, Commissioner of Finance

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 2304.



## The Regional Municipality of Durham Report

---

To: Finance and Administration Committee  
From: Commissioner of Finance  
Report: #2020-F-17  
Date: September 15, 2020

---

**Subject:**

2021 Regional Business Plans and Property Tax Supported Budget Guideline

---

**Recommendations:**

That the Finance and Administration Committee recommends to Regional Council that:

- A) The following detailed direction and guidelines for the 2021 Business Plans and Budgets for the Durham Regional Police Services Board, Conservation Authorities, Regional Operations and other Outside Agencies be approved:
  - i. The 2021 Property Tax Guideline not exceed an overall tax impact of 2.0 per cent compared to the 2020 approved budget;
  - ii. The 2021 Business Plans and Budget for the Durham Regional Police Services Board not exceed \$221.16 million, an increase of approximately 3.0 per cent compared to the 2020 approved budget; and
  - iii. The 2021 Operating Budget for each Conservation Authority not exceed an increase of 2.5 per cent, plus or minus any current value assessment adjustments, and the 2021 Special Benefitting Programs Budget for each Conservation Authority not exceed an increase of 1.5 per cent, plus or minus any current value assessment adjustments, compared to the 2020 approved budget;
- B) The preliminary timetable for the 2021 Regional Business Plans and Budgets be approved, as outlined in Attachment #2 to this report, which includes the following key dates:
  - i. December 16, 2020 – final Regional Council approval of the 2021 Water Supply and Sanitary Sewerage Business Plans and Budgets;
  - ii. January 27, 2021 – final Regional Council approval of all 2021 Property Tax Supported Business Plans and Budgets; and

- C) Copies of this report be forwarded to the Durham Regional Police Services Board, Durham Region Transit Commission, Conservation Authorities, Durham Regional Local Housing Corporation and other Outside Agencies to guide the development of detailed 2021 Business Plans and Budgets.
- 

**Report:****1. Overview**

- 1.1 This report provides an overview of the current economic climate and Regional priorities and initiatives for 2021 and the four-year forecast period (2022 to 2025). The report also identifies pressures and risks facing the Region that need to be considered in establishing the 2021 Regional Business Plans and Budget guidelines including the estimated 2021 costs of responding to the COVID-19 pandemic, the associated recovery plan and potential provincial funding impacts for the 2021 budget.
- 1.2 Further, this report provides an update on the Region's multi-year business planning and budget process review and modernization project including the proposed modernization initiatives which will support the development of the 2021 Business Plans and Budgets.
- 1.3 Lastly this report outlines the proposed timetable and public engagement strategy for the 2021 Business Plans and Budgets.

**2. Purpose and Use of the Recommended Guideline**

- 2.1 The overall 2021 property tax guideline provides a capped tax impact for the 2021 Regional Property Tax Supported Business Plans and Budgets. This guideline is an overall impact which is then allocated across all Departments, Durham Regional Police Service (DRPS), Durham Region Transit (DRT), Conservation Authorities and Durham Regional Local Housing Corporation (DRLHC).
- 2.2 The establishment of specific property tax guidelines at this time provides direction and assists staff with finalizing the 2021 budget submission for presentation to Regional Council in January 2021.
- 2.3 In establishing the 2021 Property tax guidelines, the Region took into consideration the increased demands and pressures the COVID-19 pandemic has placed on many Regional programs and services as well as the financial pressures the pandemic has placed on Regional property taxpayers.
- 2.4 Regional staff will continue to review priorities and pressures with a goal of delivering the annual Property Tax Supported Business Plans and Budgets within the guideline. Historically, depending on the final growth in assessment, the actual increase has been delivered below the guideline set by Council.

### **3. 2021 Property Tax Guideline Overview**

- 3.1 Through this report staff are seeking Regional Council approval for an overall 2021 property tax guideline not to exceed a tax impact of 2.0 per cent (after net weighted assessment growth). The following specific guidelines for the Durham Regional Police Services Board and Conservation Authorities are also recommended and will need to be accommodated within the overall 2021 property tax guideline of 2.0 per cent:
- The 2021 Business Plans and Budget for Durham Regional Police Services Board not exceed \$221.16 million, an increase of approximately 3.0 per cent compared to the 2020 approved budget; and
  - The 2021 Operating Budget for each Conservation Authority not exceed an increase of 2.5 per cent, plus or minus any current value assessment adjustments, and the 2021 Special Benefiting Programs Budget for each Conservation Authority not exceed an increase of 1.5 per cent, plus or minus any current value assessment adjustments, compared to the 2020 approved budget.
- 3.2 Through discussions with the Municipal Property Assessment Corporation (MPAC), net weighted assessment growth is estimated at between approximately 1.00 per cent and 1.25 per cent (excluding net assessment growth in Seaton). This is significantly lower than the net weighted assessment growth of 1.78 per cent (excluding net assessment growth in Seaton) realized for the 2020 Budget. Net assessment growth has been impacted by COVID-19 and this is only a preliminary estimate and should be used with caution as the actual assessment growth could vary significantly, either higher or lower, than the estimate.
- 3.3 The overall property tax guideline of 2.0 per cent will result in an annual budgetary increase of \$56 for an average residential property owner in Durham Region with a current estimated 2021 current value assessment of \$483,100.
- 3.4 The setting of the recommended guidelines was achieved in consultation with the CAO, Regional departments, DRPS and DRT and through detailed review of 2021 to 2025 operating pressures and 2021 to 2030 capital priorities. In addition, this guideline contemplates changes in the local and broader economic, political and social environments (Attachment #1) and associated risks and uncertainties facing the Region in the delivery of its programs and services.
- 3.5 The development of the recommended guideline considered the sustainable use of Development Charges, Federal and Provincial Gas Tax Funds and the Region's Reserves and Reserve Funds to fund one-time operating and capital investments. As staff continue to develop the 2021 Business Plans and Budget submissions, all opportunities to sustainably use the Region's Reserve and Reserve Funds to finance 2021 budget pressures will be pursued in accordance with the Long-Term Financial Planning Framework adopted by Regional Council.

- 3.6 To achieve the guideline recommended in this report Regional departments, boards, commissions and outside agencies will continue to review their operating and capital business plans and budgets looking for efficiencies, prioritizing and pursuing the necessary significant adjustments to balance competing priorities, capital requirements and operating pressures.

#### **4. Projected 2021 Base Pressures and Non-Discretionary Items**

- 4.1 Preliminary 2021 budget analysis indicates a number of base pressures and non-discretionary items that are required to continue to deliver the Region's existing programs and services including:

- The annualization of 2020 budget decisions and adjustments for one-time items included in the 2020 budget;
- Contractual and inflationary increases;
- Economic increases (salary/benefit contracts); and
- Items that have been given 2021 prebudget approval by Regional Council including a number of initiatives under the Region's COVID-19 Recovery Plan.

- 4.2 In total these base pressures result in a preliminary budgetary pressure of approximately 3.5 per cent. Staff continue to review these base submissions to look for efficiencies and savings to mitigate the impacts of these items to achieve the recommended 2021 property tax guideline of 2.0 per cent.

#### **5. 2021 Strategic Investment Pressures**

- 5.1 In addition to addressing the non-discretionary pressures, the guideline provides for limited strategic investments to support key priorities while balancing the need for taxpayer affordability and competitive property taxes recognizing the increased demands and pressures the COVID-19 pandemic has placed on many Regional programs and services as well as the financial pressures the pandemic has placed on property taxpayers.

- 5.2 The identified 2021 strategic investments are aligned with the following five goals of the Region's Strategic Plan:

- Environmental Sustainability;
- Community Vitality;
- Economic Prosperity;
- Social Investment; and
- Service Excellence.



- 5.3 The following five sections highlight potential 2021 initiatives organized under each of the five goals of the Durham Region Strategic Plan. Many of these initiatives are multi-year initiatives and will have impacts on the 2022 budget and beyond. Given the base budget pressures (identified in Section 4) and the numerous 2020 strategic investments, significant prioritization and refinement of these strategic initiatives will be required to achieve the 2.0 per cent overall property tax guideline recommended in this report.

### **Environmental Sustainability**

- 5.4 Under the Environmental Sustainability goal, the Region is focused on protecting the environment for the future by demonstrating leadership in sustainability and addressing climate change. The following are the potential 2021 initiatives that support this Regional goal.
- Continue to develop and implement a Corporate Climate Change Master Plan (2020 – 2030) including the advancement of capital initiatives and operating enhancements to achieve GHG reduction targets.
  - Advance the renewable and district energy mapping program including an analysis of opportunities for development.
  - Develop “Durham Building Standards” for the construction, renovation and operation of facilities, including measures to advance the Region’s climate change and energy conservation initiatives.
  - Develop and implement the Region’s low carbon fleet strategy including analyzing existing patterns of fleet use and age, equipment replacement schedules, technology advancements and opportunities against fueling and facility needs.
  - Develop the Durham Home Energy Savings Program, in partnership with local electricity distribution companies, to deliver a region-wide home energy literacy campaign supported by an interactive website.
  - Build on the early success of the LEAF backyard tree planning program to develop a complementary tree planting program for rural landowners with larger tracts of land available for planting.
  - Complete climate adaptation vulnerability and risk assessments (including urban flooding, water/wastewater and public health) to identify and prioritize Regional infrastructure and services that are susceptible to risks associated with a changing climate, and to outline recommended changes.
  - Meet requirements articulated in the Ontario Public Health Standards; Requirements for Programs, Services and Accountability related to climate change and healthy built environments.
  - Increase waste diversion through the advancement of the Region’s pre-sort and anaerobic digestion facility.
  - Respond to provincial legislative changes on extended producer responsibility in waste management.
  - Implement a landfill bio cover pilot project at the Oshawa landfill site.



## **Community Vitality**

5.5 Under the Community Vitality goal, the Region is focused on fostering an exceptional quality of life with services that contribute to strong neighbourhoods, vibrant and diverse communities, and influence our safety and well-being. The following are the potential 2021 initiatives that support this Regional goal.

- Continue to advance and expand the Region's diversity, equity and inclusion program including working with community stakeholders to develop and implement a diversity, equity, and inclusion community development strategy and action plan.
- Implement Regional Council's July 29, 2020 direction to work with the Durham Regional Police Services Board and community partners to investigate a 24/7 mobile crisis response program and other possible mental health investments including providing funding for three additional nurses for a mental health support unit.
- Enhance the Region's Primary Care Outreach Program to respond to the evolving needs of the Region's vulnerable populations.
- Provide advanced care paramedic training to enhance care provided to community.
- Orient public health programs and services to address the needs of priority populations.
- Enhance the level of care and supports for residents of the Region's long-term care homes by increasing front-line resources in response to the increasing complexity of care of the home's residents.
- Continue to implement the actions under the Age-Friendly Durham Strategy in collaboration with community partners and the Durham Council on Aging.
- Continue to implement the Ontario Seniors Dental Care Program including the relocation and expansion of the Region's Oral Health Clinic to 200 John Street in Oshawa.
- Adopt a Community Investment Framework that provides an outcome-based, transparent and accountable allocation model for Regional investments in community non-profits supporting the delivery of Regional programs and services.
- Continue to implement Vision Zero counter measures as outlined in the Region's Road Safety Action Plan.
- Continue to advance the Farm 9-1-1 Program to improve emergency response times through 9-1-1 sign coverage and documentation of property access points including education and outreach to promote maintenance of the signs in the rural areas of the Region.
- Ongoing system enhancements for Emergency 9-1-1.

## **Economic Prosperity**

5.6 Under the Economic Prosperity Goal, the Region is building a strong and resilient economy that maximizes opportunities for business and employment growth, innovation and partnership. The following are the potential 2021 initiatives that support this Regional goal.

- Through the recently initiated Transit Oriented Development Office, continue to advance transit-oriented development opportunities on key transit corridors, including the GO East extension to Bowmanville.
- Leverage Investing in Canada Infrastructure Program (ICIP) funding opportunities for eligible projects including bus rapid transit expansion projects on Highway 2 and Simcoe Street. Regional financing is required for the Region's share of eligible costs as well as ineligible costs (e.g. land).
- Ensure the necessary human resources are available to manage and administer large special infrastructure projects and grant programs including the ICIP.
- Replace existing PRESTO devices with new devices that provide more reliable and up-to date technology for DRT Presto riders as required by Metrolinx.
- Continue to advance the development of the new Regional Official Plan as part of Envision Durham.
- Continue to invest in new Regional assets in response to growth pressures across all Regional departments including the DRPS Clarington Phase 2 facility.
- Advance the servicing of employment lands to increase Regional investment readiness.
- Respond to applications received under the Regional Revitalization Program.
- Continue the implementation of the Region's Broadband Strategy including supporting the deployment of broadband infrastructure to under-served areas.
- Advance investment attraction efforts for the Region-owned land in the Clarington Energy Park.
- Support the development of a Regional Nuclear Sector Strategy by participating in an economic impact study on the decommissioning of the Pickering Nuclear Generating Station in collaboration with the City of Pickering and OPG and hosting a "Durham's Nuclear Future" workshop to focus on nuclear sustainability.
- Continue to provide financial support to 1855 Whitby for their 1855 MASTERCLASS series which features industry leaders who provide the Region's business community with tools to achieve and drive growth.
- Work with community partners to continue to investigate and complete the business case for an Agri-Food Hub and Innovation Centre.

- Continue to identify and implement smart cities solutions to address economic, social and environmental challenges.
- Provide financial and in-kind services to support the Oshawa Generals' bid for the 2021 Memorial Cup.

### **Social Investments**

5.7 Under the Social Investments Goal, the Region is striving to ensure a range of programs, services and supports are available and accessible to those in need, so that no individual is left behind. The following are the potential 2021 initiatives that support this Regional goal.

- Continue to advance the At Home in Durham, the Durham Housing Plan 2014 – 2024 and the achievement of Regional Council's goal of initiating the development of 1,000 new affordable housing units during the next five years, with development completed and ready for occupancy over the following five years and an end to chronic homelessness in Durham by 2024. Actions include the development of 50 modular affordable supportive housing rental units in Beaverton and the provision of temporary supportive housing units under the Region's Microhome Pilot project.
- Increase the number of Childcare Fee Subsidy Spaces to address the Region's growing waitlist for subsidized childcare spaces.
- Pilot a flexible childcare program at one of the Region's directly operated childcare centres to meet the community's demand for childcare services on evenings and weekends by working collaboratively to achieve this.
- Review the development of a Regional Community Improvement Plan (CIP) to enable the Region to offer development incentives for targeted initiatives related to affordable housing and transit-oriented development.

### **Service Excellence**

5.8 Under the Service Excellence Goal, the Region is working to provide exceptional value to Durham taxpayers through responsive, effective and fiscally sustainable service delivery. The following are the potential 2021 initiatives that support this Regional goal.

- Implement the multi-year enterprise myDurham 311 project that will introduce a new customer experience program at the Region that is designed to facilitate, streamline and integrate service delivery from a customer perspective.
- Continue to advance various Regional review and improvement initiatives including the enterprise information management strategy and associated enterprise content management system, business planning and budget process review and modernization project, workforce scheduling system, enterprise maintenance management system, development tracking system, modernized Housing Services waitlist software system and advancing the digitization of Regional records.
- Increase investment in technology infrastructure and applications including continuing to implement the Region's Digital Durham Strategy.

- Build and further expand on the advancements achieved in response to the COVID-19 pandemic in the virtual delivery of Public Health Services, Social Assistance Programs, Family Services, POA Court Services, DRPS freedom of information requests and online records checks, and e-learning opportunities for staff.
- Continue implementation of the CADLINK software to reduce paramedic response times and enhance care by improving the information available to paramedics responding to calls.
- Build on the early success of City Studio Durham to facilitate improved collaboration with Durham's post secondary institutions.
- Provide for the ongoing maintenance and renewal of the Region's assets (including buildings, furniture and fixtures, vehicles, machinery and equipment, and IT infrastructure) in alignment with the Region's Asset Management Plan and prudent asset management practices to maximize the value of the Region's assets over their life cycle.
- Continue the optimization and modernization of Regional Headquarters.
- Capital investments in DRLHC's aging social housing portfolio.
- Advance site improvements at the Oshawa Waste Management Facility (WMF) to improve site efficiency and navigation.
- Manage the increased workload for Region prosecutors resulting from the anticipated transfer of responsibility for the prosecution of Part III offences from the Province to the Region.

## **6. Projected COVID-19 Fiscal Impacts on the 2021 Budget**

- 6.1 The COVID-19 pandemic continues to have a significant and evolving impact on the Region through increased demands on a number of critical Regional programs and services and changes to how Regional programs and services are delivered. The Region has been very nimble and responsive in adapting to these evolving demands and requirements.
- 6.2 It is anticipated that the Region will continue to face significant financial pressures in 2021 in continuing to respond to the COVID-19 pandemic and advance the Region's recovery plan.
- 6.3 Regional staff will continue to review, monitor and update these projections over the balance of the year in advance of finalizing the 2021 Business Plan and Budget submission to Council in January. The 2021 budget will also need to provide for flexibility to respond should subsequent COVID-19 waves occur.
- 6.4 As outlined in Section 7 of this report, staff will provide Committee and Council with further updates as additional information from the Province is provided on the availability of federal and provincial funding to help mitigate the projected 2021 financial pressures the Region faces in continuing to respond to the COVID-19 pandemic.

6.5 While the fiscal impacts of the COVID-19 pandemic continue to evolve, the balance of this section provides a summary of the current projected financial impacts where available for 2021. It is important to note that these preliminary estimates will continue to be refined and do not contemplate subsequent waves of COVID-19 in 2021:

- Durham Regional Police Service – reduced recoveries for pay duty (vehicle and administration component) (\$0.1 million); and personal protective equipment (PPE) (\$0.1 million).
- Transit – additional cleaning supplies (\$0.8 million); staffing costs to meet additional cleaning requirements of the fleet (\$1.2 million); and reduced transit and program revenues.
- Public Health – additional public health nurses for the Region's schools which the Province has indicated it will fund; temporary case and contact management resources (\$0.3 million); temporary public health inspectors (\$0.6 million); and PPE (\$0.2 million). Additional public health inspectors and public health nurses are required as a result of new requirements and increased workload due to COVID-19 which are expected to continue in future years. Temporary funding will be used for COVID-19 response activities such as: responding to public and community partners inquiries; case and contact management; outbreak support; surveillance testing; guidance and support to long-term care homes, retirement homes, childcare settings, post-secondary institutions, workplaces and other congregate living settings; and compliance, and enforcement with the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020* until such time that additional staff can address these and other program needs.
- Long-Term Care – temporary resources to complete required screening (\$0.6 million); additional infection control practitioners (\$0.1 million) and infection control products (\$0.3 million); and cleaning supplies (\$0.2 million).
- Social Assistance – potential impacts on discretionary benefits.
- Economic Development – recovery-based programs to support local businesses (\$0.2 million).
- Corporate Communications – communications and advertising (\$0.1 million).
- Information Technology – technology and security investments to facilitate teleworking and protection of Regional data.
- Region wide – increased cleaning materials, janitorial services, PPE, and security costs. Staff are currently developing 2021 projections for these costs.

## 7. Provincial Funding and Provincial Legislation Impacts

- 7.1 In 2020, the Region is budgeted to receive approximately 21.4 per cent of its annual revenues through provincial subsidies and grants.
- 7.2 The provincial government, as part of their 2019 - 2020 Budget, introduced several funding reductions, changes to provincial funding formulas and potential downloading of provincial services to the Region impacting various social services, public health, paramedic services, Transit and Conservation Authorities. It is important to note that in response to municipal advocacy and the additional financial pressures facing the municipal sector in the delivery of programs and services impacted by the COVID pandemic (e.g. public health, paramedic services and various social services), the province has temporarily paused or deferred some of the previously announced funding reductions and changes to the provincial funding formulas.
- 7.3 While the Province has provided 2020 funding letters for many of the Regional program areas that are provincially funded, there is still significant uncertainty and associated risk related to provincial funding levels for 2021. The following is a summary of the known and estimated impacts to the 2021 budget resulting from adjustments in provincial funding and changes in the provincial funding formulas:
- Paramedic Services – The 2020 Regional Business Plans and Budgets assumed 2020 provincial funding of paramedic services would be consistent with the level of funding provided in 2019. In August 2020, the provincial government confirmed the Region's 2020 funding for paramedic services was \$25,674,516, \$1,031,985 (4.2%) more than the 2019 approved provincial funding of \$24,642,531. This increase provides for the provincial portion of the inflationary pressures and service enhancements. While the 2021 funding has not yet been confirmed it is anticipated to be in-line with the 2020 actual funding which is \$1,031,985 more than what was included in the Region's 2020 Business Plan and Budget.
  - Public Health – The Province previously announced changes to the cost sharing arrangement with municipalities. For 2020, the provincial funding of mandatory programs declined from 75 per cent to 70 per cent while the funding of 100 per cent provincial funded programs dropped to 70 per cent provincial funding (with the exception of the Ontario Seniors Dental Care Program, which the Province has indicated they will fund at 100 per cent). Based on the Region's current base funding level the impact of the change in the provincial funding formula was \$45,600. On August 21, 2020, the Province confirmed one-time mitigation funding to ensure that municipalities are not negatively impacted in 2020 by the changes to provincial cost-sharing formula considering the significant funding and resource pressure facing public health departments from the COVID-19 pandemic. This one-time funding will also be available to the Region for the period April 1, 2021 to March 31, 2022.



- Childcare – While the Region has not received its 2021 funding confirmation for Children's Services, the Province has announced changes in the provincial funding model. Effective January 1, 2021 all administration costs will shift to 50 per cent provincial funding and 50 per cent Regional funding with administration costs limited to 10 per cent of program delivery costs. In 2022, the administration costs will be limited to 5 per cent of program delivery costs. This change in the provincial funding model is estimated to have a \$0.8 million impact on the 2021 budget and a further \$0.4 million impact on the 2022 budget.
- Social Assistance – The 2019 – 2020 Ontario Works provincial funding was \$0.6 million less than planned. While the Province has not yet confirmed 2020 – 2021 funding, staff's initial projections reflect a further \$0.6 million reduction in provincial funding for administrative costs. The Province has announced further modernization efforts impacting the Region's Social Assistance program in 2022 and beyond. It is not clear what additional impacts these changes will have on provincial funding, cost sharing formulas and service delivery.
- Social Housing – Preliminary planning information from the Province projects a 2021 Community Homelessness Prevention Initiative (CHPI) funding increase of \$264,033 over the approved 2020 funding level. The federal government has indicated a 2021 funding increase of \$182,031 under the Federal Reaching Home Program compared to the 2020 approved funding. It is anticipated that the additional CHPI and Federal Reaching Home funding will be used to provide enhanced housing supports to Durham residents.
- Police – On April 18, 2019, the Province announced that five provincial police grants will be replaced with the Community Safety and Policing (CSP) grant. DRPS was successful in receiving provincial funding under this program for the initial three-year term (2019/2020 to 2021/2022) providing the Region with provincial funding certainty and sustainability. On August 10, 2020, the Province announced a review of their Court Security and Prisoner Transportation Program. It is unclear at this time what impact this review may have on 2021 provincial funding under this program. In 2020, under this Program the Region of Durham will receive \$4,065,641 in provincial funding.
- Transit – Under the previous provincial government's plan, provincial gas tax was to increase from 2 cents per litre to 4 cents per litre by 2021 to 2022. These increases were proposed to support DRT service improvements and other capital priorities. The Province has indicated that they will not be moving forward with the previous government's proposed increase to the municipal share of provincial gas tax funding. During the COVID pandemic, early reports indicate a reduction in the amount of provincial gas tax funds being collected by the Province. It is not clear what, if any, impact this reduced funding will have on the future allocation of provincial gas tax by the Province to municipalities. The Province continues its review of the current program and there remains significant uncertainty about potential changes that may reduce the funding Durham Region receives through the Provincial Gas Tax Program.

- Provincial Safe Restart Fund (SRF) – On August 12, 2020, the provincial government announced \$22,956,596 in funding for Durham Region under phase one of the provincial and federal Safe Restart Fund. Of the \$22,956,596 approved, \$8,405,396 is dedicated to mitigating the impacts of the COVID-19 pandemic on the Region's transit system. The Region is awaiting additional information from the Province on the program design, eligible uses of this funding and additional details on the process for applying for SRF phase two funding. Staff will provide Committee and Council with further updates as additional information is provided including the availability of federal and provincial funding to help mitigate the projected 2021 financial pressures the Region faces in continuing to respond to the COVID-19 pandemic (see Section 6.0 of this report) and the ongoing implementation of the Region's recovery plan.
- 7.4 Together these known and anticipated provincial funding adjustments, changes in provincial funding formulas and potential provincial downloading result in a net property tax increase of approximately \$0.4 million for the 2021 Business Plans and Budgets.
- 7.5 Regional staff will continue to advocate for sustained provincial funding and will work with the Province to understand any further financial impacts on the 2021 Business Plans and Budgets and beyond.
- 8. 2022 – 2025 Forecast Highlights**
- 8.1 Many of the 2021 strategic investment pressures identified in Section 5.0 of this report are multi-year initiatives and will continue throughout the 2022 to 2025 forecast period. This section provides highlights of the additional significant strategic investment pressures currently projected over the 2022 to 2025 forecast period.

### **Environmental Sustainability**

- 8.2 Finalize the Region's Long-Term Waste Management Plan and associated five-year action plan (2022) and advance the implementation of the action plan and public communication (2022 – 2025). The proposed vision for the Plan is for the Region to manage solid waste as a resource through innovation and adaptability to enhance environmental sustainability.
- 8.3 Ongoing implementation of the Durham Community Energy Plan and the Durham Community Climate Adaptation Plan.
- 8.4 Advance implementation of the Corporate Climate Change Master Plan with a focus on deep energy retrofits in the Region's social housing portfolio while leveraging available federal funding opportunities.
- 8.5 Expand the residential energy retrofit program into other building sectors, including multi-unit residential buildings and small commercial buildings. Over the forecast period, further expansion opportunities may include institutional buildings (e.g. schools) and larger commercial buildings.



- 8.6 Build on the climate risk and vulnerability analysis that is underway and planned for 2021 by advancing priority infrastructure upgrades and other proactive initiatives.

### **Community Vitality**

- 8.7 Increase paramedic resources and replacement of the Clarington Paramedic Station to respond to increasing response times resulting from continued offload delay challenges and additional call preparation and clean up time required for improved staff safety. This will be further reviewed pending the results and recommendations of the Paramedic Services Master Plan currently under development.
- 8.8 Increase police resources, including front line constables and investigative staff, to respond to more complex calls and, pending the results of the pilot, the potential roll-out of body-worn cameras.
- 8.9 Potential new Regional long-term care home in North Pickering subject to Ministry approval of the Region's application.
- 8.10 Respond to increased demand for a variety of public health services as a result of population growth, local epidemiology and an aging and more diverse community.
- 8.11 Continued need to address wait lists in several social service program areas including childcare fee subsidy, individual, couple or family counselling services, behaviour management and affordable housing.

### **Economic Prosperity**

- 8.12 Additional investment in resources to accelerate the growth of the Region's priority economic development clusters and advance Economic Development's workforce talent attraction program.
- 8.13 Continue to invest in Regional assets in response to growth pressures across all Regional departments including the construction of a new transit bus storage and servicing facility.
- 8.14 Over the forecast period it is anticipated that a number of the planned Regional facilities in Seaton will be designed, constructed and in some limited cases begin providing programs and services to the community. These include a DRPS facility; Paramedic Station; Social Assistance and Family Services facility; Public Health facility; Waste Management facility; and Transit facility. To help mitigate the financial impact of the operating costs of these facilities, the timing of the incremental property tax revenue is being aligned with the additional operating costs for these facilities and the Regional programs and services being delivered from these facilities as approved by Regional Council in the 2018 Regional Business Plans and Budget.
- 8.15 Optimize DRT services to serve new growth areas, including Seaton, and improve the high frequency network and existing connections.

- 8.16 Respond to increased demands on Regional transit, police and paramedic services resulting from the Durham Live development.

### **Social Investments**

- 8.17 Implement the recommendations coming forward from the Region's comprehensive Master Housing Strategy that is currently under development. This strategy will operationalize and support the goals of At Home in Durham, including a fulsome review of the current housing system and revitalization of the Regionally owned DRLHC portfolio.
- 8.18 Pending the successful outcome of the flexible childcare program pilot, advance the implementation of permanent flexible childcare services on evenings and weekends.
- 8.19 Open a new North Durham directly operated childcare centre to address the increasing need for childcare services in this area of the Region.

### **Service Excellence**

- 8.20 Provide for the ongoing maintenance and renewal of the Region's assets in alignment with the Region's Asset Management Plan.
- 8.21 Plan for the implementation of the findings from the Depot Rationalization study being completed as part of the development of the overall Facility Master Accommodation Plan.
- 8.22 Review and refresh the Region's Strategic Plan.
- 8.23 Work with local municipalities to review and explore opportunities for efficiencies in the delivery of municipal POA prosecutions.

## **9. Update on the Business Planning and Budget Process Review and Modernization Project**

- 9.1 The multi-year business planning and budget process review and modernization project presents a structured opportunity to collaboratively reflect on and provide input into our business processes and systems to ensure:
- A streamlined, efficient, consistent, transparent and modernized business planning and budget process that meets the needs of the Region's various stakeholders including the public, businesses, investors and credit rating agencies and that advances the long-term financial strength of the Region;
  - Efficient and sustainable allocation of the Region's resources in alignment with the Region's Strategic Plan;
  - Accurate and timely information is available for sound evidence-based decision making;
  - Transparent and user focused business planning and budget documents;

- Integrated business planning, budget and forecast system with robust financial reporting that will support and automate the Region's renewed business planning and budget process;
  - Increased public engagement in business planning and budget processes;
  - Concurrent approval of user rate and property tax supported budgets; and
  - Position the Region as an industry leader in business planning and budgets.
- 9.2 The Project takes a collaborative approach that proactively engages stakeholders across the corporation and agencies to better understand organizational requirements and seeks input on the development and deployment of transformations that align broader policy and fiscal priorities.
- 9.3 As part of the Business Planning and Budget Process Review and Modernization Project, the format of the 2021 Business Plans and Budget document will be updated and modernized based on the following guiding principles:
- Transparent and user-focused document with information provided consistently across departments;
  - Provide a clear and immediate connection between the program and services being provided to residents and businesses and the financial and human resources required to provide these programs and services;
  - Provide financial and qualitative information that is clear, transparent, consistent and at a level of detail that enables strategic investment decision-making by Committee and Council; and
  - Provide a consolidated, comprehensive current year capital budget and nine-year capital forecast schedules that reflect enhanced long-term capital planning, asset management requirements and current growth projections.
- 9.4 To achieve the above guiding principles, the 2021 Business Plans and Budget document will continue to provide program-based business plans and budgets that will include the following components and changes:
- High-level qualitative summary of each of the programs and services provided by the Department;
  - Planned activities for the current budget year which will contribute to the achievement of the Region's priorities outlined in the Region's Strategic Plan;
  - Key performance targets for 2021 to demonstrate projected outcomes for residents, businesses and stakeholders;
  - Pivot the description of key budgetary changes to provide a consolidated schedule of all budget changes that delineates base budget changes from strategic investment decisions;
  - High-level overview by Department of underlying trends and forecasted impacts that will affect the way programs and services are delivered over the next five years.
  - The inclusion of the following two financial schedules for each Department:

- Departmental Summary by Account – this schedule will profile the Departments gross expenditures (including both operating and capital expenses) by object of expenditure and revenues by revenue categories including the net property tax/user rate requirement.
- Program Summary – this schedule will provide the total operating expense, capital expense, subsidy, other revenue and non-user rate/property tax financing by each program within the Department.
- The inclusion of the following three capital budget schedules:
  - Consolidated Corporate Capital Summary – this schedule provides a corporate level summary by department of the current year capital budget and nine-year capital forecast including proposed financing.
  - Department Capital Summary – this department schedule provides current year capital budget, nine-year capital forecast and proposed financing summarized by division and project category (e.g. building and structures, land and improvements, information technology, furniture and fixtures, machinery and equipment, and vehicles).
  - Department Capital Project Schedule – this department schedule provides project specific details and financing for projects proposed in the current year capital budget.

## **10. 2021 Regional Business Plans and Budgets Timetable**

- 10.1 The Region's business planning and budget process includes strategic planning, risk assessment, economic and financial forecasting, property tax guidelines, detailed business plans and budgets, and performance measurement. Fiscal accountability is strengthened by the multi-year planning of expenditures, financing and risk mitigation that are imbedded in the Region's Business Planning and Budget process and highlighted each year by the Region's bond raters.
- 10.2 The timetable for the 2021 Business Plans and Budgets recommends the advancement of the Committee and Council review of the 2021 Property Tax Supported Business Plans and Budgets from February to January. This represents important progress towards achieving the goal of concurrent approval of user rate and property tax supported business plans and budgets in December of each year as identified in the business planning and budget process review and modernization project. Given the uncertainty with the ongoing COVID-19 pandemic, there may be a need to adjust the projected dates for the 2021 Business Plans and Budgets timetable. Staff will continue to monitor and will advise Regional Council of any changes. The key dates of the preliminary 2021 Regional Business Plans and Budgets timetable are outlined below and are detailed in Attachment #2:
- 2020 Corporate Asset Management Update Report
    - Committee of the Whole – September 16, 2020
    - Regional Council – September 30, 2020

- Water and Sanitary Sewer User Rates
    - Finance and Administration Committee – December 8, 2020
    - Regional Council – December 16, 2020
  - Water Supply and Sanitary Sewerage Business Plans and Budgets
    - Works Committee – December 2, 2020
    - Finance and Administration Committee – December 8, 2020
    - Regional Council – December 16, 2020
  - Property Tax Supported Business Plans and Budgets
    - Standing Committees – week of January 4, 2021
    - Finance and Administration Committee – January 12, 2021 and January 13, 2021 (if required)
    - Regional Council – January 27, 2021
  - Property Tax Strategy
    - Finance and Administration Committee – January 12, 2021 and January 13, 2021 (if required)
    - Regional Council – January 27, 2021
- 10.3 The 2021 proposed timetable establishes December 16, 2020 as the target date for Regional Council approval of the 2021 Water Supply and Sanitary Sewerage Business Plans and Budgets and January 27, 2021 as the target date for Regional Council approval of all 2021 Property Tax Supported Business Plans and Budgets.
- 11. Public Engagement Strategy for the 2021 Business Plans and Budgets**
- 11.1 Transparency and education are key components of building successful public engagement on the Region's business plans and budgets with residents, businesses and stakeholders.
- 11.2 Building upon the success of the 2020 Business Plans and Budget public engagement initiatives and recognizing the limitations the COVID-19 pandemic places on in-person meetings, the Region is developing and deploying tools and complementary engagement activities which focus on increasing opportunities for sharing information and engaging residents, businesses and stakeholders in the development of the 2021 Business Plans and Budget.
- 11.3 To support the 2021 Business Plans and Budget these tools and activities will ensure information that is focused on outcomes for residents, businesses and stakeholders is shared in plain language and through a variety of formats that are accessible and interactive (where possible). The public engagement approach focuses on engaging with more residents and businesses in new and different ways to encourage their feedback and will include:

- Hosting a Virtual Town Hall tentatively planned for Wednesday October 21, 2020 to share information about the key priorities being considered as part of the development of the 2021 Business Plans and Budget and provide an opportunity for the public to provide input;
  - Refreshing the Region's Business Plans and Budget online presence including an updated webpage and use of the Region's Your Voice Durham website to allow residents to ask questions and provide comments online;
  - Developing a series of videos to educate the public on how the budget process works. The videos will feature educational, engaging content that breaks down messaging in a digestible, easy-to-understand way;
  - Providing ongoing social media engagement aligned with the progression of the business planning and budget process to support wider understanding of the process and seek engagement throughout the process; and
  - Providing traditional engagement initiatives consistent with prior year activities including the utilization of print media.
- 11.4 It is contemplated that those proposed engagement activities which are not time-limited, once they are made available, will remain available through the year and not be limited to the time period leading up to the annual Business Plans and Budget.
- 11.5 As part of the multi-year business planning and budget process review and modernization project, an interdepartmental team is working to evaluate standards and best practices, and to incorporate feedback and expertise to better understand when and how to use public engagement tools. This work will help inform the public engagement strategy for future Business Plans and Budgets.

## **12. Next Steps**

- 12.1 In the next phase of the business planning and budget process, all program areas will review their operating and capital plans to achieve the recommended property tax guideline including:
- Completing a line-by-line review wherein Regional Departments review three years of historical actuals to identify 2021 base budget reductions that would not impact service levels;
  - Refining budget estimates and priorities;
  - Exploring alternative funding strategies including the sustainable use of reserve and reserve funds, development charges and provincial and federal gas tax;
  - Working with the provincial and federal government to understand 2021 funding impacts including any potential Phase 2 provincial and/or federal COVID funding;
  - Ongoing monitoring of the Region's weighted net assessment growth; and

- Carefully reviewing and prioritizing 2021 staffing requests, budget pressures and priorities and looking for efficiencies and opportunities to minimize the 2021 budget impact.

### **13. Conclusion**

- 13.1 The recommended overall 2021 property tax guideline for Regional Departments, the Durham Regional Police Services Board, Durham Region Transit Commission, DRLHC and funded Outside Agencies will result in:
- A Region-wide property tax rate impact not to exceed 2.0 per cent, after an estimated 1.00 per cent to 1.25 per cent net weighted assessment growth; and
  - An annual \$56 budgetary increase for an average residential home in Durham Region with an estimated 2021 current value assessment of \$483,100.
- 13.2 Regional departments, boards, commissions and outside agencies will continue to review their operating and capital business plans and budgets looking for efficiencies, prioritizing and making the necessary adjustments to balance competing priorities, capital requirements, and operating pressures to achieve Regional Council's approved property tax guideline. It is important to note that significant reductions will need to be made to achieve the recommended 2.0 per cent property tax guideline and as such not all requests identified will be achieved within this guideline and some will need to be considered in future budget years.
- 13.3 The detailed 2021 Property Tax Supported Business Plans and Budgets are scheduled to be presented to the appropriate Standing Committee or Transit Executive Committee during the week of January 4, 2021, Finance and Administration Committee on January 12, 2021 and January 13, 2021 (if required) and Regional Council on January 27, 2021.

### **14. Attachments**

- 14.1 Attachment #1: Current Economic Analysis
- 14.2 Attachment #2: Preliminary Timetable for the 2021 Regional Business Plans and Budgets

Respectfully submitted,

Original Signed By \_\_\_\_\_

Nancy Taylor, BBA, CPA, CA  
Commissioner of Finance

Recommended for Presentation to Committee

Original Signed By \_\_\_\_\_

Elaine C. Baxter-Trahair  
Chief Administrative Officer

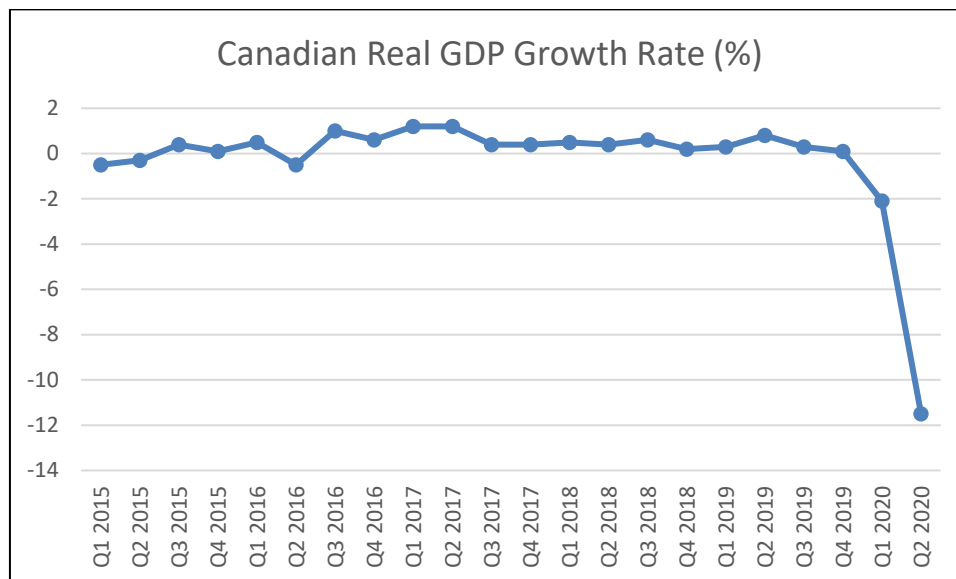


## Current Economic Analysis

The Region's Finance Department continuously monitors national, provincial and global economic activity for implications to the local economy. Changes in economic conditions can potentially impact Regional service delivery, as well as Regional expenditures and revenues. The global economy is currently experiencing one of the deepest contractions on record as the COVID-19 pandemic has significantly reduced both consumption and production. In Canada, nearly all levels of government have imposed some form of economic restrictions to contain the spread of the pandemic. The resulting impact has been a considerable decline in many of the key indicators that measure the health of our economy at the national, provincial, and local level.

### Canadian Economy

The strength of any economy is typically measured by the Gross Domestic Product (GDP), or the dollar value of all goods and services produced domestically in a given year. Between the first quarter of 2015 and the fourth quarter of 2019, the Canadian economy, as measured by real GDP, experienced an average quarterly growth rate of 0.4 per cent. After the pandemic hit in early 2020, the Canadian economy experienced a 2.1 per cent quarterly contraction in the first quarter of 2020, followed by a record 11.5 per cent quarterly contraction in the second quarter. Expressed as an annualized growth rate, or assuming the current rate of growth continues exponentially over four consecutive quarters, the Canadian economy contracted by 38.7 per cent in the second quarter of 2020.



Source: Statistics Canada

Although the economic contraction over the second quarter of 2020 was the deepest since quarterly data recordings began in 1961, many commercial bank economists are forecasting an even sharper rebound in the third quarter of 2020. Some commercial bank forecasts have third quarter GDP increasing over 40 per cent on an annualized basis, while the average annual GDP growth rate forecast for 2020 is a 6 per cent contraction.

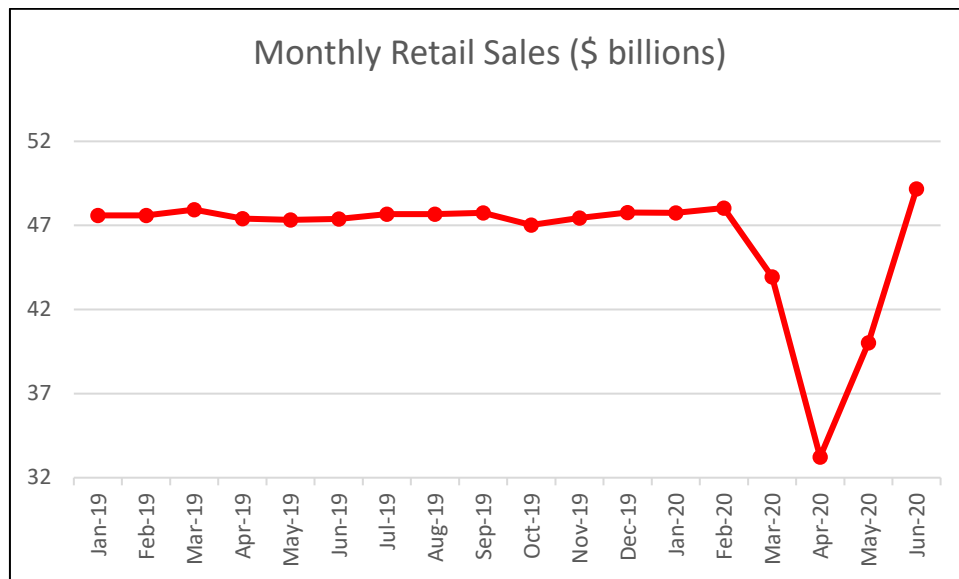


Canadian GDP, or economic output, is a product of many components, including: 1) household consumption; 2) business investment; and 3) net exports (exports minus imports). Each of these components are influenced by several factors.

### 1. Household Consumption

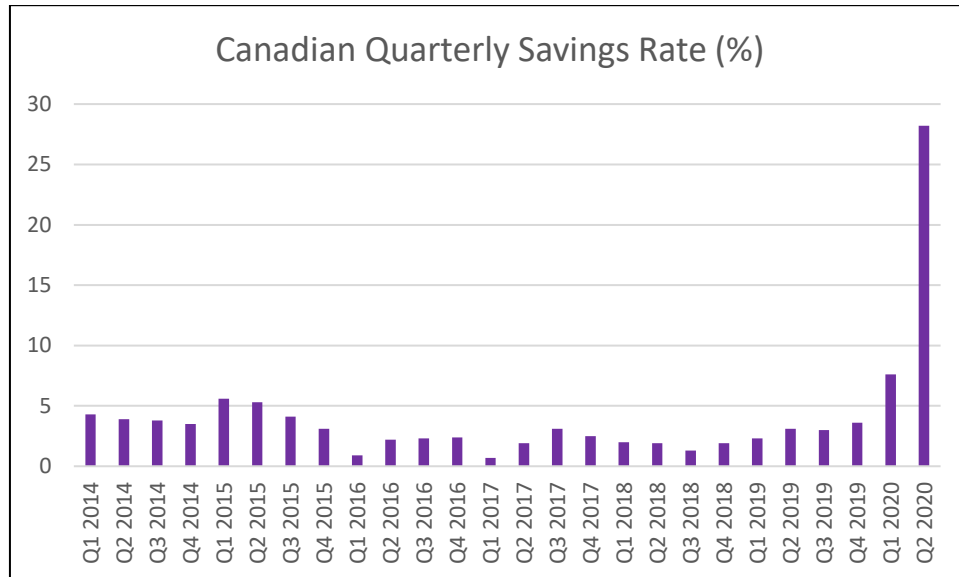
As a result of the pandemic, household consumption (or consumer spending) declined 15.9 per cent between the end of 2019 and the end of the second quarter of 2020. This is significant as household consumption has accounted for approximately 55 per cent of total GDP between 2014 and 2019.

There are signs that consumer spending may be returning toward pre-pandemic levels. After monthly retail sales in April fell 32.4 per cent below pre-pandemic monthly sales in February, retail sales in June had completely recovered to 1.3 per cent above February levels. Retail sales are a key economic indicator of consumer purchasing patterns on a monthly basis.



Source: Statistics Canada

Although household consumption has fallen dramatically over the first half of 2020, household disposable income has increased by 12.2 per cent over the same time period. Households are opting to save a larger portion of their disposable income as the pandemic has caused uncertainty about the future. Prior to the pandemic, the household savings rate, or the percentage of disposable income held as savings, averaged approximately 3 per cent between 2014 and 2019. As a result of the pandemic, the household saving rate increased to 28.2 per cent in the second quarter of 2020.



Source: Statistics Canada

Despite the increased savings rate, Canadian households are still holding large amounts of debt. The debt to disposable income ratio is currently 176.9, meaning for every dollar of disposable income, Canadians hold \$1.77 in credit market debt.

A major influence on the spending and saving habits of consumers is the strength of the labour market. The pandemic has caused a significant shock to the Canadian labour market, resulting in a steep drop in employment and a corresponding rise in unemployment. In April, at the height of the pandemic, the number of employed persons fell 15.7 per cent below pre-pandemic February levels. However, labour market conditions have been steadily improving since pandemic related restrictions began easing in May. As of August 2020, the number of employed persons has recovered to within 94.3 per cent of pre-pandemic February levels.

The number of unemployed persons in Canada spiked during the early days of the pandemic with the unemployment in April rising 113.3 per cent above February levels. As a result, the unemployment rate rose to 13 per cent in April and 13.7 per cent in May, marking the highest unemployment rate recorded since comparable data became available in 1976. The number of unemployed persons has steadily declined with the easing of pandemic related restrictions, however the number of unemployed persons in August remains over 80 per cent higher than pre-pandemic February levels. The unemployment rate in August had fallen to 10.2 per cent, however it remains significantly higher than the 5.6 per cent reported in February.

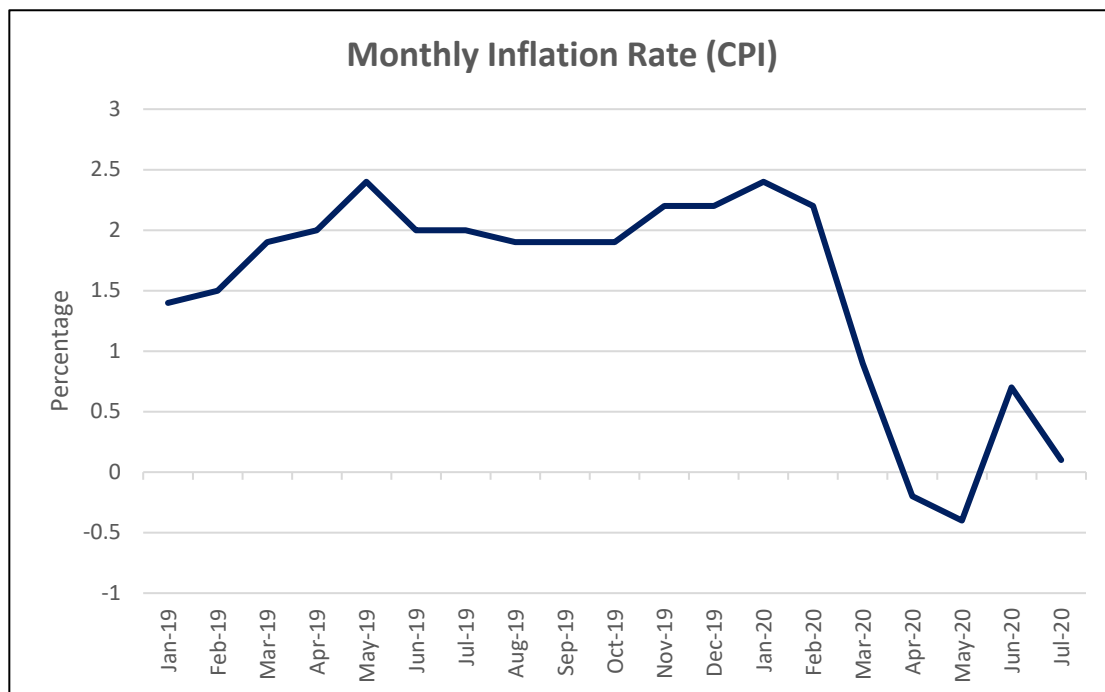
## 2. Business Investments

Business investment, including large capital infrastructure and research and development, are an indicator of economic expansion since increased investments signal expected increases in future demand. As the pandemic has led to uncertainty about future demand, business investment declined 16.7 per cent over the first half of 2020. Business investment in machinery and equipment experienced the largest decline, falling

26.4 per cent between the end of 2019 and the end of the second quarter of 2020.

Interest rates can also impact the prices that businesses (and consumers) pay for goods and services. When interest rates are low, businesses tend to increase investment in order to take advantage of low borrowing costs. When businesses buy up more goods, it drives up prices and increases inflation. While business investment is largely driven by forecasted future demand, interest rates can also be an influencing factor as most capital projects require the borrowing of funds. The Bank of Canada sets a target for its key policy interest rate (or overnight rate), which is the rate that sets the basis for all other interest rates in the economy (mortgages, loans, etc.). As a result of the pandemic, and in an effort to stimulate investment, the Bank of Canada has lowered its target for the key policy rate by a total of 150 basis points in 2020. The policy rate now sits at the Bank's effective lower bound of 0.25 per cent, meaning no future rate cuts are expected.

As the pandemic has led to a significant decline in both consumer and business spending, inflation (as measured by the Consumer Price Index (CPI)) over the first half of 2020 has averaged 0.8 per cent. This is well below the Bank of Canada inflation rate target of two per cent. The Bank of Canada will typically lower the target for the policy rate as a means of increasing inflation; however, as the rate is already at its effective lower bound, the Bank of Canada has stated that it will "hold the policy interest rate at the effective lower bound until economic slack is absorbed so that the 2 percent inflation target is sustainably achieved".



Source: Bank of Canada

### 3. Net Exports

Canada's net exports are the dollar value of its total exports, minus the dollar value of its total imports. The pandemic has led to a significant slowdown in international trade as

many countries around the world have imposed border restrictions. As a result, the dollar value of Canadian exports declined a significant 20.2 per cent over the first half of the year, while the dollar value of imports into Canada declined 24.6 per cent. Pandemic related restrictions have had a particular impact on the trade of services as the dollar value of service exports and imports, over the first half of 2020, have declined 22 per cent and 34.9 per cent respectively.

Although international trade volumes experienced significant declines over the first half of 2020, recent statistics indicate that trade volumes are beginning to recover. The total dollar value of exports in July is down only 6 per cent from February levels. The dollar value of imports into Canada in May had fallen to 29.2 per cent below February levels. In July, the dollar value of imports into Canada had recovered to only 4.1 per cent below pre-pandemic February levels.

One of the factors that influence Canadian international trade is the strength of the Canadian dollar. The Canadian dollar endured periods of weakness during the early months of the pandemic but has been regaining strength since April. On January 1, 2020, it cost \$1.30 Canadian to buy one American dollar. The price had increased to an average of \$1.40 by April 1, 2020 but has settled back to \$1.32 as of August 1, 2020.

### **Provincial Economy**

The health of the provincial economy can have major implications on the health of our local economy. The Ontario government has not yet released its economic accounts for the second quarter of 2020, which would provide a fulsome account of the impact that the various pandemic containment measures had on the economy. However, the government has released its economic accounts for the first quarter of 2020 which provide a leading indicator of the economic impacts of the pandemic.

Despite containment measures only being in place during the last two weeks of the first quarter, the Ontario economy experienced a two per cent contraction in comparison to the fourth quarter of 2019. Household consumption fell two per cent over the quarter, marking the steepest decline since 1991. Business investment declined 0.2 per cent, while investments in machinery and equipment fell 2.5 per cent. Exports over the first quarter of 2020 declined 3.1 per cent, while imports declined 2.3 per cent.

The pandemic has led to many private sector economists taking a pessimistic view on the province's short-term economic outlook. According to Ontario's 2020-21 fiscal first quarter financial update, the average private sector forecast projects Ontario's economy to contract by 6.6 per cent in 2020. This would mark the largest annual GDP decline on record. The Ontario Ministry of Finance is also projecting employee compensation to decline 2.5 per cent in 2020 and business profits to decline 14.1 per cent.

The labour market in Ontario has also been severely impacted by the pandemic. The unemployment rate in May hit 13.6 per cent while the number of unemployed persons was 130 per cent higher than February. The number of employed persons in May was also 15 per cent below February levels. However, the labour market has begun to recover as the number of employed persons in August was over 10 per cent higher than May and

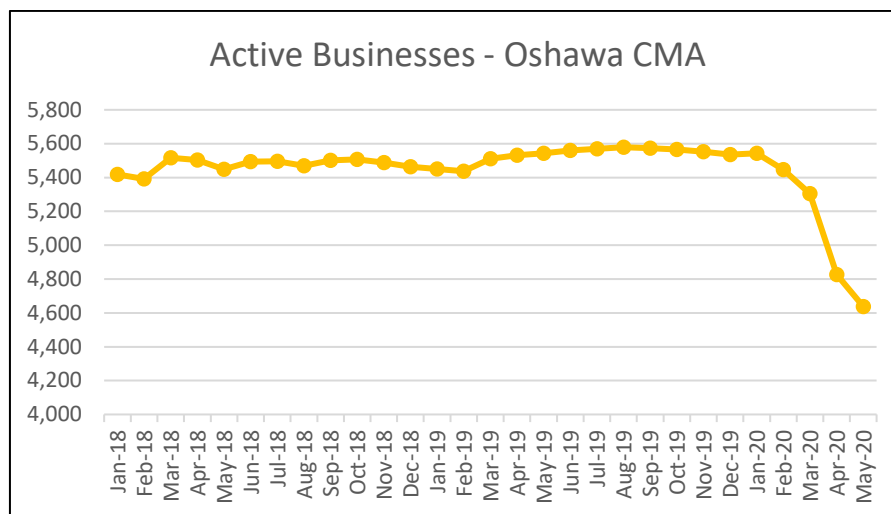
the number of unemployed persons has decreased by 16 per cent. The unemployment rate in August fell to 10.6 per cent but remains well above the 5.5 per cent reported in February.

## Local Economy

The local economy is also facing several challenges associated with the COVID-19 pandemic. Statistics Canada does not provide any official GDP estimates for municipalities, which makes the determination of recent local economic growth impacts problematic. The Conference Board of Canada does provide periodic estimates of GDP for Census Metropolitan Area's (CMA); however, no estimates have been provided since the onset of the pandemic and any projections prior to the pandemic are largely irrelevant. In the absence of current GDP data, there are several alternative indicators that can be used to analyze different aspects of the local economy.

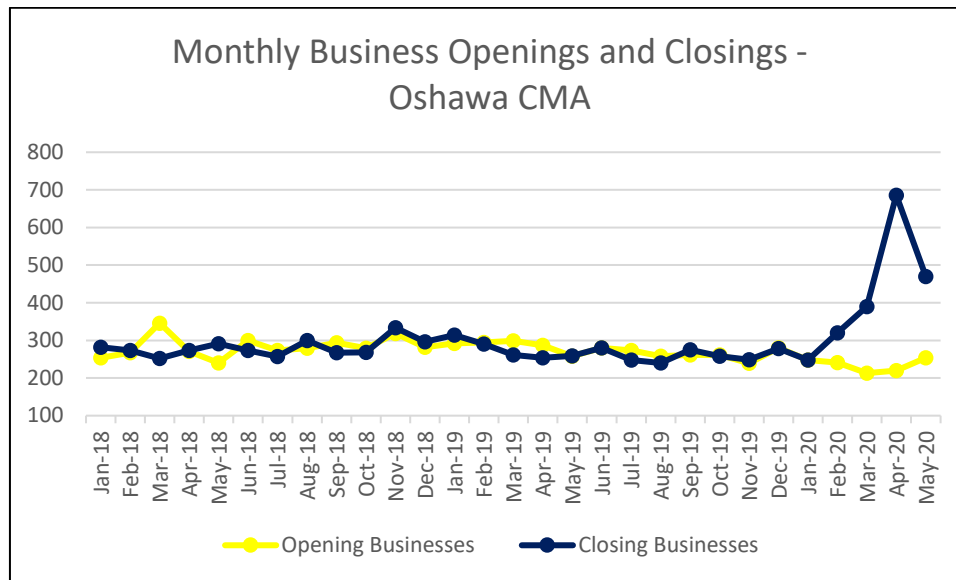
The pandemic has led to significant weakness in the local labour market. The number of employed persons in the Oshawa CMA, as measured using a three-month moving average, declined by 10 per cent between February and June. The number of unemployed persons increased by 60 per cent over the same time period. Although the labour market has recovered over the last couple months, the three-month moving average unemployment rate was 11.4 per cent in August, compared to 7 per cent in February.

The strength of the labour market is dependent on the strength of business activity. Statistics Canada provides monthly data on the number of active businesses in each CMA, as well as the number of business openings and closings. The number of active businesses, or the number of businesses reporting to have at least one employee in a given month, has stayed fairly consistent over the past couple years. However, as a result of the pandemic, the number of active businesses in the Oshawa CMA has dropped by 16.3 per cent from January to May 2020.



Source: Statistics Canada

The number of business openings, or the number of businesses that transition from having no employees in the previous month to having at least one employee in the current month, has stayed relatively stable throughout the pandemic. However, the number of business closures, or the number of businesses that transition from having at least one employee in the previous month to having no employees in the current month, has increased by over 176 per cent between January and April, and in May remained 89.5 per cent above January levels.



Source: Statistics Canada

Despite labour market weakness, the housing market continues to remain strong. According to the Durham Regional Association of Realtors (DRAR), existing home sales in Durham Region increased 17 per cent year-over-year in June, followed by a 52 per cent year-over-year increase in July. The DRAR reported the average selling price of a home in Durham Region at \$709,640 in July, marking a new record high for the month.

## Economic Risks

The economic outlook for the near future is dependent on the trajectory of the pandemic. The length of time the virus persists, as well as the potential for future economic restrictions, will determine how quickly the economy is able to recover and return to pre-pandemic growth levels. It also remains to be seen whether structural changes to the economy will occur that permanently alter the way we produce and consume.

Another risk to the local economy is the fiscal health of the federal and provincial governments. Both levels of government have provided large stimulus packages to mitigate the economic impact of the pandemic. As a result of these stimulus packages, the federal government is projecting a \$343 billion deficit this fiscal year, while the provincial government is estimating a \$38.5 billion deficit. Financing these large deficits could potentially limit the amount of funds available for municipal grants and subsidies.

# PRELIMINARY TIMETABLE FOR THE 2021 REGIONAL BUSINESS PLANS AND BUDGETS

## A) 2021 PROPERTY TAX GUIDELINE

Item	Description	Standing Committee	Regional Council
1.	Review and Approval of the: <ul style="list-style-type: none"> <li>2021 Regional Business Plans and Property Tax Supported Budget Guideline</li> </ul>	Finance and Administration Committee – September 15, 2020	September 30, 2020

## B) SUPPORTING BUSINESS PLANNING REPORTS

Item	Description	Standing Committee	Regional Council
1.	Review and Approval of the: <ul style="list-style-type: none"> <li>Corporate Asset Update Report</li> </ul>	Committee of the Whole – September 16, 2020	September 30, 2020
2.	Review and Approval of the: <ul style="list-style-type: none"> <li>2021 Water and Sanitary Sewer User Rates</li> </ul>	Finance and Administration Committee – December 8, 2020	December 16, 2020
3.	Review and Approval of the: <ul style="list-style-type: none"> <li>2021 Strategic Property Tax Study</li> </ul>	Finance and Administration Committee – January 12 and 13 (if required), 2021	January 27, 2021
4.	Review and Approval of the: <ul style="list-style-type: none"> <li>2021 Property Tax Rates</li> </ul>		January 27, 2021

# PRELIMINARY TIMETABLE FOR THE 2021 REGIONAL BUSINESS PLANS AND BUDGETS

## C) 2021 DETAILED BUSINESS PLANS AND BUDGETS

Item	Description	Standing Committee(s)	Regional Council
1.	Review and Approval of the: <ul style="list-style-type: none"> <li>2021 Detailed Water and Sanitary Sewer Business Plans and Budgets</li> </ul>	Works Committee – December 2, 2020 Finance and Administration Committee – December 8, 2020	December 16, 2020
2.	Review and Approval of the: <ul style="list-style-type: none"> <li>2021 Durham Regional Local Housing Corporation (DRLHC) Business Plans and Budget</li> </ul>	DRLHC Board – December 16, 2020 (tentative)	
3.	Review and Approval of the: <ul style="list-style-type: none"> <li>2021 Planning and Economic Development Business Plans and Budgets</li> </ul>	Planning and Economic Development Committee – January 5, 2021	
4.	Review and Approval of the: <ul style="list-style-type: none"> <li>2021 Works General Tax and Solid Waste Management Business Plans and Budgets</li> </ul>	Works Committee – January 6, 2021	
5.	Review and Approval of the: <ul style="list-style-type: none"> <li>2021 Durham Region Transit Business Plans and Budget</li> </ul>	Transit Executive Committee – January 6, 2021	
6.	Review and Approval of the: <ul style="list-style-type: none"> <li>2021 Health and Social Services Business Plans and Budgets</li> </ul>	Health and Social Services Committee – January 7, 2021	
7.	Review and approval of the: <ul style="list-style-type: none"> <li>2021 Departmental Business Plans and Budgets</li> <li>2021 Durham Region Transit Business Plans and Budget</li> <li>2021 Durham Regional Police Service Business Plans and Budget</li> <li>2021 Conservation Authorities Business Plans and Budgets</li> </ul>	Finance and Administration Committee – January 12 and 13 (if required), 2021	January 27, 2021



## Agenda Item #8.1

BOD Meeting #8/20

October 22, 2020

Page 1 of 4

To: The Chair and Members of  
Kawartha Conservation Board of Directors

From: Mark Majchrowski, CAO

Re: Amendment to Administrative and Meeting Procedural By-Law #1

---

### KEY ISSUE:

The administrative and meeting procedural by-law update reflecting revised direction from the Minister of the Environment, Conservation and Parks to allow for remote board meetings.

### RECOMMENDED RESOLUTION:

RESOLVED, THAT, the amendments to the Administrative and Meeting Procedural By-Law #1 to further enable electronic participation be approved and adopted for use effective November 1<sup>st</sup>, 2020.

---

### BACKGROUND

In response to the COVID-19 outbreak, the Minister of the Environment, Conservation and Parks (MECP) provided direction on March 26<sup>th</sup>, 2020 on how conservation authorities could continue Board meetings while maintaining a safe physical distance. The Minister gave conservation authorities the ability to amend their administrative by-laws to allow for virtual meetings, including by teleconference. This direction was issued pursuant to subsection 19.1 (7) of the Conservation Authorities Act.

The primary purpose of the Minister's direction was to enable conservation authorities to convene a Board meeting electronically in order to make the necessary amendments to their by-law to continue to conduct business during declared emergencies.

Our Administrative By-Law #1 was updated to reflect this direction at the Special Board meeting #2/20 in May.

### Amended Provincial Direction

The initial guidance was primarily reflective of a declared state of emergency by the Province or municipalities, and electronic meeting amendments to conservation authority by-laws were framed within this context. Subsequent to the Minister's direction and responsive to the ongoing pandemic, the Province moved out of a declared emergency and have been managing the pandemic response through the

**Agenda Item #8.1**

BOD Meeting #8/20

October 22, 2020

Page 2 of 4

Reopening Ontario (A Flexible Response to COVID-19) Act, 2020. Some municipalities have also terminated their States of Emergency.

The Minister, as a result provided updated guidance (attached, dated September 10, 2020) which broadens the nature of the previous direction and allows flexibility in holding electronic meetings outside of declared emergencies, for clarification.

The draft model-by-law produced by Conservation Ontario was updated to reflect the amended direction and is the base for our by-laws. These changes were approved by Conservation Ontario Council on September 28<sup>th</sup>, 2020.

While we are not in a position where a municipally declared emergency is not in effect in our watershed, it is beneficial to provide further clarity on entire electronic meetings into the future. This could apply during the ongoing pandemic, for instance, or due to inclement weather or other event which is out of our control and, which might traditionally result in a cancelled meeting or limit Board member attendance at a meeting.

**Amendments to By-Law**

To address this more general application of electronic meetings as identified by the Province, draft amendments to the by-law are proposed to encompass situations where electronic meetings may be applicable. The amendments are contained within the Section C: Meeting Procedures of the by-law identifying electronic participation by members.

Amendments or deletions suggested within the By-Law have been highlighted within the document (attached) and changes to the draft by-law are summarized in the chart below for your convenience. In addition to updating the by-law for electronic meetings, the by-law has also been updated to include minor administrative components.

**Summary of By-Law amendments since Meeting #6/18**

Reference	Item	Page	Policy Amendments
Cover	Title, Effective date	1	Title updated to reflect the new revision date.
Summary of By-Law Revisions	New Section	4	New section outlining the changes to the administrative by-law over time
Contents	New Reference	5	New reference to the Summary of By-Law Revisions on page 4 added to the listing of table of contents.

**Agenda Item #8.1**

BOD Meeting #8/20

October 22, 2020

Page 3 of 4

Section C: Meeting Procedures	Text addition	19	Specific reference to By-Law #2 included in this By-Law
Section C: 1.B Declared State of Emergency	New section replacing S.C. s 11	19-20	Cleaner text outlining prior Minister's direction and primacy of procedural elements better to include in the rule of procedure section
Section C: s. 2 Notice of Meeting	Text addition	20	Ability to hold a Board meeting electronically if it is in the best interest of the membership to do so (general statement, in addition to a specific statement regarding inclement weather.
Section C: s. 10 Electronic Participation	Header change	23	Title changed to Electronic <u>Meetings and Participation</u> .
	Text addition	23-24	Fully electronic meetings text added in addition to the existing provision for individual members to participate in an in-person meeting
	Text deletion	24	Removal of section identifying restriction on member participation in closed session and for the election of officers.
Section C: s. 11 Electronic Participation, Declared Emergencies	Section deletion	24-25	This section is deleted and relevant material inserted into the other additions noted above.
General	Heading numbers		Heading numbers will change upon deletion of S.C s 11 – Electronic Participation, Declared Emergencies

**Summary:**

The Minister's direction applies to all conservation authorities and also applies to conservation authorities when meeting as a source protection authority under the Clean Water Act, 2006. The direction provided enables electronic meetings during declared emergencies while subject to specific stipulations, which permit Board members to participate electronically, allows hearings to be conducted, enables public participation in meetings and ensures open and transparent meetings.

Amendments made to the by-law allow for a smoother policy document incorporating electronic meetings into the fabric of the by-law and broadens the nature of electronic

## **Agenda Item #8.1**

BOD Meeting #8/20

October 22, 2020

Page 4 of 4

meetings as identified in the Minister's letter, provided on September 10th, 2020 which further clarified electronic meetings of conservation authority boards.

Updates are underway to By-Law #2: Hearing Procedures to provide guidance on electronic hearings dealing with evaluation of permit approvals by the Board. We plan on presenting this amended By-Law at the next meeting of the Board.

**Ministry of the Environment,  
Conservation and Parks**

Office of the Minister

777 Bay Street, 5th Floor  
Toronto ON M7A 2J3  
Tel.: 416-314-6790

**Ministère de l'Environnement,  
de la Protection de la nature et des  
Parcs**

Bureau du ministre

777, rue Bay, 5<sup>e</sup> étage  
Toronto (Ontario) M7A 2J3  
Tél. : 416.314.6790



September 10, 2020

**TO:** Conservation Authorities as listed in the attached **Schedule “A”**

**SUBJECT:** Amendment to the Minister’s Direction for Conservation Authorities during the COVID-19 Outbreak

---

On March 26, 2020, I issued a Minister’s Direction (“**Direction**”) pursuant to subsection 19.1 (7) of the *Conservation Authorities Act* that applied to all conservation authorities in Ontario, listed in **Schedule “A”** as attached. The Direction enabled conservation authorities to convene a meeting electronically in order to make the necessary amendments to their administrative by-laws to deal with both provincial and municipal emergencies. It identified the minimum areas where the by-laws should be amended, in the manner deemed appropriate by the CA, to make provision for emergency situations (e.g., electronic participation in meetings and hearings and achieving quorum while participating electronically). The Direction also identified that each conservation authority, depending on their individual by-laws, may identify the need to make other necessary amendments to respond to emergencies.

It has come to my attention that certain conservation authorities amended their by-laws to allow virtual meetings only during declared emergencies. Now that the provincially declared state of emergency has ended and municipally declared state of emergencies have or may end, conservation authorities may be prevented from continuing to be able to meet virtually. As such, I am amending the Direction that I issued on March 26, 2020 to remove this barrier. I am directing the conservation authorities listed in Schedule “A” to meet virtually for the purpose of reviewing and amending their by-laws, as applicable, to allow for members of a conservation authority to participate electronically in meetings when it is deemed appropriate by the conservation authority to do so. For greater certainty, the other provisions of the Direction continue to apply.

## Effective Date

This amendment to the March 26, 2020 Direction is effective immediately. If it is in the public interest to do so, I will provide further direction or clarification at a later date related to the matters set out in this Direction.

If you have any questions related to this Direction, please contact:

Chloe Stuart  
Assistant Deputy Minister, Land and Water Division  
Ministry of the Environment, Conservation and Parks  
Robinson PI South Tower, 6<sup>th</sup> Floor  
300 Water Street  
Peterborough, ON, K9J 3C7  
(705) 755-5341  
chloe.stuart@ontario.ca

To learn more about how the province continues to protect Ontarians from COVID-19, please visit [www.ontario.ca/coronavirus](http://www.ontario.ca/coronavirus).

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Yurek', with a stylized, flowing script.

Jeff Yurek  
Minister of the Environment, Conservation and Parks

c: Steve Clark, Minister of Municipal Affairs and Housing  
John Yakabuski, Minister of Natural Resources and Forestry  
Kim Gavine, General Manager, Conservation Ontario

## **SCHEDULE “A” CONSERVATION AUTHORITIES**

### **Ausable Bayfield CA**

R.R. #3  
71108 Morrison Line  
Exeter  
N0M 1S5  
Brian Horner  
bhorner@abca.on.ca

### **Cataraqui Region CA**

Box 160  
1641 Perth Road  
Glenburnie  
K0H 1S0  
Katrina Furlanetto  
kfurlanetto@crca.ca

### **Catfish Creek CA**

R.R. #5  
8079 Springwater Road  
Aylmer  
N5H 2R4  
Chris Wilkinson  
generalmanager@catfishcreek.ca

### **Central Lake Ontario CA**

100 Whiting Avenue  
Oshawa  
L1H 3T3  
Chris Darling  
cdarling@cloca.com

### **Credit Valley CA**

1255 Old Derry Rd  
Mississauga  
L5N 6R4  
Deborah Martin-Downs  
deb.martindowns@cvc.ca

**Crowe Valley CA**

Box 416  
70 Hughes Lane  
Marmora  
K0K 2M0  
Tim Pidduck  
tim.pidduck@crowevalley.com

**Essex Region CA**

Suite 311  
360 Fairview Ave West  
Essex  
N8M 1Y6  
Richard Wyma  
rwyma@erca.org

**Ganaraska Region CA**

Box 328  
2216 County Road 28  
Port Hope  
L1A 3V8  
Linda Laliberte  
llaliberte@grca.on.ca

**Grand River CA**

Box 729  
400 Clyde Road  
Cambridge  
N1R 5W6  
Samantha Lawson  
slawson@grandriver.ca

**Grey Sauble CA**

R.R. #4  
237897 Inglis Falls Road  
Owen Sound  
N4K 5N6  
Tim Lanthier  
t.lanthier@greysauble.on.ca

**Halton Region CA**

2596 Britannia Road West  
Burlington  
L7P 0G3  
Hassaan Basit  
hbasit@hrca.on.ca



**Hamilton Region CA**

P.O. Box 81067  
838 Mineral Springs Road  
Ancaster  
L9G 4X1  
Lisa Burnside  
lisa.burnside@conservationhamilton.ca

**Kawartha Region CA**

277 Kenrei (Park) Road  
Lindsay  
K9V 4R1  
Mark Majchrowski  
mmajchrowski@kawarthaconservation.com

**Kettle Creek CA**

R.R. #8  
44015 Ferguson Line  
St. Thomas  
N5P 3T3  
Elizabeth VanHooren  
elizabeth@kettlecreekconservation.on.ca

**Lake Simcoe Region CA**

Box 282  
120 Bayview Parkway  
Newmarket  
L3Y 3W3  
Mike Walters  
m.walters@lsrca.on.ca

**Lakehead Region CA**

Box 10427  
130 Conservation Road  
Thunder Bay  
P7B 6T8  
Tammy Cook  
tammy@lakeheadca.com

**Long Point Region CA**

4 Elm Street  
Tillsonburg  
N4G 0C4  
Judy Maxwell  
jmaxwell@lprca.on.ca

**Lower Thames Valley CA**

100 Thames Street  
Chatham  
N7L 2Y8  
Mark Peacock  
mark.peacock@ltvca.ca

**Lower Trent Region CA**

R.R. #1  
714 Murray Street  
Trenton  
K8V 5P4  
Rhonda Bateman  
rhonda.bateman@ltc.on.ca

**Maitland Valley CA**

Box 127  
1093 Marietta Street  
Wroxeter  
N0G 2X0  
Phil Beard  
pbeard@mvca.on.ca

**Mattagami Region CA**

100 Lakeshore Road  
Timmins  
P4N 8R5  
David Vallier  
david.vallier@timmins.ca

**Mississippi Valley CA**

10970 Highway 7  
Carleton Place  
K7C 3P1  
Sally McIntyre  
smcintyre@mvc.on.ca

**Niagara Peninsula CA**

250 Thorold Road West, 3rd Floor  
Welland  
L3C 3W2  
Chandra Sharma  
csharma@npca.ca

**Nickel District CA**

199 Larch St  
Suite 401  
Sudbury  
P3E 5P9  
Carl Jorgensen  
carl.jorgensen@conservationsudbury.ca

**North Bay-Mattawa CA**

15 Janey Avenue  
North Bay  
P1C 1N1  
Brian Tayler  
brian.tayler@nbmca.ca

**Nottawasaga Valley CA**

8195 Line 8  
Utopia  
L0M 1T0  
Doug Hevenor  
dhevenor@nvca.on.ca

**Otonabee Region CA**

250 Milroy Drive  
Peterborough  
K9H 7M9  
Dan Marinigh  
dmarinigh@otonabeeconservation.com

**Quinte CA**

R.R. #2  
2061 Old Highway #2  
Belleville  
K8N 4Z2  
Brad McNevin  
bmcnevin@quinteconservation.ca

**Raisin Region CA**

PO Box 429  
18045 County Road 2  
Cornwall  
K6H 5T2  
Richard Pilon  
richard.pilon@rrca.on.ca

**Rideau Valley CA**

Box 599  
3889 Rideau Valley Dr.  
Manotick  
K4M 1A5  
Sommer Casgrain-Robertson  
sommer.casgrain-robertson@rvca.ca

**Saugeen Valley CA**

R.R. #1  
1078 Bruce Road #12, Box #150  
Formosa  
N0G 1W0  
Jennifer Stephens  
j.stephens@svca.on.ca

**Sault Ste. Marie Region CA**

1100 Fifth Line East  
Sault Ste. Marie  
P6A 6J8  
Corrina Barrett  
cbarrett@ssmrca.ca

**South Nation River CA**

38 Victoria Street  
P.O. Box 29  
Finch  
K0C 1K0  
Angela Coleman  
acoleman@nation.on.ca

**St. Clair Region CA**

205 Mill Pond Crescent  
Strathroy  
N7G 3P9  
Brian McDougall  
bmcdougall@scrca.on.ca

**Toronto and Region CA**

101 Exchange Avenue  
Vaughan  
L4K 5R6  
John MacKenzie  
john.mackenzie@trca.ca

**Upper Thames River CA**  
1424 Clarke Road  
London  
N5V 5B9  
Ian Wilcox  
wilcoxi@thamesriver.on.ca

# KAWARTHA CONSERVATION

## Administrative and Meeting Procedural By-Law # 1

---

Revised: October 22, 2020

Revised: May 28, 2020

Adopted October 17, 2018



**KAWARTHA  
CONSERVATION**

Discover • Protect • Restore



## **Our Mandate**

Outstanding water quality and quantity management, supported by healthy landscapes through planning, stewardship, and science

## **Our Mission**

To provide leadership in watershed management and conservation

## **Our Vision**

A sustainable watershed with clean and abundant water and natural resources assured for future generations

## By Law Statement

Kawartha Conservation policies and procedures are passed under powers conferred on the Authority by the Conservation Authorities Act, RSO 1990, Chapter C. 27. The Administrative By-Laws – Board of Directors is intended to be used by Kawartha Conservation as a governance and administrative policy implementing Section 19.1 of the Conservation Authorities Act, as amended by the Building Better Communities and Conserving Watersheds Act, 2017.

This Administrative By-law is based upon the Conservation Authority Best Management Practices (BMP) and Administrative By-Law Model document developed through Conservation Ontario to ensure a high level of consistency among conservation authorities, with respect to governance. The model document, endorsed by Conservation Ontario Council on April 16, 2018, amended April 23, 2018 was used as the foundation for this by-law.

The word “Authority” as used in this procedure refers to all members of Kawartha Conservation as defined in Section 14 of the Conservation Authorities Act, RSO 1990, Chapter C. 27.

Kawartha Region Conservation Authority is the legal title of the organization; we have referred to the organization as Kawartha Conservation throughout the document which is reflective of our name for our community profile.



## Summary of By-Law Revisions

Date of Revision	Notes
October 22, 2020	Electronic Meeting Participation (Section C: Meeting Procedures) revised per amended Minister's Direction (Sep 10, 2020), to allow for greater opportunity for full electronic meetings of the Board
May 28, 2020	New Section in Section C: Meeting Procedures added – Electronic Participation, Declared Emergencies responding to Minister Direction (Mar 26, 2020), enabling full electronic meetings during a Declared Emergency.
October 17, 2018	Comprehensive update and consolidation of prior governance by-laws into this singular by-law. Major updates made responding to changes in the Conservation Authorities Act and based upon the Conservation Ontario model By-Law

Note: This By-Law is a consolidation of the previous By-Law #1: Governance and Administrative Policies, 2010 and By-Law #2: Meeting Procedures, 2010.

## Contents

1	
KAWARTHA CONSERVATION .....	1
Our Mandate .....	2
Our Mission .....	2
Our Vision .....	2
By Law Statement .....	3
<b>Summary of By-Law Revisions</b> .....	4
Administrative By-Law .....	7
Introduction .....	7
Powers of Authorities .....	7
A. Definitions .....	10
B. Governance .....	11
1. Members .....	11
2. Officers .....	13
3. Absence of Chair and Vice-Chair .....	14
4. Maximum Term for Chair and Vice-Chair .....	14
5. Representatives to Conservation Ontario Council .....	14
6. Representatives to other committees .....	14
7. Election of Chair and Vice-Chair .....	14
8. Appointment of Auditor .....	14
9. Appointment of Financial Institution .....	15
10. Appointment of Solicitor .....	15
11. Financial Statements and Report of the Auditor .....	15
12. Borrowing Resolution .....	15
13. Levy Notice .....	15
14. Signing Officers and Signing Authorities .....	15
15. Executive Committee .....	16
16. Advisory Boards and Other Committees .....	16
17. Remuneration of Members .....	17
18. Records Retention .....	17
19. Records Available to Public .....	17
20. By-law Review .....	18

21.	By-law Available to Public .....	18
22.	Enforcement of By-laws and Policies .....	18
23.	Indemnification of Members, Officers and Employees.....	18
C.	Meeting Procedures.....	19
1.	Rules of Procedure .....	19
2.	Notice of Meeting .....	20
3.	Meetings Open to Public.....	20
4.	Agenda for Meetings.....	21
5.	Quorum .....	21
6.	Order of Business .....	22
7.	Debate .....	22
8.	Matters of Precedence.....	23
9.	Members' Attendance .....	23
10.	Electronic Participation .....	23
11.	Electronic Participation, Declared Emergencies .....	24
12.	Delegations .....	25
13.	Annual Meeting.....	25
14.	Meetings with Closed "In Camera" Sessions .....	26
15.	Voting .....	27
16.	Notice of Motion .....	28
19.	Conduct of Members .....	29
20.	Minutes of Meetings .....	29
D.	Approval of By-Law and Revocation of Previous By-Law(s).....	31
E.	Appendices to the Administrative By-law .....	32
	Appendix 1 - Code of Conduct .....	32
	Appendix 2 - Conflict of Interest .....	36
	Appendix 3 - Procedure for Election of Officers .....	38
	Appendix 4 – Common Motions .....	40

## Administrative By-Law

### Introduction

Kawartha Conservation is a non-share corporation, established under Section 3 of the *Conservation Authorities Act*, with the objects to provide, in the area over which it has jurisdiction, programs and services designed to further the conservation, restoration, development and management of natural resources other than gas, coal and minerals.

Under the Act, municipalities within a common watershed are enabled to petition the province to establish a conservation authority. The purpose of the Act is to provide for the organization and delivery of programs and services that further the conservation, restoration, development and management of natural resources in watersheds in Ontario. The Authority is comprised of its Members, appointed as representatives by the Participating Municipalities as follows:

- City of Kawartha Lakes (3 members)
- Region of Durham
  - Township of Scugog (2 members)
  - Township of Brock (1 member)
  - Municipality of Clarington (1 member)
- Municipality of Trent Lakes (1 member)
- Township of Cavan Monaghan (1 member)

The Members of the Conservation Authority form the General Membership of the Conservation Authority. The Members are bound by the Act and other applicable legislation. The Authority must always act within the scope of its powers. As a non-share corporation, the Authority has the capacity and, subject to the Act and other applicable legislation, the rights, powers and privileges of a natural person. The powers of a conservation authority to accomplish its objects are set out in the Act, including those identified under subsection 21(1) as listed below:

### Powers of Authorities

21 (1) For the purposes of accomplishing its objects, an authority has power,

- a. to study and investigate the watershed and to determine programs and services whereby the natural resources of the watershed may be conserved, restored, developed and managed;
- b. for any purpose necessary to any project under consideration or undertaken by the authority, to enter into and upon any land and survey and take levels of it and make such borings or sink such trial pits as the authority considers necessary

- c. to acquire by purchase, lease or otherwise and to expropriate any land that it may require, and, subject to subsection (2), to sell, lease or otherwise dispose of land so acquired;
  - d. despite subsection (2), to lease for a term of five years or less land acquired by the authority;
  - e. to purchase or acquire any personal property that it may require and sell or otherwise deal therewith;
  - f. to enter into agreements for the purchase of materials, employment of labour and other purposes as may be necessary for the due carrying out of any project or to further the authority's objects;
  - g. to enter into agreements with owners of private lands to facilitate the due carrying out of any project;
  - h. to determine the proportion of the total benefit afforded to all the participating municipalities that is afforded to each of them;
  - i. to erect works and structures and create reservoirs by the construction of dams or otherwise;
  - j. to control the flow of surface waters in order to prevent floods or pollution or to reduce the adverse effects thereof;
  - k. to alter the course of any river, canal, brook, stream or watercourse, and divert or alter, as well temporarily as permanently, the course of any river, stream, road, street or way, or raise or sink its level in order to carry it over or under, on the level of or by the side of any work built or to be built by the authority, and to divert or alter the position of any water-pipe, gas-pipe, sewer, drain or any telegraph, telephone or electric wire or pole;
  - l. to use lands that are owned or controlled by the authority for purposes, not inconsistent with its objects, as it considers proper;
  - m. to use lands owned or controlled by the authority for park or other recreational purposes, and to erect, or permit to be erected, buildings, booths and facilities for such purposes and to make charges for admission thereto and the use thereof;
- (m.1) to charge fees for services approved by the Minister;

*Note: On a day to be named by proclamation of the Lieutenant Governor, clause 21 (1) (m.1) of the Act is repealed. (See: 2017, c. 23, Sched. 4, s. 19 (3))*

- n. to collaborate and enter into agreements with ministries and agencies of government, municipal councils and local boards and other organizations and individuals;
- o. to plant and produce trees on Crown lands with the consent of the Minister, and on other lands with the consent of the owner, for any purpose;
- p. to cause research to be done;
- q. generally, to do all such acts as are necessary for the due carrying out of any project or as may be desirable to further the objects of the authority.

## A. Definitions

**“Authority”** means Kawartha Conservation

**“Act”** means the *Conservation Authorities Act*, R.S.O. 1990, chapter C.27

**“Chair”** means the Chairperson as referenced in the Act as elected by the Members of the Authority.

**“Chief Administrative Officer”** means the Chief Administrative Officer of the Authority, and which may, by resolution of the Authority, include the responsibilities of the Secretary- Treasurer if so designated by resolution of the Authority.

**“Fiscal Year”** means the period from January 1 through December 31.

**“General Membership”** means all of the Members, collectively.

**“Levy”** means the amount of costs apportioned to participating municipalities in accordance with the Act and Regulations under the Act.

**“Majority”** means half of the votes plus one.

**“Members”** shall mean the members appointed to the Authority by the participating municipalities in the Authority’s area of jurisdiction.

**“Non-matching Levy”** means that portion of an Authority’s levy that meets the definition of non-matching levy as found in Ontario Regulation 139/96.

**“Officer”** means an officer of the Authority empowered to sign contracts, agreements and other documents on behalf of the Authority in accordance with section 19.1 of the Act, which shall include the Chair, Vice-Chair the Chief Administrative Officer/Secretary-Treasurer).

**“Participating Municipality”** means a municipality that is designated by or under the Act as a participating municipality in a conservation authority.

**“Pecuniary Interest”** includes the financial or material interests of a Member and the financial or material interests of a member of the Member’s immediate family.

**“Secretary-Treasurer”** means Secretary-Treasurer of the Authority with the roles specified in the Act.

**“Staff”** means employees of the Authority as provided for under Section 18(1) of the Act.

**“Vice-Chair”** means the Vice-Chairperson as elected by the Members of the Authority.

**“Weighted Majority”** means the votes of 51 per cent of those represented after the votes are weighted by the percentage that applies under Ontario Regulation 139/96 for Municipal Levies.

## **B. Governance**

### **1. Members**

#### **a. Appointments**

Participating Municipalities within the jurisdiction of Kawartha Conservation may appoint Members in accordance with Section 14 of the Act.

Appointed Members must reside in a Participating Municipality in which the Authority has jurisdiction and may include citizens as well as elected members of municipal councils.

Collectively, the appointed Members comprise the Authority, and for the purposes of this by-law are also referred to as the General Membership.

#### **b. Term of Member Appointments**

In accordance with Section 14 of the Act, a Member shall be appointed for a term of up to four years at the discretion of the appointing municipal council; such term beginning at the first meeting of the Authority following his or her appointment and ending immediately before the first meeting of the Authority following the appointment of his or her replacement.

The Secretary-Treasurer shall notify the appropriate municipality in advance of the expiration date of any Member's term, unless notified by the municipality of the Member's reappointment or the appointment of his or her replacement.

A Member is eligible for reappointment. A Member can be replaced by a Participating Municipality at the municipality's discretion prior to the end of their term.

#### **c. Powers of the General Membership**

Subject to the Act and other applicable legislation, the General Membership is empowered without restriction to exercise all of the powers prescribed to the Authority under the Act. In addition to the powers of an authority under s.21 of the Act for the purposes of accomplishing its objects, as referenced in the introduction, the powers of the General Membership include but are not limited to:

- i. Approving by resolution, the creation of Committees and/or Advisory Boards, the members thereof and the terms of reference for these Committees and/or Advisory Boards;
- ii. Appointing a Chief Administrative Officer and/or Secretary-Treasurer;
- iii. Terminating the services of the Chief Administrative Officer and/or Secretary-Treasurer.
- iv. Approving establishing and implementing regulations, policies and programs;
- v. Awarding contracts or agreements where the approval of the Authority is required under the Authority's purchasing policy.
- vi. Appointing an Executive Committee and delegate to the Committee any of its powers except:



1. The termination of the services of the Chief Administrative Officer and/or Secretary-Treasurer,
  2. The power to raise money, and
  3. The power to enter into contracts or agreements other than those contracts or agreements as are necessarily incidental to the works approved by the Authority.
- vii. Approving by resolution, any new capital project of the Authority;
  - viii. Approving by resolution, the method of financing any new capital projects;
  - ix. Approving details on budget allocations on any new or existing capital projects;
  - x. Approving of the total budget for the ensuing year, and approving the levies to be paid by the Participating Municipalities;
  - xi. Receiving and approving the Financial Statements and Report of the Auditor for the preceding year;
  - xii. Authorizing the borrowing of funds on the promissory note of the Authority in accordance with subsection 3(5) of the Act;
  - xiii. Approving by resolution, any proposed expropriation of land or disposition of land, subject to the requirements under the Act;
  - xiv. Approving permits or refusing permission as may be required under any regulations made under Section 28 of the Act, including the delegation of this responsibility to Chief Administrative Officer or other employee consistent with Ontario Regulation 182/06;
  - xv. Holding hearings required for the purpose of reviewing permit applications, and advising every applicant of their right to appeal the decision to the Minister of Natural Resources and Forestry through the Mining and Lands Tribunal;

#### **d. Member Accountability**

Participating Municipalities appoint Members to the Authority as their representatives. Members have the responsibilities of Directors of the corporation that is the Authority. While the administration is responsible for the day-to-day operations, the General Membership is responsible for matters of governance, ensuring compliance with applicable legislation, and ensuring appropriate policies are in place and for financial soundness of the Authority and represent the interests of the entire watershed.

All Members have the responsibility to be guided by and adhere to the Code of Conduct (Appendix 1) and Conflict of Interest Policy (Appendix 2), as adopted by the Authority.

Members are responsible for:

- I. Attending all meetings of the Authority;
- II. Understanding the purpose, function and responsibilities of the authority;
- III. Being familiar with the Authority's statutory and other legal obligations;
- IV. With the administration, setting strategic direction for the Authority.

#### **e. Applicable Legislation**

In addition to the Act, the Members are subject to other legislation including, but not limited to:

- *Municipal Conflict of Interest Act*
- *Municipal Freedom of Information and Protection of Privacy Act*

If any part of the by-law conflicts with any provision of the Municipal Conflict of Interest Act or the Municipal Freedom of Information and Protection of Privacy Act or a provision of a regulation made under one of those acts, the provision of that act or regulation prevails.

**f. Relationship between Members and Staff**

The General Membership relies on the Chief Administrative Officer and/or Secretary- Treasurer to manage the operations of the organization, including all human resource aspects and employees of the Authority. The Chief Administrative Officer and/or Secretary Treasurer is accountable to the Authority, working cooperatively to achieve the goals established by the Authority.

The General Membership will ensure that a process exists for regular performance evaluations of the Chief Administrative Officer and/or Secretary-Treasurer.

**2. Officers**

The Officers of the Authority, and their respective responsibilities, shall be:

**Chair**

- Is a Member of the Authority;
- Presides at all meetings of the General Membership, Executive Committee, Advisory Boards and other committees; as applicable
- Calls special meetings if necessary;
- Acts as a public spokesperson on behalf of the General Membership;
- Serves as signing officer for the Authority;
- Ensures relevant information and policies are brought to the Authority's attention;
- Keeps the General Membership apprised of significant issues in a timely fashion;
- Performs other duties when directed to do so by resolution of the Authority.

**Vice-Chair**

- Is a Member of the Authority;
- Attends all meetings of the Authority, Executive Committee, Advisory Boards and other committees; as applicable);
- Carries out assignments as requested by the Chair;
- Understands the responsibilities of the Chair and acts as Chair immediately upon the death, incapacity to act, absence or resignation of the Chair until such time as a new Chair is appointed or until the Chair resumes his/her duties;
- Serves as a signing officer for the Authority.

**Chief Administrative Officer/Secretary Treasurer (CAO)**

- Responsibilities of the CAO as assigned by the Authority include, but are not limited to the following:
- Is an employee of the Authority;
- Attends all meetings of the General Membership, Executive Committee, Advisory Boards and other committees; as applicable or designates an acting CAO if not available;
- Works in close collaboration with the Chair and Vice-Chair and keeps them apprised of relevant information and significant issues in a timely fashion;
- Develops a strategic plan for approval by the General Membership and implements short and long-range goals and objectives;

- Is responsible for the management of the operations of the Authority, including all staff and programs of the Authority;
- Ensures resolutions of the Authority are implemented in a timely fashion;
- Develops and maintains effective relationships and ensures good communications with Participating Municipalities, federal and provincial government ministries/agencies, Indigenous communities, other conservation authorities, Conservation Ontario, stakeholders, community groups and associations;
- Serves as a signing officer for the Authority.
- Fulfills the requirements of the Secretary-Treasurer as defined in the Act;
- Is the custodian of the Corporate Seal;

### **3. Absence of Chair and Vice-Chair**

In the event of the absence of the Chair and Vice-Chair from any meeting, the members shall appoint an Acting Chair who, for the purposes of that meeting has all the powers and shall perform all the duties of the Chair.

### **4. Maximum Term for Chair and Vice-Chair**

The term of office for the Chair is set at a maximum of four consecutive one-year terms after which the incumbent must step down for at least one year before seeking office again.

### **5. Representatives to Conservation Ontario Council**

The Authority may appoint up to three Representatives to Conservation Ontario Council ("Council"), designated as Voting Delegate and Alternate(s). Council will consist of the Voting Delegates appointed by each Member Conservation Authority. The Voting Delegate and Alternates shall be registered with Conservation Ontario annually and shall consist of the Chair as the Voting Delegate and Vice-Chair and CAO as primary and secondary alternates respectively.

### **6. Representatives to other committees**

The Authority will appoint the Vice-Chair to the Kawartha Conservation Foundation to serve as a member of the Board.

### **7. Election of Chair and Vice-Chair**

The election of the Chair and one or more Vice-Chairs shall occur at the first meeting held each year in accordance with the Authority's Procedures for Election of Officers (Appendix 3).

### **8. Appointment of Auditor**

The General Membership shall appoint an auditor for the coming year in accordance with Section 38 of the Act at the first meeting held each year.

The Authority shall consider tendering for the services of an auditor at least every five years. Subject to satisfactory performance and reasonable fees, the Authority will annually appoint the same auditor during the period between tendering for these services.

#### **9. Appointment of Financial Institution**

The General Membership shall appoint a financial institution to act as the Authority's banker by Resolution [at the first meeting held each year.

The Authority shall consider tendering for the services of a financial institution at least every five years. Subject to satisfactory performance and reasonable fees, the Authority will annually appoint the same financial institution during the period between tendering for these services.

#### **10. Appointment of Solicitor**

The General Membership shall appoint solicitor(s) to act as the Authority's legal counsel by Resolution at the first meeting held each year.

The Authority shall consider tendering for the services of a solicitor at least every five years. Subject to satisfactory performance and reasonable fees, the Authority will annually appoint the same solicitor during the period between tendering for these services.

#### **11. Financial Statements and Report of the Auditor**

The General Membership shall receive and approve the Audited Financial Statements and Report of the Auditor annually for the previous year within four months following year end.

The Authority shall forward copies of the Audited Financial Statements and Report of the Auditor to Participating Municipalities and the Minister of Natural Resources and Forestry in accordance with Section 38 of the Act and will make the Audited Financial Statements available to the public.

#### **12. Borrowing Resolution**

If required, the Authority shall establish a borrowing resolution by March 31 of each year and such resolution shall be in force until it is superseded by another borrowing resolution.

#### **13. Levy Notice**

The levy due to the Authority from participating municipalities shall be communicated to those municipalities in accordance with the Act and any applicable Regulations.

#### **14. Signing Officers and Signing Authorities**

All deeds, transfers, assignments, contracts, and obligations entered into by the Authority **requiring execution by the Board, or on behalf of the Board**, shall be signed by any two (2) of the signing officers of the Authority, and so signed shall be binding on the Board and the Authority without further authorization or formality.

The signing officers of the Authority shall include:

- Chair
- Vice-Chair
- Chief Administrative Officer/Secretary Treasurer
- Director, Corporate Services

The Corporate seal of the Authority may, when required, be affixed as required.

All contracts, documents, or obligations entered into by the Authority **requiring execution by the Authority, or on behalf of the authority**, shall be signed by any of the signing authorities of the Authority, and so signed shall be binding on the Board and the Authority without further authorization or formality.

Signing authorities of the Authority shall include the Department Directors in addition to any signing officers, specifically:

- Director, Integrated Watershed Management
- Director, Planning, Development and Engineering
- Director, Stewardship and Conservation Lands

Signing authority that was authorized by any previous Administration Regulation or By-law is superseded by this by-law.

## **15. Executive Committee**

The Authority may appoint an executive committee at the first meeting of the General Membership each year in accordance with the Section 19 of the Act and Section 1(c)(vi) of this by-law.

## **16. Advisory Boards and Other Committees**

In accordance with Section 18(2) of the Act, the Authority shall establish such advisory boards as required by regulation and may establish such other advisory boards or committees as it considers appropriate to study and report on specific matters.

The General Membership shall approve the terms of reference for all such advisory boards and committees, which shall include the role, the frequency of meetings and the number of members required.

Resolutions and policies governing the operation of the Authority shall be observed in all advisory board and committee meetings.

Each advisory board or committee shall report to the General Membership, presenting any recommendations made by the advisory board or committee.

The dates of all advisory board and committee meetings shall be made available to all Members of the Authority.

### **17. Remuneration of Members**

The Authority shall establish a per-diem rate from time to time to be paid to Members for attendance at General Meetings and Advisory Board or Committee meetings, and at such other business functions as may be from time to time requested by the Chair, through the Secretary-Treasurer.

A single per-diem will be paid for attendance at more than one meeting if they occur consecutively on the same day.

The Authority shall reimburse Members' reasonable travel expenses incurred for the purpose of attending meetings and/or functions on behalf of the Authority. A per-kilometre rate to be paid for use of a personal vehicle shall be approved by Resolution of the General Membership from time-to-time. Requests for such reimbursements shall be submitted within a timely fashion and shall be consistent with Canada Revenue Agency guidelines.

### **18. Records Retention**

The Authority shall keep full and accurate records including, but not limited to:

- i. Minutes of all meetings of the Authority, including registries of statements of interests in accordance with the *Municipal Conflict of Interest Act*;
- ii. Assets, liabilities, receipts and disbursements of the Authority and Financial Statements and Reports of the Auditors;
- iii. Human Resources Files for all employees and Members as applicable;
- iv. Workplace Health and Safety documents including workplace inspections, workplace accidents, investigations, etc.;
- v. Electronic Communications including emails
- vi. Contracts and Agreements entered into by the Authority;
- vii. Strategic Plans and other documents providing organizational direction
- viii. Projects of the Authority;
- ix. Technical Studies and data gathered in support of Programs of the Authority;
- x. Legal Proceedings involving the Authority;
- xi. Incidents of personal injury or property damage involving the Authority and members of the public.

Such records shall be retained and protected in accordance with all applicable laws and the Records Retention Policy of the Authority as approved by the General Membership from time-to-time.

### **19. Records Available to Public**

Records of the Authority shall be made available to the public, subject to requirements of the *Municipal Freedom of Information and Protection of Personal Privacy Act* (MFIPPA).

The Authority designates the Chief Administrative Officer/Secretary Treasurer to act as head of the Authority for the purposes of MFIPPA.

## **20. By-law Review**

In accordance with the Act, these by-laws shall be reviewed by the Authority to ensure the by-laws are in compliance with the Act and any other relevant law. The General Membership shall review the by-laws on a regular basis and at a minimum every 4 years to ensure best management practices in governance are being followed.

## **21. By-law Available to Public**

In accordance with the Act, the Authority shall make its by-laws available to the public on the Authority's website. By-laws shall also be available for review by any member of the public at the Authority's administration centre or provided in alternative formats, in accordance with the *Accessibility for Ontarians with Disabilities Act*, if requested by interested parties.

## **22. Enforcement of By-laws and Policies**

The Members shall respect and adhere to all applicable by-laws and policies (for example, the Code of Conduct and Conflict of Interest). The Authority may take reasonable measures to enforce its by-laws and policies, including the enforcement mechanisms under the *Municipal Conflict of Interest Act*.

The procedure for enforcement will, at a minimum, include:

- an investigation conducted regarding the alleged breach;
- an opportunity provided to the affected member to respond to the allegation;
- communication to the General Membership in a closed meeting the findings of the investigation and the affected member's response;
- notification of the outcome of the investigation to the appointing municipality

## **23. Indemnification of Members, Officers and Employees**

The Authority undertakes and agrees to indemnify and save harmless its Members, Officers and Employees and their heirs and legal representatives, respectively, from and against all costs, charges and expenses, including all amounts paid to settle an action or satisfy any judgement, reasonably incurred by any such Member, Officer or Employee in respect of any civil, criminal or administrative action or proceeding to which any such Member, Officer or Employee is made a party by reason of being a Member, Officer or Employee of the Authority (except in respect of an action by or on behalf of the Authority to procure a judgment in its favour) if;

- such Member, Officer or Employee acted honestly, in good faith with a view to the best interests of the Authority and within the scope of such Member's, Officer's or Employee's duties and responsibilities, and,
- in the case of a criminal or administrative action or proceeding that is enforced by a monetary penalty that such Member, Officer or Employee had reasonable grounds for believing that the conduct was lawful.

## C. Meeting Procedures

The Meeting Procedures below governing the procedure of the Authority shall be observed in Executive Committee and Advisory Board meetings, as far as they are applicable, and the words Executive Committee or Advisory Board may be substituted for the word Authority as applicable.

When the Authority are sitting as a Hearing Board, hearings will meet the requirements of the *Statutory Powers and Procedures Act SPPA*, the details of which are specified in By-Law #2: Hearing Procedures.

### 1. Rules of Procedure

In all matters of procedure not specifically dealt with under the Act and this By-law, the current edition of Robert's Rules of Order shall be binding.

The Authority shall normally conduct its business as a committee of the whole.

#### 1.B Declared State of Emergency

During any period where an emergency has been declared to exist, in all or part of an area over which the Authority has jurisdiction, under Section 4 or 7.0.1 of the Emergency Management and Civil Protection Act, that may prevent the General Membership from meeting in person, a Member may participate in meetings electronically and shall have the ability to:

- a. register a vote;
- b. be counted towards determining quorum; and
- c. participate in meetings closed to the public.

During any period where an emergency has been declared to exist, in all or part of an area over which the Authority has jurisdiction, under Section 4 or 7.0.1 of the Emergency Management and Civil Protection Act, that may prevent the General Membership from meeting in person, the following will apply:

- any date or timeline requirement established under any Section in this By-law shall be postponed until such time as the General Membership can reasonably address the issue.
- best practices will be implemented to make meetings of the Authority open to the public in accordance with Subsection 15(3) of the Act. Where possible, the Authority will provide for alternative means for the public to participate in meetings electronically.



- any hearing or appeal dealt with in this By-law may be conducted electronically with provisions for applicants and their agents to participate if the Authority decides to hold any such hearing or appeal.

## **2. Notice of Meeting**

The General Membership shall approve a schedule for regular meetings in advance. The Secretary-Treasurer shall send Notice of regular meetings to all Members at least seven (7) calendar days in advance of a meeting. Notice of all regular or special meetings of the General Membership or its committees shall be made available to the public as soon as possible after its delivery to General Membership.

Notice of any meeting shall indicate the time and place of that meeting and the agenda for the meeting.

All material and correspondence to be dealt with by the Authority at a meeting will be submitted to the Secretary-Treasurer in advance of the meeting where it is to be dealt with; 14 days in advance if the item is to be included in the published agenda, or 2 days in advance if it is to be introduced at the meeting.

The chair may, at his/her pleasure, call a special meeting of the Authority as necessary on three calendar days' notice in writing or email. That notice shall state the business of the special meeting and only that business shall be considered at that special meeting. Any member, with 50% support of the other members, may also request the Chair to call a meeting of the Authority and the Chair will not refuse.

The Chair or the Secretary-Treasurer may, by notice in writing or email delivered to the members so as to be received by them at least 12 hours before the hour appointed for the meeting, postpone or cancel any meeting of an Advisory Board or other committee until the next scheduled date for the specific Advisory Board or committee affected.

The Chair or the Secretary-Treasurer may, if it appears that a storm or like occurrence will prevent the members from attending a meeting, postpone that meeting by advising as many members as can be reached or, if warranted, hold the meeting electronically provided quorum and public attendance can be met. Postponement shall not be for any longer than the next regularly scheduled meeting date. The Chair may hold a regularly scheduled meeting electronically if it is in the best interest of the membership to do so, provided quorum and public attendance can be met.

## **3. Meetings Open to Public**

All meetings of the General Membership and Executive Committee, if applicable, shall be open to the public.

A meeting or part of a meeting may be closed to the public if the subject matter being considered is identified in the closed meeting section of the Agenda and the subject matter meets the criteria for a closed meeting as defined in this by-law.

#### **4. Agenda for Meetings**

Authority staff, under the supervision of the Secretary-Treasurer, shall prepare an agenda for all regular meetings of the Authority that shall include, but not necessarily be limited to, the following headings:

1. Approval of Agenda
2. Declaration of Pecuniary Interest
3. Approval of Minutes
4. Deputations
5. Hearings
6. Presentations
7. Consent Items
8. Consent Items requiring further discussion
9. Action Items
10. New Business
11. Reports and Updates from Board Members
12. Closed Session
13. Adjournment

The agenda for special meetings of the Authority shall be prepared as directed by the Chair.

Agendas for meetings shall be forwarded to all Members at least seven (7) calendar days] in advance of the meeting. Such agendas shall be made available to the public on the Authority's website at least seven (7) calendar days in advance of the meeting, unless the meeting is closed to the public in accordance with this by-law. Such agendas shall also be available in alternative formats, in accordance with the *Accessibility for Ontarians with Disabilities Act*, if requested by interested parties.

#### **5. Quorum**

At any meeting of the General Membership, a quorum consists of one-half of the Members appointed by the Participating Municipalities. At any Executive Committee, advisory board or committee meeting, a quorum consists of one-half of the Members of the Executive Committee, advisory board or committee.

If there is no quorum within one half hour after the time appointed for the meeting, the Chair for the meeting shall declare the meeting adjourned due to a lack of a quorum, or shall recess until quorum arrives, and the recording secretary shall record the names of the Members present and absent.

If quorum is lost during an Authority or Advisory Board or Committee meeting, then the Chair shall declare that the meeting shall stand recessed or adjourned, until the date of the next regular meeting or other meeting called in accordance with the provisions of this by-law.

Agenda items including delegations present may be covered and presented and issues discussed, but no formal decisions may be taken by the remaining Members which do not constitute a quorum.

Where the number of Members who are disabled from participating in a meeting due to the declaration of a conflict of interest is such that at that meeting the remaining Members are not of sufficient number to constitute a quorum, the remaining number of Members shall be deemed to constitute a quorum provided such number is not less than two.

## **6. Order of Business**

The business of the Authority shall be taken up in the order in which it stands on the agenda unless otherwise decided by a majority of those Members present.

No Member shall present any matter to the Authority for its consideration unless the matter appears on the agenda for the meeting of the Authority or leave is granted to present the matter by the affirmative vote of a majority of the Members present.

## **7. Debate**

The Authority shall observe the following procedures for discussion/debate on any matter coming before it:

- 1) A Member shall be recognized by the Chair prior to speaking;
- 2) Where two or more Members rise to speak, the Chair shall designate the Member who has the floor, who shall be the Member who in the opinion of the Chair was first recognized;
- 3) All questions and points of discussion shall be directed through the Chair;
- 4) Where a motion is presented, it shall be moved and seconded before debate;
- 5) No Member shall speak more than once to the same question without leave from the Chair, except in explanation of a material part of the speech;
- 6) No Member shall speak more than 10 minutes without leave of the Chair;
- 7) Any Member may ask a question of the previous speaker through the Chair;
- 8) The Member who has presented a motion, other than a motion to amend or dispose of a motion, may speak again to the motion immediately before the Chair puts the motion to a vote;
- 9) When a motion is under debate, no motion shall be received other than a motion to amend, to defer action, to refer the question, to take a vote, to adjourn, or to extend the hour of closing the proceedings;
- 10) When a motion is under consideration, only one amendment is permitted at a time.

## **8. Matters of Precedence**

The following matters shall have precedence over the usual order of business:

- a. a point of order;
- b. matter of privilege;
- c. a matter of clarification;
- d. a motion to suspend a rule of procedure or to request compliance with the rules of procedure;
- e. a motion that the question be put to a vote;
- f. a motion to adjourn.

## **9. Members' Attendance**

The Authority shall provide a listing of Members' attendance at scheduled meetings of the Authority to their Participating Municipalities at least annually.

Upon a Member's vacancy due to death, incapacity or resignation occurring in any office of the Authority, the Authority shall request the municipality that was represented by that Member appoint a Member replacement.

In the event that a municipally appointed Member misses three consecutive meetings without due notice, the Authority will advise the member's municipality of the unaccountable absences.

If a Member is unable to attend any meeting and wishes to bring any additional information or opinion pertaining to an agenda item to the General Membership, the Member shall address in writing or email to the Chair or Secretary-Treasurer such correspondence prior to the start of the meeting. The correspondence shall be read aloud by the Secretary-Treasurer without comment or explanations.

## **10. Electronic Meetings and Participation**

Fully electronic meetings of the Board of Directors are permitted and must follow or accommodate all Section C. Meeting Procedures identified in this by-law, or in the case of Hearings, By-Law #2: Hearing Procedures.

A Member can participate electronically in a meeting that is open or closed to the public and in either case may be counted in determining whether or not a quorum of members is present at any point in time.

Electronic meetings must permit all participants to communicate adequately with each other during the meeting. For open electronic meetings, the public must be able to attend the meeting electronically if playing a role in the agenda, or be able to attend the meeting electronically and be able to observe all that Members can hear and see at the meeting.

Delegations to the Board shall be accompanied by a written submission, unless under extenuating circumstances as otherwise determined by the Chair in consultation with the CAO.

**Individual** members may participate in a meeting that **is held in-person open to the public** by telephonic or other electronic means that permits all participants to communicate adequately with each other during the meeting. A Member participating in a meeting electronically shall be identified by the Chair and shall be counted in determining quorum. A Member may only participate electronically in a meeting **which is held in person** to a maximum of 3 (three) meetings per year.

The Chair will expressly invite a Member(s) participating electronically to the discussion of agenda items for the purpose of seeking recognition and obtaining the floor, and on the voting on motions.

~~A Member shall not participate electronically in a meeting that is closed to the public. A Member shall not participate electronically for the purposes of electing Officers of the Authority.~~

#### **11. Electronic Participation, Declared Emergencies**

~~Notwithstanding the foregoing section, during any period where an emergency has been declared to exist, in all or part of an area over which Kawartha Conservation has jurisdiction, under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*, that may prevent members of the General Membership from meeting in person, the following electronic meeting procedures shall be provided for in meetings of the Authority, Advisory Board or Committee.~~

~~A member may participate in meetings electronically and shall have the ability to:~~

- ~~a) register a vote;~~
- ~~b) be counted in determining whether or not a quorum of members is present at any point in time during the meeting;~~
- ~~c) participate in a meeting that is closed to the public.~~

~~Electronic participation in a meeting by a member during a declared emergency shall not count towards the participation in the maximum of three (3) meetings electronically identified for general meetings of the Board.~~

~~The following meeting procedures or considerations will apply to meetings held electronically during a declared emergency:~~

- ~~a) Any hearing or appeal identified with in the by-laws can be conducted electronically, with provisions for applicants and their agents to participate;~~
- ~~b) Best practices will be implemented to ensure meetings of the Board are open to the public;~~

- ~~c) Where possible, alternative means to allow the public to participate in any meetings electronically will be made~~
- ~~d) Delegations to the Board shall be accompanied by a written submission, unless under extenuating circumstances as otherwise determined by the Chair in consultation with the CAO;~~
- ~~e) Anything that is required to be done under the by laws during the emergency, may be considered for postponement to a later date, including the holding of an annual general meeting.~~
- ~~f) Any pre-existing provisions of the Administrative and Meeting Procedure By-Law inconsistent with the amendments for meetings during a declared emergency be deemed superseded and/or revised accordingly.~~

## **12. Delegations**

Any person or organization who wishes to address the Authority may make a request in writing or email to the Secretary-Treasurer. The request should include a brief statement of the issue or matter involved and indicate the name of the proposed speaker(s). If such request is received 14 days in advance of a scheduled meeting, the delegation shall be listed on the published agenda.

Any person or organization requesting an opportunity to address the Authority, but not having made a written request to do so in the timelines specified above, may appear before the meeting if approved by two-thirds (2/3) majority of Members present. If a majority of Members is not achieved, the deputation shall be listed on the published agenda for the following meeting.

Except by leave of the Chair or appeal by the leave of the meeting, delegations shall be limited to one (1) speaker for not more than 10 minutes.

Speakers will be requested not to repeat what has been said by previous speakers at the meeting. A returning delegation will only be allowed to speak again if new, relevant information has become available since their previous presentation. The Chair may choose to end a returning delegation's presentation if, in the opinion of the Chair, the new information being presented is not relevant to a decision facing the General Membership.

## **13. Annual Meeting**

The Authority shall designate one meeting of the General Membership each year as the annual meeting, which will be the first meeting of the calendar year and shall include the following items on the agenda, in addition to the normal course of business:

- I. Election of Officers
- II. Appointment of the auditor for the upcoming year'
- III. Appointment of the solicitor(s) for the upcoming year

#### IV. Appointment of the banker for the upcoming year

#### **14. Meetings with Closed “In Camera” Sessions**

Every meeting of the General Membership, Executive Committee and Advisory Boards, if applicable, shall be open to the public as per Section 15(3) of the Act, subject to the exceptions set out below.

Meetings may be closed to the public if the subject matter being considered relates to:

- a. The security of the property of the Authority;
- b. Personal matters about an identifiable individual, including employees of the Authority;
- c. A proposed or pending acquisition or disposition of land by the Authority;
- d. Labour relations or employee negotiations;
- e. Litigation or potential litigation, including matters before administrative tribunals (e.g. Local Planning Appeal Tribunal), affecting the Authority;
- f. Advice that is subject to solicitor-client privilege;
- g. A matter in respect of which the General Membership, Executive Committee, Advisory Board or committee or other body may hold a closed meeting under another act;
- h. Information explicitly supplied in confidence to the Authority by Canada, a province or territory or a Crown agency of any of them;
- i. A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the Authority, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- j. A trade secret or scientific, technical, commercial or financial information that belongs to the Authority and has monetary value or potential monetary value; or
- k. A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the Authority.

The Authority shall close a meeting if the subject matter relates to the consideration of a request under MFIPPA, and the Authority is the head of an institution for the purposes of MFIPPA.

Before holding a meeting or part of a meeting that is to be closed to the public, the Members shall state by resolution during the open session of the meeting that there will be a meeting closed to the public and the general nature of the matter to be considered at the closed meeting. Once matters have been dealt with in a closed meeting, the General Membership shall reconvene in an open session.

The General Membership shall not vote during a meeting that is closed to the public, unless:

- a. the meeting meets the criteria outlined in this by-law to be closed to the public; and

- b. the vote is for a procedural matter or for giving directions or instructions to Officers, employees or agents of Authority.

Any materials presented to the General Membership during a closed meeting shall be returned to the Secretary-Treasurer prior to departing from the meeting and shall be treated in accordance with the Authority's procedures for handling confidential material.

A meeting of the Authority, executive committee, advisory board or other committee may also be closed to the public if:

- a) the meeting is held for the purpose of educating or training the Members, and
- b) at the meeting, no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the authority, the executive committee, advisory board or other committee.

## 15. Voting

In accordance with Section 16 of the Act:

- a) each Member is entitled to one vote, and
- b) a majority vote of the Members present at any meeting is required upon all matters coming before the meeting.

Accordingly, the Chair is entitled to vote.

If any Member who is qualified to vote abstains from voting, they shall be deemed to have voted neither in favour nor opposed to the question, which will not alter the number of votes required for a majority.

On a tie vote, the motion is lost.

Interrelated motions shall be voted on in the order specified in Robert's Rules of Order, namely:

- a) motions to refer the matter, and
- b) if no motion under clause a) is carried, the order for voting on the remaining motions shall be:
  - i. the amending motion
  - ii. the original motion

Unless a Member requests a recorded vote, a vote shall be by a show of hands or such other means as the Chair may call. No question shall be voted upon more than once at any meeting, unless a recorded vote is requested.

If a Member present at a meeting at the time of the vote requests immediately before or after the taking of the vote that the vote be recorded, the votes will be taken from each member present by alphabetical surname with the Chair voting last, except a member who is disqualified from voting by any Act. Members shall announce his or her vote openly answering "yes" or "no" to the question, and the Secretary-Treasurer shall record each vote.



At the meeting of the Authority at which the Non-Matching Levy is to be approved, the Secretary-Treasurer shall conduct the vote to approve of Non-Matching Levy by a Weighted Majority of the Members present and eligible to vote, in accordance with Ontario Regulation 139/96.

Where a question under consideration contains more than one item, upon the request of any Member, a vote upon each item shall be taken separately.

Except as provided in Section B, Paragraph 6 of this By-law (Election of Chair and Vice-Chair), no vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect.

#### **16. Notice of Motion**

Written notice of motion to be made at an Authority, executive committee, advisory board or committee meeting may be given to the Secretary-Treasurer by any Member of the Authority not less than seven (7) business days prior to the date and time of the meeting and shall be forthwith placed on the agenda of the next meeting. The Secretary-Treasurer shall include such notice of motion in full in the agenda for the meeting concerned.

Recommendations included in reports of advisory boards or committees that have been included in an agenda for a meeting of the General Membership or Executive Committee (if applicable), shall constitute notice of motion for that meeting.

Recommendations included in staff reports that have been included in an agenda for a meeting of the General Membership or Executive Committee (if applicable), shall constitute notice of motion for that meeting.

Notwithstanding the foregoing, any motion or other business may be introduced for consideration of the Authority provided that it is made clear that to delay such motion or other business for the consideration of an appropriate advisory board or committee would not be in the best interest of the Authority and that the introduction of the motion or other business shall be upon an affirmative vote of the majority of the members of the Authority present.

#### **17. Motion to Reconsider**

If a motion is made to reconsider a previous motion, a two-thirds majority vote shall be required in order for reconsideration to take place. If a motion to reconsider is passed, the original motion shall then be placed on the agenda at a future meeting to be debated and voted upon, and the result of that vote, based on a simple majority, shall supersede.]

#### **18. Duties of the Meeting Chair**

It shall be the duty of the Chair, with respect to any meetings over which he/she presides, to:

- a) Preserve order and decide all questions of order, subject to appeal; and without argument or comment, state the rule applicable to any point of order if called upon to do so;
- b) Ensure that the public in attendance does not in any way interfere or disrupt the proceedings of the Members;
- c) Receive and submit to a vote all motions presented by the Members, which do not contravene the rules of order or regulations of the Authority;
- d) Announce the results of the vote on any motions so presented;
- e) Adjourn the meeting when business is concluded.

## **19. Conduct of Members**

Members shall maintain a high standard for conduct and at all times comply with applicable laws and the Authority's Code of Conduct (Appendix 1).

No Member at any meeting of the Authority shall:

- a) Speak in a manner that is discriminatory in nature based on an individual's race, ancestry, place of origin, citizenship, creed, gender, sexual orientation, age, colour, marital status, family status or disability;
- b) Leave their seat or make any noise or disturbance while a vote is being taken or until the result is declared;
- c) Interrupt a Member while speaking, except to raise a point of order or a question of privilege;
- d) Speak disrespectfully or use offensive words against the Authority, the Members, staff, or any member of the public;
- e) Speak beyond the question(s) under debate;
- f) Resist the rules of order or disobey the decision of the Chair on the questions or order or practices or upon the interpretation of the By-laws.

## **20. Minutes of Meetings**

The Secretary-Treasurer shall undertake to have a recording secretary in attendance at meetings of the Authority, the Executive Committee and each advisory board or committee. The recording secretary shall make a record in the form of minutes of the meeting proceedings and in particular shall record all motions considered at the meeting.

If a recording secretary is not present in a closed session, the Secretary-Treasurer shall take notes of any direction provided, for endorsement by the Chair and Vice-Chair.

Minutes of all meetings shall include the time and place of the meeting and a list of those present and shall state all motions presented together with the mover and seconder and voting results.

The Secretary-Treasurer or designate shall include draft minutes of the previous meeting available to each member of the Authority at the same time as agendas for the next meeting are distributed.

After the minutes have been approved by resolution, original copies shall be signed by the Secretary-Treasurer and copies of all non-confidential minutes shall be posted on the Authority's website. Such minutes shall also be available for review by any member of the public at the Authority's administration centre or provided in alternative formats, in accordance with the *Accessibility for Ontarians with Disabilities Act*, if requested by interested parties.

**D. Approval of By-Law and Revocation of Previous By-Law(s)**

By-law number 1 –Governance and Administrative Policies and By-Law number 2 – Meeting Procedures are hereby repealed;

By-law number 1 Administrative By-Law shall come into force on the 17<sup>th</sup> Day of October 2018

Read a first time	<u>July 25, 2018</u>
	Date

Read a second time	<u>September 26, 2018</u>
	Date

Read a third time	<u>October 17, 2018</u>
	Date

And finally passed	<u>October 17, 2018</u>
	Date

Signed:

---

Ted Smith  
Chair

---

Mark Majchrowski  
CAO/Secretary-Treasurer

## **E. Appendices to the Administrative By-law**

### **Appendix 1 - Code of Conduct**

#### **1. Background**

Kawartha Conservation demands a high level of integrity and ethical conduct from its General Membership. The Authority's reputation has relied upon the good judgement of individual Members. A written Code of Conduct helps to ensure that all Members share a common basis for acceptable conduct. Formalized standards help to provide a reference guide and a supplement to legislative parameters within which Members must operate. Further, they enhance public confidence that Members operate from a base of integrity, justice and courtesy.

The Code of Conduct is a general standard. It augments the laws which govern the behaviour of Members, and it is not intended to replace personal ethics.

This Code of Conduct will also assist Members in dealing with confronting situations not adequately addressed or that may be ambiguous in Authority resolutions, regulations, or policies and procedures.

#### **2. General**

All Members, whether municipal councillors or appointed representatives of a municipality, are expected to conduct themselves in a manner that reflects positively on the Authority.

All Members shall serve in a conscientious and diligent manner. No Member shall use the influence of office for any purpose other than for the exercise of his/her official duties.

It is expected that Members adhere to a code of conduct that:

- i. upholds the mandate, vision and mission of the Authority;
- ii. considers the Authority's jurisdiction in its entirety, including their appointing municipality;
- iii. respects confidentiality;
- iv. approaches all Authority issues with an open mind, with consideration for the organization as a whole;
- v. exercises the powers of a Member when acting in a meeting of the Authority;
- vi. respects the democratic process and respects decisions of the General Membership, Executive Committee, Advisory Boards and other committees;
- vii. declares any direct or indirect pecuniary interest or conflict of interest when one exists or may exist; and

- viii. conducts oneself in a manner which reflects respect and professional courtesy and does not use offensive language in or against the Authority or against any Member or any Authority staff.

### **3. Gifts and Benefits**

Members shall not accept fees, gifts, hospitality or personal benefits that are connected directly or indirectly with the performance of duties, except compensation authorized by law.

### **4. Confidentiality**

The members shall be governed at all times by the provisions of the *Municipal Freedom and Information and Protection of Privacy Act*.

All information, documentation or deliberations received, reviewed, or taken in a closed meeting are confidential.

Members shall not disclose or release by any means to any member of the public, either in verbal or written form, any confidential information acquired by virtue of their office, except when required by law to do so.

Members shall not permit any persons, other than those who are entitled thereto, to have access to information which is confidential.

In the instance where a member vacates their position on the General Membership they will continue to be bound by MFIPPA requirements.

Particular care should be exercised in protecting information such as the following:

- i. Human Resources matters;
- ii. Information about suppliers provided for evaluation that might be useful to other suppliers;
- iii. Matters relating to the legal affairs of the Authority;
- iv. Information provided in confidence from an Aboriginal community, or a record that if released could reasonably be expected to prejudice the conduct of relations between an Aboriginal community and the Authority;
- v. Sources of complaints where the identity of the complainant is given in confidence;
- vi. Items under negotiation;
- vii. Schedules of prices in tenders or requests for proposals;
- viii. Appraised or estimated values with respect to the Authority's proposed property acquisitions or dispositions;
- ix. Information deemed to be "personal information" under MFIPPA.

The list above is provided for example and is not exhaustive.

**5. Use of Authority Property**

No Member shall use for personal purposes any Authority property, equipment, supplies, or services of consequence other than for purposes connected with the discharge of Authority duties or associated community activities of which the Authority has been advised.

**6. Work of a Political Nature**

No Member shall use Authority facilities, services or property for his/her election or re- election campaign to any position or office within the Authority or otherwise.

**7. Conduct at Authority Meetings**

During meetings of the Authority, Members shall conduct themselves with decorum. Respect for delegations and for fellow Members requires that all Members show courtesy and not distract from the business of the Authority during presentations and when others have the floor.

**8. Influence on Staff**

Members shall be respectful of the fact that staff work for the Authority as a whole and are charged with making recommendations that reflect their professional expertise and corporate perspective, without undue influence.

**9. Business Relations**

No Member shall borrow money from any person who regularly does business with the Authority unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money.

No Member shall act as a paid agent before the Authority, the Executive Committee or an advisory board or committee of the Authority, except in compliance with the terms of the *Municipal Conflict of Interest Act*.

**10. Encouragement of Respect for the Authority and its Regulations**

Members shall represent the Authority in a respectful way and encourage public respect for the Authority and its Regulations.

## **11. Harassment**

It is the policy of the Authority that all persons be treated fairly in the workplace in an environment free of discrimination and of personal and sexual harassment. Harassment of another Member, staff or any member of the public is misconduct. Members shall follow the Authority's Harassment Policy as approved from time-to-time.

Examples of harassment that will not be tolerated include: verbal or physical abuse, threats, derogatory remarks, jokes, innuendo or taunts related to an individual's race, religious beliefs, colour, gender, physical or mental disabilities, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation. The Authority will also not tolerate the display of pornographic, racist or offensive signs or images; practical jokes that result in awkwardness or embarrassment; unwelcome invitations or requests, whether indirect or explicit and any other prohibited grounds under the provisions of the *Ontario Human Rights Code*.

## **12. Breach of Code of Conduct**

Should a Member breach the Code of Conduct, they shall advise the Chair and Vice-Chair, with a copy to the Secretary Treasurer, as soon as possible after the breach.

Should a Member allege that another Member has breached the Code of Conduct, the said breach shall be communicated to the Chair, with a copy to the Secretary-Treasurer, in writing. In the absence of the Chair, or if a Member alleges that the Chair has breached the Code of Conduct, the said breach shall be communicated to the Vice-Chair, with a copy to the Secretary-Treasurer, in writing.

Any breach, or alleged breach, of the Code of Conduct shall be investigated in accordance with the Enforcement of By-laws and Policies procedure outlined or referred to in the Authority's Administrative By-law.



## **Appendix 2 - Conflict of Interest**

### **1. Municipal Conflict of Interest Act**

The Authority Members commit themselves and the Authority to ethical, businesslike, and lawful conduct when acting as the General Membership. The Authority is bound by the *Municipal Conflict of Interest Act*. This appendix to the by-law is intended to assist Members in understanding their obligations. Members are required to review the *Municipal Conflict of Interest Act* on a regular basis.

### **2. Disclosure of Pecuniary Interest**

Where a Member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Authority, Executive Committee, Advisory Board or committee at which the matter is the subject of consideration, the Member:

- a) shall, prior to any consideration of the matter at the meeting, disclose the pecuniary interest and the general nature thereof;
- b) shall not take part in the discussion of, or vote on any question in respect of the matter; and,
- c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.

### **3. Chair's Conflict of Interest or Pecuniary Interest**

Where the Chair of a meeting discloses a conflict of interest with respect to a matter under consideration at a meeting, another Member shall be appointed to chair that portion of the meeting by Resolution.

### **4. Closed Meetings**

Where a meeting is not open to the public, a Member who has declared a conflict of interest shall leave the meeting for the part of the meeting during which the matter is under consideration.

### **5. Member Absent**

Where the interest of a Member has not been disclosed by reason of their absence from the particular meeting, the Member shall disclose their interest and otherwise comply at the first meeting of the Authority, Executive Committee, Advisory Board or Committee, as the case may be, attended by them after the particular meeting.

## **6. Disclosure Recorded in Minutes**

The recording secretary shall record in reasonable detail the particulars of any disclosure of conflict of interest or pecuniary interest made by Members and whether the Member withdrew from the discussion of the matter. Such record shall appear in the minutes/notes of that particular meeting of the General Membership, Executive Committee, advisory board or committee, as the case may be.

## **7. Breach of Conflict of Interest Policy**

Should a Member breach the Conflict of Interest Policy, they shall advise the Chair and Vice-Chair, with a copy to the Secretary Treasurer, as soon as possible after the breach.

Should a Member allege that another Member has breached the Conflict of Interest Policy, the said breach shall be communicated to the Chair, with a copy to the Secretary Treasurer, in writing. In the absence of the Chair, or if a Member alleges that the Chair has breached the Conflict of Interest Policy, the said breach shall be communicated the Vice-Chair, with a copy to the Secretary-Treasurer, in writing.

Should a member of the public or a municipality allege that a Member has breached the Conflict of Interest Policy, the party making the allegation will be directed to follow the notification procedure outlined above.

Any breach, or alleged breach, of the Conflict of Interest Policy shall be investigated in accordance with the Enforcement of By-laws and Policies procedure outlined or referred to in the Authority's Administrative By-law.

### **Appendix 3 - Procedure for Election of Officers**

#### **1. Voting**

Voting shall be by secret ballot and no Members may vote by proxy.

##### **1. Acting Chair**

The General Membership shall appoint a person, who is not a voting Member, as Acting Chair or Returning Officer, for the purpose of Election of Officers.

##### **2. Scrutineer(s)**

The appointment of one or more scrutineers is required for the purpose of counting ballots, should an election be required. All ballots shall be destroyed by the scrutineers afterwards. The Acting Chair shall call a motion for the appointment of one or more persons, who are not Members or employees of the Authority, to act as scrutineers. A Member, who will not stand for election, may be appointed as an additional scrutineer if requested.

#### **3. Election Procedures**

The Acting Chair shall advise the Members that the election will be conducted in accordance with the Act as follows:

- a) The elections shall be conducted in the following order:
  - i. Election of the Chair, who shall be a Member of the Authority
  - ii. Election of one or more Vice-chairs, who shall be Members of the Authority.
- b) The Acting Chair shall ask for nominations to each position;
- c) Only current Members of the Authority who are present may vote;
- d) Nominations shall be called three (3) times and will only require a mover;
- e) The closing of nominations shall require both a mover and a seconder;
- f) Each Member nominated shall be asked to accept the nomination. The Member must be present to accept the nomination unless the Member has advised the Secretary-Treasurer in writing or by email in advance of the election of their willingness to accept the nomination.

If one Nominee:

- g) If only one nominee the individual shall be declared into the position by acclamation.

If More than One Nominee:

- h) In the event of an election, each nominee shall be permitted not more than three (3) minutes to speak for the office, in the order of the alphabetical listing by surnames.

- i) Upon the acceptance by nominees to stand for election to the position of office, ballots shall be distributed to the Members by the scrutineers for the purpose of election and the Acting Chair shall ask the Members to write the name of one individual only on the ballot.
- j) The scrutineers shall collect the ballots, leave the meeting to count the ballots, return and advise the Acting Chair who was elected with more than 50% of the vote.

**A majority vote shall be required for election.** If there are more than two nominees, and upon the first vote no nominee receives the majority required for election, the name of the person with the least number of votes shall be removed from further consideration for the office and new ballots shall be distributed.

In the case of a vote where no nominee receives the majority required for election and where two or more nominees are tied with the least number of votes, a special vote shall be taken to decide which one of such tied nominees' names shall be dropped from the list of names to be voted on in the next vote.

Should there be a tie vote between two remaining candidates, new ballots shall be distributed, and a second vote held.

Should there still be a tie after the second ballot a third vote shall be held.

Should there be a tie after the third vote, the election of the office shall be decided by lot drawn by the Acting Chair or designate.

## **Appendix 4 – Common Motions**

### **1.0 Motion to Adjourn**

- 1.1** A motion to adjourn
- a. is always in order except as provided by this by-law;
  - b. is not debatable;
  - c. is not amendable;
  - d. is not in order when a member is speaking or during the verification of the vote;
  - e. is not in order immediately following the affirmative resolution of a motion to close debate; and
  - f. when resulting in the negative, cannot be made again until after some intermediate proceedings have been completed by the Authority.
- 1.2** A motion to adjourn without qualification, if carried, brings a meeting or a session of the Authority to an end.
- 1.3** A motion to adjourn to a specific time, or to reconvene upon the happening of a specified event, suspends a meeting of the Authority to continue at such time.

### **2.0 Motion to Amend**

- 2.1** A motion to amend:
- a. is debatable;
  - b. is amendable;
  - c. shall be relevant and not contrary to the principle of the report or motion under consideration; and
  - d. may propose a separate and distinct disposition of a question provided that such altered disposition continues to relate to the same issue which was the subject matter or the question.
- 2.2** Only one motion to amend an amendment to the question shall be allowed at one time and any further amendment must be to the main question.
- 2.3** Notwithstanding anything herein to the contrary, no motion to amend the motion to adopt any report of the Committee of the Whole shall be permitted.

### **3.0 Motion to Censure**

- 3.1** Kawartha Region Conservation Authority Board of Directors may call for a motion to censure an individual director for conduct unbecoming a board member in the fulfillment of his/her Kawartha Region Conservation Authority duties. This will require a seconder and a 2/3 vote of members present at the Board of directors meeting to pass. The motion to censure must be dealt with immediately and once the motion is approved, the appointing municipality will be advised, in writing, by the Chair of the Board of Directors.

#### **4.0 Motion to Close Debate (Previous Question)**

##### **4.1** A motion to close debate:

- a) is not debatable;
- b) is not amendable;
- c) cannot be moved with respect to the main motion when there is an amendment under consideration;
- d) should be moved by a member who has not already debated the question; and
- e) can only be moved in the following words: "I move to close debate".
- f) requires a two-thirds (2/3) majority of members present for passage; and
- g) when resolved in the affirmative, the question is to be put forward without debate or amendment.

#### **5.0 Motion to Postpone Definitely**

##### **5.1** A motion to postpone definitely:

- a) is debatable, but only as to whether a matter should be postponed and to what time;
- b) is amendable as to time;
- c) requires a majority of members present to pass; and
- d) shall have precedence over the motions to refer, to amend, and to postpone indefinitely.

#### **6.0 Motion to Postpone Indefinitely**

##### **6.1** A motion to postpone indefinitely:

- a) is not amendable;
- b) is debatable, and debate may go into the merits of the main question, which effectively kills a motion and avoids a direct vote on the question;
- c) requires a majority vote; and
- d) shall have precedence over no other motion.

#### **7.0 Motion to Reconsider**

##### **7.1** A motion to reconsider, under this by-law:

- a) is debatable;
- b) is not amendable; and
- c) requires a majority vote, regardless of the vote necessary to adopt the motion to be reconsidered.

##### **7.2** After any question, except one of indefinite postponement has been decided by Kawartha Conservation, any Member who was present and who voted in the majority may, at a subsequent meeting of Kawartha Conservation, move for the reconsideration

thereof, provided due notice of such intention is given as required by this by-law, but no discussion of the main question by any person shall be allowed unless the motion to reconsider has first been adopted.

**7.3** After any question, except one of indefinite postponement has been decided by Committee, but before a decision thereon by Kawartha Conservation, any member who was present at the Committee meeting concerned and who voted in the majority, may, at a subsequent meeting of the Committee, provided Kawartha Conservation still has made no decision thereon, move for the reconsideration thereof, provided due notice of such intention is given as required by this by-law, but no discussion of the main question by any person shall be allowed unless the motion to reconsider has first been adopted.

**7.4** No question upon which a notice of reconsideration has been accepted shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered.

**7.5** If a motion to reconsider is decided in the affirmative, reconsideration shall become the next order of business and debate on the question to be reconsidered shall proceed as though it had never previously been considered.

## **8.0 Motion to Refer (to Committee)**

**8.1** A motion to refer:

- a) is debatable;
- b) is amendable; and
- c) shall take precedence over all amendments of the main question and any motion to postpone indefinitely, to postpone definitely or to table the question.

## **9.0 Motion to Suspend the Rules (Waive the Rules)**

**9.1** A motion to suspend the rules:

- a) is not debatable;
- b) is not amendable; and
- c) requires a 2/3 majority to carry;
- d) takes precedence over any motion if it is for a purpose connected with that motion and yields to a motion to table.

## **10.0 Motion to Table**

### **10.1 A motion to table:**

- a) is not debatable;
- b) is not amendable.

**10.2** A motion to table a matter with some condition, opinion or qualification added to the motion shall be deemed to be a motion to postpone.

**10.3** The matter tabled shall not be considered again by Kawartha Conservation until a motion has been made to take up the tabled matter at the same time or subsequent meeting of Kawartha Conservation.

**10.4** A motion to take up a tabled matter is not subject to debate or amendment.

**10.5** A motion that has been tabled at a previous meeting of Kawartha Conservation cannot be lifted off the table unless notice thereof is given in accordance with Section J of this by-law.

**10.6** A motion that has been tabled and not taken from the table for six (6) months shall be deemed to be withdrawn and cannot be taken from the table.

## **11.0 Point of Order**

The Chair or Committee Chair, as the case may be, shall decide points of order. When a Member wishes to raise a point of order, the Member shall ask leave of the Chair/Committee Chair and after leave is granted, the Member shall state the point of order to the Chair/Committee Chair, after which the Chair/Committee chair shall decide on the point or order. Thereafter, the Member shall only address the Chair/Committee Chair for the purpose of appealing the decision to Kawartha Conservation or the Committee, as the case may be. If the Member does not appeal, the decision of the Chair/Committee Chair shall be final. If the Member appeals to Kawartha Conservation or the Committee as the case may be, Kawartha Conservation/Committee shall decide the question without debate and the decision shall be final.

## **12.0 Point of Personal Privilege**

When a Member considers that his integrity or the integrity of Kawartha Conservation or Committee has been impugned, the Member may, as a matter of personal privilege and with the leave of the Chairman, draw the attention of Kawartha Conservation or the Committee, as the case may be, to the matter by way of a point of personal privilege. When a point of personal privilege is raised, it shall be considered and decided by the Chair or Committee Chair, as the case may be, immediately. The decision of the Chair or Committee Chair, as the case may be, on a point of privilege may be appealed to Kawartha Conservation.



## Agenda Item #8.2

BOD Meeting #8/20

October 22, 2020

Page 1 of 3

To: The Chair and Members of  
Kawartha Conservation Board of Directors

From: Mark Majchrowski, CAO  
Ron Warne, Director, Planning, Development & Engineering

Re: Planning & Permitting Client Service & Streamlining Update

---

### KEY ISSUE:

In association with Conservation Ontario, the 36 CAs have developed new guidance documents which outline best-practices for CAs in planning and regulations programs. A new guideline for planning and permitting pre-consultation has been developed.

### RECOMMENDED RESOLUTION:

**WHEREAS**, the 36 Conservation Authorities have embarked on a Client Service and Streamlining initiative to improve client service and accountability, increase the speed of approvals and reduce 'regulatory burden'; and,

**WHEREAS**, the Conservation Ontario Client Service and Streamlining Initiative Steering Committee has developed guidance documents to further this initiative; and,

**WHEREAS**, Conservation Ontario have developed a Guideline for Conservation Authority Pre-Consultation (Planning and Permitting Applications) which were endorsed by Conservation Ontario Council on September 28, 2020;

**RESOLVED, THAT**, the Guideline for Conservation Authority Pre-Consultation (Planning and Permitting Applications) developed by Conservation Ontario, be endorsed for use in our planning and permitting services.

---

### BACKGROUND:

Since 2019, Conservation Ontario's new Client Service and Streamlining Initiative (for which all 36 CAs passed resolutions of support) has developed a number of guideline documents and actions to improve client service and accountability, increase the speed of approvals and reduce red tape and regulatory burden. The Initiative is intended to help the Province address the lack of housing supply, while at the same time not jeopardizing public health and safety or the environment in the process.

To support these goals, Conservation Ontario has developed a range of tools for conservation authority planning and regulations programs to ensure a consistent level of service and accountability. On September 28, 2020 Conservation Ontario Council passed a Resolution at their meeting that the attached *Guideline for Conservation Authority Pre-Consultation*, be endorsed for use by conservation authorities. This guideline has been developed by Conservation Ontario to outline best practices for conservation authority

**Agenda Item #8.2**

BOD Meeting #8/20

October 22, 2020

Page 2 of 3

staff when undertaking and/or participating in pre-consultation processes for applications made under the *Planning Act* and/or the *Conservation Authorities Act*.

The guideline clearly articulates the roles of CAs in both distinct application processes and outlines a suite of best practices to ensure successful and effective pre-consultation processes. The best practices contained in the pre-consultation guideline build upon and complement other Conservation Ontario guidance documents developed as part of the Client Service and Streamlining Initiative. The pre-consultation guideline closely mirrors the practice that we currently employ in our planning and permitting services.

The guideline outlines the following summarized points:

- Highlights pre-consultation opportunities and conservation authority roles in plan input, plan review and permitting
- Outlines the importance of pre-consultations in both planning and permitting, which streamlines the development process, and is particularly effective when employed at the earliest stages in the planning process
- Pre-consultation allows for high-quality submissions and clearly outlines submission requirements and an understanding of the development process and can save the applicant time, cost and resources
- Preference and rationale for integrated pre-consultations with municipalities and other agencies (and technical expertise) on prospective planning applications
- Best practices for pre-consultation for planning and permitting purposes, such as inclusion of all affected parties, identifying a common point of contact, definition of a clear process and submission requirements which are appropriately scoped, and types of pre-consultation options are discussed
- Best practices supporting permitting pre-consultations, such as a general information package on the permitting process, complete application guidelines and checklists, provision of on-line mapping resources and continued resource support in the submission of an application.

Section 8 within the Guideline for Conservation Authority Pre-Consultation also provides a more detailed summary of best practices identified in the document.

The pre-consultation guideline has been forwarded to the Premier and several Ministers showing support for the Province's efforts to support the development sector.

## **Agenda Item #8.2**

BOD Meeting #8/20

October 22, 2020

Page 3 of 3

### **CONCLUSION:**

The Province is seeking to streamline planning and development approvals in large part to facilitate the development of new housing supply. CAs have a role to play in examining and improving our processes for plan review and permitting. To this end, CO Council endorsed the attached Guideline for Conservation Authority Pre-Consultation (Planning and Permitting Applications) which generally follows the current level of review Kawartha Conservation Staff already provides to the general public and our municipal clients for our numerous pre-consultation requests.

Staff are seeking Board endorsement of the attached guideline from Conservation Ontario, for pre-consultations on Planning and Permitting applications for internal use and for municipal partners information.

For more information contact Ron Warne, Director, Planning, Development and Engineering at ext. 213.



# Guideline for Conservation Authority Pre-Consultation

For planning and permitting applications

---

Endorsed: September 28, 2020

## Table of Contents

Background	iii
Conservation Authority Roles and Activities	iii
Plan Input	vi
Plan Review	vi
Permitting – Permit Review	vii
1. Conservation Ontario’s Pre-Consultation Guideline	1
1.1 The Value of Pre-Consultation	1
1.2 Defining Pre-Consultation	1
2. Conservation Authority Pre-Consultation	3
2.1 Planning Act Applications	3
2.2 Section 28 Permitting Applications	6
2.3 Aligning Municipal and Conservation Authority Definitions and Processes for Pre-Consultation	7
3. Purpose of the Pre-Consultation Process	8
4. Parties Involved in Pre-Consultation	9
5. Requirements for a Complete Application	9
6. Additional Tools for Effective Pre-Consultation	11
6.1 Site Visits	11
6.2 Technical Review/ Scoping Meetings	11
6.3 Design Charrettes	12
6.4 Electronic Pre-Consultation	12
7. Confirming the Receipt of a Complete Application	12
7.1 Planning Act Application	12
7.2 Permitting Applications	13
7.3 Application Submission Quality	13
8. Summary of Best Practices	14

This document was developed by Conservation Ontario (CO) staff with input from members of the CO Timely Review and Approvals Taskforce. This document builds upon the Guideline for Client Service Standards for Conservation Authority Plan and Permit Review; the Conservation Authority (CA)-Municipality MOU Template for Planning and Development Reviews; and best practices discussed at the MMAH Streamlining Development Approval Initiative Workshop in April 2019, and Conservation Ontario's Multi-Stakeholder Process Flow Workshop for Plans of Subdivision (April, 2019) to provide best practices for CA pre-consultation for planning and permitting reviews.

A draft of this guidance document was circulated to all conservation authority CAOs/GMs, CA Planning and Regulations contacts and to external stakeholders (AMO, OHBA, BILD and RESCON) for simultaneous review. Comments received from both the stakeholder and CA reviews have been incorporated into this final guidance document.

## Background

In April 2019, Conservation Ontario (CO) Council endorsed the CO Client Service and Streamlining Initiative. This initiative identifies actions to be taken by CAs, in order to help the Province achieve its objective of increasing housing supply while protecting public health and safety, and the environment. CO developed five documents in 2019 (as amended) to support the initiative:

1. CA-Municipality MOU Template for Planning and Development Reviews;
2. Guideline for Client Service Standards for Conservation Authority Plan and Permit Review;
3. Guideline for CA Fee Administration Policies for Plan Review and Permitting;
4. Templates for Conservation Authority Planning Comments (Comments Provided and No Objection); and
5. Annual Reporting on Timelines Template – For Permissions under Section 28 of the *Conservation Authorities Act*.

It is important to note that prior to this initiative, a number of CAs already had comprehensive service delivery standards, MOUs, and fee policies/guidelines in place. The 2019 CO documents supplement existing CA documents to support the Province's objective, as noted above.

## Conservation Authority Roles and Activities

The role of the CA in plan input and review (i.e. Planning), and in permit review (i.e. Permitting) is summarized below.

### Planning – Plan Input and Review

The CA is involved in the review of planning applications under the *Planning Act* in the following ways: as an agency with provincially delegated responsibility for the natural hazard policies of the Provincial Policy Statement (PPS); as a municipal technical advisor; as a public body under various regulations

made under the *Planning Act*; as a watershed-based resource management agency and as a landowner. CAs are also regulatory authorities under Section 28 of the *Conservation Authorities Act*.

- **Delegated “Provincial Interest”** The CA is delegated responsibility under the Provincial One Window Planning System for Natural Hazards. CAs review municipal policy documents and development applications under the *Planning Act* and ensure they are consistent with the natural hazard policies of the Provincial Policy Statement ([PPS](#)). This delegated provincial responsibility is also typically included in local CA-Municipal Memorandum of Understandings (MOUs) for municipal plan review. In this delegated role, Conservation Authorities represent the “Provincial Interest” in planning exercises with respect to natural hazards.
- **Regulatory Authorities** – Under Section 28 of the [Conservation Authorities Act](#) (CA Act), subject to the approval of the Minister of Natural Resources and Forestry and in conformity with the Provincial Regulation 97/04 governing the content, CAs may make regulations applicable to the area under its jurisdiction to prohibit, restrict, regulate or give required permission for certain activities in and adjacent to watercourses (including valley lands), wetlands, shorelines of inland lakes and the Great Lakes-St. Lawrence River System and other hazardous lands. See **Permitting – Permit Review** for further details.
- **Service Provider:** The CA may also provide technical advice to municipalities for planning applications through service agreements or MOUs. In this capacity, CA staff may provide technical input on potential environmental impacts and how impacts can be avoided or minimized. Comments may apply to a range of matters according to the MOU including, but not limited to: natural hazards, natural heritage, water quality and quantity, stormwater management, and other Provincial Plans such as the [Oak Ridges Moraine Conservation Plan](#), [Niagara Escarpment Plan](#), [Greenbelt Plan](#), [Growth Plan for the Greater Golden Horseshoe](#); certain policies referred to in the [Lake Simcoe Protection Act, 2008](#), [Great Lakes Protection Act, 2015](#), and [Clean Water Act, 2006](#); as well as local Official Plan policy and zoning by-law implementation.
- **Public Bodies:** *Planning Act* Regulations require municipalities to give notice to CAs regarding changes to policy documents such as Official Plans and Zoning By-laws and planning applications, such as plans of subdivision.
- **Watershed-based Resource Agency:** The CA provides additional comments related to local watershed management as a watershed-based resource management agency.
- **Landowners:** CAs are also landowners, and as such, may become involved in the planning and development process either as a proponent or in a third-party capacity as an adjacent landowner.

Generally municipalities act as planning approval authorities and are responsible for the planning process. It is recognized that the CA may not always have a role in all *Planning Act* applications, but for purposes of this guideline and the identification of best practices, it is assumed that there is a review role for the CA. A summary of the various roles of CAs in plan review is included below in **Table 1**.

It is important to note that CAs also act as regulatory authorities under Section 28 of the *Conservation Authorities Act* (see section below “Permitting- Permit Review). When representing the “delegated provincial interest” for natural hazard review, CAs are also ensuring that the work will be permissible under Section 28 of the *Conservation Authorities Act*. The comments provided to municipalities by CAs representing the delegated provincial interest must be considered by the municipality whereas other

comments (unless specified through the terms of a service agreement) may be considered more advisory in nature.

**Table 1: CA Roles in Plan Review**

Role	Type of Role	CA Review/Input Required, Through Agreement or Voluntary	Representing	Result
Regulatory Agency (S. 28 of the <i>Conservation Authorities Act</i> )	Decision Making	Required	Provincial Interest	CA responsible for decision
Delegated “Provincial Interest”	Review/ Commenting	Required	Provincial Interest	Comments <b>must</b> be considered by municipality
Public Bodies	Review/ Commenting	All <sup>1</sup>	Authority Interests	Comments <b>should</b> be considered by municipality
Service Provider	Service	Through Agreement	Terms of Agreement (MOU)	Dependent upon terms of the agreement
Landowners	Review/ Commenting / Proponents	Voluntary	Authority Interests	Comments <b>may</b> be considered by the municipality

Developments may undergo both planning and permitting review from the CA. Generally approaches under the different pieces of legislation are aligned, i.e., both municipalities and CAs are implementing provincial policies and objectives for natural hazards, natural resource management, and water resource management. Although there is a need to ensure that *Planning Act* applications are coordinated with S. 28 permit applications, these are two distinct application processes. *Planning Act* applications have to meet tests under the *Planning Act*, Provincial Policy Statement, Official Plans and any applicable provincial plan and conform to the applicable zoning or development permit by-law, whereas S. 28 applications have to meet the requirements of the *CA Act* and individual CA S. 28 regulations.

Development in Ontario is regulated through a suite of applicable legislation and policy that operate at different scales ranging from the provincial-scale (PPS), regional-scale (provincial plans, regional and county official plans and master plans), local-scale (municipal official plans and secondary plans) to site-

---

<sup>1</sup> Pursuant to the *Planning Act*, CAs are “public commenting bodies”, and as such are required to be notified of municipal policy documents and planning and development applications. Through Memorandums of Understanding or Service Agreements with municipal partners, CAs may provide specific reviews of planning and development applications (i.e. natural heritage considerations). Lastly, per their Board approved policies, as local resource management agencies CAs may provide comments on such applications to their municipality(ies) or planning approval authority(ies) voluntarily.



specific-scale (zoning, community planning permits, minor variances, lot creation, conservation authority permits and, finally, building permits, amongst others). The hierarchical and sequential nature of the development approval process requires that initial emphasis should be on **land use planning review and decision making first**, with involvement from CAs throughout the process to ensure that the various roles, responsibilities and interests of CAs related to plan review are incorporated (e.g. certain policies under the *Clean Water Act* or features that CAs regulate through their S.28 regulations). **As a best practice, involvement of the CA in the planning process by the planning approval authority and/or the proponents supports effective and efficient land use planning.**

Planning decisions that take into account up-to-date policy directions at all scales and incorporate site-specific analysis, lead to faster and easier approvals by conservation authorities which in turn helps to avoid situations where an application is approved under the *Planning Act* that cannot be approved under S.28 of the CA Act. This direction has been reinforced through changes made to the Provincial Policy Statement in 2020 meant to protect public health and safety: “Mitigating potential risk to public health or safety or of property damage from natural hazards, including the risks that may be associated with the impacts of a changing climate, will require the Province, planning authorities, and conservation authorities to work together.” (Section 3.0, Protecting Public Health and Safety in the Provincial Policy Statement, 2020). Rigorous and effective pre-consultation in collaboration with landowners, municipalities, conservation authorities and other relevant approval agencies is the foundation upon which this outcome will be achieved.

### ***Plan Input***

Under the CO/MNRF/MMAH MOU on CA Delegated Responsibilities, CAs have responsibility for representing the “Provincial Interest” for natural hazard policies (s. 3.1) of the Provincial Policy Statement, 2020 (PPS) under the *Planning Act*. The MOU with the Province commits CAs to review policy documents and development proposals processed under the *Planning Act*. CAs also have a commenting role in approval of new or amended ‘Special Policy Areas’ for flood plains under Section 3.1.3 of the PPS, where such designations are feasible. Further, CAs in conjunction with municipalities, develop business plans, watershed plans, and natural resource management plans; as well as terms of reference for large-scale studies such as hydrogeological studies, within their watershed jurisdiction.

Many CAs have entered into technical service agreements or MOUs with municipalities for plan input advisory services. Decision making timelines for municipal planning are set out in the *Planning Act*. It is important to note that each municipality has its own planning process; therefore, the standardization of CA comment timelines for all planning applications is not a straightforward matter. The CA-Municipal MOU should mutually establish service standards which should include the timelines for circulation and review of planning documents. Refer to the [CA-Municipality MOU Template for Planning and Development Reviews](#) for further details.

### ***Plan Review***

Some applications require significant CA staff involvement for review. These may include highly complex projects requiring technical review and comprehensive analysis, or smaller, site specific applications with complex technical reviews. Some applications involve large developments with significant natural

hazards, environmental impacts, or multiple approvals. Generally, these include Plans of Subdivision and Condominium, and complex Site Plan Control applications often coupled with Official Plan or Zoning By-law amendments.

Some projects have less of a potential environmental impact than major projects. They could require scoped technical studies. These projects typically have a lower level of risk with regard to natural hazards. Based on factors which may include the availability of recently completed studies, proximity of the project to regulated areas and the scope of potential environmental impact, these planning applications are reviewed by CA staff and generally require recommendations based on the nature of the site to the municipality.

The CA determines the fees for each planning application in accordance with Board -approved fee schedules; see the [Guideline for CA Fee Administration Policies for Plan Review and Permitting](#) for further details. The fee schedules are based on the complexity of the application and technical review required, which influences the staff time and resources needed for the review. As a **best practice**, the CA-Municipal MOU should include information on how CA fees for planning services will be collected and reference the CA-specific Fee Administration Policy for Plan Review and Permitting.

### *Permitting – Permit Review*

CA staff review applications and issues permissions or recommends refusal of permissions to the Board under Section 28 of the *Conservation Authorities Act*. Section 28 allows the CA to regulate development and activities in or adjacent to river or stream valleys, shorelines of the Great Lakes-St. Lawrence River system and inland lakes, watercourses, hazardous lands (e.g. unstable soil, bedrock, and slopes), wetlands and other areas around wetlands. Development taking place on or near these lands may require permission from the CA to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected.

The CA also regulates the straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream, and watercourse or for changing or interfering in any way with a wetland.

Upon proclamation of the new S. 28 under the *Conservation Authorities Act*, the CA would also consider whether the activity is likely to create conditions or circumstances that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property.

As CAs are responsible for the review and decision making for S. 28 permit applications, they have greater control over the timeliness of approvals as compared to their role in plan input and review.

## 1. Conservation Ontario's Pre-Consultation Guideline

This document provides conservation authorities with a set of common best practices for undertaking and/or participating in effective pre-consultation meetings for planning and permitting applications.

### 1.1 The Value of Pre-Consultation

Pre-consultation is a critical value-added service that assists applicants with the application process. A pre-consultation meeting allows potential applicants and/or their authorized representative to present and discuss a development proposal with relevant staff from various agencies, including the municipality, who will be involved in reviewing their application. The objective of pre-consultation is to prepare the applicant to make a high-quality submission by clearly outlining the approvals process(es), requirements for complete applications (e.g. technical studies and fees), review and approval timelines and to allow the approval authority(ies) and commenting agencies to understand the applicant's timelines, constraints, and communication preferences.

A successful pre-consultation meeting allows the applicant to introduce and clarify the proposal; allows the approval authorities to guide the applicant through the application review process and clarify any constraints; and allows for a review timeline to be discussed. After a successful pre-consultation meeting, the approval authority(ies) can provide the applicant with a clear route towards the submission requirements for their project. This includes written confirmation of the submission requirements for a complete application, and ideally, scoping of required studies.

Successful pre-consultation ensures that all agency study requirements, fees and review timelines are identified and understood early in the process, and that the general application and review process is clearly outlined in order to achieve quality submissions. It is noted that under the *Planning Act* pre-consultation can be required by by-law for certain types of applications and many municipalities include a requirement for pre-consultation in their Official Plan. Generally municipalities act as planning approval authorities and are responsible for the planning process; the inclusion of pre-consultation requirements for applications made under the *Planning Act* is ultimately the choice of the municipality.

### 1.2 Defining Pre-Consultation

Formal pre-consultation meetings for planning and permitting applications are a separate and distinct process from preliminary conversations which may take place between applicants and approval agencies at a walk-up counter, over the phone or informal meetings with staff. Preliminary conversations are useful first steps to gather feedback and initial information requirements for applicants; however, formal pre-consultation is intended to be a more robust process. The appropriate level of pre-consultation is commensurate with the level of complexity of the application, technical review required and number of approval authorities involved.

In its most robust form, pre-consultation is the process where applicants engage with approval authorities prior to the submission of an application to ensure the decision relevant factors (see below), roles, responsibilities and information requirements are understood by all parties. The intent of this

process is to ensure receipt of a complete application and provides opportunities for early feedback on proposed works, thereby facilitating the timely review and decision on applications.

As a **best practice**, pre-consultation meetings should be used to identify “decision relevant factors” with the applicant (i.e. factors which must be satisfied to ensure an application can be reviewed per CA Board-approved policies or, conversely, potential fundamental issues with a proposal that may prevent approval). By identifying these factors, the CA and/or municipality (depending on the type of application) can shape process schedules / timelines and confirm submission requirements for the applicant to ensure timely review of a complete application. Through the pre-consultation process, CAs should, to the extent possible, provide clarity around timelines and project phasing.

A **best practice** for a conservation authority is to clearly define pre-consultation within their policy documents. Expectations regarding CA participation in municipal pre-consultation meetings should also be clearly defined, as per the [CA-Municipality MOU Template for Planning and Development Reviews](#).

For major permit applications (see the [Client Service Standards for Conservation Authority Plan and Permit Review](#) for further details) and significant applications under the *Planning Act* affecting the CA’s areas of interest, the following steps for pre-consultation are recommended:

1. **Before Pre-Consultation Meeting:** the applicant accesses information available through online resources to identify potential constraints for the subject property. The applicant adjusts their proposal in response to this information or contacts the responsible agency for further details.
2. **Pre-Consultation Meeting:** the applicant meets with the approval authorities to discuss their proposal. All approval authorities are given sufficient notice of the meeting to review relevant information for the site. The proposal, constraints and a potential timeline are discussed at the meeting.
3. **After Pre-Consultation Meeting:** the applicant works with the approval authorities to develop appropriate Terms of Reference for any studies that may be required. This process helps to scope the studies only to what is required by the approval authority(ies) as part of the review process to enable meaningful decision making.

For all applications, it is important that the applicant ensures, on a priority and first-principles basis, that the proposal is allowable under the planning approval authority’s Official Plan and Zoning By-Law, provided the application is not for an amendment to these documents. As a **best practice**, CAs should require that the applicant provide a clear confirmation from the municipality that the proposal conforms to the current Official Plan and Zoning By-Law (when an amendment to these documents is not required<sup>2</sup>). As a **best practice**, CAs should take an active role in the planning process where warranted (see Table 1 for further details) and, subsequent to that effort, process Section 28 applications once the necessary planning approvals are in place.

---

<sup>2</sup> Note that for properties located within the Niagara Escarpment Plan the requirements under the *Niagara Escarpment Planning and Development Act* will be followed

### CA Client-Centric CA Review and Approval Process Checklist

In April 2019 Conservation Ontario Council endorsed the Service Delivery and Streamlining Initiative which included a commitment to implement a consistent client-centric CA review and approval process checklist that provides transparency of process and rules. The checklists are publicly accessible for **high growth** CA jurisdictions. The checklist includes:

- i. Having publicly accessible agreements and policies that guide reviews and decision making, including:
  - a. CA/Municipal MOUs or Technical Service Agreements,
  - b. CA plan review and regulation approvals policies/guidelines
  - c. CA Complete application requirements
  - d. CA Fee schedules and/or policies
  - e. CA Client Service Standards Commitment/Policy [including for example, timelines and identification of a senior CA staff contact serving as a ‘client service facilitator’ for plan review and/or permit applications issue management]
- ii. CA Online screening maps
- iii. CA Annual report on review timelines

Having these publicly accessible Client-Centric CA Review and Approval Process Checklists are just one measure that CAs have taken to improve the pre-consultation process.

## 2. Conservation Authority Pre-Consultation

### 2.1 Planning Act Applications

Generally municipalities act as planning approval authorities and are responsible for the planning process, including pre-consultation under the *Planning Act*. Requirements for pre-consultation on planning applications are outlined under the *Planning Act* (ss. 22(3.1), 34(10.01.1), 41(3.1) and 51(16.1)).

Pre-consultation may be optional or required by municipal by-law or through their Official Plan. Municipalities may also have well defined internal processes that support the pre-consultation process. It should be noted that “pre-consultation” is not defined under the *Planning Act*.

CAs have a provincially delegated responsibility related to S. 3.1 of the Provincial Policy Statement (PPS). It is important that CAs receive applications well in advance of review deadlines to ensure that natural hazard matters are addressed. Municipalities are not required to invite CAs to pre-consultation meetings on *Planning Act* applications. Therefore, **integrated pre-consultation is a best practice, best achieved through specific provisions in a CA-Municipal MOU regarding CA involvement in pre-consultation and associated meetings on *Planning Act* applications.** The terms set out in the MOU should ensure the CA receives an invitation to participate in pre-consultation meetings at the earliest opportunity (i.e. once a meeting time and date has been established between the applicant and planning approval authority). This approach provides the CA with adequate time to screen/review project information in order to come to the meeting with knowledge of the site, proposed works, potential constraints, and permitting and technical study requirements. Without adequate lead time, the CA lead(s) may not have the ability to consult with appropriate technical staff, potentially resulting in the applicant receiving a generic checklist of requirements. In order to prevent future delays in the process, as a **best practice**, the CA should work with municipal partners to ensure adequate time is provided for the CA to prepare for pre-consultation meetings to ensure that applicants are made aware of application requirements at the onset of the project.

**Example: Ensuring Integrated Pre-Consultation**

Through a [Memorandum of Agreement with the City of Ottawa](#) for the provision of plan input and review advisory services, the Mississippi Valley, Rideau Valley and South Nation Conservation Authorities have established a process to ensure the CAs are involved in pre-consultation meetings for *Planning Act* applications. Within the MOA, the City of Ottawa (the municipality) commits to “request, with reasonable notice, the participation of the Conservation partners in pre-consultation meetings either in person or by teleconference, as appropriate, for *Planning Act* applications which involve Conservation Partners interests in accordance with Appendix A”.

The CA works with municipalities and other agencies to ensure the pre-consultation process is comprehensive with respect to application requirements, supporting quality submissions, and setting reasonable circulation timelines.

Formalizing the process for CA involvement in pre-consultation meetings for planning applications is also important where CAs provide technical advice through service agreements. Having the CA involved provides further clarity to the applicant regarding the variety of roles that a CA may fulfill through service agreement in addition to their delegated responsibilities under the PPS and their review and approval role under S. 28 of the CA Act. As a **best practice**, the CA should ensure comments provided during pre-consultation are included in the municipal record. To ensure comments are appropriately incorporated into a summary of requirements provided to the applicant, CAs may, through specific provisions in a CA-Municipal MOU, request that the summary of requirements be circulated to all agencies involved in the pre-consultation meeting for review prior to being finalized for the applicant. For complex projects that include multiple developer interests, a project lead should be designated to coordinate between proponents, the municipality, CA and any other approval authorities involved.

### Example: Streamlining the Municipal Development Review Process

The Association of Municipalities of Ontario (AMO) released the “[Streamlining the Municipal Development Review Process](#)” document in January, 2020. In this document, AMO identifies a number of best practices, including:

A comprehensive pre-consultation meeting at the very beginning of the approval process can reduce delays caused by incomplete or low quality applications and ensure greater co-ordination between the applicant, the municipality and all other third parties involved in the approval process. It is the most important step to streamline development approvals. Council may by by-law require applicants to pre-consult and must honour requests by applicants for pre-consultation.

- a) **Site Visit:** A meeting at the site can fast track issue identification. All parties involved in the approval process should attend. Depending on the nature of the application, the pre-consultation meeting could include planners, building officials, ministry representatives, Conservation Authorities, Local Distribution Company (LDC) or Hydro One, etc. The meeting will ensure all participants have an understanding of what permits and processes will be necessary to make a decision on the approval. As well, participants can assess the complexity of the application and identify barriers and other “deal breakers” before time and money is invested.
- b) **Information Package:** Municipal staff should prepare an information package for applicants as part of the pre-consultation meeting. This package can include a checklist of documents, supplementary reports, surveys or studies that will or may be required to submit a complete application. As well, the information package can include approval process flowcharts, expected timelines, frequently asked questions and a sample or template of a complete application.
- c) **Complex and Straightforward Approvals:** Some municipalities identify the level of complexity of an application to help shape expectations, timing and requirements. This helps move more routine approvals through the process in a timely manner.

In addition, the AMO document recommends that municipalities ensure that all information and municipal expectations are clearly conveyed to applicants. This includes publishing all essential information and requirements to municipal government’s websites.

## 2.2 Section 28 Permitting Applications

Pre-consultation provides an opportunity for the CA and the applicant to discuss the proposal; for the CA to determine whether the application is major, minor or routine as per the Customer Service Guidelines and/or local Board approved policy; to notify the applicant of complete application requirements for CA review and approval of the application; to proactively discuss at the beginning of the process any fundamental issues that might prevent approval; and to outline the CA review and approval process, including anticipated timelines to process the application. The nature, complexity and location of a development proposal will determine the scope of the pre-consultation process.

As per the [“Policies and Procedures for Conservation Authority Plan Review and Permitting Activities”](#), published by the Ministry of Natural Resources in 2010, CAs may request pre-consultation prior to the submission of a permit application to provide an opportunity for CAs and applicants to determine complete application requirements for projects. Alternatively, applicants may request CAs to undertake pre-consultation prior to the submission of a permit application to determine complete application requirements. As a **best practice** CAs should consider the appropriate staff resources required to appropriately respond to pre-consultation requests to ensure a timely response to such requests.

As the approval authority for permissions under Section 28 of the *Conservation Authorities Act*, CAs have greater control over defining the scope of the pre-consultation process for permitting applications. While CAs may request that formal pre-consultation take place to streamline permit applications, CAs are not able to require applicants to engage in pre-consultation for permitting applications. It is the applicant’s responsibility to ensure an appropriate level of pre-consultation has occurred and to ensure the information submitted in support of pre-consultation is complete and accurate to avoid unnecessary delays in the review of their application. Applicants are strongly encouraged to engage in pre-consultation with the CA prior to submitting an application.

As a **best practice**, CA staff should encourage pre-consultation for complex or “major” permit applications to streamline the process for both the applicant and the CA. Expectations for pre-consultation should be outlined in the CA’s procedural guidelines for permitting and should be accessible on the conservation authority’s website.

For major Section 28 applications, to further help streamline the process for the applicant, other approval agencies should also receive an invitation to the meeting (see Section 4, *Parties Involved in Pre-Consultation* for more details). Generally, at the Section 28 pre-consultation meeting, the following items should be discussed:

- What permits / approvals will be required as part of a proposal (e.g. Section 28 permits);
- Information/documentation required to submit a complete application;
- The review process and the anticipated timeline to process the application (determination of complete application, application review, and providing the approval decision to the applicant and/or municipality);
- The fee(s) associated with the application;
- CA requirements / policies which may need to be addressed in order for an application to be approved; and



- Any potential issues or concerns that may impact the process, including the requirement to obtain other external agency approvals.

Following the pre-consultation meeting, the conservation authority should identify and confirm complete application requirements in accordance with the “Policies and Procedures for Conservation Authority Plan Review and Permitting Activities” or the “Conservation Ontario Client Service Standards for Conservation Authority Plan and Permit Review”. Scoping (terms of reference) for technical studies should be discussed and documented either before or after the pre-consultation meeting. In some cases, site visits would be required prior to confirming the terms of reference (see Section 6.1 for more details)). As a **best practice**, the CA should provide this direction in written form to the applicant/landowner. Copies can be shared to the other respective agencies if agreed to by the applicant at the beginning of the process (i.e., MECP, planning authority, Drainage superintendent, etc.).

### 2.3 Aligning Municipal and Conservation Authority Definitions and Processes for Pre-Consultation

Although the overarching objectives of the pre-consultation process are largely similar for both municipalities and CAs, the two agencies may have different goals, timelines, information requirements and/or understandings of the pre-consultation process which may result in confusion between agencies and applicants.

Given their statutory abilities to require pre-consultation on applications pursuant to the *Planning Act*, municipalities may have formal definitions and processes in place for pre-consultation. As a **best practice**, CAs should work with their municipal partners to integrate their pre-consultation activities where warranted and to develop a definition of pre-consultation which satisfies municipal legislative and Official Plan standards as well as the CA needs. In order to ensure flexibility for both agencies, it is recommended that CAs define pre-consultation in its purest, most robust form (see Section 1.2). To ensure clarity between agencies, a **best practice** is to include the pre-consultation definition and process in a CA-municipal MOU or technical service agreement and in the local Official Plan.

As previously discussed, CAs have greater control over defining the scope of the pre-consultation process for permitting applications. While pre-consultation for Section 28 permit applications may vary from the process for planning applications, as a **best practice**, CAs are encouraged to adopt the same broad definition for both their involvement in planning and permitting processes.

Recommendations for better alignment include:

- Having CAs present at scoped pre-consultation meetings for applications submitted pursuant to the *Planning Act* to determine if and when their interests are impacted such as where watershed plans, source water, or development limits are being discussed
- Providing adequate notice to third parties (technical staff, additional approval agencies, etc.) to allow them to review materials and collect information prior to the meeting

- Where CA interests are impacted, incorporating those requirements into complete application requirements
- Allowing a CA to screen the material prior to a municipality deeming an application as complete (in terms of application requirements and quality of the submission) when a CA is reviewing a submission on the municipality's behalf
- CA to provide an information package during or following the pre-consultation meeting (see description in AMO's *Streamlining the Municipal Development Review Process* item b)
- Clarifying the expected pre-consultation meeting outcome (written letter from planning authority, verbal agreement from parties, etc.) and what is expected from the CA for this process.
- Clarify at what stage the applicant will make a submission for a CA Section 28 permit
- Confirm the fees for CA involvement, including CA planning review or permit review fees.

### 3. Purpose of the Pre-Consultation Process

Pre-consultation meetings are a valuable tool to ensure timely and informed approvals processes for planning and permitting applications. A comprehensive and integrated pre-consultation meeting at the onset of the approval process can reduce delays caused by incomplete or low quality applications and ensure greater coordination of requirements and level of service expectations between the applicant, the conservation authority, the municipality and other involved parties.

#### Benefits for the Applicant

The primary benefit of effective and integrated pre-consultation is the potential time, cost and resources savings for applicants. These savings results from project requirements being discussed up front prior to the preparation of final plans, technical studies, and other various supporting documentation which may be required to be submitted as part of a complete application.

The applicant should leave with sufficient information to make a decision to proceed with the proposal as planned, revise the proposal in accordance with information and advice provided by all agencies, or abandon the project.

#### Benefits for the Conservation Authority

Pre-consultation offers the conservation authority the opportunity to provide input on a development proposal early in the process to ensure all project requirements will be appropriately submitted as part of a complete application. Through pre-consultation, CAs can provide necessary information to ensure complete applications are received, which can greatly reduce the CAs' review time and/or need for resubmissions, thereby reducing staff time and resources needed to process applications.

Pre-consultation further offers the opportunity for collaboration, issue resolution, and potential amendments to the project design. This collaboration results in the best possible outcomes for all parties which satisfies all legislative, regulatory and agency-specific policy requirements.

## 4. Parties Involved in Pre-Consultation

As previously discussed, CAs may have limited control over the scoping and coordination of the pre-consultation process for planning applications. As the approval authority (generally) for planning applications, municipalities are responsible for the pre-consultation process, whereas CAs have control over the process for permitting applications.

For permitting applications, the CA should determine the appropriate parties to be involved in the pre-consultation process based on the scale and scope of the proposed works. For routine or minor permit applications, the scope of the pre-consultation may be smaller and more informal (i.e. involving telephone conversations or conferences, videoconferencing, CA mapping screening or planning counter inquiries) and may only take place with a CA planner/permitting staff and the applicant, owner or consultant. A **best practice** for CAs is to ensure that the landowner or authorized agent is included in pre-consultation meetings or at a minimum receives correspondence regarding their application. This ensures clear communication with the agent/consultant, landowner and CA.

For more complex applications, as a **best practice**, CA staff should set meeting times when appropriate technical staff are available to meet with applicants either in person or via electronic means. This best practice can be reinforced through a CA's Board-Approved Policy. Pre-consultation for complex or major applications may include staff from the following parties: CAs (senior CA planning, permitting, engineering, hydrogeology or other technical staff, as applicable), municipalities (for example, planning and engineering staff), the applicant, consultants, the developer and owner, and may be supplemented by staff from provincial ministries, Parks Canada and any other appropriate government agencies.

## 5. Requirements for a Complete Application

A major goal of pre-consultation is to identify the requirements for a complete application.

### ***Planning Act Applications***

For planning applications, the planning approval authority will determine submission requirements for the applicant in order to achieve a complete application. Depending on the terms of the CA-Municipal MOU /Technical Service Agreement and the scope of the proposed works or proposal, the CA may outline application requirements (e.g. technical studies) which must be obtained prior to approval of the proposed works. A CA should also identify whether a permission under the *Conservation Authorities Act* will be required for the proposal. Such requirements are typically presented to applicants in the form of a CA review checklist. For applications requiring technical studies, applicants are strongly encouraged to ensure that these studies are properly scoped to include the appropriate level of technical information through pre-consultation with the conservation authority before planning and permit applications are submitted.

Depending upon the nature of the proposal, a CA may become involved from both a plan input and plan review perspective. As a **best practice**, CAs should identify a single CA staff member who is responsible for the coordination of a particular file. During the pre-consultation meeting, CA staff should ensure the

applicant, municipality and other third parties (i.e. approval agencies, consultants, contractors, landowner, etc.) are made aware of who the CA contact will be for the application, and provide appropriate contact information for this staff person to all parties. In turn, the applicant, municipality and other third parties should direct all correspondence, communication and requests through the designated CA staff contact thus also streamlining the review and approval process. For example, an applicant asking a question of a CA water resource engineer on the modeling for a natural channel design, but not including the ecologist, hydrogeologist or geotechnical engineer in the conversation will receive incomplete advice and may inadvertently lengthen the process. By requesting the information through the CA contact, the appropriate staff will be involved in providing advice or clarification and thus contribute to streamlining the process.

For complex projects, the initial pre-consultation meeting should include a discussion of major milestones with projected timelines, as well as a commitment to ongoing discussion throughout the process. As a **best practice**, the CA will document any follow-up technical meetings with the applicant and provide the applicant with a copy to ensure clarity (including information related to projected timelines, process, checklists etc.). This will help to streamline the process for both the applicant and the CA.

## Section 28 Regulations

The regulation empowers CAs to review applications to determine, if, in the authority's opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will be affected by the proposal. Per the "Policies and Procedures for Conservation Authority Plan Review and Permitting Activities", CAs are encouraged to develop written, CA Board-approved, publicly accessible procedures and guidelines or checklists that define the components of a complete application. Generally, CAs have developed checklists which outline minimum application requirements in order for an application to be reviewed by CA staff. These requirements may not be sufficient in deeming an application to be "complete", as additional study requirements may be requested during the pre-consultation process. To further clarify the requirements for a complete application, CAs may develop checklists for supporting technical requirements (studies), which will be appropriately scoped during the pre-consultation process and throughout the review process. As a **best practice**, CAs should make these checklists publicly available to ensure applicants have adequate information in advance of any pre-consultation meeting. See Appendix A of the *Client Service Standards for Conservation Authority Plan and Permit Review* for examples of general submission checklists for Section 28 permit applications.

As a **best practice** CA staff should prepare a general information package (made accessible on the CA's website) which could include review process flowcharts, expected timelines, frequently asked questions and a sample or template of a complete application. This information should be used to supplement a more formal pre-consultation process with the CA.

For both planning and permitting applications, as a **best practice**, CAs should endeavor to provide the applicant with all relevant information, both for their property as well as for adjacent surrounding properties (i.e. information to assist applicants with understanding the "bigger picture" around their site). To ensure an applicant has sufficient information about their proposed site prior to the pre-

consultation meeting, CAs should, as a **best practice**, ensure that pre-screening information (such as on-line mapping resources) is publicly available.

It should be recognized and clarified at the pre-consultation meeting that substantial changes to a proposal or new information from a site visit after pre-consultation may warrant further pre-consultation and/or changes to the CA technical checklist for studies. While all attempts will be made to identify requirements through the pre-consultation process the pre-consultation does not substitute for the actual review of an application. For example, should additional information be required during the submission review, the CA reserves the right to require additional information, including technical studies, to ensure it has all of the required information to complete its review. As a **best practice**, this additional information request will be discussed directly with the applicant.

## 6. Additional Tools for Effective Pre-Consultation

### 6.1 Site Visits

Pre-consultation meetings for complex applications may benefit greatly from site visits as a means to identify site constraints and potential barriers early in the application process. As with a regular pre-consultation meeting, all parties involved in the approval process should be invited to attend the site visit. Site visits allow review and approval agencies to “ground truth” features and potential constraints on site, and further identify what permits and processes will be necessary in order to make a decision of whether or not an application can be approved, and if additional studies may be necessary.

There may be cases where site visits reveal new information not previously disclosed to approval agencies during the pre-consultation process which may warrant further consultation and/or changes to the required technical studies. As a **best practice**, and where warranted, site visits should take place prior to or concurrent with the formal pre-consultation meeting in order to streamline the application process and reduce unnecessary delays. Pursuant to conservation authority board approved fee schedules, a fee may apply for this service.

### 6.2 Technical Review/ Scoping Meetings

In cases where applications may require substantial technical studies, or where an applicant has limited understanding of the review and approval processes for planning or permitting applications, the CA and/or municipality may offer/require the applicant a technical review meeting to ensure all parties are aware of technical study requirements, prior to the submission of an application. Similar to the pre-consultation meeting, all applicable approval authorities should be invited to assist the applicant in understanding preliminary constraints in the proposed design and project phasing, and if possible, begin development of a checklist of all requirements which would be needed to achieve a complete application. Depending on capacity of the approval authorities, this meeting could be offered to the owner/applicant prior to or at the municipal pre-consultation. In undertaking such a meeting, the owner/applicant is able to better understand the approval requirements for the proposed works and can make an informed decision on whether or not to proceed with an application.

### 6.3 Design Charrettes

For very complex applications, a CA may consider the use of a design charrettes involving all parties (see Section 4, *Parties Involved in Pre-Consultation*), which is an expanded and more intense version of a pre-consultation. Design charrettes can be quite successful when appropriate ground rules are established and sufficient information about the application and the site is available prior to the meeting. In this form of pre-consultation, participants work collaboratively to discuss ideas and generate solutions for potential design options. This form of pre-consultation is typically done very early in the design process.

### 6.4 Electronic Pre-Consultation

Electronic pre-consultation meetings can be highly effective to bring all of the stakeholders together and minimize costs associated with hospitality, time and travel. As a **best practice**, the host of the pre-consultation meeting should check with participants to determine accessibility to high speed internet, as well as appropriate devices and software platforms. For areas where high speed internet is not reliably available, electronic pre-consultation may still occur, however, it may involve teleconferencing and emailing or mailing materials ahead of time.

## 7. Confirming the Receipt of a Complete Application

### 7.1 Planning Act Application

Planning applications will be deemed complete by the municipality, not by the CA, however screening with CA staff before deeming an application complete is a **best practice** when the CA will be reviewing technical studies and/or plans in support of an application submission. As a **best practice**, the CA should work with the municipality to get CA technical checklists included as part of complete application requirements in municipal Official Plans. Therefore municipalities would inform the applicant about the CA technical checklists as part of municipal complete application requirements.

Decision making timelines for planning applications are set out in the *Planning Act*. It is important to note that each municipality has its own planning process. As a **best practice**, the CA-Municipal MOU should mutually establish service standards which should include the timelines for circulation and review of planning applications. Refer to the [CA-Municipality MOU Template for Planning and Development Reviews](#) or specific Board-approved policies for further details. There may be some modification to these review timelines for individual applications with discussion and agreement amongst the applicant, municipality and CA staff during the pre-consultation stage and provided that the requirements of the *Planning Act* are met. A **best practice** is for a project schedule to be established through the pre-consultation process, such that all parties are clear on their roles and timelines as they move toward project approval.

**To achieve a streamlined planning approval process, the CA relies heavily on each municipality to include the CA in pre-consultation meetings, consult with the CA prior to deeming applications complete; and to circulate the planning application, technical reports and plans well in advance of the CA review deadline set by the municipality.** This, along with the CA participation during pre-

consultation and the applicant meeting the CA technical checklist with good quality studies, is vital to the CA meeting level of service timelines for planning applications.

## 7.2 Permitting Applications

Applications for permission (permits), are deemed complete by the conservation authority. The [Guideline for Client Service Standards for Conservation Authority Plan and Permit Review](#) outlines expectations around the timeliness for a CA determining an application complete for major, minor and routine applications. In addition, the [Policies and Procedures for CA Plan Review and Permitting](#) (MNRF, 2010) also provides details regarding the complete application process.

As a **best practice** CAs should coordinate study requirements with other approval agencies who may be involved in the same project. This ensures that a CA's study and therefore complete application requirements are not contrary or duplicative to other approval agency's requirements. A primary example of this would be applications for the placement of fill requiring both a CA Section 28 permission and a municipal site alteration approval.

As a **best practice** the CA should clearly articulate expectations for a complete application through the pre-consultation meeting and follow-up. This will allow the applicant to easily transition to the complete application stage. Applicants are strongly encouraged to engage in pre-consultation with the CA prior to submitting an application. **It is the applicant's responsibility to ensure an appropriate level of pre-consultation has occurred to avoid unnecessary delays in the review of their application.** Standard application review periods assume that pre-consultation has been conducted and that the application meets the requirements as outlined in the CA S.28 permit review guidelines.

## 7.3 Application Submission Quality

Applicant requirements will be scoped based on the complexity of the project. For applications requiring technical studies, applicants are strongly encouraged to ensure that these studies are properly scoped through pre-consultation before planning and permit applications are submitted. Specific guidance in this regard will need to be sought from CA staff. Properly developed technical studies will support timely review by the CA. Guidelines for review timelines cannot be adhered to when submissions are incomplete and information is received in an uncoordinated fashion.

Technical submissions by the applicant must meet good practice and industry standards to minimize resubmissions and avoid unnecessary delay. As a **best practice** CAs should consider requiring the applicant, as part of the covering letter, to have a professional confirm that an application is complete. Ultimately, quality control is the responsibility of the applicant, to ensure studies are consistent and properly referenced (e.g. location).

## 8. Summary of Best Practices

No.	Summary of Best Practices	Section
Pre-Consultation for Planning Act Applications		
1.	Involvement of the CA in the planning process by the planning approval authority and/or the proponents supports effective and efficient land use planning.	Background
2.	The CA-Municipal MOU should mutually establish service standards which should include the timelines for circulation and review of planning documents.	Conservation Authority Roles and Activities – Plan Input
3.	The CA-Municipal MOU should include information on how CA fees for planning services will be collected and reference the CA-specific Fee Administration Policy for Plan Review and Permitting.	Conservation Authority Roles and Activities – Plan Input
4.	CAs should require that the applicant provide a clear confirmation from the municipality that the proposal conforms to the current Official Plan and Zoning By-Law (when an amendment to these documents is not required).	1.2 Defining Pre-Consultation
5.	CAs should take an active role in the planning process where warranted (see Table 1 for further details) and, subsequent to that effort, process Section 28 applications once the necessary planning approvals are in place.	1.2 Defining Pre-Consultation
6.	Integrated pre-consultation is a best practice, best achieved through specific provisions in a CA-Municipal MOU regarding CA involvement in pre-consultation and associated meetings on <i>Planning Act</i> applications, as well as mutually agreeable timelines for circulation and review of applications.	2.1 Planning Act Applications
7.	The CA should work with municipal partners to ensure adequate time is provided for the CA to prepare for pre-consultation meetings to ensure that applicants are made aware of application requirements at the onset of the project.	2.1 Planning Act Applications
8.	CAs should ensure comments provided during pre-consultation are included in the municipal record	2.1 Planning Act Applications
9.	To ensure clarity between agencies, the pre-consultation definition and process should be included in a CA-Municipal	2.3 Aligning Municipal and Conservation Authority



No.	Summary of Best Practices	Section
	MOU or technical service agreement and in the local Official Plan.	Definitions and Processes for Pre-Consultation
10.	CAs should make every effort to formalize their involvement in the pre-consultation process for planning applications by including an integrated pre-consultation process within a CA-Municipal MOU or service agreement	4 Parties Involved in Pre-Consultation
11.	CAs should identify a single CA staff member who is responsible for the coordination of a particular file.	5. Requirements for a Complete Application
12.	CAs will document any follow-up technical meetings with the applicant (following the pre-consultation meeting) and provide the applicant with a copy to ensure clarity (including information related to projected timelines, process, checklists etc.).	5. Requirements for a Complete Application
13.	When the CA will be reviewing technical studies and/or plans in support of a submission on a municipality's behalf it is a best practice to screen the studies and/or plans with CA staff prior to a municipality deeming a planning application complete.	7.1 Planning Act Application
14.	CAs should work with their member municipality(ies) to get CA technical checklists included as part of complete application requirements in municipal Official Plans.	7.1 Planning Act Application
15.	The CA-Municipal MOU should mutually establish service standards which should include the timelines for circulation and review of planning applications	7.1 Planning Act Application
16.	A project schedule should be established through the pre-consultation process, such that all parties are clear on their roles and timelines as they move toward project approval.	7.1 Planning Act Application
<b>Pre-Consultation for Section 28 Permissions Applications</b>		
17.	CAs should consider the appropriate staff resources required to appropriately respond to pre-consultation requests to ensure a timely response to such requests	2.2 Section 28 Permitting Applications
18.	CA staff should encourage pre-consultation for complex or "major" permit applications to streamline the process for both the applicant and the CA.	2.2 Section 28 Permitting Applications
19.	CA should provide direction regarding complete application requirements, scoping for technical studies and requirements to assist with developing a terms of reference in written form to the applicant/landowner either before or after the pre-consultation meeting.	2.2 Section 28 Permitting Applications

No.	Summary of Best Practices	Section
20.	For pre-consultation for permitting applications, CAs should ensure that the landowner or authorized agent is included in pre-consultation meetings or at a minimum receives correspondence regarding their application.	4 Parties Involved in Pre-Consultation
21.	For more complex applications CA staff should set meeting times when appropriate technical staff are available to meet with applicants either in person or via electronic means.	4 Parties Involved in Pre-Consultation
22.	CAs should develop and make publicly available checklists for supporting technical requirements (studies) to ensure applicants have adequate information in advance of any pre-consultation meeting.	5. Requirements for a Complete Application
23.	CA staff should prepare a general information package (made accessible on the CA's website) which could include review process flowcharts, expected timelines, frequently asked questions and a sample or template of a complete application.	5. Requirements for a Complete Application
24.	To ensure an applicant has sufficient information about their proposed site prior to the pre-consultation meeting, CAs should ensure that pre-screening information (such as on-line mapping resources) is publicly available.	5. Requirements for a Complete Application
25.	All requests for additional information (including technical studies) should be discussed directly with the applicant to ensure the CA has all of the required information to complete its review.	5. Requirements for a Complete Application
26.	CAs should coordinate study requirements with other approval agencies who may be involved in the same project to ensure that a CA's study and therefore complete application requirements are not contrary or duplicative to other approval agency's requirements.	7.2 Permitting Applications
27.	CAs should clearly articulate expectations for a complete application through the pre-consultation meeting and follow-up. This will allow the applicant to easily transition to the complete application stage.	7.2 Permitting Applications
<b>General Pre-Consultation Best Practices</b>		
28.	Pre-consultation meetings should be used to identify "decision relevant factors" with the applicant (i.e. factors which must be satisfied to ensure an application can be reviewed per CA Board-approved policies or, conversely, potential fundamental issues with a proposal that may prevent approval).	1.2 Defining Pre-Consultation
29.	Conservation authorities should clearly define pre-consultation within their policy documents.	1.2 Defining Pre-Consultation

No.	Summary of Best Practices	Section
30.	CAs should work with their municipal partners to integrate their pre-consultation activities where warranted and to develop a definition of pre-consultation which satisfies municipal legislative and Official Plan standards as well as the CA needs.	2.3 Aligning Municipal and Conservation Authority Definitions and Processes for Pre-Consultation
31.	CAs are encouraged to adopt the same broad definition for pre-consultation for both their involvement in planning and permitting processes.	2.3 Aligning Municipal and Conservation Authority Definitions and Processes for Pre-Consultation
32.	For both planning and permitting applications, CAs should endeavor to provide the applicant with all relevant information, both for their property as well as for adjacent surrounding properties (i.e. information to assist applicants with understanding the “bigger picture” around their site).	5. Requirements for a Complete Application
33.	Where warranted, site visits should take place prior to or concurrent with the formal pre-consultation meeting in order to streamline the application process and reduce unnecessary delays.	6.1 Site Visits
34.	The host of the pre-consultation meeting should check with participants to determine accessibility to high speed internet, as well as appropriate devices and software platforms.	6.4 Electronic Pre-Consultation
35.	CAs should consider requiring the applicant, as part of the covering letter, to have a professional confirm that an application is complete.	7.3 Application Submission Quality

## Agenda Item #8.3

BOD Meeting #8/20

October 22, 2020

Page 1 of 2

To: The Chair and Members of  
Kawartha Conservation Board of Directors

From: Mark Majchrowski, CAO  
Wanda Stephen, Director, Corporate Services

Re: 2021 Budget

---

**KEY ISSUE:**

To provide an update on the 2021 budget and receive direction from the Board of Directors.

**RECOMMENDED RESOLUTION:**

RESOLVED, THAT, the 2021 budget be supported by funds from the Unspecified Reserve for further review at the November Board of Directors meeting, AND,

That, staff proceed with the development of the 2021 budget based on the discussion provided.

---

We continue to work toward building the 2021 budget within the guideline of zero levy increases and intend to present a fulsome budget at the November meeting. Further discussion on operating program alignment must occur to ensure the sustainability of human resource capacity and strategic plan objectives.

The pandemic has created the uniqueness of a large portion of our workforce working remotely, which we have managed within our resources to date. We expect remote work will continue into 2021 and additional resources, procedures and expertise will be required to ensure the organization is protected.

A significant review of existing and new special projects is in progress, and given that not all planned deliverables were achieved, new workplans are being prepared and funding sources are being sought. We will have funds not expended on the projects from 2020 that can apply to the projects in 2021. This is also currently under review.

A consecutive budget of no levy increases has heightened pressure to reach program deliverables, provide competitive salaries and benefits and address health and safety concerns. Combined with a projected deficit in the range of \$75,000 for this year, we are

## **Agenda Item #8.3**

BOD Meeting #8/20

October 22, 2020

Page 2 of 2

tasked with a difficult budget period to meet internal and external expectations.

Currently under evaluation for integration into the budget are:

- Salary adjustments for cost of living and review of merit increases estimated at \$40,000 (on-going)
- Expected costs due to the pandemic involving PPE, on-going supply replenishment, disinfecting, additional cleaning services, increased IT consulting fees, remote work requirements such as laptops and server access are estimated at \$15,000 (one-time)
- There is an increasing requirement to manage our technology internally as we advance through innovations and accommodate remote work, specifically for internet, IT, IMS database improvements related to application tracking, report development, on-going technology and internet issues, procurement of services, gap analysis on existing infrastructure, server and back-up maintenance and continuing upgrade and assessment of technology security. A preliminary estimate is \$65,000 (on-going)
- 2022-2026 Strategic Plan development is conservatively estimated at \$10,000 if done internally (one-time)
- Consultant services for review of policies \$5,000 (one-time)
- Comprehensive review of compensation package \$5,000 (one-time)
- Implementation of corporate wear program on a cost-sharing basis of \$10,000 (on-going at \$5,000/year)

The above, totalling \$150,000, is a substantial increase which cannot be absorbed. Of that, one-time expenses account for \$35,000 and on-going costs are \$115,000. Evaluation of advancing or postponing these budgetary components is needed.

Regard for a levy increase and/or support through the Unspecified Reserve funds, after the 2020 deficit it covered, is proposed for your consideration. We project that the remaining balance of the Unspecified Reserve on December 31 will be \$220,000. Utilizing reserves to offset the 2021 budget will impact the levy requests of future years.

We have received guidelines from the Region of Durham for the 2021 Budget of 2.5% for Operating and 1.5% for Projects. We have received the timetable from the City of Kawartha Lakes, and a request to maintain our budget within our 2020 commitment, although a 2021 guideline was not conveyed.

We seek your direction and guidance on moving forward with the 2021 budget.