



**Board of Directors Meeting #5/24**  
**Thursday, May 23, 2024**  
**1:00 p.m. – 3:30 p.m.**  
**Kawartha Conservation, Boardroom**  
 277 Kenrei Road, Lindsay, ON K9V 4R1

## AGENDA

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We would like to acknowledge that many Indigenous Nations have longstanding relationships, both historic and modern, with the territories upon which we are located.

Today, this area is home to many indigenous peoples from across Turtle Island. We acknowledge that our watershed forms a part of the treaty and traditional territory of the south-eastern Anishinaabeg.

It is on these ancestral and treaty lands that we live and work. To honour this legacy, we commit to being stewards of the natural environment and undertake to have a relationship of respect with our Treaty partners.

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| 2. Declaration of Pecuniary Interest   |              |
| 3. Approval of Minutes   |              |
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| 4. Business Arising from the Minutes   |              |
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**277 Kenrei Road, Lindsay, ON K9V 4R1**

9. New Business

9.1. Letter of Support – Sir Sandford Fleming College Programming

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10. Reports and Updates from Board Members

11. Closed Session

11.1 Personal matters about an identifiable individual, including employees of the Authority;

12. Adjournment



## Agenda Item #3

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

From: Mark Majchrowski, CAO

Re: Approval of Minutes

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**KEY ISSUE:**

To approve the minutes of Meeting #4/24 held on Thursday, April 25, 2024.

**RECOMMENDED RESOLUTION:**

RESOLVED, THAT, the Board of Directors Minutes of Meeting #4/24 be adopted as circulated.

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**BACKGROUND**

Minutes are attached for your review and approval.



## Board of Directors Minutes of Meeting #4/24

Meeting #4/24 was held on Thursday, April 25, 2024, in person, at the Kawartha Conservation Administration Centre. With an absence of the Chair, the Vice-Chair called the meeting to order at 1:00 p.m.

Present: Harold Wright, Vice-Chair  
Peter Franzen, Director  
Gerry Byrne, Director  
Tracy Richardson, Director  
Cria Pettingill, Director  
Eric Smeaton, Director

Regrets: Pat Warren, Chair  
Lloyd Rang, Director  
Robert Rock, Director  
Mississaugas of Scugog Island First Nations (vacant)

Staff: Mark Majchrowski, CAO  
Kristie Virgoe, Director, Stewardship and Conservation Lands  
Matthew Mantle, Director, Planning and Development Services  
Jonathan Lucas, Director, Corporate Services  
Nancy Aspden, Acting Director, Integrated Watershed Management  
Melanie Dolamore, Corporate Services Assistant  
John Chambers, Marketing & Communications Specialist  
Melissa Creasy Alexander, Conservation Areas Technician  
Korey Hayes, GIS Specialist

Guests: None

### FIRST NATIONS ACKNOWLEDGEMENT

The Vice-Chair began meeting #4/24 with a First Nations Acknowledgement:

*We would like to acknowledge that many Indigenous Nations have longstanding relationships, both historic and modern, with the territories upon which we are located.*

*Today, this area is home to many indigenous peoples from across Turtle Island. We acknowledge that our watershed forms a part of the treaty and traditional territory of the south-eastern Anishinaabeg.*

*It is on these ancestral and treaty lands that we live and work. To honour this legacy, we commit to being stewards of the natural environment and undertake to have a relationship of respect with our Treaty partners.*

**#1 - ADOPTION OF AGENDA**

**RESOLUTION #58/24**

MOVED BY: GERRY BYRNE  
SECONDED BY: CRIA PETTINGILL

RESOLVED THAT, the Agenda for Meeting #4/24 be adopted.

CARRIED

**#2 – Declaration of Pecuniary Interest**

None.

**#3 – Approval of Minutes**

**RESOLUTION #59/24**

MOVED BY: GERRY BYRNE  
SECONDED BY: PETER FRANZEN

RESOLVED, THAT, the Board of Directors Minutes of Meeting #3/24 be adopted as circulated.

CARRIED

**#4 – Business Arising from the Minutes**

None.

**#5 – Deputation**

None.

**#6 – Presentations and Applicable Action Items**

None.

**#7 – Kawartha-Haliburton Source Protection Authority Meeting**

A recess for the Kawartha-Haliburton Source Protection Authority meeting was not required.

**#8– Staff Reports**

**8.1 – Permits Issued by Designated Staff (March)**

**RESOLUTION #60/24**

MOVED BY: CRIA PETTINGILL

SECONDED BY: GERRY BYRNE

RESOLVED, THAT, the following Section 28 permits issued by staff be received.

**Permits Issued:**  
2024-069 to 2024-086  
**Permits Revised:**  
2023-227 and 2023-034

AND THAT, the Permitting performance report be received.

CARRIED

**8.2 – Conservation Authorities Act and Regulatory Changes: Regulated Areas Mapping Update**

**RESOLUTION #61/24**

MOVED BY: PETER FRANZEN

SECONDED BY: GERRY BYRNE

RESOLVED, THAT, the staff report on the regulated area mapping updates further to the availability of updated technical data and recent legislative and regulatory changes relating to the *Conservation Authorities Act* and *Ontario Regulation 41/24* be received.

CARRIED

**8.3 – Strategic Actions Update 1<sup>st</sup> Quarter**

**RESOLUTION #62/24**

MOVED BY: GERRY BYRNE

SECONDED BY: PETER FRANZEN

RESOLVED, THAT, the staff report on Strategic Actions update for the first quarter be received.

CARRIED

#### 8.4 – CAO Report

##### RESOLUTION #63/24

MOVED BY: GERRY BYRNE

SECONDED BY: CRIA PETTINGILL

RESOLVED, THAT, the CAO Monthly Report for meeting #4/24 be received.

CARRIED

The Board requested that staff coordinate a date for a visit to the site of the RBC LID project upon completion.

#### 8.5 – Correspondence

##### RESOLUTION #64/24

MOVED BY: TRACY RICHARDSON

SECONDED BY: LLOYD RANG

RESOLVED, THAT, the attached correspondence be received.

CARRIED

### #9 – Action Items

#### 9.1 – Fee Policy Update

##### RESOLUTION #65/24

MOVED BY: TRACEY RICHARDSON

SECONDED BY: GERRY BYRNE

RESOLVED, THAT, the proposed updates to the fee policy be endorsed for consultation and brought back to the next Board of Directors meeting for approval.

CARRIED

#### 9.2 – Lake Scugog Enhancement Project

##### RESOLUTION #66/24

MOVED BY: CRIA PETTINGILL

SECONDED BY: GERRY BYRNE

RESOLVED, THAT, the Lake Scugog Enhancement Project update be received, AND;

THAT, the Board approve the transfer of funds related to Year 3 expenditures associated with the Environment and Climate Change Canada funding grant with an upset limit of \$263,000 as per our purchasing policy to the Township of Scugog in accordance with eligible expenses provided for by the funding grant, AND;

THAT, other necessary adjustments to facilitate the financial transaction with our banking institution be made.

CARRIED

**9.3 – Conservation Authorities Act: Regulation Proposal ERO #019-8320**

**RESOLUTION #67/24**

MOVED BY: ERIC SMEATON

SECONDED BY: GERRY BYRNE

RESOLVED, THAT, the staff report on the proposed regulation detailing Minister’s permit and review powers under the Conservation Authorities Act be received, AND;

THAT, comments on ERO posting #019-8320 identified in the staff report be submitted to Conservation Ontario for integration in the collective conservation authority response to the posting.

CARRIED

**#10 – New Business**

None.

**#11 – Reports and Updates from Board Members**

Director Pettingill shared an overview of the Ontario Good Roads conference.

Director Smeaton shared positive feedback on Kawartha Conservation’s communications – postings of current news and events through social media channels.

Director Richardson commented on their experience at the community clean-up day.

Vice-Chair Wright shared details from the Lake Scugog Stewards annual general meeting.

**#12 – Closed Session**

None.

**#13 – Adjournment**

There being no further business, the meeting adjourned at 1:55 p.m.

**RESOLUTION #68/24**

MOVED BY: GERRY BYRNE

SECONDED BY: TRACY RICHARDSON



**RESOLVED THAT**, the Board of Directors Meeting #4/24 be adjourned.

CARRIED

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Pat Warren  
Chair

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Mark Majchrowski  
CAO



## Agenda Item #6

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

From: Mark Majchrowski, CAO

Re: Presentations

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### KEY ISSUE:

Presentations on the Nogies Creek and Miskwaa Ziibi River Floodplain Mapping Projects, and the Regulation Mapping Update.

### RECOMMENDED RESOLUTION:

RESOLVED, THAT, the presentation on the Nogies Creek and Miskwaa Ziibi River Floodplain Projects be received.

RESOLVED, THAT, the presentation on the Regulation Mapping Update be received.

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Please see below for a short description on the topics of interest.

### **6.1 Nogies Creek and Miskwaa Ziibi River Floodplain Mapping Studies**

A presentation will be given by Matt Mantle, Director, Planning and Development Services, and Galen Yerex, Flood Plain Mapping Technician, who will provide an overview of the flood plain projects and the process by which the flood plain features are identified.

This presentation is intended to complement the staff report on the endorsement of the Flood Plain Mapping Studies.

*Discussion on staff report (item 6.1.1) associated with this presentation will follow.*

### **6.2 Regulation Mapping Update**

Updates to our regulatory mapping is required due to changes to the Conservation Authorities Act and associated regulation, and recent improvements in technical base data from which the layers are generated.

Regulated area mapping has been updated to reflect these changes. A presentation will be provided by Matt Mantle, Director, Planning and Development Services, outlining the process for regulatory mapping updates.

*Discussion on staff report (item 6.2.1) associated with this presentation will follow.*



## Agenda Item #6.1.1

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

From: Mark Majchrowski, CAO  
Matthew Mantle, Director, Planning and Development Services

Re: Nogies Creek and Miskwaa Ziibi River Flood Plain Mapping Studies

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### KEY ISSUE:

Endorsement of the Nogies Creek flood plain mapping study and Miskwaa Ziibi River flood plain mapping study.

### RECOMMENDED RESOLUTION:

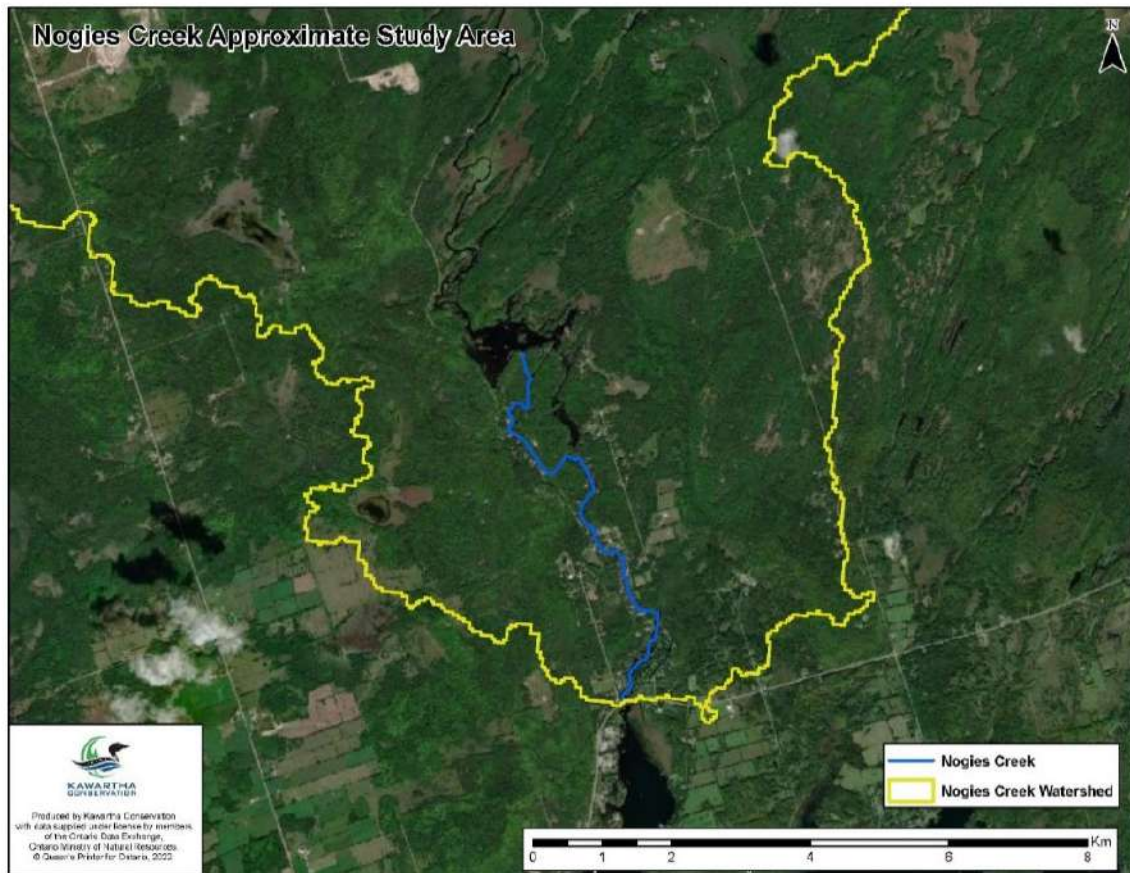
RESOLVED, THAT, the Nogies Creek flood plain mapping study report, Miskwaa Ziibi River flood plain mapping study report and associated modellings be received and endorsed.

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### BACKGROUND

In 2022, Kawartha Conservation initiated a capital project on behalf of the Municipality of Trent Lakes to complete flood plain mapping for two (2) identified priority flood prone sub-watersheds (Flood Damage Centers). The purpose of flood plain mapping is to update existing mapping for flood prone areas, assisting the Township in planning for future growth and development and support the Township's Emergency Management Plans.

The Nogies Creek watershed is ~ 200 km<sup>2</sup> which drains through Bass Lake, a wetland area, and forested areas while continuing south through developed areas with cottages and homes on either side of the creek. Nogies Creek continues through a developed area to the south where it outlets into Pigeon Lake (*Refer to Figure 1*). Nogies Creek had a previous flood study completed in February 1988. The new models and regulatory mapping extends further upstream than the original mapping and was completed to better understand the system and the flooding extent that can be produced. The blue line in the diagram indicates the reach of watercourse for which flood plain mapping was created.



*Figure 1: Nogies Creek Study Area*

Miskwaa Ziibi River watershed is also ~200 km<sup>2</sup> which drains through a large wetland, forested areas, and then continues south through developed areas with cottages and houses on either side of the river until it outlets into Little Bald Lake (*Refer to Figure 2*). There has not been a confirmed flood study completed for the Miskwaa Ziibi River, so the new models and regulatory mapping will provide a better understanding of the system and the flooding extent that can be produced. The blue line in the diagram indicates the reach of watercourse for which flood plain mapping was created.



*Figure 2: Miskwaa Ziibi River Study Area*

It is important to delineate flood plains as this information will provide a better idea of the existing flood hazards, identify areas of concern, and provide quality information to promote safe future development. These projects benefitted from the new LiDAR (Light Detection and Ranging) dataset provided by the Province and offers a better base from which to derive the flood plain mapping.

#### **FLOODPLAIN STUDY**

A Project Technical Team (PTT) comprised of representatives from Natural Resources Canada (NRCAN), Ministry of Natural Resources and Forestry (MNRF), Municipality of Trent Lakes, and Kawartha Conservation, was established to guide progress of the flood plain mapping study and to make sure project standards/guidelines were followed.

The floodplain studies have gone through a comprehensive peer review process which includes all aspects of the study: data acquisition (watershed topographic elevation and



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survey data collection), hydrologic and hydraulic modeling methods and the final flood plain mapping results.

The Nogies Creek and Miskwaa Ziibi Floodplain Studies will be made available to the public through our website upon endorsement. The associated flood line for Nogies Creek is being incorporated into our draft regulation mapping as part of the major update to the regulation mapping layer. The Miskwaa Ziibi River flood line will not be included in the regulation mapping update as it is outside of Kawartha Conservation's jurisdiction. Both flood plain studies have been provided to the Municipality of Trent Lakes and will be incorporated into their planning resources. The flood lines associated with the two flood studies are presented below.

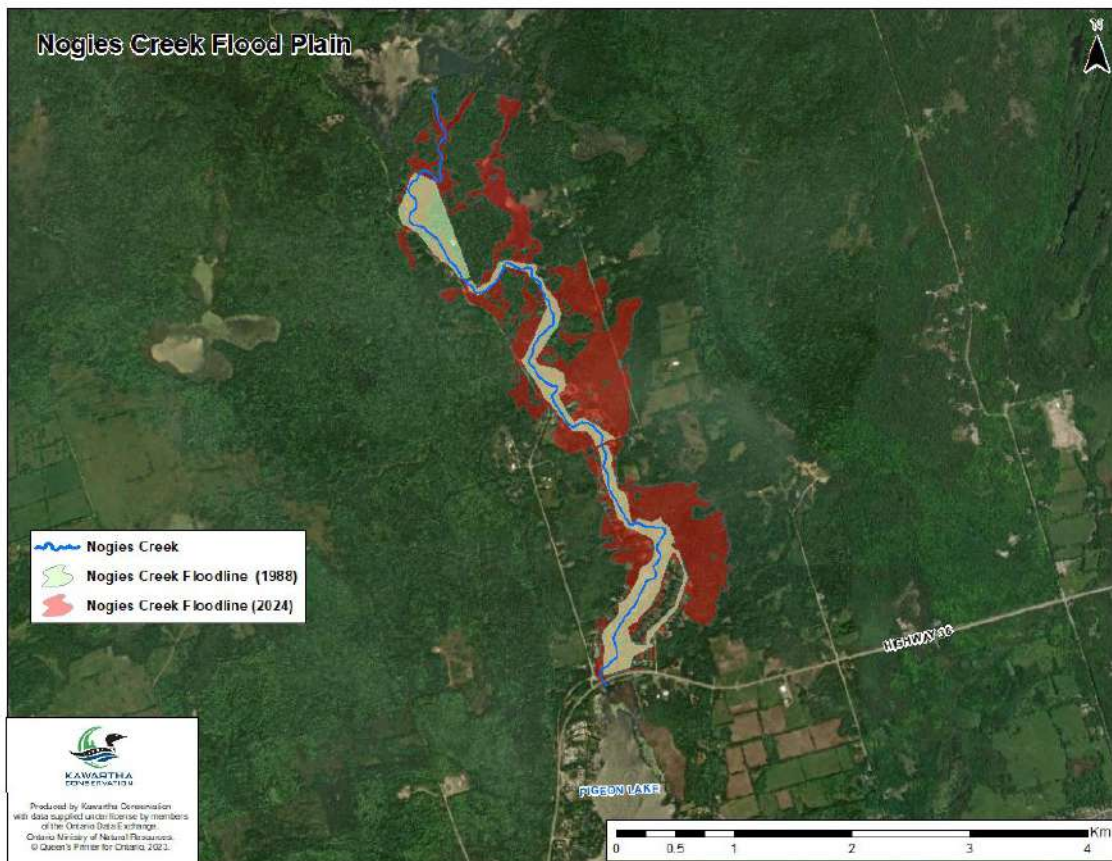


Figure 3: Nogies Creek Floodplain: Comparison between flood plain areas

For more information, please contact Mark Majchrowski at extension 215.



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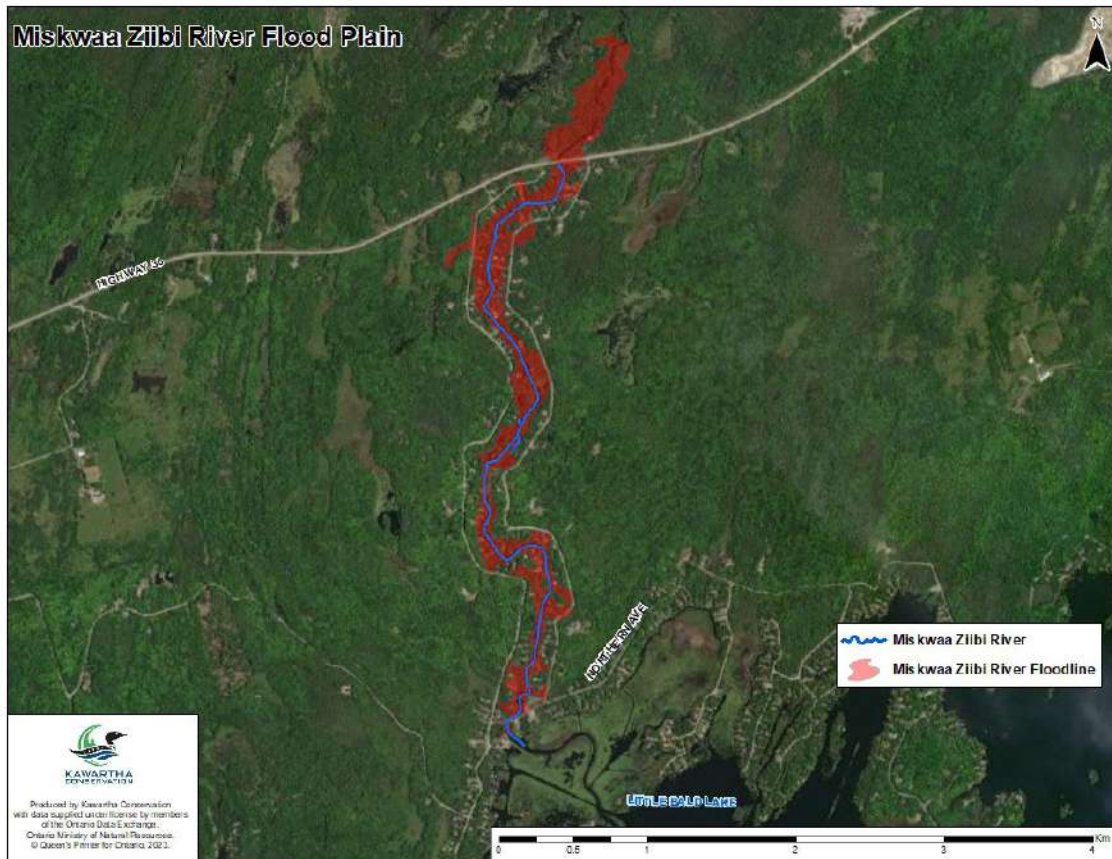


Figure 4: Miskwaa Ziibi River Floodplain

These studies will be presented at a Trent Lakes public meeting scheduled for Tuesday June 18, 2024, at the Trent Lakes Council Chambers to provide information on the flood plain studies.

### SUMMARY

The final flood plain mapping, reports, and associated peer reviews for both Nogies Creek and Miskwaa Ziibi River have been completed and we are seeking that both Flood Plain Mapping Studies and associated regulatory flood plain receive endorsement.

*The floodplain mapping study will be distributed under separate cover from the agenda due to the size of the reports.*

**Acknowledgements/Contributions from:**  
Galen Yerex, Floodplain GIS/Mapping Technician

For more information, please contact Mark Majchrowski at extension 215.



## Agenda Item #6.2.1

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

From: Mark Majchrowski, CAO  
Matthew Mantle, Director, Planning and Development

Re: *Conservation Authorities Act and Regulatory Changes: Regulated Areas  
Mapping Update*

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### KEY ISSUE:

Regulation area mapping updates related to O. Reg 41/24 Prohibited Activities, Exemptions and Permits under amendments to the Conservation Authorities Act.

### RECOMMENDED RESOLUTION:

RESOLVED, THAT, the staff report regarding the regulated area mapping update for the purposes of compliance with legislative changes and the availability of updated technical data be received, AND,

THAT, the drafted regulated area mapping update be released for public notification for a minimum of 30-days, AND,

THAT, correspondence be sent to participating municipalities and appropriate stakeholders notifying them of the mapping update.

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### BACKGROUND

As outlined in Agenda Item #9.4 of BOD Meeting #3/24 on March 28<sup>th</sup>, 2024, "*CA (Conservation Authorities) Act and Regulatory Changes: Implementation and Interim Policies*", Conservation Authorities are required to update their regulatory mapping based on changes to the CA Act and the consolidation of all 36 Conservation Authorities under a single regulation (O. Reg 41/24). This includes making regulation mapping publicly available and providing notification to municipalities, public, and stakeholders for any significant changes.

Regulated area mapping has been updated to reflect changes to the legislative framework and to reflect updated technical information which several regulated component layers rely on and can be updated. These changes constitute a significant update to the regulated mapping layers. Per O. Reg 41/24, there is a requirement to notify stakeholders, municipalities, and the public of proposed changes in any manner the authority considers advisable, including making relevant information or studies





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available online at least 30 days prior to an authority meeting during which the proposed changes are on the agenda.

Staff have completed the regulation mapping updates and are currently proposing the following schedule for adopting the updated regulated areas mapping:

- May 23 Board meeting: Release Draft Regulatory Mapping update, endorsement of 30-day notification.
- May 23-June 26: Notification period for mapping updates online; 1 open house planned and correspondence to municipalities and relevant stakeholders involved in the development activity.
- June 27 Board meeting: Adoption of Mapping Changes.

### Legislative Mapping Updates:

Due to the requirements identified in O. Reg. 41/24, our regulated areas mapping will need to be changed to reflect the “other areas” defined around wetland features, which has been reduced from 120m to 30 m. Watercourse definitions have changed as well, however, any changes to existing mapping will need to be verified through fieldwork as development applications are processed.

### Updated Technical Information – Mapping Updates:

Staff have updated processes to incorporate new technical data and software capabilities, which will refine areas subject to regulation. A significant update which affects several regulation components is the new LiDAR (Light Detection and Ranging) mapping received this year which represents a significant improvement over previous elevation information available.

A summary of regulation components to be updated is provided in the table below:

**Table 1. List of Regulation Components and updates**

Regulation Component	Update Trigger	Update Type
Wetlands	O. Reg 41/24 Replaces 182/06: Removal of 120-meter buffer for Provincially Significant Wetlands and Wetlands greater than 2 hectares.  Implementation of a consistent 30-meter buffer for all wetlands.	Legislative Update
100-Year Lake Level Elevation (floodplain)	CA Act regarding “Regulatory Tests” to reflect flooding hazards: update to defined 100-year lake levels in our policies.	Technical Update

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	Data and Processing Update – LiDAR-Derived Elevation at 50cm resolution, to be implemented as reasonably feasible. The current lack of definition is a noted absence in the current regulated layer.	
Meander Belt	CA Act regarding “Regulatory Tests” to identify erosion hazards.  Data and Processing Update – Include Ontario Hydro Network to create an updated regulation component layer	Technical Update
Erosion Hazard (River or Stream Valley)	CA Act regarding “Regulatory Tests” to identify erosion hazards.  Data and Processing Update – Include Update Meander Belt, 100-Year Lake Level Floodplain, and LiDAR-Derived Elevation at 50cm resolution.	Technical Update
Floodplain	CA Act regarding “Regulatory Tests” to retain “flooding”.  Inclusion of Finalized Nogies Creek Floodplain study to the current Regulated Floodplain area.  <i>Note: This floodplain study will be undergoing a separate, complementary public consultation process.</i>	Technical Update

**RESULTS SUMMARY**

Each of the components above were reviewed according to the technical criteria outlined in earlier guidance for developing schedules of regulated areas mapping conducted in 2006 and modernized to reflect current software capabilities and information. The detailed methodology by which the regulated mapping update was generated are documented in a procedural document.

Resulting from this analysis, the combination of all regulated component layers results in a total regulated area of 96,440 ha, which represents an approximate reduction in regulated area of 8%. Overall, regulated areas will cover approximately 37.5% of the watershed (see table below).

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**Table 2: O. Reg. 41/24 Regulation Mapping Update**

Old Regulated Area (Ha)	New Regulated Area (Ha)	Loss/Gain (Ha)	Percentage reduced
116,935	96,440	-20,495	8.2

Each of the individual component layers were analyzed and relative losses and enlargements in regulated area are presented in Table 3.

**Table3. Updates to Regulation Components**

Regulation Component	Previous Area (Ha)	New Area (Ha)	Loss/Gain (Ha)	Reason for Difference
<b>Wetlands</b>	106,840	74,345	-32,495	Decrease due to regulated boundary area being reduced from 120m to 30m for all wetlands.
<b>100-Year Lake Level</b>	375	26,745	26,370	Increase due to improvements to data quality.
<b>Meander Belt</b>	13,515	25,925	12,410	Increase due to improvements in data quality.
<b>Erosion Hazard Areas</b>	18,305	19,020	715	Increase due to improvements in data quality.
<b>Floodplain (Excluding Lakes)</b>	1,140	1,360	220	Increase due to addition of Fenelon Falls South and Nogies Creek Flood Plain Study areas.

*\*Note the above calculations involve overlap of various components and numbers represented are indicative of each separate component.*

See below a map showing the relative changes in regulated area, depicting areas of regulated areas reduced and enlarged.

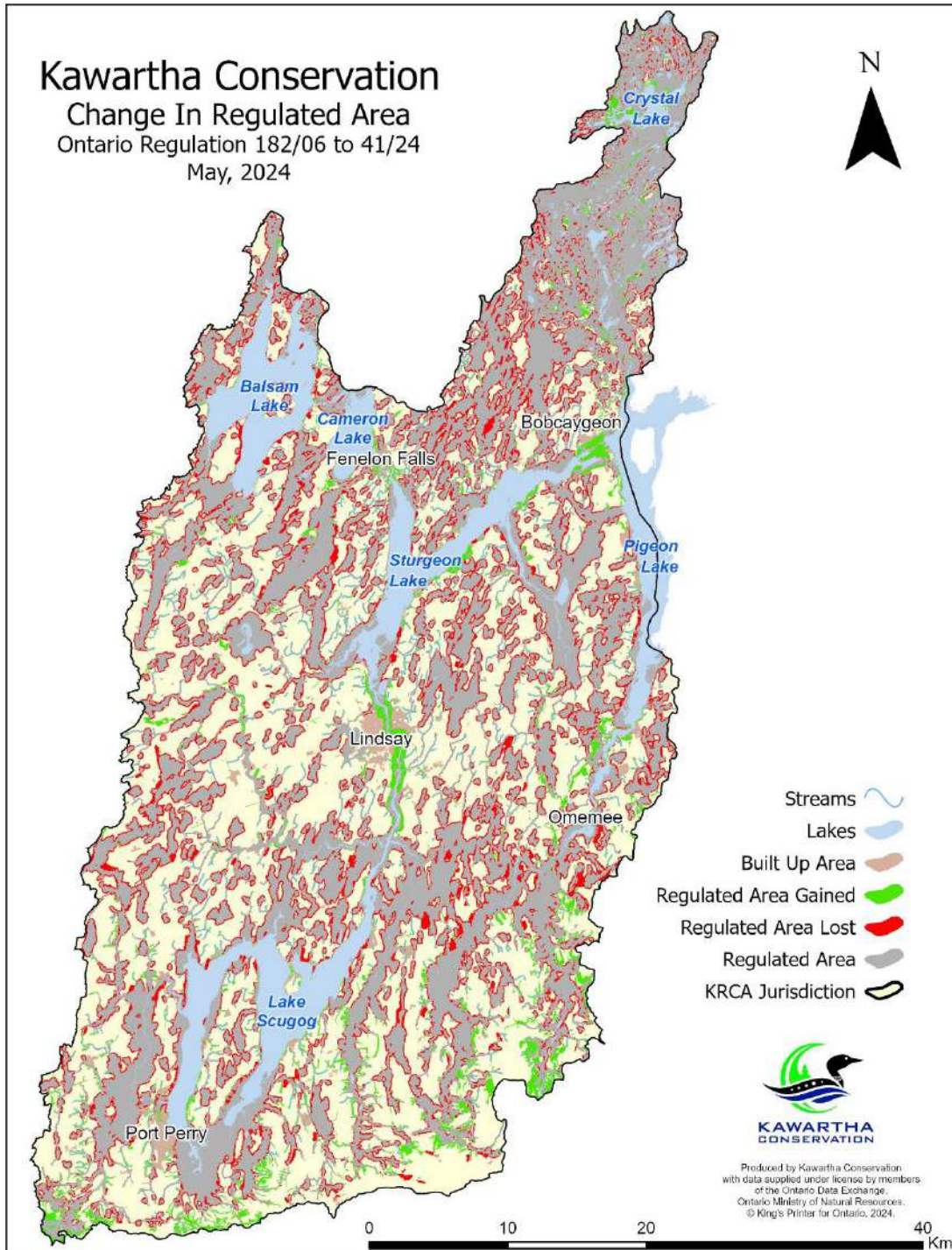


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### CONCLUSION

Staff have undertaken a comprehensive regulation mapping update to reflect both the legislative requirements and the availability of updated technical data, incorporating process improvements due to increased software capabilities. These changes resulted in a loss of approximately 8% in the regulated area for the Kawartha watershed.

As part of this process, we will be seeking 30 days notification period to be implemented prior to adoption at the next Board of Directors meeting. Correspondence will be sent to municipalities and stakeholders in the development industry as part of this notification period, and a notification placed on our website informing the community of these mapping updates.

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

Nancy Aspden, Acting Director, Integrated Watershed Management; Korey Hayes, GIS Specialist



# Agenda Item #7.1

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

From: Mark Majchrowski, Chief Administrative Officer  
Matthew Mantle, Director, Planning and Development Services

Re: Permits Issued by Designated Staff (April)

**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 be received:

<p><b>Permits Issued:</b> 2024-045, 2024-087 to 2024-099</p>
<p><b>Permits Revised:</b> 2024-077, 2024-068, 2024-097</p>

AND, THAT, the permitting performance report be received.

Due to legislative and regulatory changes Kawartha Conservation will be reporting on two performance metrics:

- Conservation Ontario Client Service Standards (previous performance reporting indicators)
- Provincial Timelines (new Ontario Legislation and Regulations performance reporting indicators).

**CONSERVATION ONTARIO CALC TIMELINES:**

The following information identifies the permitting performance associated with the processing of permits since the previous staff report to the Board, aggregated on a monthly basis. Most of our permits fall within the minor permits category and are associated with goal of achieving a 14-day timeframe for determination of a complete application, and a decision on issuance of a permit is tied to a goal of a 21-day timeframe. Major (complex) applications and streamlined applications also have timeframes associated with approvals as shown below.

For more information, please contact Matthew Mantle at extension 213.



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**Table 1: Generalized Permit Processing Timeframe Guide for Client Service Standards**

Type of Permit	Complete App. Review	Permit Issuance
Streamlined	10	14
Minor	14	21
Major	21	28

As displayed in Table 1, during the month of April, our team issued 14 permits and met approximately 86% of the performance metric for application review timelines and observed 93% of permits issued within the Client Service Standard timeframes.

Our application review timelines have slightly decreased in the percentage of applications meeting guidelines compared to the previous reporting period, mainly attributed to workload pressures associated with legislative and regulation changes that we experienced this month and have since resolved.

Permit issuance statistics have increased in terms of percentage of applications meeting guidelines. The typical number of days to complete application review and issue permits has decreased compared to previous reporting periods.

**Table 2: Number of applications meeting Client Service Standards for Permit Review and Issuance**

Month	Application Review		Permit Issuance	
	No.	%	No.	%
April	12/14	86%	13/14	93%

Table 2, below, illustrates permits that did not meet the revised Client Service Standard for determination of a complete application and permit issuance during this reporting period.

**Table 3: Permits Exceeding Client Service Standards for Permit Review and Issuance**

Permit Number	Guideline Not Met	CALC Review Guideline	# Days Taken	Days Over	Reason
<b>April</b>					
2024-090	Application Review	10	16	6	Delays due to workload pressures associated with legislative and regulation changes.
2024-092	Permit Issuance	21	70	49	Internal process control issue.
2024-096	Application Review	14	29	15	Internal process control issue.

For more information, please contact Matthew Mantle at extension 213.



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### PROVINCIAL TIMELINES:

As displayed in the table below, permit review and issuance timelines set by the Province of Ontario identify that all permit applications be reviewed for completeness within 21 days of receipt of an application. The guidelines also indicate that the Conservation Authority must make a decision to grant the permit, grant the permit with conditions, or refuse the permit application through the hearing process within 90 days of receipt of a complete application and payment.

**Table 3: Permit Processing Timeframe Guide for Province of Ontario Guidelines**

Type of Permit	Complete App. Review	Total Timeline
All Permits	21	90

Table 4 below indicates that permitting performance in April 2024 relative to the Provincial Guidelines. Permit application review periods exceeding the Province of Ontario Guideline were attributed to internal process control mechanisms within our IMS which affect the alignment of work associated with the processing of applications.

In April 2024, it was reported that 100% of permits were issued within the total timeline of 90 days from receiving an application, and 93% of applications were reviewed within the first 21 days of receiving an application which are performance metrics identified by the Province of Ontario in O. Reg. 41/24.

**Table 4: Number of applications meeting Provincial Guidelines for Permit Review and Issuance**

Month	Application Review		Total Timeline	
	No.	%	No.	%
April	13/14	93%	14/14	100%

Table 5 below identifies permits that did not meet the Province of Ontario Guidelines for permit application review and issuance and provides context and reasoning for exceeded deadlines.

A chart indicating monthly permitting activity and related graphs indicating performance relative to guidelines are provided in the attachments following this report.



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**Table 5: Permits Exceeding Provincial Guidelines for Permit Review and Issuance**

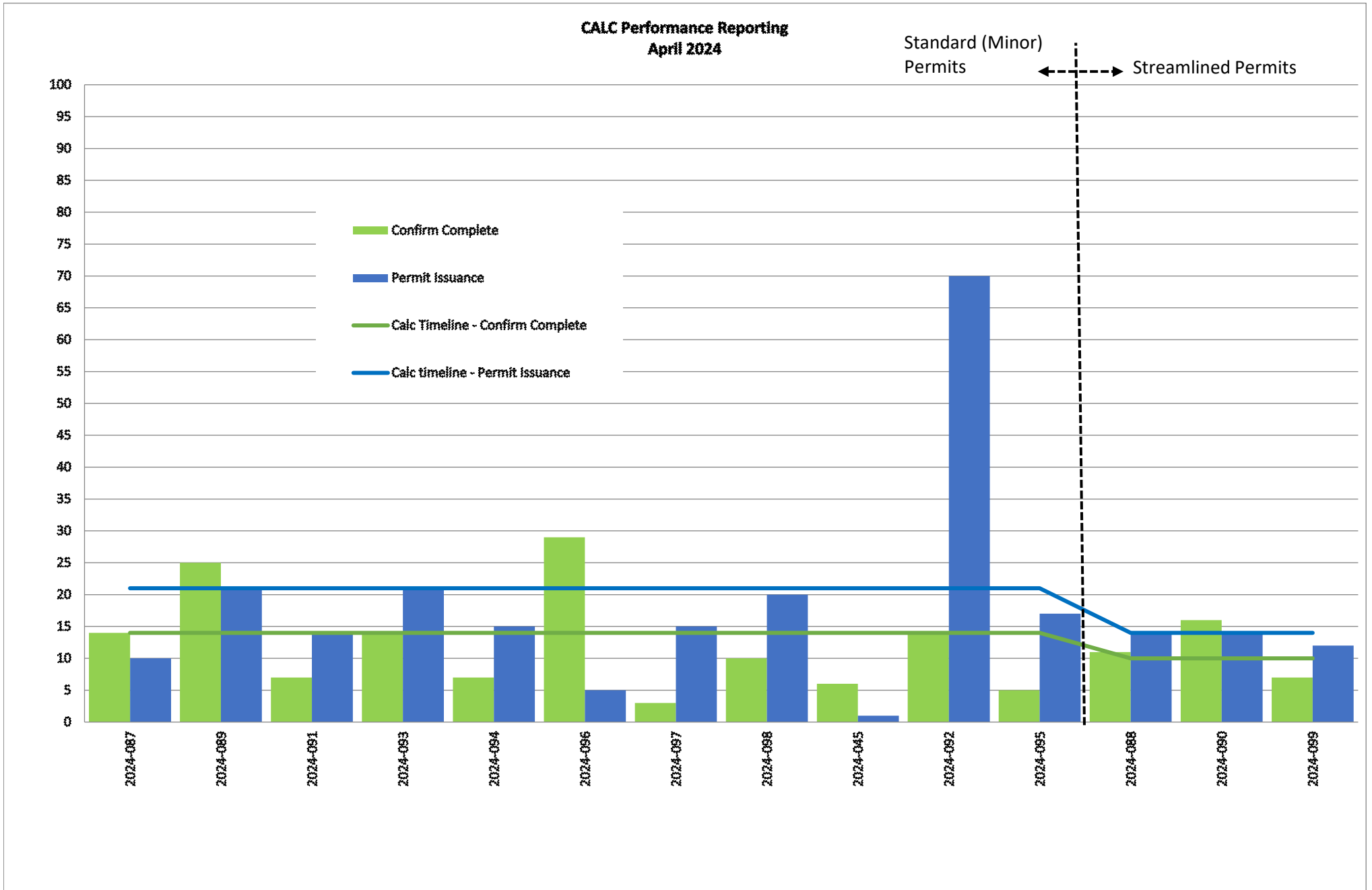
Permit Number	Guideline Not Met	Province of Ontario Guideline	# Days Taken	Days Over	Reason
<b>April</b>					
<b>2024-096</b>	Application Review	21	29	8	Internal process control issue

Please see attached reports for additional details.

**Acknowledgements/Contributions from:**

Will Chapple, Permitting Analyst; Amanda Brazeau, Administration and Client Services

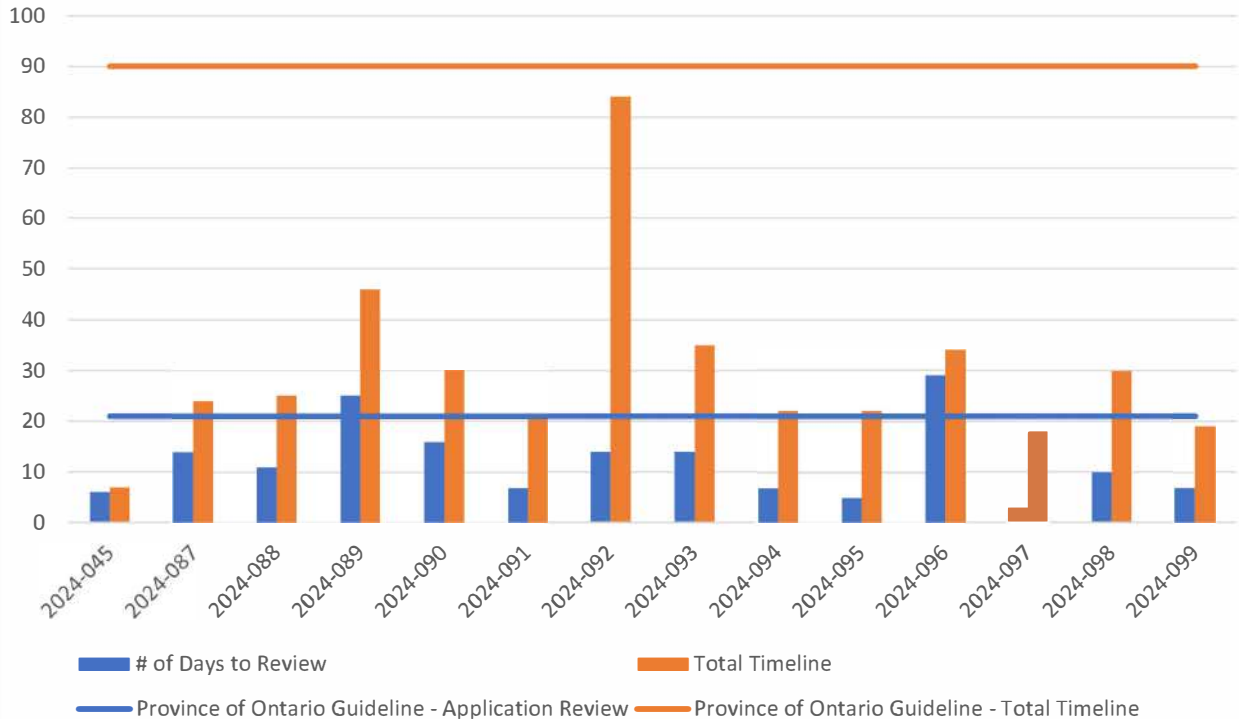
PERMITS ISSUED						
Permit #	Permit Type	Address	Geographic Township	Municipality	Date Issued	Description
2024-077 (REVISED)	Standard	3511 Proutt Rd	Cartwright	Scugog	April 12, 2024	Revision of running line for horizontal directional drill for the installation of gas services.
2024-068 (REVISED)	Standard	101 Springdale Dr	Ops	City of Kawartha Lakes	April 18, 2024	Minor Revision Request to include construction of deck to permit.
2024-097 (REVISED)	Standard	Sandy Point Pl	Verulam	City of Kawartha Lakes	April 25, 2024	Revised permit to include new street name, driveway and owner information.
2024-045	Standard	Front St	Bobcaygeon (Town)	City of Kawartha Lakes	April 23, 2024	Horizontal directional drilling and open cut for the installation of gas services.
2024-087	Standard	80 Maple Grove Rd	Verulam	City of Kawartha Lakes	April 12, 2024	Grade modifications and excavation for removal of tree stumps and creation of a trench for installation of hydro utility cable, septic holding tank replacement, and the construction of two attached decks on existing dwelling.
2024-088	Streamlined	34 Golf Club Cres	Verulam	City of Kawartha Lakes	April 18, 2024	Demolition and reconstruction of deck and staircase.
2024-089	Standard	19450 Old Simcoe Rd	Reach	Scugog	April 18, 2024	Placement of two 40 foot shipping containers with trussed roofing on existing gravel area.
2024-090	Streamlined	2281 Elm Tree Rd	Fenelon	City of Kawartha Lakes	April 18, 2024	Fill placement, excavation, and grade modifications less than 20 cubic metres for the completion of septic system installation.
2024-091	Standard	44 King St W	Omeme (Town)	City of Kawartha Lakes	April 18, 2024	Demolition and reconstruction of residential addition.
2024-092	Standard	34 Charlore Park Dr	Emily	City of Kawartha Lakes	April 18, 2024	Open cut for the installation of gas services.
2024-093	Standard	328 Moorings Dr	Fenelon	City of Kawartha Lakes	April 18, 2024	Construction of a new attached garage.
2024-094	Standard	701 Fire Route 348	Galway	Trent Lakes	April 19, 2024	Construction of a ground-floor residential addition
2024-095	Standard	710 Cameron Rd	Fenelon	City of Kawartha Lakes	April 19, 2024	Horizontal directional drilling for the installation of fibre conduits.
2024-096	Standard	62 Lagoon Dr	Fenelon	City of Kawartha Lakes	April 23, 2024	Demolition and reconstruction of residential dwelling with attached garage and covered porch, construction of new septic system, and driveway expansion.
2024-097	Standard	Sandy Point Pl	Verulam	City of Kawartha Lakes	April 24, 2024	Construction of a residential dwelling and construction of septic system.
2024-098	Standard	54 Goodman Rd	Fenelon	City of Kawartha Lakes	April 24, 2024	Fill placement, excavation, and grade modifications for the installation of a new septic system, and internal renovations to convert a detached accessory structure into an additional residential unit.
2024-099	Streamlined	Pigeon Lake Rd	Emily	City of Kawartha Lakes	April 24, 2024	Maintenance of existing driveway including widening and extension.



# Province of Ontario Performance Reporting

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April 2024

ATTACHMENT #3





## Agenda Item #7.2

BOD Meeting #5/24

May 23, 2024

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

From: Mark Majchrowski, CAO

Re: Planning Act: Environmental Registry of Ontario Postings

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### KEY ISSUE:

Review of proposed legislative amendments to the Planning Act posted on the Environmental Registry of Ontario.

### RECOMMENDED RESOLUTION:

RESOLVED, THAT, the staff report on the proposed legislative amendments in relation to the Planning Act as identified in the Environmental Registry of Ontario postings be received.

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A number of postings were made to the Environmental Registry of Ontario (ERO) starting on May 10<sup>th</sup>. A summary of those postings is provided below. Conservation Ontario convened a meeting to create a collaborative approach to submitting comments, encompassing the feedback from all 36 conservation authorities. A summary of those comments is provided as well. Staff provided feedback on the postings in the collective meeting, hosted by Conservation Ontario. Staff did not make an independent comment submission to the ERO.

### [Review of proposed policies for a new provincial planning policy instrument. \(ERO# 019-8462.\)](#)

The MMAH sought input on the updated proposed Provincial Planning Statement that incorporates feedback received through the previous consultation on the proposed Provincial Planning Statement ([ERO #019-6813](#)). The proposed policy instrument retains the focus on natural hazards as a priority in the development process and references collaboration between CAs, planning authorities, and the province. The commenting period ran from April 12<sup>th</sup> to May 12<sup>th</sup>, 2024, and is now closed.

#### *Comment Summary:*

1. References to collaborative approaches with respect to CA roles in natural hazard management and mitigation, and in watershed planning are recognized in the policy instrument, which are appreciated.
2. To ensure a consistent approach with proposed policy 5.1.1 of the PPS, 2024, Conservation Ontario recommends the Vision section be amended to read "Potential risks to public health or safety or of property damage from natural hazards and



## Agenda Item #7.2

BOD Meeting #5/24

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- human-made hazards, including the risks associated with the impacts of climate change, will be avoided, and where not possible, mitigated.”
3. Conservation Ontario recommends the Province provide comprehensive implementation guidance for the proposed PPS in a timely manner and consider the time required for implementation of legislative changes by implementers, which have occurred over the past several years.
  4. Conservation Ontario urges the Province to ensure that applications involving institutional uses continue to be subject to the PPS such that the appropriate planning safeguards are in place to direct development outside of hazardous lands and hazardous sites, and areas where safe access through a hazard cannot be achieved.

### [Bill 185, the Proposed Cutting Red Tape to Build More Homes Act, 2024 – Housing Initiatives \(ERO# 019-8365\)](#) – for information.

This notice consolidated the individual ERO postings listed below.

#### [Proposed Regulatory Changes under the Planning Act Relating to the Cutting Red Tape to Build More Homes Act, 2024 \(Bill 185\): Removing Barriers for Additional Residential Units \(ERO# 019-8366\)](#)

Through the More Homes Built Faster Act, changes were made to the Planning Act to accelerate implementation of the province’s additional residential unit (ARU) framework. To support implementation of ARUs, an enhanced regulation-making authority is proposed which would provide the Minister with broader authority to remove municipal zoning by-law barriers that may be limiting the development of ARUs. Barriers to ARUs may include maximum lot coverage and limits on bedrooms allowed per lot. The commenting period ran from April 10<sup>th</sup> to May 10<sup>th</sup>, 2024, and is now closed.

#### *Comment Summary:*

- See commentary under ERO #019-8369

#### [Proposed Changes to Regulations under the Planning Act and Development Charges Act, 1997 Relating to the Bill 185, Cutting Red Tape to Build More Homes Act, 2024 \(Bill 185\): Newspaper Notice Requirements and Consequential Housekeeping Changes \(ERO# 019-8370\)](#)

Regulatory changes are proposed that would modernize public notice requirements under the *Planning Act* and *Development Charges Act, 1997*, make consequential housekeeping amendments [limit third-party appeals for a range of planning applications], and prescribe time-periods regarding new evidence introduced at OLT. The commenting period ran from April 10<sup>th</sup> to May 10<sup>th</sup>, 2024, and is now closed.

For more information, please contact Mark Majchrowski at extension 215.



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### Comment Summary:

- See commentary under ERO #019-8369

[Proposed Planning Act, City of Toronto Act, 2006, and Municipal Act, 2001 Changes \(Schedules 4, 9, and 12 of Bill 185 - the proposed Bill 185, Cutting Red Tape to Build More Homes Act, 2024\)](#) (ERO# 019-8369)

Schedule 4, 9, and 12 of Bill 185 proposes a number of amendments to the *Planning Act, City of Toronto Act, 2006, and Municipal Act, 2001* including;

- Enhance framework for Additional Residential Units (ARU)
- Remove the Community Infrastructure and Housing Accelerator (CIHA) from the Planning Act to avoid duplication with a revised process for requesting and issuing minister's zoning orders
- "Use It or Lose It Tools" including enhanced lapping tools for municipal use and new municipal servicing management tools
- Limit third party appeals
- Remove fee refund provisions for zoning by-law amendment and site plan control applications
- Make pre-application consultation voluntary at the discretion of the applicant and allow the applicant to challenge complete application requirements to the OLT at any time
- Allow applicants to appeal a decision or refusal of settlement area boundary expansions
- Facilitating standardized housing designs
- Remove upper-tier planning responsibilities from specified municipalities (Durham is included, anticipated to be by the end of 2024)
- Expedited approval process for community service facility projects
- Exempt publicly-assisted universities from the Planning Act for university-led student housing projects on and off campus

The commenting period ran from April 10<sup>th</sup> to May 10<sup>th</sup>, 2024 and is now closed.

### Comment summary for EROs 190-8366, 8369, 8370:

1. Amend Bill 185 to ensure that ARU's and settlement area boundary expansions are excluded from hazardous lands, sites, or areas where safe access can't be achieved.
2. Maintain legislation that enables councils and planning authorities to pass by-laws requiring pre-application consultations.



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The remaining two postings on the Environmental Registry of Ontario did not pertain to conservation authority roles, and no comments were provided on these postings. These are summarized below for convenience.

### [Proposed Amendments to Ontario Regulation 73/23: Municipal Planning Data Reporting](#) (ERO# 019-8368)

On April 6, 2023, Ontario Regulation 73/23: Municipal Planning Data Reporting, came into effect. This regulation requires 29 municipalities in Ontario to report information on planning matters to the Ministry on a quarterly and annual basis. The purpose of this posting was to provide an overview of the proposed amendments to the regulation. These updates include:

- expanding the list of Municipalities to which the regulation applies from 29 to 50.
- Improve the quality, completeness, and utility of the information required to be reported; and require municipalities to make public a summary of the data reported.

The commenting period ran from April 10<sup>th</sup> to May 10<sup>th</sup>, 2024, and is now closed.

### [Changes to the Development Charges Act, 1997 to Enhance Municipalities' Ability to Invest in Housing-Enabling Infrastructure](#) (ERO# 019-8371).

The Ministry of Municipal Affairs and Housing (MMAH) is seeking to make legislative amendments to the Development Charges Act, 1997 (DCA) as part of the government's Spring 2024 Red Tape Reduction bill. The proposed changes include:

- Repeal the mandatory five-year phase in of Development Charge rates, allowing municipalities the chance to recover more of the costs to build critical infrastructure needed to service new homes.
- Reinstate studies as an eligible capital cost for Development Charges.
- Streamlined process for extending Development Charges By-laws when no changes to rates are proposed.
- Reduce the time limit on the Development Charge Freeze from 2 years to 18 months.

The comment period ran from April 10<sup>th</sup> to May 10<sup>th</sup>, 2024, and is now closed.

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

Kristie Virgoe, Director, Stewardship and Conservation Lands





## Agenda Item #7.3

BOD Meeting #5/24

May 23, 2024

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

From: Nancy Aspden, Acting Director, Integrated Watershed Management

Re: Lake Dalrymple Management Plan Update

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### KEY ISSUE:

To provide an update on the development of the Lake Dalrymple Management Plan

### RECOMMENDED RESOLUTION:

RESOLVED, THAT, the activity update on the Lake Dalrymple Management Plan be received.

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### Background

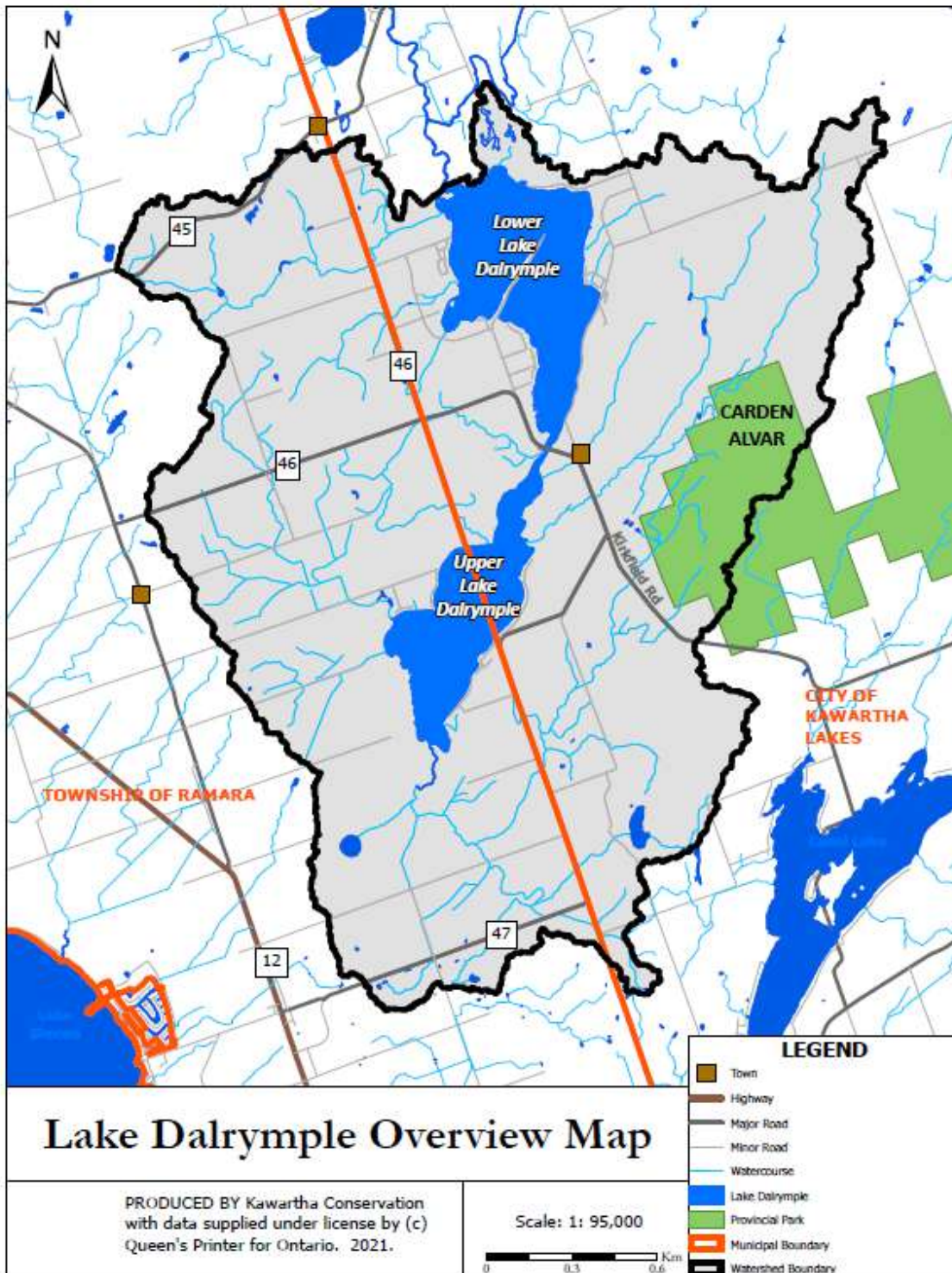
Lake Dalrymple provides significant economic and environmental contributions to local communities, and once completed, this lake management plan will help to keep Lake Dalrymple (the 5th largest in the City of Kawartha Lakes), healthy and resilient.

The Lake Dalrymple Management Plan is a 4-year (2021-2024) Category 2 project established through an MOU between Kawartha Conservation and the City of Kawartha Lakes.

The geographic scope of the study area is the Lake Dalrymple watershed, approximately 150.5 km<sup>2</sup> (Figure 1). This includes the lake, and all lands and waters that drain into the lake outlet, which exists at the north-west end of the lake. Lake Dalrymple has two distinct lake 'basins', separated by the 'narrows' at Kirkfield Road. Upper Lake Dalrymple lies south of Kirkfield Road, and is smaller and shallower, and flows north into Lower Lake Dalrymple. Lake Dalrymple is a 'headwater' lake, meaning it exists near the top of its drainage basin and does not have any major inputs of water from upstream sources, such as large lakes or rivers. It is a unique lake in the Kawarthas in that it exists through natural processes and is not regulated by human-made structures (dams). Lake Dalrymple outlets into Head River, which drains in a north-westerly direction into the Black River, and eventually into Georgian Bay.

The primary purpose of this project is to quantify the health of the Dalrymple watershed and to work collaboratively with lake stakeholders towards obtaining a better understanding of the pressures on the lake and to determine priority management activities.

For more information, please contact Nancy Aspden at extension 218, or Brett Tregunno at extension 222.



**Figure 1. Scope of study area.**

For more information, please contact Nancy Aspden at extension 218, or Brett Tregunno at extension 222.



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Comprehensive monitoring of water quality, water quantity, and land use parameters have been conducted on a yearly basis. This allows us to develop baseline documentation – or ‘state of the lake’ – as the foundation for developing management recommendations. Additional project information can be found on our [Lake Dalrymple Management Plan Website](#).

The following objectives were developed at the project onset to guide the Lake Dalrymple Management Plan Project.

**Table 1. Project Objectives defined for Lake Dalrymple Management Plan**

PROJECT OBJECTIVES
Implement and maintain for the duration of the study comprehensive water quality and water quantity sampling networks to provide a scientific basis to identify current and potential threats/stressors, hotspots, evaluate trends and key management issues, and identify options for priority actions.
Implement and maintain for the duration of the study comprehensive water quality and water quantity sampling networks to provide a scientific basis to identify current and potential threats/stressors, hotspots, evaluate trends and key management issues, and identify options for priority actions.
Provide a current and baseline scientific basis to support and inform municipal land use planning and policy tools within the City of Kawartha Lakes.
Design and implement management activities to maintain or achieve Provincial Water Quality Objectives for the lake and its tributaries, as well to reduce beach closures and create greater confidence in the lake health in general.
Protect and improve water quality for all uses.
Foster community participation in the project and understanding of the Kawartha Lakes, their natural and historic heritage, and human impacts.
Develop and coordinate the necessary partnerships for effective collaboration on all aspects of the planning process and plan implementation.
Promote a greater dialogue and understanding of issues, conflicting needs, visions, and resource uses.

For more information, please contact Nancy Aspden at extension 218, or Brett Tregunno at extension 222.



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#### Community Engagement

A working group has been formed, comprised of 10-15 local people, that meet on a quarterly basis (9 meetings to date) that provide input into the planning process. It includes representation from local lake associations, shoreline residents, councillors, and municipal staff including engagement from Ramara Township.

In 2022, we hosted two public information sessions (May 26, 28) at the Carden Recreation Centre, in conjunction with the Ministry of Natural Resources and Forestry (MNRF). A presentation was provided by MNRF titled *State of the Lake Dalrymple Fishery*. Over 80 people attended, and several key issues and management opportunities were voiced to staff at these information sessions. We also undertook an engagement survey to identify the public’s key issues, lake values, and changes that they have witnessed on Lake Dalrymple over the years. We received 48 responses; a summary of results is shown below in Figure 2.



Figure 2. High priority Engagement survey results.

For more information, please contact Nancy Aspden at extension 218, or Brett Tregunno at extension 222.



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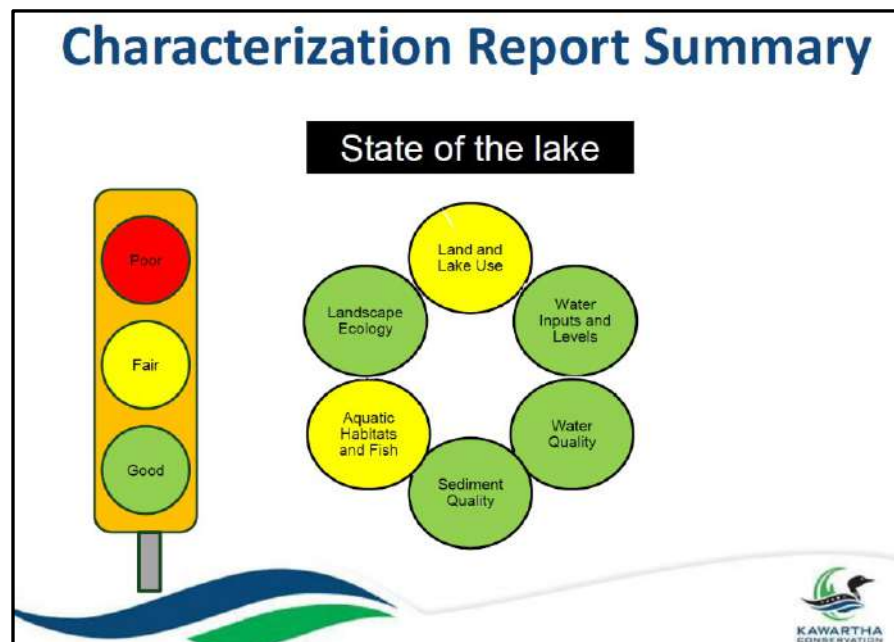
Over the last 3 years we have posted content through our social media channels and created several educational videos. Two notable postings received significant number of views; they include: [Deepest Darkest Depths of Lake Dalrymple](#), and [How To Use A Van Dorn Water Sampler To Get Perfect Samples Every Time](#).

2024 marks our final year of the Lake Dalrymple Management Plan, we intend to host a final round of public information sessions this summer, tentatively scheduled for August 22 and 24, 2024 and provide the public with an opportunity to offer feedback on our draft management recommendations through an online survey.

### State of the Lake – Monitoring Results

At the end of March staff completed a [draft Lake Dalrymple Watershed Characterization Report](#). This is a technical publication that provides detailed background information on the current state of the aquatic and terrestrial ecosystems within the Lake Dalrymple watershed, as well as a summary of lake-based community concerns and values identified through public consultation. The report provides a summary of key observations, issues, and information gaps, as well as detailed information on the following themes: Land Use and Lake Use, Water Inputs and Water Levels, Water Quality, Sediment Quality, Aquatic Habitats and Fish, and Landscape Ecology.

All of our data collected is available online through an interactive [Water Monitoring Dashboard](#). Lake Dalrymple and its watershed are found to be in fair-to-good health.



*State of the Lake Summary for major themes of the Watershed Characterization report*

For more information, please contact Nancy Aspden at extension 218, or Brett Tregunno at extension 222.



## Agenda Item #7.3

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Through our findings, items of high priority that need management include invasive species, shoreline development, illegal dumping, land clearing and fisheries.

### Next Steps

As we continue to work through year 4 of the Lake Dalrymple Management Plan project, the following key activities will be completed by end of year.

- Finalization of water quality and quantity sampling to the end of the hydrological year (end of May).
- Through monthly meetings (May to August), seek advice from the Working Group on draft lake management recommendations.
- Hosting open houses in the summer (August 22, and 24), at the Carden Recreation Centre, as well as an online survey, to receive public feedback on the draft lake management plan.
- Finalizing the Lake Dalrymple Management Plan and Lake Dalrymple Watershed Characterization Report.

We will be seeking Board approval in November for the Lake Dalrymple Watershed Characterization Report and Lake Dalrymple Watershed Characterization Report.

### Acknowledgements in the preparation of this report:

Brett Tregunno, Aquatic Biologist and Nancy Aspden, Acting Director, Integrated Watershed Management



## Agenda Item #7.4

BOD Meeting #5/24

May 23, 2024

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

From: Mark Majchrowski, CAO

Re: CAO Report

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### KEY ISSUE:

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

### RECOMMENDED RESOLUTION:

RESOLVED, THAT, the CAO Monthly Report for meeting #5/24 be received.

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## CORPORATE SERVICES

A continued focus for this month has been the review and analysis of the Conservation Authorities Act amendments and new regulation pertaining to our permitting activities. Internal forms and website components have been updated, along with updated regulation mapping and Hearing By-Law #2. Initial work to ensure our regulation and planning policies are compliant have begun. Continued efforts to ensure our financial systems and practices align with legislative changes are also ongoing. Seasonal help for the year has been hired, and we are actively engaged in field work for the season, which engages each department area in different ways.

### Communications

Since the last board meeting, the Communications team has been actively working to enhance public engagement and awareness, as well as updating and refreshing website content to reflect amendments to the Conservation Authorities Act and new regulations pertaining to permitting activities. Below is a summary of the key activities conducted.

Two media releases were written and disseminated, as well as one Watershed Conditions Statement.

There were 171 social media posts created and published from April 19, 2024, to May 8, 2024, with a 3% increase in engagement across our social media platforms, bringing total engagements to 2,470. Post Impressions reached 59,200, while Post Reach was 44,400.

For more information, please contact Mark Majchrowski at extension 215.



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## Top Social Media Posts

Cross Channel Top Posts Sort by: Engagement rate (Descending) Gallery

<p><b>Kawarthaconservation</b> POST   May 5, 08:14 AM</p> <p>Local photographer, Michelle Bassie Brown...</p> <table border="1"> <tr><td>Likes</td><td>30</td></tr> <tr><td>Comments</td><td>1</td></tr> <tr><td>Saves</td><td>0</td></tr> <tr><td>Video views</td><td>0</td></tr> <tr><td>Impressions</td><td>213</td></tr> <tr><td>Reach</td><td>183</td></tr> <tr><td>Engagements</td><td>32</td></tr> <tr><td>Engagement rate</td><td>15.02%</td></tr> </table>	Likes	30	Comments	1	Saves	0	Video views	0	Impressions	213	Reach	183	Engagements	32	Engagement rate	15.02%	<p><b>Kawarthaconservation</b> POST   Apr 23, 09:25 AM</p> <p>A beautiful Broad-winged hawk hanging out...</p> <table border="1"> <tr><td>Likes</td><td>29</td></tr> <tr><td>Comments</td><td>0</td></tr> <tr><td>Saves</td><td>0</td></tr> <tr><td>Video views</td><td>0</td></tr> <tr><td>Impressions</td><td>264</td></tr> <tr><td>Reach</td><td>224</td></tr> <tr><td>Engagements</td><td>30</td></tr> <tr><td>Engagement rate</td><td>11.56%</td></tr> </table>	Likes	29	Comments	0	Saves	0	Video views	0	Impressions	264	Reach	224	Engagements	30	Engagement rate	11.56%	<p><b>Kawartha conservation</b> TIKTOK   May 6, 08:00 PM</p> <p>These Spring Ephemerals are usually the f...</p> <table border="1"> <tr><td>Likes</td><td>56</td></tr> <tr><td>Comments</td><td>2</td></tr> <tr><td>Shares</td><td>0</td></tr> <tr><td>Video views</td><td>593</td></tr> <tr><td>Avg. time watched</td><td>0:1777</td></tr> <tr><td>Impressions</td><td>593</td></tr> <tr><td>Reach</td><td>489</td></tr> <tr><td>Engagements</td><td>58.0</td></tr> <tr><td>Engagement rate</td><td>9.78%</td></tr> </table>	Likes	56	Comments	2	Shares	0	Video views	593	Avg. time watched	0:1777	Impressions	593	Reach	489	Engagements	58.0	Engagement rate	9.78%	<p><b>Kawartha conservation</b> LINKEDIN   May 5, 12:14 PM</p> <p>Local photographer, Michelle Bassie Brown...</p> <table border="1"> <tr><td>Reactions</td><td>11</td></tr> <tr><td>Comments</td><td>0</td></tr> <tr><td>Shares</td><td>0</td></tr> <tr><td>Post link clicks</td><td>27</td></tr> <tr><td>Video views</td><td>0</td></tr> <tr><td>Impressions</td><td>392</td></tr> <tr><td>Engagements</td><td>36</td></tr> <tr><td>Engagement rate</td><td>9.96%</td></tr> </table>	Reactions	11	Comments	0	Shares	0	Post link clicks	27	Video views	0	Impressions	392	Engagements	36	Engagement rate	9.96%	<p><b>Kawartha conservation</b> LINKEDIN   May 6, 12:56 AM</p> <p>Did you know that Conservation Authoritie...</p> <table border="1"> <tr><td>Reactions</td><td>32</td></tr> <tr><td>Comments</td><td>6</td></tr> <tr><td>Shares</td><td>2</td></tr> <tr><td>Post link clicks</td><td>29</td></tr> <tr><td>Video views</td><td>0</td></tr> <tr><td>Impressions</td><td>711</td></tr> <tr><td>Engagements</td><td>63</td></tr> <tr><td>Engagement rate</td><td>8.86%</td></tr> </table>	Reactions	32	Comments	6	Shares	2	Post link clicks	29	Video views	0	Impressions	711	Engagements	63	Engagement rate	8.86%
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## Campaigns

Communications staff have been heavily involved in the development, promotion, and marketing of several multi-faceted campaigns, including:

For more information, please contact Mark Majchrowski at extension 215.





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- Emergency Preparedness Week social media campaign (results to be shared at the June Board meeting)
- Lake Scugog Environmental Management Plan consultation
- Watershed Based Resource Strategy consultation
- Conservation Areas strategy
- International Migratory Bird Day event at Ken Reid Conservation Area
- 50 Million Trees video

### Finance

The finance team has been busy with the core functions of accounts receivable, payable, and payroll. Seasonal students have recently started, and efforts have been focused on onboarding documentation, set up, and OMERS offers. We have been working on developing internal management reports under the new framework to assist in financial health monitoring. We anticipate completing a fulsome interim statement to provide the Board at the next meeting. Additionally, efforts are focused on completing T3010 reporting for both our organization and the Foundation and addressing recommendations from the audit.

### Human Resources/Health & Safety

On April 29<sup>th</sup> and May 6<sup>th</sup>, we welcomed four new seasonal staff to the organization. The seasonal staff spent the first week participating in orientation and job specific training. These young workers will be helping both the Integrated Watershed Management, and Stewardship and Conservation Lands Departments until the end of August. Our seasonal staff bring a fresh perspective to the organization, helping in our busiest seasons. We appreciate the opportunity to assist in their career develop by offering skills and experience that can be applied in the future. Applications for seasonal staff wage subsidies were submitted to Eco Canada and approved for \$15,000 in funding to help offset seasonal wages.

Additionally, we have been monitoring legislative changes. The Working for Workers Four Act received Royal Assent in March with various proclamation dates for parts of the legislation. On initial review, there are impacts to our retention practices and policies that will require modification. Working for Workers Five Act has been tabled and is undergoing its second reading. There are amendments to both the Employment Standards Act and Occupational Health and Safety Act that we will be monitoring when associated regulations are prescribed.

### Information Technology

Year to date, we have completed 145 user requests for IT support tickets internally through

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daily operations. Assistance is being provided to the Integrated Watershed Management team in the development of the Drone Program for Sediment and Erosion Control purposes, drafting standard operating procedures, and quoting insurance.

Our building security enhancement project is in its final review. A purchase order has been finalized and an installation date is being scheduled for no later than end of year 2024. In parallel to this project, we are currently finalizing details for the cell repeater project which will support stronger cell signal at our administration location for both our security system and daily operations connectivity.

We have received new laptops for the 2024 refresh and have rolled out approximately 70% of this year's scheduled replacements.

### **PLANNING AND DEVELOPMENT SERVICES**

#### Planning and Permitting Activities

The Planning and Development Services department has been delivering on action items related to the implementation of the new Ontario Regulation 41/24. This includes delivering communications to our municipal partners and editing our public facing documents to reference the correct information in accordance with the new regulation. Our team has been collaborating with Central Lake Ontario Conservation Authority staff on updating our Internal Management System (IMS) to allow tracking of appeals, adjustments to special conditions for draft permits, and enhanced reporting on performance indicators. Staff has also undertaken a preliminary review of the KRCA Plan Review and Regulation Policies (2013) to draft updates based on the implementation of Bill 23 and Ontario Regulation 41/24.

During the first quarter of the year, we experienced a comparatively lower number of permit applications than in typical months. With the change in seasons, we are observing an increased number of incoming planning and permitting applications that is more comparable to our regular reporting. Our permitting performance continues to demonstrate improved achievement of key performance indicators compared to 2023. As of May 2024, staff will also be reporting on Provincial Guidelines for application review and permit issuance timeframes. We continue to receive reports of activity in the watershed to be followed up from a compliance perspective.

#### Source Protection Activities

Our Risk Management Official focused on responding to inquiries and notice requirements



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related to building and planning applications and reporting on annual progress tied to source protection policies. The Risk Management Official attended the Country Living Show in Fenelon Falls to share source water protection and best management practices with the community. As with other years, the presence was well received.

The finalized Trent Conservation Coalition annual progress report was presented to the Kawartha-Haliburton Source Protection Authority Board of Directors at their meeting in April. This report reflects the implementation progress of the Trent Source Protection Plan across the Trent Source Protection Region and was submitted to the Ministry of the Environment, Conservation and Parks by the mandated May 1 reporting deadline. Work has also continued on policy updates to address implementation challenges within the South Georgian Bay Lake Simcoe Source Protection Plan.

### Flood Plain Mapping Activities

#### *Trent Lakes*

The technical reports and work associated with creating the flood plains for Nogies Creek and Miskwaa Zibii River are complete. Public information sessions for the flood plain studies are scheduled for early summer.

## **STEWARDSHIP AND CONSERVATION LANDS**

### Community Outreach / Education

#### *Glow in the Dark Disc Golf*

Our team has been working with the Tourism department from the City of Kawartha Lakes as part of their Knapsack program. This program looks to develop a series of signature events to offer throughout the region to attract visitors and extend stays. We were successful in having our proposal accepted by this program, which offers coaching on event planning, and marketing while also assisting with the program launch. Our pilot Glow in the Dark Disc Golf tournament will be launched in late summer. Details are still being developed and will be made available to the board when we have specifics identified.

#### *Eco Extravaganza*

Staff attended a STEM family event at RH Cornish Public School located in Port Perry on May 2<sup>nd</sup>. Kawartha Conservation provided a Water Bug activity which saw well over 200 kids and parents pass by and participate in the activity. Not only did kids love the activity but teachers and parents were extremely interested in the idea of how water bugs are indicators of water quality. After the event, additional information was provided to a group of teachers who



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were interested in Kawartha Conservation providing in class lessons to their students and seeking input on how to create content for the topic.

### *Migratory Bird Day*



Ken Reid Conservation Area is an important birding sanctuary for thousands of migrating birds each year. Our forests, wetlands and meadows provide areas for rest and food for birds as they make their annual voyage north. On Saturday May 11<sup>th</sup> we hosted a series of community hikes and sessions to celebrate Migratory Bird Day while also recording the presence of 83 species.

The event started with a morning chorus walk led by our Watershed Resources Technician, Rob Stavinga. Participants enjoyed the sunrise over Sturgeon Lake as they listened to and documented the various bird species that stop over at Ken Reid. Some volunteers participated in “sit spots” where they continued to document species while others participated in hikes that focused on forest habitats, tree identification, and more.

Pinnguaq Association, one of our local partners, joined in the day by providing a hike that taught registrants how to use the Merlin app to help with identification of various species. We were also joined by the City of Kawartha Lakes Pollinator Action Committee that brought informative materials about pollinator species and how we can help to protect them.

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### *Forest Therapy*

On April 28<sup>th</sup> we hosted a Forest Therapy Walk through Parkbus, a program designed to get people out into nature. The program runs out of Toronto and encourages participants to “Try something new, expand your comfort zone, or engage in something you already love.” Over 40 participants from Toronto explored Ken Reid for the day, starting with a Forest Therapy walk led by Kristie Virgoe. The walk was very well received, and we are looking forward to hosting another one later this year.



### Conservation Lands

#### *Ken Reid Conservation Area*

In 2023 we secured a TD Friends of the Environment Fund grant to undertake a variety of planting projects around our Nature’s Edge Disc Golf course. Planting events began last summer and were finalized this spring. As part of the project we hosted 2 community planting events, 6 school groups, and the Boys and Girls Club. In total, we planted 517 trees and shrubs, and 1,280 native plants, restoring half an acre across 8 planting sites. In addition to the restoration, we were able to engage with 160 community members through the plantings.

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### *Pigeon River Headwaters Conservation Area*

Staff have been busy onboarding our seasonal staff and making them familiar with the wide variety of properties and projects we have on the go. The team started off strong, repairing one of the bridges at Pigeon River Headwaters early in May. This bridge is of significance to the team as it provides us with equipment access to the back of the park, making trail maintenance more effective and efficient.

### *Durham East Cross Forest*

Each year, we partner with the Durham Regional Police Services (DRPS) to allow them to provide their officers with ATV training at Durham East Cross Forest. The property offers opportunities for key health and safety training, and the officers offer enforcement at the property during these times. This year, officers were successful in laying charges against an individual who had travelled west on the unopened road allowance of Mount Joy Road and gained access to the property in his SUV. The vehicle was witnessed at the base of Test hill, a restricted area of the property that does not have any sanctioned trails. This partnership with the police continues to help us enforce the boundaries and trail regulations of Durham East Cross Forest and keep our property safe for the thousands of visitors each year.

## Stewardship

### *Implementation Action Plan*

#### *Agricultural Stewardship*

Our team has been working with the City of Kawartha Lakes to plan our participation at this year's International Plowing Match. Kawartha Conservation has been invited to participate in the City's booth, providing experiential learning opportunities to the tens of thousands of



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visitors expected this fall. In addition, we will be participating in the education tent as well, providing hands on educational programming to area schools that visit the event.

Staff have been working with the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) to develop a one-year program aimed at investigating local water quality on private agricultural operations as well as extended monitoring of properties where we have already completed projects. The goal of the program is to provide landowners with a report that details the quality of surface water on their property and to identify best management practices they can undertake to improve water quality. Participation in the program is voluntary, and there is no requirement to undertake any of the projects identified. Providing landowners with this information will help them make informed decisions about their farm operations and may lead to future projects to help improve water quality in the Talbot River Sub watershed.



### *Rural Stewardship*

Our large-scale tree planting for the year has wrapped up with 45,900 trees planted across

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the watershed. These large-scale planting projects are supported by Forests Ontario's 50 Million Tree program as well as Tree Canada's 2 Billion Tree program. In total, we secured \$110,550 in funding support and generated an additional \$51,033 in landowner contributions. The growth of this program over the past few years demonstrates the community commitment to reforesting our landscapes. We continue to be inspired by the commitment and vision of our landowners as they plant these new forests for future generations.

In addition to our tree planting program, we also offer an over-the-counter seedling sale program for landowners who want to do the planting themselves, or don't have enough trees to qualify for the planting program. We were able to sell a total of 17,225 trees, generating \$34,860 in revenue.



Our total number of trees planted or sold this year is currently 63,125. While there are still other tree planting projects that we undertake throughout the year, these two programs

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make up the bulk of our tree planting efforts. Our Stewardship Strategy from 2020 indicated goal of 21,000 trees per year from 2020 through to 2030. This target was set before we had the large-scale tree planting program. Based on our projections over the next 6 years, we anticipate that we will surpass our 10-year goal of 210,000 trees by an additional 405,650. This will result in a total of 302ha being forested over the 10-year span, an increase of roughly 200ha over our original estimation.

Our community's commitment and the support of programs like Forests Ontario and Tree Canada are helping us have a much larger impact on climate change resilience and achieving our overall goal of 30% forest cover for our watershed. According to carbonpirates.com it is estimated that this year's tree planting and seedling sale will sequester 370 tonnes of carbon this year.

### *Shoreline & Urban Stewardship*

Each year we provide a Native Plant Sale to help landowners looking to undertake stewardship projects on their properties. The kits we provide are linked to our Garden Guides, which help landowners layout their gardens using a format that was established by a professional landscape designer. This spring we sold 2,300 plants and generated \$9,325 in revenue to support our stewardship efforts.

### *Water Fund*

Our Scugog and Kawartha Water Funds provide incentive funds to private landowners and community groups who undertake projects that will improve water quality. This year, we have over 30 applications that will be going to the selection committees in late May and early June. Projects will be evaluated based on their merit and the potential to improve water quality. A summary of successful applications and values will be shared with the Board at the June meeting.

## **INTEGRATED WATERSHED MANAGEMENT**

On April 19<sup>th</sup>, the IWM department spent the morning touring the Lindsay Wastewater Treatment Plant. This experiential team building adventure provided great insight as to how raw sewage is processed and treated before returning into the Scugog River.



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The last few weeks have been extremely busy for the IWM staff as they begin field season and setting up equipment for various projects and programs, including setting up multiple loggers for temperature, conductivity, and flow. Staff also completed retrieval and deployment of 29 water temperature data loggers for our sensitive stream monitoring program. Data loggers record temperature every 1 hour at each site and information collected will assist tracking climate change conditions on our most sensitive cold-water streams across our watershed.



For more information, please contact Mark Majchrowski at extension 215.



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GIS staff have initiated a Climate Change Vulnerability Assessment project for the Kawartha watershed. This assessment will help to identify areas within the Kawartha watershed that have high vulnerability to Climate Change. Staff have begun to collect the data required and preprocessing layers. As we move forward with this project, updates will be provided.

### Watershed Resource Based Strategy

We launched a public feedback survey on our website for the Watershed Based Resource Strategy which closed on May 2nd. The public provided feedback on the following questions:

- What are the biggest environmental challenges facing you, your community, or your organization?
- Moving forward, what types of environmental information would you like to see gathered across the Kawartha watershed to fill knowledge gaps?
- What emerging trends or changes in environmental practices are you observing in your community?

In addition to the survey, staff will be going back and reviewing public engagement surveys completed for the Strategic Plan, Environmental Monitoring Strategy, Stewardship Strategy and most recently, the Climate Change Strategy to see whether there is any valuable feedback provided through those surveys that could be used for the Watershed Based Resource Strategy. A summary of results for the engagement process of the watershed-based resource strategy will be provided at the next Board of Directors meeting.

### Flood Forecasting and Warning

The month of April experienced a higher-than-normal amount of precipitation for the Kawartha watershed. All automated precipitation stations showed more than the historical average of precipitation, especially the weather stations situated in the south of our watershed; Blackstock and Port Perry.

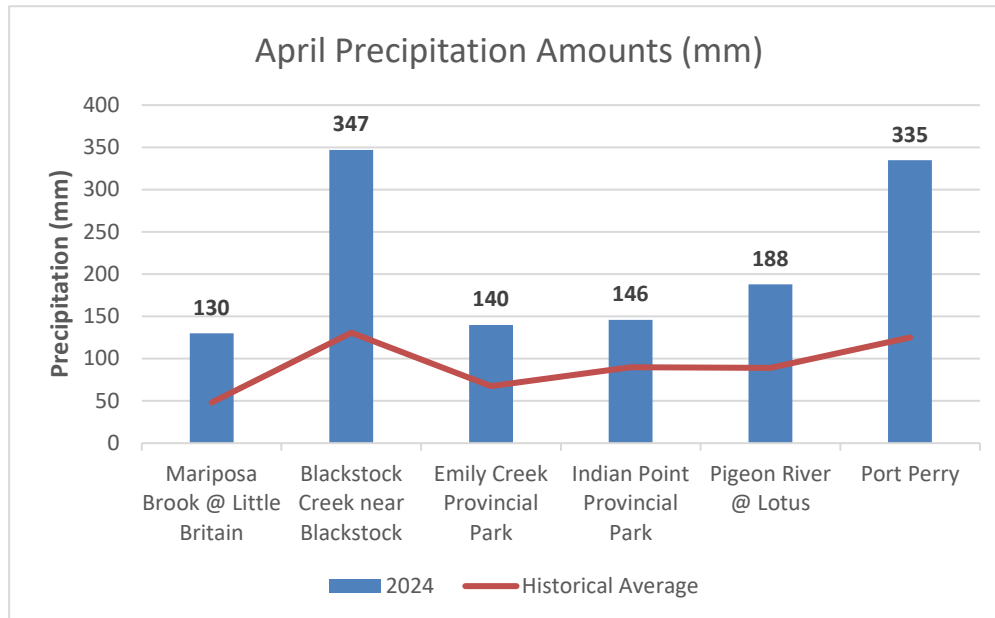


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*April precipitation amounts for Kawartha Conservation automated weather stations.*

The rain gauge at Ken Reid Conservation Area recorded 168.7 mm of rain, almost doubling the historical average for the month recorded at 86.7mm. These higher-than-normal precipitation amounts were caused by a series of rain events that swept across our watershed in April. These events triggered us to issue four watershed conditions statements – Water Safety on April 2, 11, 18 and 26 respectively.

The week of May 5-11 was National Emergency Preparedness week which encourages Canadians to take pro-active steps to prepare for emergencies. Kawartha Conservation joined other GTA Conservation Authorities in publishing one #floodfact and one #Hazel post on our social media platforms in rotation to maximize the audience and reach higher engagement.

In the past month, we have attended four Parks Canada meetings on the latest status of the Trent Severn Waterway system. Information regarding weather conditions, outlook of precipitation for coming week, lake levels and flows along the system were discussed. For the large lakes in our watershed, most lake levels experienced increasing, stabilizing, and receding cycles. Currently Balsam Lake is near full. Other lakes are around seasonal levels. The rate of change is dependent on forecasted precipitation in the coming weeks. Currently, rainfall is forecasted in the coming weeks for the watershed. A rise of water levels and flows is to be expected; however, no critical situations are foreseen. We will continue to keep a close eye on the situation.

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### **CKL Lake Management Plan Implementation**

#### *Lake Dalrymple Management Plan*

A Lake Dalrymple working group virtual meeting was hosted on April 25<sup>th</sup>, with 8 people in attendance. The purpose of meeting was to present key observations, issues and information gaps identified in the draft Lake Dalrymple Watershed Characterization Report, and to confirm approach and locations for this summer's public engagement sessions being held on August 22 and 24 at the Carden Recreation Centre. The Watershed Characterization report 'State of the Lake' summary indicated that Lake Dalrymple was in fair to good condition.

#### *Stormwater Monitoring*

Staff have successfully deployed and installed all relevant equipment for the stormwater monitoring project along Sinister, Distillery, Albert, Jennings, and Sucker Creeks and have initiated routine monitoring for all sites. We have set up automated samplers on Jennings and Sinister Creek. These automated systems (seen left) will help us capture rain events by collecting water samples during non-work hours.



### **Durham Implementation**

#### *Lake Scugog Environmental Management Plan - (LSEMP)*

This year marks the 20<sup>th</sup> anniversary of the Lake Scugog Environmental Management Plan. As we celebrate this milestone throughout the year, we are also determining whether we need to re-characterize the lake and develop a new set of recommendations.

In doing so, over the next couple of months staff will be engaging with key stakeholders,

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watershed residents and businesses within the Lake Scugog watershed through public outreach, face to face meetings and online survey to gather feedback on the following:

- What should Kawartha Conservation keep/change from our existing monitoring program?
- What types of questions can Kawartha Conservation help answer?
- What would you like Kawartha Conservation to focus on?
- How could we collaborate? What resources our needed?

To date, staff have presented to the Healthy Lake Scugog Steering Committee, Parks Canada – Trent Severn Waterway, Ministry of Natural Resources, Brock University, York University, and Mississauga's of Scugog Island First Nation. Consultation will continue until the end of June.

### *Lake Scugog Enhancement Project (LSEP)*

We have received approval under the Canadian Navigable Waters Act (CNWA), for the placement of three Fish Habitat Compensation Structures, located in Lake Scugog.

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

Nancy Aspden, Acting Director, Integrated Watershed Management; Jonathan Lucas, Director, Corporate Services; Kristie Virgoe, Director, Stewardship and Conservation Lands; Matthew Mantle, Director, Planning and Development Services



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

From: Mark Majchrowski, CAO

Re: Correspondence

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**KEY ISSUE:**

To provide the Board with correspondence received.

**RECOMMENDED RESOLUTION:**

RESOLVED, THAT, the attached correspondence be received.

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**BACKGROUND**

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

**Robyn Kurtes, Ministry of the Environment, Conservation and Parks – April 23, 2024**

RE: Decision on Excess Soil Regulation Amendments

The ministry is sharing the finalized amendments to O. Reg. 406/19: On-Site and Excess Soil Regulation (“Excess Soil Regulation”) and Rules for Soil Management and Excess Soil Quality Standards (“Soil Rules”). Further details on the amendments are provided for the Board’s interest on the attached correspondence.

**Alexander Harras, Region of Durham – April 25, 2024**

RE: 2024 Annual Climate Change Progress Process Report (2024-COW-12), Our File: D19

Durham Region Council at its meeting of April 24, 2024, adopted recommendation to receive the 2024 Climate Change Progress Report. A copy of the report is attached for the Board’s interest.

**Elizabeth Tompkins, Ministry of Natural Resources and Forestry – April 30, 2024**

RE: Kawartha Conservation Transition Plans and Agreements

Ministry confirmation that Kawartha Conservation’s confirmation of cost apportioning agreements, and submission of the final programs and services inventory was received.

For more information, please contact Mark Majchrowski at extension 215.



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### **Andrew McCammon, Ontario Headwaters – May 4, 2024**

RE: Bill 185 and aligned efforts should be withdrawn and significantly re-worked

Ontario Headwaters, a charitable Ontario corporation whose mission is to promote watershed security, is sharing a copy of their letter to Premier Doug Ford, providing comments on ERO #019-8320 – Regulation detailing new Minister’s Permit and Review powers under the Conservation Authorities Act, and ERO #019-8462 – Review of proposed policies for a new provincial planning policy instrument. Comments are provided for on the attached correspondence.

### **Chris White, Conservation Ontario – May 6, 2024**

RE: Conservation Ontario’s comments on the “Regulation detailing new Minister’s permit and Review powers under the Conservation Authorities Act” (ERO # 019-8320)

Conservation Ontario’s comments to the Province on ERO #019-8320 are provided for the Board’s interest on the attached correspondence.

### **Brandi Walter & Leslie Rich, Conservation Ontario – May 10, 2024**

RE: Conservation Ontario’s Comments on the “Proposed Regulatory Changes under the Planning Act Relating to the Cutting Red Tape to Build More Homes Act, 2024 (Bill 185): Removing Barriers for Additional Residential Units” (ERO# 019-8366);

“Proposed Planning Act, City of Toronto Act, 2006, and Municipal Act, 2001 Changes (Schedules 4, 9, and 12 of Bill 185 - the proposed Bill 185, Cutting Red Tape to Build More Homes Act, 2024)” (ERO# 019-8369); and the,

“Proposed Changes to Regulations under the Planning Act and Development Charges Act, 1997 Relating to the Bill 185, Cutting Red Tape to Build More Homes Act, 2024 (Bill 185): Newspaper Notice Requirements and Consequential Housekeeping Changes” (ERO# 019-8370)

Conservation Ontario’s comments to the Province on ERO #019-8366, ERO #019-8369, and ERO #019-8370 are provided for the Board’s interest on the attached correspondence.

### **Brandi Walter & Leslie Rich, Conservation Ontario – May 10, 2024**

RE: Conservation Ontario’s comments on the “Review of proposed policies for a new provincial planning policy instrument” (ERO # 019-8462)





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Conservation Ontario's comments to the Province on ERO #019-8462, related to the updated Provincial Policy Statement, are provided for the Board's interest on the attached correspondence.

**From:** [MECP Land Policy \(MECP\)](#)  
**To:** [MECP Land Policy \(MECP\)](#)  
**Subject:** Decision on Excess Soil Regulation Amendments  
**Date:** April 23, 2024 4:46:02 PM

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Greetings,

I am reaching out to share that Ontario has finalized amendments to O. Reg. 406/19: On-Site and Excess Soil Regulation (“Excess Soil Regulation”) and Rules for Soil Management and Excess Soil Quality Standards (“Soil Rules”). These amendments increase soil management flexibility and support greater reuse of excess soil from housing, infrastructure, and other construction projects.

To reduce burden and increase opportunities for beneficial reuse of excess soil, while protecting our province’s people and environment and working to stop the illegal dumping of potentially contaminated soil, Ontario has now made the following amendments to the Excess Soil Regulation:

- Enhanced usability of project leader-owned or controlled storage sites (Class 2 soil management sites and local waste transfer facilities) and soil depots to allow for larger volumes of soil being managed without requiring a waste approval, now up to 25,000 m<sup>3</sup> with additional flexibility for public bodies, and having greater alignment of rules across sites;
- Increased opportunities for reuse of salt-impacted soil in lower-risk circumstances;
- Exempting specified small projects and undertakings (generating or reusing 5m<sup>3</sup> or less) from hauling records, and clarifying required information and responsibility for hauling records;
- Exempting landscaping projects at enhanced investigation project areas from reuse planning requirements, as long as the area of excavation is assessed as not likely to be impacted by contamination;
- Clarifying the responsibility of the qualified person when substances such as polymers are used for dewatering or solidification of liquid soil;
- Enabling temporary storage of sediment and soil near waterbodies for projects excavating in or adjacent to that waterbody;
- Clarifying sampling requirements for tunnelling projects, salt-impacted soils, stormwater management ponds, and use of past sampling reports to avoid over-sampling; and
- Providing additional clarifications to assist with better understanding and consistent implementation of requirements.

The ministry had also consulted on proposed amendments to exempt additional soil management depots from needing a waste environmental compliance approval while following regulatory rules (i.e., aggregate reuse depots and small liquid soil depots), as well as proposals to file notices on the Excess Soil Registry for these depots and other existing sites. Based on the feedback received suggesting that more consideration and detail on the operational requirements is needed, the ministry has not yet finalized its decision on these matters.

More information on the finalized amendments may be found in the [decision notice](#) posted on the Environmental Registry. Links to the regulation and Soil Rules as well as existing guidance to help understand the regulatory requirements can be found on MECP's [Handling Excess Soil website](#). For information on using the Excess Soil Registry, please refer to the [Resource Productivity and Recovery Authority website](#).

MECP will continue to work collaboratively with stakeholders and Indigenous communities on implementation of these amendments and the Excess Soil Regulation in general.

Please pass this information along to colleagues, members of your organization, other organizations and anyone else that may be interested.

We would like to thank everyone who took the time to share input on this proposal. If you have any questions or would like to discuss these amendments or other aspects of the Excess Soil Regulation and Soil Rules, please contact Reema Kureishy or Chris Lompart at [MECP.LandPolicy@ontario.ca](mailto:MECP.LandPolicy@ontario.ca).

Sincerely,

**Original Signed by:**

Robyn Kurtes  
Director, Environmental Policy Branch  
Ministry of the Environment, Conservation and Parks



Sent Via Email

April 25, 2024

Patrice Barnes  
MPP, Ajax  
230 Westney Rd. S  
Ajax, ON L1S 7J5

**The Regional  
Municipality of  
Durham**

Corporate Services  
Department –  
Legislative Services  
Division

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**Alexander Harras  
M.P.A.  
Director of  
Legislative Services  
& Regional Clerk**

Dear Patrice Barnes:

**RE: 2024 Annual Climate Change Progress Report (2024-COW-12), Our File: D19**

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Council of the Region of Durham, at its meeting held on April 24, 2024, adopted the following recommendations of the Committee of the Whole:

- “A) That Regional Council receive this 2024 Climate Change Progress Report for information; and
- B) That a copy of Report #2024-COW-12 of the Chief Administrative Officer be sent to all Durham MPs and MPPs, local area municipalities, Conservation Authorities, and local energy utilities, for their information and consideration.”

Please find enclosed a copy of Report #2024-COW-12 for your information.

*Alexander Harras*

Alexander Harras,  
Director of Legislative Services & Regional Clerk

AH/sd

Enclosed

- c: E. Baxter-Trahair, Chief Administrative Officer  
M. Holland, MP (Ajax)  
J. Jivano, MP (Durham)  
J. Schmale, MP (Haliburton/Kawartha Lakes/Brock)  
P. Lawrence, MP (Northumberland/Peterborough South)  
C. Carrie, MP (Oshawa)  
J. O'Connell, MP (Pickering/Uxbridge)

If you require this information in an accessible format, please call 1-800-372-1102 ext. 2097.

R. Turnbull, MP (Whitby)  
T. McCarthy, MPP (Durham)  
L. Scott, MPP (Haliburton/Kawartha Lakes/Brock)  
D. Piccini, MPP (Northumberland/Peterborough South)  
J. French, MPP (Oshawa)  
P. Bethlenfalvy, MPP (Pickering/Uxbridge)  
L. Coe, MPP (Whitby)  
J. Grossi, Clerk, Town of Ajax  
F. Lamanna, Clerk, Township of Brock  
J. Gallagher, Clerk, Municipality of Clarington  
M. Medeiros, Clerk, City of Oshawa  
S. Cassel, Clerk, City of Pickering  
R. Walton, Acting Clerk, Township of Scugog  
D. Leroux, Clerk, Township of Uxbridge  
C. Harris, Clerk, Town of Whitby  
C. Darling, CAO, Central Lake Ontario Conservation Authority  
L. Laliberte, CAO, Ganaraska Region Conservation Authority  
M. Majchrowski, CAO, Kawartha Conservation  
R. Baldwin, CAO, Lake Simcoe Region Conservation Authority  
J. MacKenzie, CEO, Toronto and Region Conservation Authority  
J. Maclean, Elexicon Energy  
J. Taylor, Oshawa Power  
G. Lind, Hydro One  
B. Lee, Enbridge

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3802.



# The Regional Municipality of Durham Report

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To: Committee of the Whole  
From: Chief Administrative Officer  
Report: #2024-COW-12  
Date: April 10, 2024

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**Subject:**

2024 Annual Climate Change Progress Report

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**Recommendations:**

That the Committee of the Whole recommends to Regional Council:

- A) That Regional Council receive this 2024 Climate Change Progress Report for information; and
  - B) That a copy of this report, be sent to all Durham MPs and MPPs, local area municipalities, Conservation Authorities, and local energy utilities, for their information and consideration.
- 

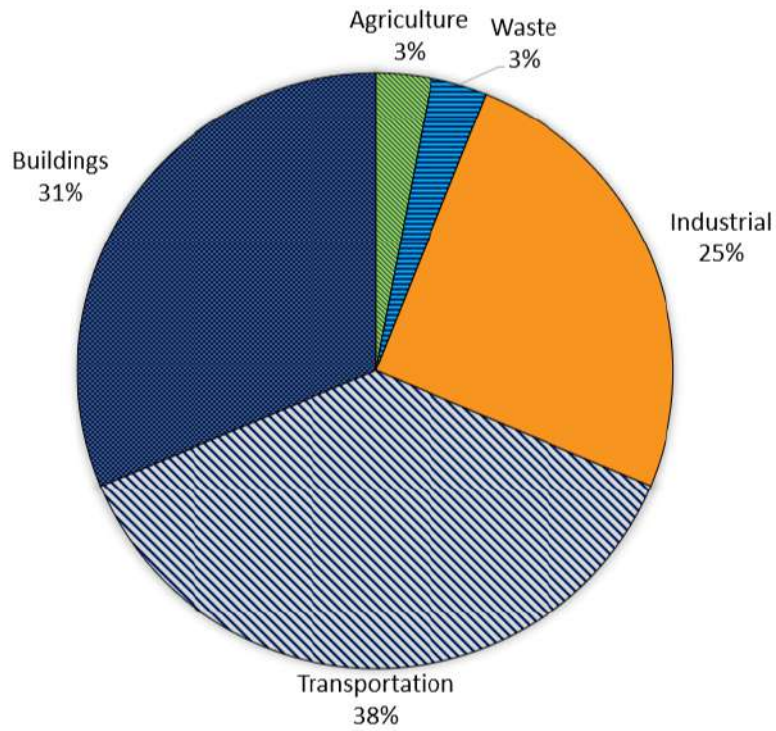
**Report:**

**1. Purpose**

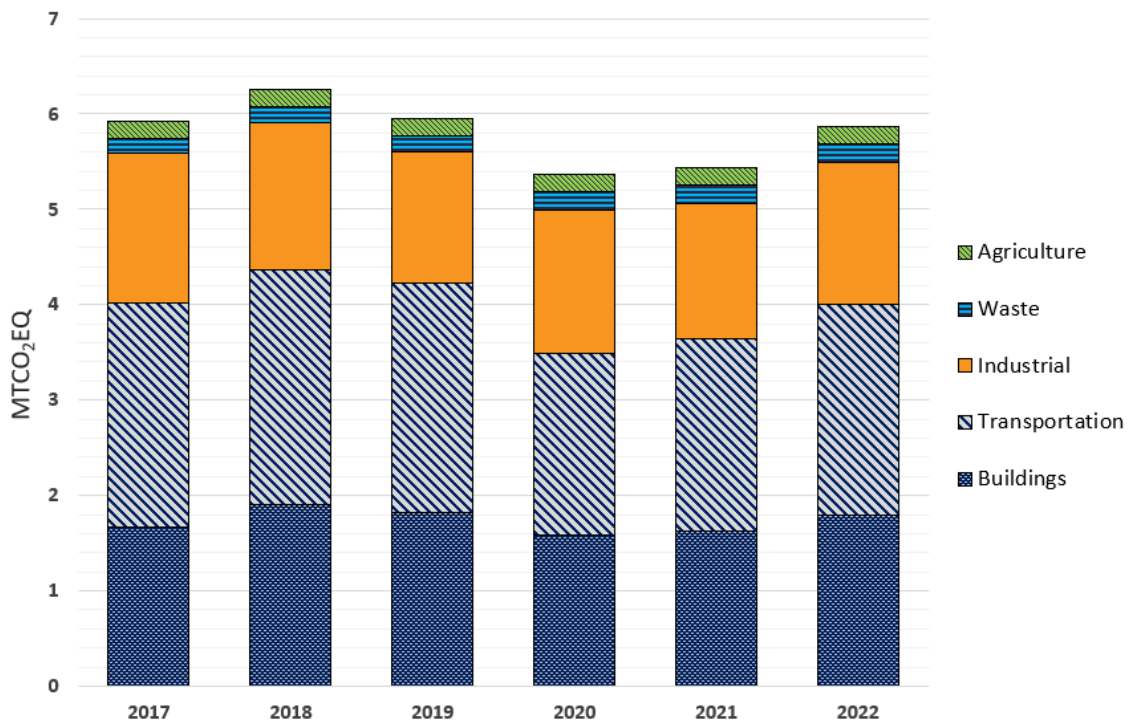
- 1.1 Leadership on climate change and sustainability is a key strategic priority for the Region, as reflected in the Region's strategic plan as well as within the new Council adopted Regional Official Plan. Regional Council's declaration of a climate emergency in January 2020 was a key decision point supporting the focus on climate action as a critical priority guiding municipal policy, investment, and operations. This annual climate change progress report provides a status update on the implementation of climate action plans endorsed by Regional Council.
- 1.2 Section 2 of this report provides an update on the [Durham Community Energy Plan](#) (DCEP). The DCEP was [endorsed](#) in principle by Regional Council and local area municipal councils in 2019 and outlines Durham's pathway to reduce greenhouse gas (GHG) emissions and facilitate the transition towards a clean energy economy through collaboration between the Region, local area municipalities, energy utilities, and other community stakeholders.

- 1.3 Section 3 of this report provides an update on the [Durham Region Corporate Climate Action Plan](#) (CCAP). The CCAP was endorsed by Regional Council in 2021 ([Report #2021-A-3](#)) and provides a framework for corporate decarbonization, including GHG reduction targets, and integration of a climate lens into the Region's business planning and budgets process. The CCAP was developed in collaboration with internal departments and operating divisions.
- 1.4 Section 4 of this report provides an update on the [Durham Community Climate Adaptation Plan](#) (DCCAP). DCCAP was endorsed by Regional Council in 2016 ([Report #2016-COW-103](#)) and sets out a vision, goals, and actions to help Durham Region adapt to climate change impacts. This plan was developed in collaboration between the Region, local municipalities, Conservation Authorities, energy utilities, and other local stakeholders.
- 1.5 **This is the fourth such annual climate progress report since Regional Council's 2020 climate emergency declaration. Previous annual climate update reports can be found on the [Region's website](#).**
2. **Durham Community Energy Plan (DCEP) Update**
- 2.1 Durham Region community-wide carbon emissions inventory update:
  - a. In late 2023, The Atmospheric Fund (TAF) published its annual [carbon emissions inventory report](#) for the Greater Toronto and Hamilton Area (GTHA). The report covered 2022 carbon emissions data across the four regional municipalities (Halton, Peel, York, and Durham) and single tier municipalities (Hamilton and Toronto) that make up the GTHA. TAF estimated that GTHA emissions increased annually by 8 per cent in 2022, which was the largest annual increase since 2015. Emissions increased across all six jurisdictions covered by the report, ranging from 5 per cent in Hamilton to 12 per cent in Halton Region. Carbon emissions in the GTHA will need to decrease by 9 per cent annually to reach 2030 targets in line with achieving net zero emissions by 2050.
  - b. Durham Region's emissions, as reported by TAF, and based on total activity within Durham's geographic boundaries, increased by 8 per cent in 2022 to 5.9 million tonnes of carbon dioxide equivalent (TCO<sub>2</sub>e), nearly reaching pre-pandemic levels (see Figure 2 below). The transportation sector was the biggest driver for this increase, up 9 per cent, and continues to be the largest source of GHG emissions overall in Durham Region (see Figure 2: Durham Region Total Community Emissions, 2017-2022 (MtCO<sub>2</sub>e)
  - c. below). The report acknowledges that most of the GTHA's agricultural activity is concentrated in Durham, making up 3 per cent of Durham's total emissions, and that food grown in Durham is consumed by communities across Ontario and beyond.

**Figure 1: 2022 Durham Community GHG Emissions by Sector (MtCO<sub>2</sub>e)**



**Figure 2: Durham Region Total Community Emissions, 2017-2022 (MtCO<sub>2</sub>e)**





2.2 The Region continues to support the implementation of the DCEP in partnership with local area municipalities, energy utilities, and other organizations with influence over energy use and emissions in the community. Updates across key areas of the DCEP low carbon pathway are provided below.

### 2.3 Existing Home Energy Retrofits

- a. DCEP called for deep energy retrofits across all the roughly 200,000 existing single-family homes in Durham Region to align with a low carbon pathway to 2050. Achieving this goal requires a tripling of the rate of home energy retrofits, with each retrofit including both envelope upgrades (e.g., insulation) as well as upgrades to heating and cooling systems (e.g., switching from natural gas furnaces to electric air source heat pumps).
- b. The [Durham Greener Homes](#) (DGH) program was launched in April 2022 to provide residents with a comprehensive voluntary residential retrofit program to achieve energy efficiency upgrades and deep energy retrofits. The program includes expert energy coaching services, tailored incentives, and third-party financing services.
- c. To date, more than 1,000 Durham Region homes have registered to participate in the DGH program, and of those, close to 100 homes have completed a deep energy retrofit. In April 2024, the DGH program will be enhanced with the launch of a virtual home energy audit tool (VHEAT) that will enable insights into the energy performance of all 200,000 homes across Durham Region. The Region is working with its contracted program administrator, Windfall Ecology Centre, to implement a direct marketing campaign to invite homeowners to register through the secure DGH portal to access their VHEAT report and begin their retrofit journey. This will be supported by tailored incentives administered by the Region with the support of FCM Community Efficiency Financing Program grant funding.
- d. As outlined in Section 4.4 below, Regional staff are also working to develop an enhancement to the DGH program that will focus on supporting homeowners with implementing climate resilience retrofits that can address risks associated with flooding and extreme heat impacts. A full update to Council on the DGH program, including planned enhancement, is expected in Q2 2024.

### 2.4 Existing Building Retrofits – Industrial, Commercial, Institutional, and Multi-Unit Residential Buildings.

- a. In addition to single family homes, DCEP's low carbon pathway includes deep retrofits in all existing industrial, commercial, institutional, and multi-unit residential buildings in the Region.

- b. The [Durham Greener Buildings](#) (DGB) program launched in January 2024 to support building owners and managers in complying with the Province of [Ontario's Energy and Water Reporting and Benchmarking \(EWRB\) Initiative](#). The program seeks to build capacity around benchmarking by providing a Help Desk and training support services to build familiarity, among building owners with Energy Star Portfolio Manager (ESPM), and in turn, drive demand for energy efficiency improvements throughout the building sector.
- c. The Durham Greener Buildings program complements and expands on the Durham Greener Homes program and will include a focus on supporting benchmarking and disclosing energy and water usage data of municipally owned buildings to showcase local government leadership in addressing climate change. Additionally, the program facilitates compliance with [Broader Public Sector \(BPS\) reporting requirements](#). In subsequent steps, staff will explore financing and funding opportunities while collaborating with partners to facilitate deep energy building retrofits. For further program details, please refer to report [#2023-COW-16](#).

## 2.5 New Construction – Durham Green Development Program

- a. Given expected population growth in Durham Region, and the associated need to build thousands of new homes annually over the coming decades, the DCEP identifies high energy performance in new building construction as a critical piece of Durham's low carbon pathway. Specifically, the DCEP calls for local municipalities to implement a tiered set of energy and emissions performance standards through the planning approval process, with the first tier mandatory and upper tiers of energy and emissions performance standards voluntary, supported by incentives.
- b. Local area municipalities, including [Town of Whitby](#), [City of Pickering](#), and [Town of Ajax](#) (the municipalities), have implemented green development standards since the DCEP was endorsed. These standards include a tiered set of energy and emissions performance criteria.
- c. While the provincial government's Bill 23 initially appeared to limit the ability of municipalities to implement green development standards, subsequent amendments as outlined in a [Letter from the former Minister of Municipal Affairs and Housing, Steve Clark](#), recognize the important work being done by municipalities through green development standards. The Minister's letter further articulated that the Province intends to consult with municipalities and other stakeholders on a consistent province-wide approach for municipalities wanting to implement green building standards that are above the minimum requirements in the Ontario Building Code (OBC) although to date, such consultations have not yet occurred.

- d. As part of the implementation of the [Pan Canadian Framework on Clean Growth and Climate Change](#), the federal government has moved forward with a National Building Code that includes energy performance tiers that are designed to move the building industry to net zero by 2030. As part of the code harmonization process, the Province of Ontario is updating the OBC to align with National Codes. There is an emerging need for market transformation to align with the tiered approach.
- e. The Region has focused on industry training and capacity building initiatives in collaboration with the Durham Region Home Builders' Association (DRHBA), and Natural Resources Canada's (NRCan) Local Energy Efficiency Partnerships (LEEP) team. Together with DRHBA and LEEP, the Region hosted a series of technology forums for builders and developers that are focused on high performance new construction. These sessions are continuing into Q2 2024.
- f. In 2023, Regional staff began working to develop a Green Development Program with an aim of:
  - building alignment amongst local municipal green development standards the new national model energy code tiers, and with forthcoming changes to the OBC; and
  - supporting voluntary adoption of higher energy performance tiers.
- g. The program development process has included evaluating policy tools to enhance energy performance and reduce GHG emissions in new residential construction, and collaboration with local municipalities and cross-departmental municipal staff teams, including Finance and Planning. Staff have consulted with energy utilities and building industry stakeholders through focus group sessions. Staff anticipate bringing forward a comprehensive program proposal to Regional Council in mid-2024.

## 2.6 Low Carbon Thermal Networks – Sewer Heat Recovery/District Heating.

- a. The DCEP identifies district energy (DE) as a key strategy for building sector decarbonization in Durham Region, which can potentially contribute more than 15 percent of GHG emissions reductions to meet the 2050 target.
- b. Exploration of DE opportunities have initially focused on Courtice given the availability of heat from the Durham York Energy Centre (DYEC) and the planned high population and employment densities around the Courtice GO Station Major Transit Station Area (MTSA). A preliminary business case analysis was developed in 2023, and presented to Council in January 2024 in Report [#2024-COW-1](#). Following Council endorsement in principle of the DES project concept for the Courtice Transit-Oriented Community (CTOC), staff are evaluating service delivery model options for the Courtice district

energy system, as well as updating the preliminary business case. A report outlining the recommended next steps is expected to be presented to Council in Q3 2024.

- c. In addition to work to evaluate district energy in Courtice, the Region is working with Brookfield Residential and energy developer Creative Energy to determine the feasibility of utilizing thermal energy from the Region's sanitary sewer system to meet most of the space heating and cooling requirements of the Dockside Development in the Port of Whitby. Staff are currently undertaking the final round of consultations and will develop the required Memorandum-of-Understanding (MOU) and the necessary agreements. For further details, please refer to report [#2022-INFO-16](#).
- d. Staff will initiate an assessment of DE opportunities across strategic growth areas outlined in the Regional Official Plan as part of an overarching, comprehensive thermal energy demand mapping effort for the Region, in collaboration with local area municipalities and energy utilities.
- e. Given the relatively new nature of DE work in Durham Region, the projects will help inform the development of future policies, standard agreements, and protocols to support the pre-screening, review and approval of district energy and waste energy transfer projects.

## 2.7 Electric Vehicle Adoption

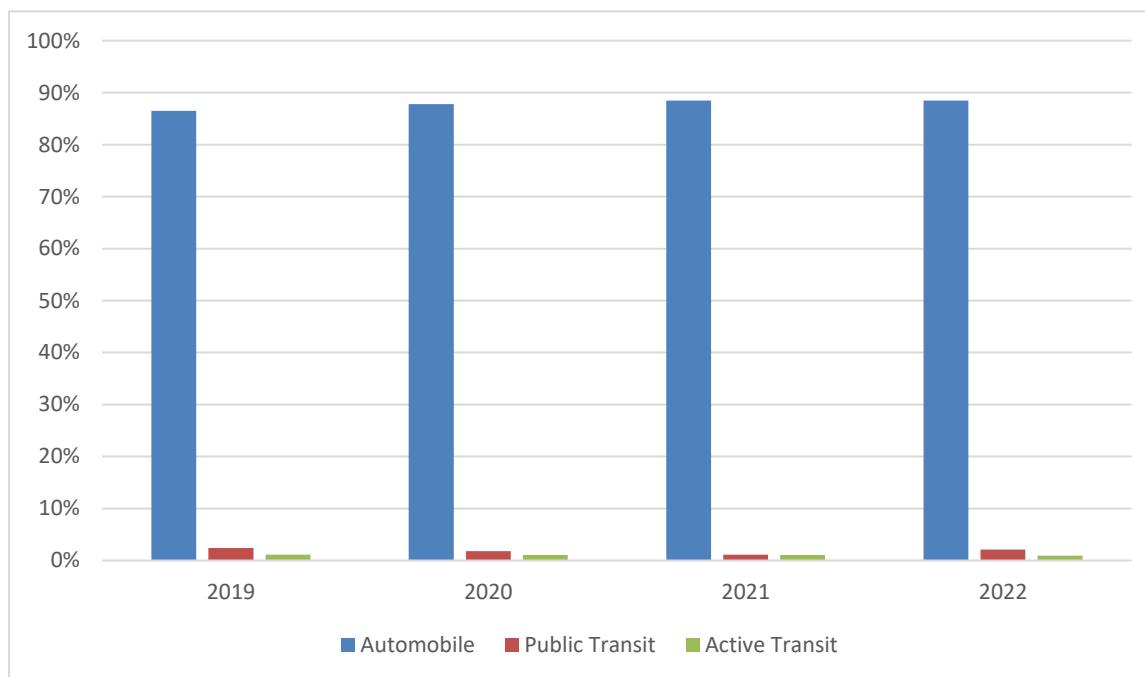
- a. The DCEP points to the transportation sector as a key area of focus, where electric vehicle (EV) adoption to reduce gasoline and diesel fuel use, will help to drive GHG reductions across Durham. As part of a multi-faceted approach to encourage the uptake of EVs across Durham, the Region, in collaboration with local municipalities and other public sector organizations have proceeded with the implementation of EV charging stations to support public and corporate fleet charging activities.
- b. To date, the Region has led on four collaborative proposals to NRCan for funding under the Zero Emissions Vehicle Infrastructure Program (ZEVIP) to support the implementation of EV chargers. Collaborative applications have been developed in partnership with local area municipalities, the Durham Catholic District School Board (DCDSB), Trent University Durham GTA, Oshawa Power and Utilities Corporation, and Central Lake Ontario Conservation Authority (CLOCA). In total, the Region secured \$ 2.7 million in approved grant funding to cover up to 50 per cent of eligible project costs related to the implementation of over 360 EV chargers to support public charging and corporate fleet applications.
- c. The installation of EV charging infrastructure plays a key role in stimulating consumer demand for EVs. In 2022, Durham experienced a surge in EV purchases compared to 2021, with 3,707 EVs (an increase of 80 per cent

over 2021) and 1,402 plug-in hybrid vehicles (PHEVs) (an increase of 34 per cent over 2021).

## 2.8 Public and Active Transportation

- a. Low carbon mobility options such as public and active transit are important for aligning community-wide carbon reduction outcomes with other priorities like community health, well-being and cost-of-living. As shown in Figure 3 below, the automobile remains the dominant form of transportation in Durham Region representing close to 90 per cent of total trips taken in 2022 (the latest year for which data is available). Auto mode share increased over the period from 2019 to 2022, with a commensurate decline in the share of trips taken by public transit and active modes. Transit did show an increase between 2021 and 2022, reflecting resumption of normal services from the COVID pandemic.

**Figure 3: Durham Region – Percentage of total trips per mode<sup>1</sup>**



- b. The Region has a critical role to play in enabling low carbon mobility through public transit service, and through investment in active transportation infrastructure through the Regional Cycling Plan, including strengthening its Transportation Demand Management (TDM) offerings and policies under its Smart Mobility Durham program.

<sup>1</sup> Source: Google Environmental Insights Explorer – Transportation Activity Data for the Regional Municipality of Durham. Available here:

<https://insights.sustainability.google/places/ChIJNWdhIINO1YkR3unhOZ62X88?hl=en-US&ty=2022>

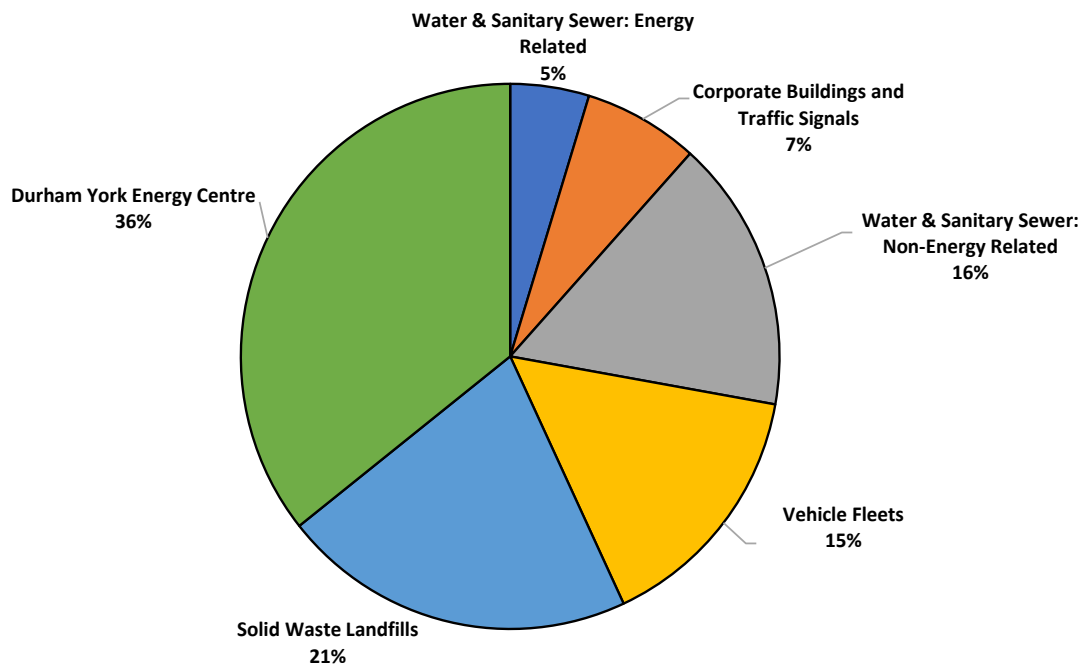
- c. In the fall of 2023, Durham Region Transit (DRT) saw record ridership levels which exceeded pre-pandemic levels. This was achieved despite a lower overall amount of service hours delivered by DRT in 2023 as compared to 2022 (~roughly 480,000 service hours in 2023 vs close to 590,000 service hours in 2022). Section 3.6a below provides additional information on planned investment to support increased transit service alongside bus fleet electrification.
- d. Through implementation of the Regional Cycling Plan (RCP) the Region continues to advance the installation of new cycling infrastructure. Since the adoption of the 2021 RCP, the Region has built approximately 52 kilometres (km) of cycling infrastructure for a total of approximately 121 km of regional cycling facilities. The 2024 budget approved funding for the construction of approximately 19 km of cycling infrastructure to be implemented as part of Regional Roads construction projects and \$0.9 million to advance shovel-readiness of cycling network infill projects.

## 2.9 Climate Governance and Public Reporting

- a. In addition to taking critical steps in advancing climate initiatives, the Region also undertook efforts to enhance community advisory capacity, and public facing communications on progress, as outlined below.
- b. **Durham Climate Roundtable (DCR)** – In 2023, the Durham Region Roundtable on Climate Change (DRRCC) advisory committee was integrated with the Durham Environmental Advisory Committee (DEAC), and a new arms-length Durham Climate Roundtable (DCR) was created, coordinated by Ontario Tech University. The DCR serves as a leadership accelerator, with membership representing diverse sectors across Durham Region, including regional and local government, corporate entities, and community organizations. The objectives of the DCR include providing advice to the Region of Durham on climate change matters and conducting climate change awareness and outreach activities. DCR member responsibilities include reviewing the annual DCR Report, participating in an annual Climate Forum, endorsing identified priorities for action by implementation teams, and acting as champions for climate action priorities within respective organizations, networks, and communities. For further details, please refer to report [#2022-COW-28](#).
- c. **Annual Durham Climate Forum** - the [Durham Climate Roundtable](#) (DCR) hosted the inaugural Durham Environment and Climate Forum on November 14<sup>th</sup>, 2023. The event showcased progress on climate action and celebrated the accomplishments of environment and climate change leaders across Durham Region. Staff are working with the Brilliant Energy Institute (BEI) and Ontario Tech University to deliver the upcoming annual climate forum, scheduled for fall 2024.

- d. **Durham Climate Dashboard** - The [Durham Climate Dashboard](#), formally launching later in April 2024, is an online platform designed to monitor the DCEP's progress in achieving the Region's climate targets. The dashboard displays local energy and emissions data and enables community members to see the progress and impact of climate action initiatives undertaken by the Region and area municipalities, and visually track the outcomes and impact of these actions.
3. **Durham Region Corporate Climate Action Plan Update – Leading by Example**
  - 3.1 Regional Council approved the [Corporate Climate Action Plan](#) (CCAP) in 2021 in support of municipal leadership in the community-wide transition to net zero and climate resilience. Key elements of the CCAP include GHG emission reduction targets for Regional operations, and a system to track, forecast and report progress annually against those targets to senior leadership and Regional Council.
    - 20 per cent GHG emissions reduction by 2025, below 2019 levels,
    - 40 per cent GHG emissions reduction by 2030, below 2019 levels, and
    - 100 per cent GHG emissions reduction by 2045, below 2019 levels.
  - 3.2 **Durham Region corporate GHG emissions inventory update:**
    - a. Durham Region's corporate emissions include energy consumption in regional buildings, vehicles, and infrastructure (e.g. water, wastewater, and solid waste management), as well as non-energy GHG emissions associated with the Region's solid waste management (closed landfill and DYEC emissions) and wastewater operations (process fugitive emissions).
    - b. Based on preliminary estimates, 2023 corporate GHG emissions were approximately 178,000 tonnes (tCO<sub>2</sub>e, rounded), which represents a 1 per cent decrease from 2022 totals. Non-energy related emissions in solid waste management and wastewater treatment operations continue to represent the largest share of total corporate emissions.
    - c. For other corporate operating areas, GHG emissions are largely associated with fossil fuel consumption in fleets from gasoline and diesel fuel whereas GHG emissions in corporate buildings are largely related to natural gas use for space and water heating in buildings. Energy-specific emissions for which the Region is directly responsible for billing was approximately 27 per cent of the corporate totals (based on 2023 estimates and net of the York Region estimated share of Duffin Creek WPCP).

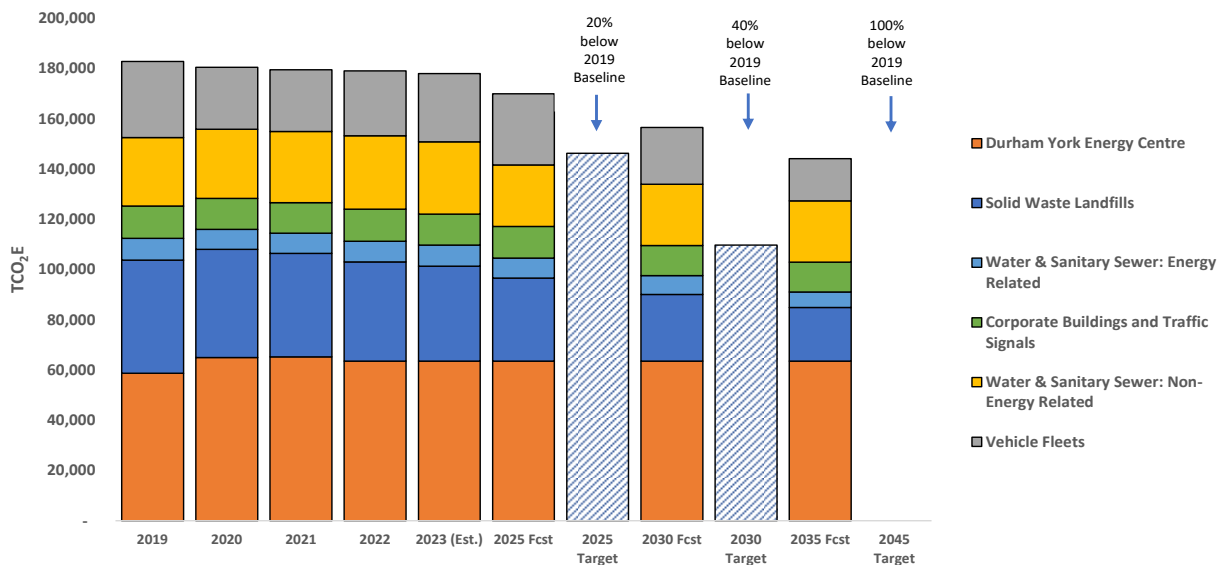
**Figure 4: Corporate GHG Emissions by Operational Area for 2023 (Preliminary Estimate)**



- 3.3 Progress in implementing the CCAP and aligning with Council-endorsed GHG reduction targets have been hindered by the extraordinary challenges facing the Region through the COVID-19 pandemic, ongoing supply chain constraints, and inflationary economic conditions. The Province of Ontario's Bill 23, passed in November 2022, added to these fiscal challenges through sweeping changes to regional land use planning and municipal financing that will place a greater burden on existing property taxpayers and ratepayers to cover the cost of future infrastructure for new community areas. In addition, the Region's corporate emissions profile includes complex emissions sources in solid waste management and wastewater treatment for which technology options are currently limited.
- 3.4 Figure 5 provides a projection of anticipated GHG reductions over the forecast period based on information contained within departmental 10-year capital plans. Based on current information and assumptions, large shares of the reductions are expected to be realized through fleet operations, including the planned electrification of transit service and through the natural decline of methane generation in closed landfills. As reported in 2022, there remains a significant gap between forecasted emissions, and Council endorsed corporate GHG reduction targets. As the findings and recommendations of the GHG Emission Reduction Pathways studies and Water & Wastewater GHG Management Strategy are developed and finalized, forecast estimates will be updated.



**Figure 5: Durham Region Total Corporate Emissions, 2019 to 2023 (Estimated) (MtCO<sub>2</sub>e)**



### 3.5 Corporate Buildings

- a. Corporate buildings (owned and leased facilities, excluding water and sanitary sewer vertical infrastructure) and Regional traffic signals represent seven per cent of total corporate GHG emissions, but a much larger share of the energy-related emissions at just over 25 per cent. With buildings representing the second largest source of emissions community-wide, Regional action in this area is important to demonstrate corporate leadership. Furthermore, with Regional buildings often providing front line services to vulnerable residents (e.g. long-term care homes, childcare centers, and social housing), investments to support climate resilience are critical.
- b. With the adoption of the [Durham Standard](#) in April 2023, all Regionally-owned and operated buildings will be constructed, renovated, retrofitted or expanded to a corporately approved building standard that aligns with the Strategic Plan and CCAP. Specific to corporate climate action, the Durham Standard sets a zero GHG design target and mandates that there is no on-site combustion of fossil fuels (excluding backup power fuel requirements).
- c. The Region has a number of corporate decarbonization projects underway:
  - Traffic Operations /Health Protection at 101 Consumers Dr. (Whitby): deep retrofit will lead to the phase out of on-site fossil fuel consumption.
  - Durham Region Local Housing Corporation (DRLHC) deep retrofits at 155 King St. E. (Oshawa) and 655 Harwood Ave. S (Ajax): include

improved building envelopes and upgrades to building heating, cooling, and ventilation systems.

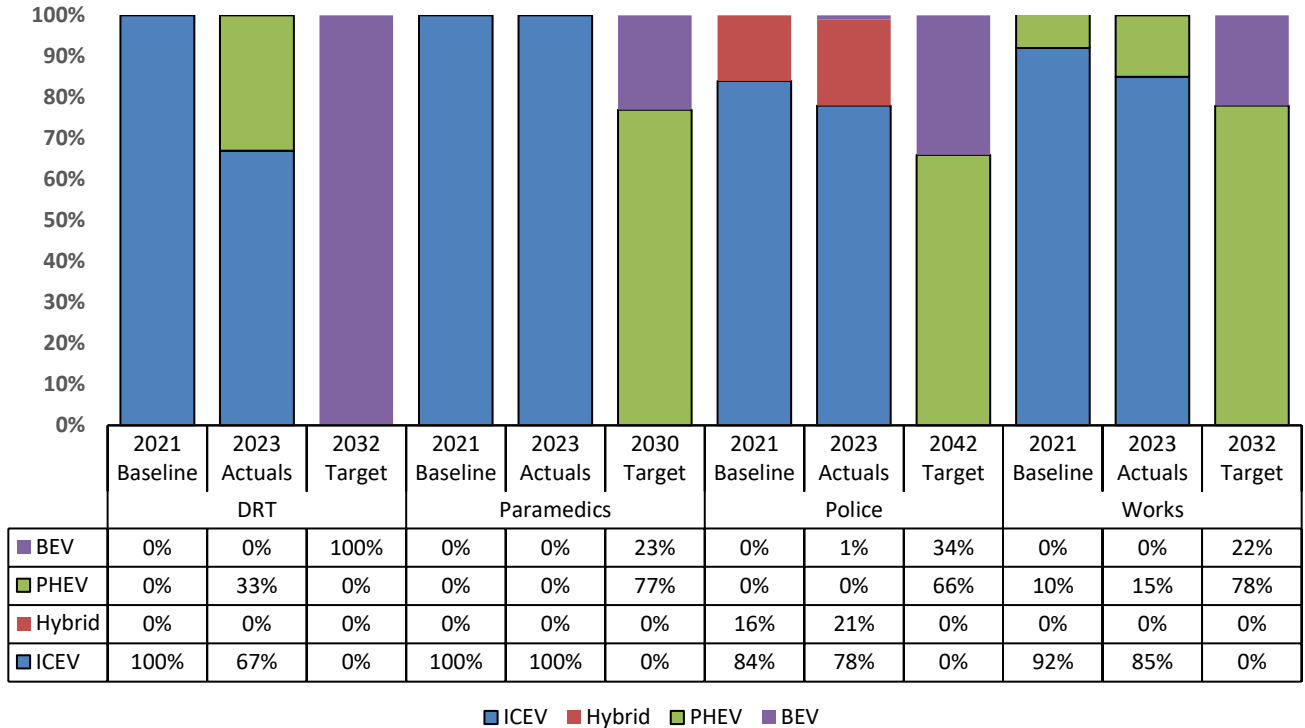
- Seaton Region of Durham Paramedic Services (RDPS) Station and Training Facility (Pickering): includes a geothermal system that will provide heating and cooling for the building and a solar photovoltaic (PV) system that will contribute to making this a zero-carbon building. This new build project is expected to be completed by the year end 2024.
  - Beaverton Transitional Supportive Housing Facility (Brock): all electric building systems and a rooftop solar PV system which will offset approximately 50 per cent of the building's electrical consumption.
  - Seaton Long Term Care (Pickering): is the first new building to be designed following adoption of the Durham Standard. As outlined in Report #2023-COW-34, the building will be 25 percent more efficient than OBC and future upgrades will be required to retrofit the building to meet the Region's target of net zero by 2045.
  - Clarington Police Complex Phase 2 (Clarington): is currently under construction and designed to include a geothermal field for heating and cooling. With DRPS requiring emergency redundancy for operations, natural gas will remain on site as a backup system.
  - DRT Thornton Rd. Transit Maintenance Facility (Oshawa): this project is in the early design phase with a goal of net zero GHG emissions. Design and issuance of the tender is planned for fall 2024, with construction beginning in early 2025 subject to the federal government's approval of the Regional funding application under the Zero Emissions Transit Fund.
- d. In addition to retrofit projects underway, staff are advancing the development of GHG Emission Reduction Pathways studies for all Regional buildings. Once complete at the end of 2024, measures recommended through these studies will be integrated into the 10-year capital plan and implemented through the annual budget process.

### 3.6 Corporate Fleet

- a. Corporate fleet vehicles made up 15 per cent of overall corporate emissions in 2023 but more than half of energy-related emissions. With transportation representing the largest share of community wide emissions (see **Figure 1**), action to reduce its fleet GHG emissions can serve as a leadership example for other public and private sector organizations.

- b. Regional investment to enhance public transit service can increase corporate GHG emissions in absolute terms while significantly reducing community-based emissions (e.g., growth of corporate transit fleet assisting in reducing passenger vehicle travel).
- In February 2023, Council approved Durham Region [Transit's 2023-2032 Transit Service and Financing Strategy \(Report #2023-DRT-05\)](#) which outlines an unprecedented 10-year investment in DRT services, including a 127 percent increase in revenue services, significant capital investments to implement the [DRT Fleet Electrification Plan](#), and priorities for infrastructure, accessibility, and passenger amenities. The 2024 budget includes an increase of 59,665 revenue service hours, bringing total service to 569,876 hours of conventional service and 174,692 hours of On Demand service.
  - DRT's first six battery electric buses are scheduled to be delivered in April 2024, and the bus fleet is anticipated to be fully electric by 2037. The 2024 budget includes the acquisition of 34 electric buses and supporting electrification infrastructure (pending federal funding approval). DRT's commitment to increasing revenue service hours and fleet electrification represents one of the most significant contributions the Region is making towards both community-wide and corporate decarbonization.
- c. In April 2023, Regional Council adopted a [Light Duty Fleet Electrification Plan](#) which outlines preliminary target years for 100 per cent electrification by fleet group. Figure 6 provides an update on the current state of light duty vehicle electrification across fleet groups, including battery electric vehicles (BEVs), plug-in hybrid electric vehicles (PHEV), hybrid electric vehicles (hybrid) and internal combustion engine vehicles (ICEVs). The 2024 budget includes investments of \$4.1 million for BEVs, PHEVs and hybrid vehicles in the Works and DRPS fleets.

**Figure 6: Light Duty Fleet Electrification Plan - 2021 Baseline, 2023 Actual, Targets**



- d. Staff are investigating the opportunity to pilot the use of renewable diesel as a seasonal diesel alternative for medium- and heavy-duty fleet during non-winter periods. A Request-for-Information (RFI) was undertaken by staff in the fall 2023 to assess market opportunities and understand the range of product offerings from various vendors, as well as associated environmental benefits and potential operating implications. Renewable diesel is a cleaner, green fuel, which could reduce the GHG emissions from summer diesel by 60 per cent or more (on a lifecycle basis). Potential cost implications continue to be assessed considering product price premiums, potential exemptions on applicable carbon fuel surcharges, and investments in the Region’s fleet electrification plans.

**3.7 Solid Waste Management.**

- a. This source of emissions is related to the management of residential solid waste on behalf of a growing region of more than 250,000 households. Solid waste management makes up 57 per cent of corporate emissions, with DYEC contributing 36 per cent and closed Regional landfills contributing 21 per cent. Solid waste emissions are estimated to have declined by close to 2 per cent in 2023 due to a decrease in methane production at the Region’s closed legacy landfills (DYEC held constant from 2022 values).

- b. Following Regional Council's decision to pause the procurement process for the Mixed-Waste Pre-Sort and Anaerobic Digestion (AD) Project in June 2022, staff developed an Organics Management Plan that was endorsed by Council in March 2023 ([Report #2023-WR-3](#)). The next steps to move the Region's organics management plan forward comprise of short- and long-term processes. The short-term process provides operational continuity by securing third-party organics processing capacity at a suitable AD facility beyond the end date of the current organics processing contract of June 30, 2024. The long-term process focuses on the future viability of the Region's AD Project. Regional staff will monitor the performance of the short-term organics management plan and adjust the long-term organics management plan requirements as appropriate.
- c. In October 2023, a biocover pilot project at the closed Oshawa landfill site was launched to determine if it can be an effective methane reduction method for closed landfill sites in the Region. The feasibility study estimates that a biocover could reduce methane emissions by up to 50 per cent and preliminary findings are promising. The pilot project will continue until March 2025, after which staff will determine whether the project warrants expansion.

### 3.8 Water and Wastewater

- a. Water and wastewater operations make up 21 per cent of total corporate emissions in 2023. This source of energy and non-energy emissions is related to the treatment, storage, and pumping of drinking water and wastewater for the benefit of residents, businesses, and institutions across the Region. Combined, water and wastewater produced approximately 37,200 tCO<sub>2e</sub> (rounded), largely relating to wastewater treatment operations (mainly biosolids incineration at Duffin Creek WPCP, fugitive wastewater emissions and natural gas usage).
- b. In 2023, the Works Department initiated the development of a Water and Wastewater GHG Emission Management Strategy to provide a roadmap towards decarbonization across the Region's water and sanitary sewer treatment plants, storage facilities and pumping stations. Work to finalize the Strategy is underway, and is anticipated to be presented to Council in Q2 2024 with identified decarbonization measures incorporated into the 2025 business planning and budgets process, including the 2025-2034 ten year capital plan. The Strategy will identify measures such as renewable natural gas (RNG) generation from wastewater treatment plants, and thermal heat recovery from the Region's sewer network as key opportunities to align corporate leadership with community-wide decarbonization objectives.
- c. The Strategy will also make recommendations for inclusion of additional emissions within the Region's corporate emissions inventory, mainly related

to Regional wastewater process emissions not currently quantified and reported. It is expected that the Region's emissions reporting protocols and boundaries for GHG reporting will be expanded for the 2025 CCAP update to include these additional emission sources.

#### 4. Durham Community Climate Adaptation Plan (DCCAP) Update – Towards Resilience

- 4.1 This section provides an update on climate adaptation and resilience measures, and highlights implementation progress, by sector, on the proposed programs recommended in the DCCAP approved by Council in 2016.
- 4.2 In 2020, the Region updated its future climate projections using the most up-to-date climate information. This updated [climate modelling](#) indicates that the [climate change impacts](#) already being felt will become more intense and severe over the coming decades.
- 4.3 **Cross-Sector** – Recommended Programs to increase climate resilience and action across departments and sectors and strengthen social cohesion in communities.
- a. **CS1: Protect Our Outside Workers** – Durham Region approved a [Heat Stress – Occupational Health and Safety Directive](#) in 2023 to ensure protective procedures are in place to reduce the hazard of heat stress to all Region of Durham employees who work in high temperature environments.
  - b. **CS2: Social Infrastructure for Emergency Resilience** – Several local area municipalities have or are developing cross-sector adaptation and resilience plans to identify and address local climate risks and vulnerabilities, including:
    - [City of Pickering](#) (in development),
    - [Town of Ajax](#),
    - [Town of Whitby](#), and;
    - [Municipality of Clarington](#).
  - c. Other initiatives to support community resilience and cross-sector climate action have been initiated including:
    - [Climate Resiliency: A Resident's Guide](#) developed by Durham Environment and Climate Advisory Committee (DECAC),
    - [Sustainable Neighbourhood Action Program \(SNAP\)](#) in Ajax and Whitby, and

- Planning for a new Toronto and Region Conservation Authority (TRCA) Climate Ready Towers program for multi-unit residential buildings.
- d. **Corporate Resilience** – The Region and local area municipalities are required to develop [corporate asset management plans and reports](#) which include reporting of risk and climate change adaptation and mitigation initiatives. Integration of climate adaptation into infrastructure design and operations occurs on a divisional basis. The Region is currently developing a Sustainable Infrastructure Design Policy and Standard in alignment with Strategic Plan goals and values, providing a tool to operationalize sustainability into Transportation, Water and Wastewater, and Waste infrastructure projects and facilities. Staff expect to present an overview of a draft policy and example standard to Council for information later in 2024.
- 4.4 **Building Sector** – Recommended programs to improve resilience of new and existing buildings to future climate conditions, through development standards and adaptation retrofits.
- a. **B1: The Durham Climate Resilience Standards for New Buildings** –, The Region and several local area municipalities have approved new standards incorporating climate resilience into new construction. In 2023, Durham Council approved the Durham Standard – A Standard for Regional Municipality of Durham Facility Construction and Renovation Projects requiring measures for asset resiliency, circular economy, water efficiency and ecology. [Town of Ajax](#), [City of Pickering](#), [Town of Whitby](#), and [Municipality of Clarington](#) have Green Development Standards approved or under development that promote cool roofs, natural heritage and urban forest, stormwater management, renewable energy, and greenspace protection. The Conservation Authorities have also developed technical and engineering guidelines for stormwater management, guided by provincial requirements.
- b. **B2: Building Retrofit for Climate Resilience** – The Region is working to expand the Durham Greener Homes (DGH) program (described above in Section 2.3) to include resilience measures such as basement flood mitigation, stormwater management and sustainable landscapes. This program will cross-promote emergency preparedness and heat protection programs. Staff expect to bring a proposed program update that includes resilience measures to Council for review and approval later in 2024.
- 4.5 **Flooding Sector** – Recommended programs to proactively reduce urban and riverine flooding risk, severity, frequency, and impact.
- a. **F1: Address Urban Flooding** –

- There have been several urban flooding and stormwater related assessments and projects led by the local area municipalities, for example [Whitby Bridge and Culvert Master Plan](#), and [Uxbridge Stormwater Management Master Plan](#).
  - Following a [Stormwater Management Funding Feasibility Study](#), the Town of Ajax introduced a Stormwater Fee and Credit Program in 2023 to support funding for the Town's stormwater management program, including system maintenance and rehabilitation.
  - There are also examples of low impact development (LID) implementation projects across the Region at public facilities, within municipal rights-of-way, and at demonstration sites, for example at [Ontario Tech University's North Oshawa Campus](#), and [Ajax Lakeshore Rain Gardens](#), and [permeable parking installations](#).
  - In Q2 2023, Durham Region launched [Flood Ready Durham](#), an information and resource hub about flood risk and resilience in the community. The website helps residents learn about their flood risk level, different types of flooding, and offers guides and other resources to help get flood ready and know who to call if flooding occurs.
- b. **F2: Redefine Flood Hazards to Consider Climate Change & F4: Address Riverine Flooding** – Durham conservation authorities have led several initiatives including updated floodplain mapping for Durham's watersheds including analysis of future climate change scenarios (e.g., TRCA [Duffin's Creek](#), GRCA [Lovekin, Bouchette Point, Port Granby Creeks, Wilmot, Graham Creek](#)), watershed flood studies and management plans (e.g., [Lynde Creek, Krosno Creek](#)) and dike rehabilitation projects (e.g., [Ajax](#)).
- c. **F3: Improve Flood Forecasting, Warning and Emergency Response** – Conservation authorities continue to provide flood forecasting, flood status indicators, and flood warnings to municipalities and the broader community. Updated flood modelling developed through studies such as the Region's Flood Vulnerable Road and Crossing Hydraulic Capacity Assessment (outlined below in Road Sector), provide information for emergency planning. Where possible, local area municipalities together with other municipalities, conservation authorities, and Ministry of Natural Resources and Forestry develop annual Flood Contingency Plans and Flood Preparedness Guides (e.g., [Clarington Flood Preparedness Guide](#)). Area specific plans have also been developed, including Town of Ajax Lower Carruthers Site Specific Emergency Response Plan.



- 4.6 **Human Health Sector** – Recommended programs to reduce health risks associated with extreme heat through advanced warning, protective measures for vulnerable residents, and reduced ambient summer temperatures.
- a. **HH1: Extreme Weather Alert and Response (EWAR) System** – In 2016, Durham’s Health Protection division launched [Durham Region’s Heat Warning and Information System \(HWIS\)](#), which provides advance notice of extreme heat conditions to municipalities, community partners and the public so that heat response plans can be activated in advance of extreme heat.
  - b. **HH3: “Cool Durham” Heat Reduction Program** - In 2018, Durham developed [Keeping Our Cool - Urban Heat Strategy](#) providing an overview of urban heat island causes, impacts, high risk areas in Durham, and recommended reduction measures. The Durham Region Standard (refer to Section 3.5) and local area municipal green building standards (see Section 2.5) integrate measures to encourage cooling of buildings as part of new construction or major renovation. Efforts to reduce urban heat have also been considered in local area municipal initiatives such as parks and recreation plans, urban forest initiatives, and Sustainable Neighbourhood Action Program (SNAP) in Ajax and Whitby.
  - c. Durham Region Health Department (DRHD) is currently developing a region-wide [Climate Change and Health Vulnerability Assessment](#) to examine the health-related impacts of climate change. These include extreme heat, extreme weather, vector-borne diseases (e.g., [tick-borne diseases](#) and [West Nile virus](#)) access and quality of food and water, poor air quality, and ultraviolet radiation.
- 4.7 **Road Sector** – Recommended programs to improve road performance and resilience to extreme heat and rain events and protect from washouts at stream crossings.
- a. **R1 Resilient Asphalt Program** – Heat resilient asphalt standards are now available. Climate-related increases in heat will be monitored and implemented when warranted.
  - b. **R2: Road Embankment Program** – The Region has led several successful pilots to address the impacts of extreme storm events on road embankments, with lessons applied to new projects where application is warranted.
  - c. **R3: Adaptive Culverts and Bridges** – Durham Region worked with TRCA in 2022 to develop a Flood Vulnerable Road and Crossing Hydraulic Capacity Assessment, identifying roads most vulnerable to flooding and recommendations to prepare for more frequent and intense rainstorms. This work informs asset management, disaster route planning, and

prioritizing future investments. CLOCA completed a similar study in 2023, and planning is underway for GRCA to undertake this work in 2024. All risk assessment results will be made available to regional staff through Durham's GIS mapping.

- d. Durham Maintenance Operations – Roads and Facilities staff successfully secured funding from [Canadian Wildlife Federation \(CWF\)](#) to lead a pilot to implement pollinator gardens along two regional roads and at regional depot facilities. The process and outcomes will be monitored and may help inform a broader strategy for pollinator plantings along strategic regional roads and facilities on a larger scale. This work is supported by the [Council-endorsed DECAC motion](#) regarding programming to support pollinators on Regional facilities and along Regional Rights-of-Way to support natural habitats and restoration.

#### **4.8 Natural Environment Sector – Recommended programs to enhance natural capital and build climate resilience in the natural environment.**

##### **a. NE1: Achieving Climate Change Resilience in the Natural Environment**

- In 2022, a TRCA Durham Natural System Climate Change Vulnerability Assessment was developed to identify natural system vulnerability to future climate conditions, helping inform Durham Region's Natural Heritage System (NHS) science, policy, and planning.
- Recent watershed planning is incorporating climate change scenarios into the process (i.e., [TRCA Carruthers Creek Watershed Plan](#)), and some conservation authorities are developing climate adaptation strategies (i.e., [LSRCA](#)).
- Protection and natural system resilience continues to be supported by local area municipalities and conservation authority's securement of environmentally sensitive land, ecological restoration and management projects, neighbourhood, or project-scale nature-based initiatives. The Town of Ajax has recently developed an [Urban Forest Study](#), [Invasive Species Awareness Program](#), and Invasive Phragmites Strategic Management Plan which will inform other local area municipality approaches.
- New ecosystem services tools have been developed including TRCA, Credit Valley Conservation (CVC), and LSRCA's [Natural Asset Carbon Assessment Guide and Toolbox](#) in 2022, developed to estimate green infrastructure carbon sequestration and storage . [Oshawa's Municipal Natural Assets Initiative](#) was initiated to understand and increase resilience of natural assets along the Oshawa Creek. TRCA's [Nature-Based Climate Solutions Siting Tool](#)

was developed in 2023 to identify strategic locations for green infrastructure and co-benefits, and can be applied outside TRCA jurisdiction.

- In 2022, Durham Region and its five conservation authorities launched [Durham TREES](#), a subsidized rural tree-planting program resulting in 218,000 trees planted in two (2) years. Planning is underway for a second phase, as well as a partnership with Trees for Life to support the Federal government's [2 Billion Trees program](#) across the Region.
- Since 2020, the Region and local area municipalities have partnered with LEAF (Local Enhancement and Appreciation of Forests) to plant over 1,300 native trees and shrubs. The LEAF planting program offers a subsidized rate through the Backyard Tree Planting Program for residents, multi-unit property owners, and commercial property owners in participating municipalities.

#### 4.9 **Food Security Sector** – Recommended programs to address climate adaptation in the commercial agriculture and food supply sectors.

- a. **FS1: Convene Commercial Agriculture Task Force** – Following the approval of the Durham Community Climate Adaptation Plan in 2016, two addenda were developed to support development of climate adaptation strategies in the commercial agriculture and food supply sectors. In 2019 [Growing Resilience - A Durham Agriculture Sector Climate Adaptation Strategy](#) was developed by the Agricultural Sector Expert Task Force, identifying risks to the local agricultural sector and adaptation opportunities. In 2021, [Inspiring Next Steps - A Summary of Durham Region's Food Security Task Force](#) was developed summarizing climate change impact on residents' food access, the results of several food security initiatives and key recommendations on food security.
- b. In 2024, the Durham Food Policy Council published the first [Durham Food System Report Card](#), evaluating a range of local food system indicators including food access, production, farmland protection, waste, education and literacy, Indigenous food sovereignty, cultural connections to food, and farmers and food system worker welfare. This report card and the above noted strategies support the objectives of the citizen-led [Durham Food Charter](#) developed in 2009.

## 5. **Relationship to Strategic Plan**

### 5.1 This report aligns with the following strategic goals and priorities in the Durham Region Strategic Plan:

- a. Goal #1 – Environmental Sustainability

- Goal 1.1 - Accelerate the adoption of green technologies and clean energy solutions through strategic partnerships and investment;
  - Goal 1.4 - Demonstrate leadership in sustainability and addressing climate change; and
  - Goal 1.5 - Expand sustainable and active transportation.
- b. Goal #3 – Economic Prosperity:
- Goal 3.4 - Capitalize on Durham’s strengths in key economic sectors to attract high-quality jobs.

## 6. Conclusion

- 6.1 Following Durham Region’s climate emergency declaration, staff have focused on driving implementation of the Region’s existing council-endorsed plans, and working to establish the Regional municipality as a leader in the context of community wide climate action. This report provides Council with an update on the implementation status of Region’s three Council-endorsed climate action plans covering work on community-wide energy transitions under the DCEP, community-wide climate resilience initiatives under the DCCAP, and corporate climate leadership programs under the CCAP. The report identifies key challenges, opportunities, and next steps to better align climate action efforts with the vision, goals and targets established by Regional Council.
- 6.2 Within the DCEP, implementation remains focused on supporting energy retrofits in existing homes and buildings with planned enhancements to the Durham Greener Homes (DGH) program to leverage digital technologies to enhance resident engagement, and the initial implementation of the Durham Greener Buildings (DGB) Program. Critical work continues in new building construction, including creation of a voluntary green development support program for the building industry, and work to advance the feasibility of district energy opportunities in strategic growth areas. Transportation-related emissions continue to represent the largest share of the Region’s community-wide carbon footprint, and will require sustained investment in public transit services, active transportation infrastructure, and EV charging infrastructure to see reductions in the coming years.
- 6.3 Within the CCAP, corporate building retrofits and high-performance new building construction are commencing, and GHG Emission Reduction Pathway studies are expected to be completed towards the end of 2024 for all building portfolios to enable integration of measures into the business planning and budgets process. The Water and Wastewater GHG Management Strategy is nearly complete and will provide a pathway towards decarbonization across Regional water and wastewater options, accounting for planned capacity growth to serve a growing population.

- 6.4 Within the DCCAP, implementation led by the Region, local area municipalities and conservation authorities is well underway across most recommended program areas. In 2024, the focus is on integrating resilience retrofit measures into the DGH program, developing a Durham Sustainable Infrastructure Design Policy and Standard, and completing Public Health climate vulnerability assessments. These will integrate equity considerations, leverage collaborations for collective impact, and consider strategic monitoring and evaluation to track change and demonstrate success.
- 6.5 This report has been reviewed by staff in Works, Finance, Planning, Social Services, Transit, DRPS, and Health, including RDPS and approved by Sandra Austin, Executive Director, Strategic Initiatives, 905-668-7711, extension 2449.
- 6.6 For additional information, contact: Ian McVey, Manager, Sustainability, at 905-668-7711, extension 3803.

Respectfully submitted,

**Original signed by**

---

Elaine C. Baxter-Trahair  
Chief Administrative Officer

**From:** [ca.office \(MNRF\)](#)  
**To:** [Melanie Dolamore](#)  
**Subject:** RE: Kawartha Conservation Transition Plans and Agreements  
**Date:** April 30, 2024 11:46:44 AM  
**Attachments:** [image002.png](#)

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Good Morning Melanie,

Thank you for providing confirmation regarding Kawartha Conservation's cost apportioning agreements, and for the submission of the final Programs and Services Inventory.

We appreciate the work Kawartha Conservation put into these deliverables and look forward to reviewing them. We will reach out if we have any questions.

Sincerely,

**Elizabeth Tompkins**

Policy Analyst, Conservation Authorities Unit | Policy Division  
Ministry of Natural Resources and Forestry | Ontario Public Service



*Taking pride in strengthening Ontario, its places and its people*

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**From:** Melanie Dolamore <mdolamore@kawarthaconservation.com>  
**Sent:** Friday, April 26, 2024 2:47 PM  
**To:** ca.office (MNRF) <ca.office@ontario.ca>  
**Cc:** Mark Majchrowski <mmajchrowski@kawarthaconservation.com>  
**Subject:** Kawartha Conservation Transition Plans and Agreements

**CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.**

Good afternoon,

On behalf of Mark Majchrowski, CAO, kindly find attached correspondence regarding Kawartha Conservation's Transition Plans and Agreements for programs and services identified in O. Reg. 687.21.

Kind regards,

Melanie Dolamore  
Corporate Services Assistant  
KAWARTHA CONSERVATION  
277 Kenrei Road  
Lindsay, ON K9V 4R1

Tel: 705.328.2271 ext. 216  
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[KawarthaConservation.com](http://KawarthaConservation.com)

The Kawartha Conservation Administration Centre is open Monday to Friday, 8:30 a.m. to 4:30 p.m. Visitors are encouraged to schedule an appointment in advance to ensure an appropriate member of our team is available to assist you. For more information, visit us online at [www.kawarthaconservation.com](http://www.kawarthaconservation.com) or call 705-328-2271.



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Doug Ford, Premier of Ontario  
Paul Calandra, Minister Municipal Affairs and Housing  
Graydon Smith, Minister of Natural Resources and Forestry



May 4, 2024

**RE: Bill 185 and aligned efforts should be withdrawn and significantly re-worked**

Dear Premier Ford and Ministers,

The Ontario Headwaters Institute, an Ontario corporation with charitable status whose mission is to promote watershed security, considers Bill 185 and its aligned initiatives an egregious package that represents a death knell for environmental protection, sound planning, and legal rights in Ontario.

The bill and its aligned efforts (ERO 019-8320 - Regulation detailing new Minister's Permit and Review powers under the Conservation Authorities Act - and ERO 019 8462 - Review of proposed policies for a new provincial planning policy instrument) should be withdrawn and significantly re-worked.

Over the last few years, most people in Ontario have supported the concept of efforts to reduce red tape and address the housing crisis. Sadly, the government's announced intentions have been implemented in cynical and toxic ways, often through omnibus bills or lengthy, multi-act regulatory changes, both with limited consultation. Repeatedly.

For example, the government has amended the Provincial Policy Statement four times and narrowed the mandate of conservation authorities so many times it is hard to count. It has reduced environmental safeguards in the Aggregate Resources Act, the Environmental Assessment Act, the Species at Risk Act, and the Ontario Wetland Evaluation System. It also tried to remove 15 parcels from the Greenbelt after promising to never touch it, apologized, and appears to be at it again.

Now, under Bill 185 and its aligned initiatives, the Province is once again proposing massive reductions to fundamental aspects of the environmental protection, planning, and legal regimes that made Ontario a model for the world.

Key aspects of the proposed changes that we oppose include:

Bill 185 (also ERO 019-8369)

- Abolishes regional planning, starting in Halton, Peel, Waterloo and York and then moving to all of the regions. This will, with other changes, encourage low-density urban sprawl, converting natural and agricultural lands while exacerbating water quality and quantity issues and the climate and biodiversity crises and doing little for affordable and attainable homes; and,
- Removes the right of appeal on Official Plans and Zoning By-Laws to the Ontario Land Tribunal for virtually everyone other than developers. This, along with Strong Mayor Powers, borders on totalitarianism.



ERO 019 8462: Replacing the Provincial Policy Statement with a Provincial Planning Statement

- Shifts planning from a balanced approach to crisis management to expedite housing;
- Allows sub-divisions on rural land throughout the Greater Golden Horseshoe;
- Allows settlement expansion at any time without a comprehensive municipal review;
- Abandons density targets; and,
- Removes the requirement for planning authorities to evaluate and prepare for the impacts of a changing climate on the water resource systems, further threatening Ontario's watershed security.

ERO 019-8320, New Permit and Review powers over Conservation Authorities

- This proposed regulation gives the Minister of Natural Resources and Forestry new powers to ignore and override conservation authorities, further weakening their valuable role in protecting Ontario's watershed security, with no ministry capacity for compliance and enforcement;
- In addition to supporting the position of Ontario Nature that that this proposal be withdrawn, we suggest that the reduction to CA mandates in Bill 23 be revoked and offer a further recommendation below.

These three initiatives go beyond your previous efforts to cut environmental protection, favour sprawl development, and subvert municipal democracy through Strong Mayor powers with the totally unacceptable withdrawal of legal rights. We recommend that:

1. All three initiatives be withdrawn and significantly re-worked, and that the anti-democratic provisions in Strong Mayor Powers be revoked;
2. Rather than pit the housing crisis against the environment, democracy, and legal rights, the Province should develop a sustainability lens for the Planning Act and/or the Provincial Policy Statement;
3. Rather than carve up our natural heritage, regional sources of life-giving water, and our agricultural lands for sprawl development, the Province should create new special policy areas across South-central Ontario to maintain the ecological goods and services and quality of life in Ontario for future generations; and,
4. Conservation Authorities should be re-mandated, with increased funding, to act as agencies for watershed security, nature-based solutions, and sustainable planning.

Sincerely,

*Andrew McCammon*

Executive Director

cc Designated recipients, Environmental Registry of Ontario  
Standing Committee on Finance and Economic Affairs  
Others



MNRF – Resources Planning and Development Policy Branch  
Conservation Authorities and Natural Hazards Section  
300 Water Street, 2<sup>nd</sup> Floor, South Tower  
Peterborough, ON  
K9J 3C7

May 6<sup>th</sup>, 2024

**Re: Conservation Ontario's comments on the "Regulation detailing new Minister's Permit and Review powers under the Conservation Authorities Act" (ERO # 019-8320)**

Thank you for the opportunity to comment on the "Regulation detailing new Minister's Permit and Review powers under the Conservation Authorities Act". Conservation Ontario is the network of Ontario's 36 Conservation Authorities (CAs). These comments are not intended to limit comments submitted by CAs on this proposal.

On April 1<sup>st</sup>, 2024, previously unproclaimed provisions in the *Conservation Authorities Act* (CA Act) and associated regulations came into effect. Provisions under sections 28.1, 28.1.1 and 28.1.2 of the Act provide the Minister new powers to:

1. Make an order to prevent a CA from issuing a permit to an individual (or individuals) to engage in an activity (or class of activities), that would be prohibited under section 28 of the Act;
2. Where an order is made, assume the responsibility for the permitting process in the place of a CA, where the criteria under section 28.1 of the Act concerning natural hazards and public safety can be satisfied; and,
3. Review (and potentially alter) CA permit decisions at the request of the applicant (where the Authority has refused a permit or assigned conditions to the permit that the applicant objects to).

Through Ontario Regulation 686/21, CAs provide mandatory programs and services to manage risks related to natural hazards, including preventing or mitigating those risks. Under the CA Act, certain prohibited activities require permits from the CA where the activity takes place in or adjacent to specified hazardous landscapes and features. CAs work closely with partner municipalities, the development community, consultants and watershed residents to ensure the permitting process and decisions are transparent, apolitical, and technically sound to protect people and property from the impacts of

natural hazards. Permitting decisions made by CAs are consistent with the *CA Act* and regulations and CA board-approved policies. When making decisions, CAs apply an integrated watershed management perspective to consider local conditions, potential impacts to upstream and downstream communities, and future management challenges.

Conservation Authorities support the Province's objective to increase housing without jeopardizing public health and safety, or the environment. Appeals of CA permitting decisions were infrequent over the past five years; specifically, <0.5% of the approximately 11,500 permits issued annually by CAs are appealed. Existing appeal mechanisms are in place under the *CA Act* to provide applicants with process certainty and appropriate recourse. CAs are committed to positive client service when reviewing and issuing permits, demonstrated by issuing 95% of all permits within provincial timelines in 2023.

In 2019, Ontario's Special Advisor on Flooding strongly supported the coordinated, scientific, and hazard/risk-based approach integrated in the current CA permitting process. This process, above all, holds the protection of people and property in the highest regard. Conservation Ontario offers the following comments to ensure this approach is maintained and that use of the Minister's powers will not have unintended impacts and consequences to long-established working relationships and CA review and appeal processes.

**Recommendation #1: THAT MNRF pause implementing the regulation and engage with Conservation Ontario and CAs to discuss proposed requirements, implementation details, and public guidance.**

The proposed regulation currently scopes the Minister's ability to intervene in the CA permitting process where the development activity pertains to a "specified provincial interest". Conservation Ontario notes the list of provincial interests is extensive, and captures too broad a scope of development applications submitted to CAs.

To ensure appropriate and efficient use of these powers, Conservation Ontario recommends MNRF pause finalization of the regulation and meet with Conservation Ontario, CAs, and municipal representatives to discuss the circumstances for use of the new Minister's powers as well as implementation / procedural details (i.e., how the Minister will consider requests / petitions and make decisions). Appropriate scoping of these details will ensure the process remains transparent and procedurally fair, extinguishes requests / petitions made to circumvent locally established processes, and continues to apply a watershed lens to natural hazard management.

Conservation Ontario offers the following initial comments to refine the proposed regulatory requirements:

- Certain provincial interests (e.g., community services) are defined as "Institutional use" in the Provincial Policy Statement (PPS) and are not permitted in/on hazardous lands and sites. Permitting these types of development activities in hazard lands

must not be considered by the Minister, and due care applied to ensure vulnerable populations or sensitive uses are not located in areas that pose an increased risk to life and property. Decisions by the Province must be consistent with the *CA Act*, Ontario Regulation 41/24, and policies in the PPS.

- Where a request for review or petition is made, proponents must indicate if the local municipality has endorsed the project and request for Minister's involvement. Development activities in one area of the watershed have the potential to impact upstream and downstream communities. Further, political resolutions are procedurally inappropriate where the CA Board (and Members) have hearing tribunal review responsibilities.
- It is proposed proponents be required to identify the status of other required project approvals. Proponents should be specifically required to indicate whether all approvals under the *Planning Act* are in place to demonstrate land use compatibility, appropriate zoning, etc. Permitting decisions made prior to having the appropriate planning approvals in place could put municipalities in a difficult position if they cannot support the works further to a Minister's permit.
- When a Minister's review is requested, the *CA Act* requires the Minister to notify the CA and applicant within 30 days of receiving a request. Further, when making an order under section 28.1.1, the Minister gives notice of an order to every applicable CA. In either scenario, notice should be provided to the applicable CA(s) at the time the request or petition is made. Confirmation on whether the proponent has made the CA(s) aware of initiating this process should be included in the regulatory requirements.

**Recommendation #2: THAT MNRF establish a multi-disciplinary technical advisory committee to provide decision recommendations to the Minister.**

The proposal does not address how the Minister will assess requests for review and petitions for orders and, if applicable, what information and criteria will be applied to make an order or a decision on a *CA Act* permitting matter. The *CA Act* requires the applicable CA to forward relevant documents and information relating to an application to the Minister, as well as provides the Minister with the ability to confer with any other person or body they consider may have an interest in the application. The *Act* and proposed regulatory requirements do not provide details on how this information will be considered.

Recent amendments to the *CA Act* and regulations require all CAs to develop permit application policy and procedure documents and make maps of regulated areas publicly available. CA permitting decisions are undertaken consistent with these board-approved policies, and informed by natural hazard mapping, modelling, and knowledge of local watershed conditions and ongoing/planned projects affecting the watershed. These tools, experience and expertise allow CAs to assess permit applications to determine if an activity may affect the control of flooding, erosion, etc., or jeopardize the health and safety of

persons or result in property damage. It is unclear how the Minister would review and make decisions on applications in the absence of these policies and tools.

An unclear process will add costs and time delays. The existing system includes professionals with a high degree of specialized expertise. For example, existing floodlines have been well justified and peer reviewed. To go down a path of competing submissions is better reserved for the Ontario Land Tribunal with the requisite experience to appropriately weight multiple technical expert submissions.

Alternatively, Conservation Ontario recommends MNRF establish a multi-disciplinary Minister's technical advisory committee to provide recommendations to the Minister when issuing permits or reviewing CA permitting decisions. The committee should bring together technical experts from CAs, Municipalities, the private sector, and applicable provincial ministries to prepare recommendations for the Minister on permit applications. A balance of expertise is essential to ensure bias is not introduced, allowing the Minister to make decisions based on the same criteria concerning natural hazards and public safety that are considered by CAs. Careful consideration of these applications is required to avoid unintended risk to public safety, properties, or natural hazards and avoid precedent setting decisions that may not align with CA board-approved policies.

**Recommendation #3: THAT MNRF is fully responsible and accountable for losses or damages arising from Minister's decisions on permits.**

When undertaking a review of a CA permitting decision or overtaking the CA permitting process further to an order, the Minister has the power to issue permits pursuant to the *CA Act*.

Where the Minister's decisions are inconsistent with CA Board-approved policies or CA natural hazard mapping and modelling, the liability for such decisions remains with the issuing body (the Minister of MNRF). CAs are not liable for decisions made under the *CA Act* by another body that may result in losses or damages. Liabilities and risks are one of the major drivers of exponentially increasing insurance costs/premiums, and CAs cannot be the insurers of last resort.

The amended *CA Act* and regulatory proposal purports to have CAs undertake compliance and enforcement activities with permits issued by the Minister. Without CA involvement in the review and approval process, it is difficult to anticipate enforcement and compliance staff resources necessary for permits issued by the Minister. Increases in enforcement and compliance activities may require additional time and staffing resources at the CA, that may increase costs associated with this program and service area. Due care must be applied when the Minister is reviewing and issuing permits to ensure appropriate conditions are assigned to the permit to minimize potential enforcement concerns.

Thank you for the opportunity to provide comments on the "Regulation detailing new Minister's Permit and Review powers under the Conservation Authorities Act" (ERO#019-8320). The details regarding these new Minister's powers must be carefully developed to ensure Minister's decision making on permits remains technical, apolitical and integrates a watershed perspective to natural hazard management to continue protecting the public, properties and infrastructure. Conservation Ontario would be pleased to meet with Ministry staff to further discuss the regulatory requirements and implementation details.

Sincerely,



Chris White  
Chair, Conservation Ontario

c.c. All CA CAOs/GMs



May 10, 2024

Ministry of Municipal Affairs and Housing  
Provincial Planning Policy Branch  
777 Bay Street, 13<sup>th</sup> Floor  
Toronto, ON M7A 2J3

**RE: Conservation Ontario's Comments on the "Proposed Regulatory Changes under the Planning Act Relating to the Cutting Red Tape to Build More Homes Act, 2024 (Bill 185): Removing Barriers for Additional Residential Units" (ERO# 019-8366);**

**"Proposed Planning Act, City of Toronto Act, 2006, and Municipal Act, 2001 Changes (Schedules 4, 9, and 12 of Bill 185 - the proposed Bill 185, Cutting Red Tape to Build More Homes Act, 2024)" (ERO# 019-8369); and the,**

**"Proposed Changes to Regulations under the Planning Act and Development Charges Act, 1997 Relating to the Bill 185, Cutting Red Tape to Build More Homes Act, 2024 (Bill 185): Newspaper Notice Requirements and Consequential Housekeeping Changes" (ERO# 019-8370)**

Thank you for the opportunity to comment on the proposed legislative and regulatory changes as part of "Bill 185, the proposed *Cutting Red Tape to Build More Homes Act, 2024*". Conservation Ontario is the network of Ontario's 36 Conservation Authorities (CAs). These comments are not intended to limit the consideration of comments shared individually by CAs.

To support the Province in reaching their goal to build more homes in a safe and expedited manner, Conservation Ontario offers two key recommendations from a natural hazard and source water protection perspective.

- 1. Protect people and property from natural hazards and protect sources of drinking water.** Amend Bill 185 to clarify that proposed expedited development (i.e., Additional Residential Units (ARU's), institutional uses and student housing, standardized housing,) and settlement area boundary expansions are excluded from hazardous lands and hazardous sites, areas where safe access through a natural

hazard cannot be achieved, and where development should be restricted to protect the quality and quantity of drinking water supplies.

- 2. Maintain legislation that enables councils and planning authorities to pass by-laws requiring pre-application consultation;** and allow time to complete the consultation process to enable planning authorities to make complete application decisions, prior to allowing applicants to appeal to the OLT.

In the context of increasing risks due to climate change and the reduced availability of commercial/home insurance products to mitigate financial risks and losses associated with the impacts of natural hazards, we ask the Province to strongly consider the above recommendations. This will **avoid siting development in areas where there is an increased risk to public health and safety and to property damage from natural hazards (e.g., flooding and erosion), and to ensure the ongoing protection of Ontario's sources of drinking water.** The following paragraphs elaborate on the above recommendations.

### **Enhancing the Framework for Additional Residential Units (ARUs)**

This proposal would enhance the Minister's authority to make regulations that could remove elements of municipal zoning by-laws (e.g., maximum lot coverage, limits on bedrooms allowed per lot) for the purpose of facilitating the development of ARUs, such as basement suites.

Conservation Ontario understands the importance of increasing availability of residential units in existing and proposed residential neighbourhoods to achieve the shared goal of building 1.5 million homes in a safe and expedited manner. Equally important to increasing the supply of housing is maintaining the health and safety of people, property and infrastructure, while safeguarding the natural environment. Under the *Planning Act*, the Minister shall have regard to matters of provincial interest, including the protection of public health and safety. Where the Minister considers using the new regulation-making authority, due consideration must be applied to ensure ARUs are not located in areas susceptible to natural hazards and where safe access through the hazard cannot be achieved, in accordance with Provincial standards. Furthermore, the Province should consider the potential cumulative impacts of locating ARUs on existing lots, including increased needs for stormwater management and the potential for localized flooding during storm events, resulting from increased impervious surfaces.

### **Recommendation**

Clarify the proposed Minister's regulation-making authority that would not allow the Minister to remove elements of municipal zoning by-laws that would direct ARUs outside of hazardous lands and hazardous sites and where safe access through the hazard is not achieved. Continue to empower municipalities to regulate lot coverage where there is a higher possibility that stormwater infrastructure could be overwhelmed.



## **“Use It or Lose It” Tools**

Conservation Ontario supports the Province’s proposal to enhance lapsing authority for approvals of draft plans of subdivision/condominiums and site plan control approvals. This proposal would help address outdated approvals that do not meet modern planning standards and would allow for the impacts of natural hazards to be reassessed upon lapsing. Natural hazards are dynamic and variable [especially in a changing climate] and the proposed tool would ensure that approvals reflect the current state of natural hazard features and associated risks; to reduce potential risks to public health and safety, and to property damage.

## **Municipal Pre-Application Process**

The Province proposes to make municipal pre-application consultation voluntary at the discretion of the applicant and to allow an applicant to challenge complete application requirements to the Ontario Land Tribunal (OLT) once a fee has been submitted or pre-consultation has begun. This proposal will revoke the existing-time-limited window once a municipality rejects an application as not being “complete”.

The pre-application process provides the applicant and municipality an opportunity to develop a comprehensive understanding of the site-specific application requirements for a project. Integrated pre-consultation with applicable regulatory agencies, such as CAs, is strongly encouraged as an effective process for scoping natural hazard technical studies that establish clear submission requirements. Pre-consultation also enables CAs, acting as Source Protection Authorities, to identify whether the proposal relates to a significant drinking water threat or its potential impact on any drinking water sources protected by a Source Protection Plan. Pre-application consultation frequently streamlines the applicant’s time and resources needed for a complete application and ensures natural hazard and drinking water source protection constraints are appropriately addressed. Furthermore, reasonable time should be allowed to complete the consultation process, before allowing an applicant to appeal to the Tribunal.

Should this proposal be enacted and where CAs are not included in pre-application consultation, the opportunity to address natural hazard impacts or potential impacts on drinking water sources protected by a Source Protection Plan could be missed. This may result in further delays as these impacts will need to be addressed later in the process.

## **Recommendation**

Maintain the ability for councils and planning authorities to pass by-laws requiring pre-application consultation; and allow time to complete the consultation process to enable planning authorities to make a complete application decision, prior to allowing an applicant to appeal to the OLT.

## **Expedited Approval Process for Community Service Facility Projects and Exempting Universities from the Planning Act**

A new section of the *Planning Act* is proposed that will enable regulations to provide for the

non-application of any provision of the Act, or a regulation made under the Act, or for setting out restrictions or limitations, to prescribed classes of community service facilities that meet prescribed requirements. The proposal would apply to community service facilities, including an undertaking of a board defined under the *Education Act*, a long-term care home, and a hospital. Similarly, publicly assisted colleges and universities are proposed to be exempt from the *Planning Act* and planning provisions of the *City of Toronto Act, 2006* for university-led student housing projects on- and off-campus.

The Provincial Policy Statement, 2020 strictly prohibits institutional uses, including long-term care homes, hospitals, and schools, from being located in lands affected by natural hazards and where safe access through the hazard cannot be achieved. Any proposed regulatory exemptions or expedited approval processes must consider the Province's direction regarding natural hazards to ensure vulnerable populations or sensitive uses are not located in areas that pose an increased risk to life and property.

### **Recommendation**

Amend the proposal to ensure any new regulation excludes institutional uses and student housing from hazardous lands and hazardous sites and where safe access through the hazard cannot be achieved, in accordance with provincial standards.

### **Facilitating Standardized Housing Designs**

A new section of the *Planning Act* is proposed that will enable regulations to establish criteria to facilitate planning approvals for standardized housing. The proposed changes would only apply to certain specified lands and would identify elements of the *Planning Act* and/or *City of Toronto Act, 2006* that could be overridden and/or certain planning elements that could be removed if the criteria are met.

Conservation Ontario recognizes the importance of establishing an expedited process for undertaking development of standardized housing; however, it must be provided in legislation that these projects be excluded from hazardous lands and hazardous sites, and in areas where safe access through the hazard cannot be achieved. This would further expedite approvals by only including sites that are safe to develop from a natural hazard perspective.

### **Recommendation**

Amend the proposed legislative change so that any new regulation include criteria that standardized housing shall not be permitted in lands affected by hazardous lands and hazardous sites, and where safe access through the hazard cannot be achieved.

### **Settlement Area Boundary Expansions**

The Province proposes to allow applicants to appeal a municipality's refusal or failure to make a decision on privately requested official plan or zoning by-law amendments that would change the settlement area boundaries, outside of the Greenbelt Area. Conservation Ontario is concerned that proposals for settlement area boundary expansions would disregard or underestimate natural hazards, safe access, and sustainability of municipal

sources of drinking water; resulting in a lengthy appeal process initiated by municipalities or CAs.

**Recommendation**

That the proposal be amended to require expansion of settlement area boundaries to exclude hazardous lands and hazardous sites, lands where safe access through the hazard cannot be achieved, and where development should be restricted to protect the quality and quantity of drinking water supplies, in particular if impacting sustainability of municipal sources of drinking water.

Thank you for the opportunity to review and provide comments on Bill 185. Should you have any questions regarding the comments and/or recommendations in this letter, please contact Brandi Walter at [bwalter@conservationontario.ca](mailto:bwalter@conservationontario.ca).

Sincerely,

*Brandi Walter*

Brandi Walter  
Policy and Planning Liaison

*Leslie Rich*

Leslie Rich, RPP  
Source Water Protection Manager

c.c. Conservation Authority CAOs / GMs



May 10, 2024

Ministry of Municipal Affairs and Housing  
Provincial Land Use Plans Branch  
777 Bay Street, 13<sup>th</sup> Floor  
Toronto, ON M7A 2J3

**RE: Conservation Ontario's comments on the "Review of proposed policies for a new provincial planning policy instrument" (ERO# 019-8462)**

Thank you for the opportunity to comment on the "Review of proposed policies for a new provincial planning policy instrument." Conservation Ontario is the network of Ontario's 36 Conservation Authorities (CAs). These comments are not intended to limit the consideration of comments shared individually by CAs. This letter provides general comments on the proposed policies and Attachment 1 provides responses to the consultation questions provided in the Environmental Registry notice.

Conservation Authorities play a key role within Ontario's land use planning and development framework. As prescribed through the Mandatory Programs and Services Regulation (O. Reg. 686/21), CAs review and comment on applications and other matters submitted pursuant to the *Planning Act* to help ensure consistency with the natural hazard policies found within policy statements issued under section 3 of the *Planning Act*, as well as the protection of drinking water sources.

Conservation Ontario is pleased with the proposed references to CA roles in natural hazard management and mitigation (see 5.2(1)) and watershed planning (see 4.2(5)), as well as promoting collaboration between CAs, planning authorities and the Province (see Vision [wise use and management of resources]). The proposed change to policy 5.2(1) requiring planning authorities to collaborate with CAs (where they exist) to identify hazardous lands and sites to manage development in such areas, is particularly welcome.

CAs apply an integrated watershed management perspective through their plan review and permitting roles which considers local conditions, potential flooding and erosion impacts to upstream and downstream communities, and future management challenges. This perspective is informed by natural hazard mapping, modelling, and knowledge of local

watershed conditions and ongoing/planned projects. This coordinated, scientific and hazard/risk-based approach used by CAs was strongly supported by Ontario's Special Advisor on Flooding in their 2019 report.

When planning for development in new or existing communities, the Province, planning authorities, and Conservation Authorities are required to work together to protect people, property and infrastructure from potential risks resulting from natural and human-made hazards. Conservation Ontario notes that language in the Vision section of the proposed PPS, 2024 is inconsistent with the proposed natural hazards policies (e.g., "mitigation" of risks associated with natural and human made hazards versus direction in policy 5.1.1 to direct development away from natural hazards where there is unacceptable risk to public health or safety or of property damage). To ensure a consistent approach with proposed policy 5.1.1 of the PPS, 2024, Conservation Ontario recommends the Vision section be amended to read "Potential risks to public health or safety or of property damage from natural hazards and human-made hazards, including the risks associated with the impacts of climate change, will be avoided, and where not possible, mitigated".

The provincial planning system has undergone significant changes in recent years, including several consultations on the replacement of the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe ("Growth Plan"). Upon issuance of the new PPS, planning authorities and CAs will require time to focus on implementation of updated provincial policy and legislation. To support successful implementation and increase consistency and certainty regarding planning outcomes, Conservation Ontario recommends the Province provide comprehensive implementation guidance for the proposed PPS in a timely manner. A list of the required implementation guidance is included in Attachment 1.

Ultimately, the efficacy of the proposed PPS policies hinges upon the ability to apply them through planning processes. For example, Bill 185 currently proposes amendments to the *Planning Act* to create regulations that provide for the non-application of any provision of the Act to community service facilities, including institutional uses. The Province is urged to ensure that applications involving institutional uses continue to be subject to the PPS such that the appropriate planning safeguards are in place to direct development outside of hazardous lands and hazardous sites, and areas where safe access through a hazard cannot be achieved. It is recommended that any proposed exemptions from the *Planning Act* and subsequently, the PPS, should be subject to the development being outside of a natural hazard area, where safe access can be achieved, and where no restrictions are required to protect the quality and quantity of drinking water supplies.

Thank you for the opportunity to provide comments on the "Review of proposed policies for a new provincial planning policy instrument" (ERO#019-8462). Comprehensive provincial policy must strike the appropriate balance on all matters of provincial interest. This balance will not only support the government's initiative to increase the supply and

diversity of housing in Ontario, but also provide for the continued protection of people, property and infrastructure from the impacts of natural hazards, drinking water sources, and natural spaces that support safe and healthy communities. Should this letter require any clarification, please contact Brandi Walter at [bwalter@conservationontario.ca](mailto:bwalter@conservationontario.ca).

Sincerely,

*Brandi Walter*

Brandi Walter  
Policy and Planning Liaison

*Leslie Rich*

Leslie Rich, RPP  
Source Water Protection Manager

Attachment: Conservation Ontario's Feedback on the Proposed Policy Concepts and Proposed Wording for a New Provincial Planning Policy Instrument.

c.c. All Conservation Authorities' CAOs / GMs

## Attachment 1: Conservation Ontario's Feedback on the Proposed Policy Concepts and Proposed Wording for a New Provincial Planning Policy Instrument

Conservation Ontario offers the following responses to the consultation questions provided by the Ministry of Municipal Affairs and Housing (MMAH) on the Environmental Registry proposal. These responses should be read in conjunction with the general comments provided in Conservation Ontario's covering letter.

### 1. What are your overall thoughts on the updated proposed Provincial Planning Statement?

- Conservation Ontario is pleased with the reference in the Vision section to the Province, planning authorities and CAs working together to mitigate potential impacts on development or risks to public health and safety associated with natural hazards, including the risks associated with the impacts of a changing climate.
- In addition to the proposed references for collaboration and coordination with CAs, Conservation Ontario continues to recommend CAs be explicitly referenced in policy 6.2(1) as a part of the "coordinated, integrated and comprehensive approach...when dealing with planning matters". The integration of CAs throughout the proposed Provincial Planning Statement is a positive step forward to continue protecting people, property and infrastructure from potential impacts of natural hazards as well as protecting sources of drinking water.
- Conservation Ontario notes that the Province is not proposing to carry forward policy 1.1.1(c) from the PPS, 2020 which emphasizes the need for healthy, livable and safe communities to avoid development which may cause environmental or public health and safety concerns. The development of safe and healthy communities and the protection and conservation of ecological systems and natural resources are identified as matters of provincial interest under section 2 of the *Planning Act*. As mentioned in the covering letter, the proposed Vision section states that "Potential risks to public health or safety or of property damage from natural hazards and human-made hazards, including the risks associated with the impacts of climate change will be **mitigated**" (*emphasis added*). This represents an unacceptable departure from the Province's commitment to directing development away from natural hazards; potentially increasing the risk to people and property. The Provincial "Understanding Natural Hazards" Technical Guide, identifies that prevention measures, including "good land use planning, development and management, and the regulation of hazardous lands and unsafe developments" is the first and most important step. The efficacy of this preventative approach was recently re-confirmed by the "Independent Review of the 2019 Flood Events in Ontario" as well as "Ontario's Flooding Strategy". A suggested revision is provided in the covering letter.

**2. What are your thoughts on the ability of updated proposed policies to generate appropriate housing supply, such as: intensification policies, including the redevelopment of underutilized, low density shopping malls and plazas; major transit station area policies; housing options, rural housing and affordable housing policies; and student housing policies?**

- Section 5.1 in the proposed PPS, 2024 states that development shall generally be directed to areas away from hazardous lands and hazardous sites. The proposed PPS must ensure that, in accordance with the natural hazard policies (section 5.2) and water policies (section 4.2), intensification does not occur in hazardous lands or on hazardous sites, where safe access through the hazard cannot be achieved, or where development should be restricted to protect the quality and quantity of drinking water supplies.
- CAs remain committed to working with the Province, Municipalities, and other partners in support of increasing the overall supply and diversity of housing types in Ontario while maintaining strong protections for public health, safety, and the environment.

**3. What are your thoughts on the ability of the updated proposed policies to make land available for development, such as: forecasting, land supply, and planning horizon policies; settlement area boundary expansions policies; and employment area planning policies?**

- Existing policy 2.2.8.3 in the Growth Plan requires planning authorities to determine the feasibility of proposed boundary expansions based on the application of all policies within the Growth Plan. This includes ensuring that the proposed expansion would be planned and demonstrated to avoid, or if not possible, minimize and mitigate any potential negative impacts on watershed conditions and the water resource system, including the quality and quantity of water. Conservation Ontario continues to recommend this policy be brought forward into section 2.3.2 of the proposed Provincial Planning Statement (New Settlement Areas and Settlement Area Boundary Expansions) for “large and fast-growing municipalities.” This inclusion would provide consistency with policies related to using the watershed as the meaningful scale for integrated and long-term planning.

**4. What are your thoughts on updated proposed policies to provide infrastructure to support development?**

- Policies in section 4.2 encourage all municipalities and require large and fast-growing municipalities to undertake watershed planning to inform planning for several purposes, including planning for sewage and water services. Conservation Ontario is pleased with policies in section 4.2 that now encourage all municipalities to collaborate with applicable CAs when undertaking watershed planning. The proposed changes to the definition of watershed planning are further supported which relate watershed planning to the evaluation and consideration of impacts of a changing climate on water resources systems and clarify that the process can be



undertaken at many scales.

- A list of “large **and** fast-growing municipalities” is provided in Schedule 1 of the proposed PPS, 2024. Further to proposed policy 4.2, these municipalities would be required to undertake watershed planning to inform planning for several purposes. While Conservation Ontario notes that all municipalities are “encouraged” to undertake watershed planning, the requirement to do so would not capture smaller municipalities currently experiencing rapid growth. Such municipalities would benefit from undertaking watershed planning to inform how best to manage and plan for growth, rather than waiting until a time where they may meet the criteria to be designated a “large municipality,” and mitigative options identified through watershed planning would be more limited.
- Conservation Ontario is pleased with the amendments to policy 3.6.8 (“planning for stormwater management”) which provides direction related to minimizing, preventing or reducing increases in stormwater volumes. This direction is a positive addition and will ensure planning authorities have regard to increased volumes which may contribute to pluvial and fluvial flooding in developed areas from stormwater flows.
- Existing policy 3.2.7 of the Growth Plan has not been carried forward into the proposed PPS, 2024, which requires municipalities to develop stormwater master plans that are informed by watershed planning or equivalent, and examine / assess cumulative impacts to stormwater from development, including how impacts are exacerbated during extreme weather events. This policy is significant for mitigating impacts associated with a changing climate within Ontario’s communities. Conservation Ontario recommends this policy be retained for large and fast-growing municipalities.
- Conservation Ontario supports the new proposed policy 2.3.2.2 that requires planning authorities to “identify a new settlement area only where it has been demonstrated that the infrastructure and public service facilities to support development are planned or available.”

**5. What are your thoughts on updated proposed policies regarding the conservation and management of resources, such as requirements to use an agricultural systems approach?**

- Conservation Ontario is pleased with the integration of CAs with respect to identification of hazardous lands and sites, and management of development in those areas.
- As noted in comments on previous consultation about the PPS, Conservation Ontario supports the proposal to keep the natural heritage policies and related definitions analogous to those in the PPS 2020. Natural heritage features such as forests and wetlands play important roles in reducing flows, storing floodwaters, and mitigating drought. The natural heritage, water resource and natural hazard systems are inextricably linked, and coordinated protection of these systems is necessary to mitigate potential impacts associated with natural hazards, protect

drinking water sources, and provide access to green / open space which contribute to the development of safe, sustainable, and complete communities.

**6. What are your thoughts on any implementation challenges with the updated proposed Provincial Planning Statement? What are your thoughts on the proposed revocations in O. Reg. 311/06 (Transitional Matters - Growth Plans) and O. Reg. 416/05 (Growth Plan Areas)?**

- Conservation Ontario continues to recommend that the Province provide comprehensive, up-to-date implementation guidance concurrently with the issuance of the updated Provincial Planning Statement. It is noted that the proposed policies are quite flexible and may result in additional Ontario Land Tribunal hearings without adequate interpretation support. Comprehensive and up-to-date guidance with ongoing implementation support from the Province would help to increase consistency and certainty regarding planning outcomes, resulting in more timely approvals.
- Specifically, the Province should consider updating and/or finalizing the following: the Natural Hazard Technical Guides, the 1993 Watershed Planning Guidelines, the 2022 Subwatershed Planning Guide, and the Natural Heritage Reference Manual (and related guidance). Updated implementation guidance should include direction on planning for a changing climate, particularly with regard to natural hazard management, watershed/subwatershed planning, and stormwater management.

**Agenda Item #8.1**

BOD Meeting #5/24

May 23, 2024

Page 1 of 1

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

From: Mark Majchrowski, CAO

Re: Fee Policy Update

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**KEY ISSUE:**

Updates to the Conservation Authorities Act requires an update to the fee policy for appealing a fee for permits made under subsection 28.1 (2) of the *Conservation Authorities Act*.

**RECOMMENDED RESOLUTION:**

RESOLVED, THAT, the fee policy be approved, effective immediately.

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On April 1, 2024, Ontario Regulation 41/24 came into effect, which affected changes to the *Conservation Authorities Act*. Among the changes to the Act, a framework was established wherein applicants can appeal the fees charged for a permit. This new provision (*Conservation Authorities Act*, S. 21.2 (13)-(17)) states that if any authority receives a request for reconsideration of a fee charged for an application for a permit made under subsection 28.1 (2), the authority shall make its decision within 30 days after receiving the request. Further, that if any authority fails to reconsider a fee within 30 days of receiving the request, the individual who made the request may appeal the amount of the fee directly to the Ontario Land Tribunal.

On October 27, 2022, the Board of Directors approved the Fee Policy and Schedule for Kawartha Conservation which includes a general section on appealing the fees charged by the conservation authority. Amended wording to the policy and applicable schedules was brought forward and endorsed for public consultation on April 25, 2024, which addressed provisions outlined in the legislation, including permit fee appeals and other fee reconsiderations.

The amended Fee Policy and note attached to the Permitting Fee Schedule have been posted on our website for the period between last month and this month's Board meetings, with a specific notice to all users to the website. No comments have been submitted. It is proposed that the amended Fee Policy and Fee Schedule be approved, effective immediately. The amended Fee Policy and Permit Fee Schedule are attached and will be incorporated with the remainder of the fee schedules which have not changed.

# Kawartha Conservation Fee Policy and Schedule

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Effective January 1, 2023  
Revised May 23, 2024  
FIN007



**KAWARTHA  
CONSERVATION**

Discover • Protect • Restore



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<b>Department:</b> Corporate Services	<b>Title:</b> Fee Policy and Schedule	<b>Policy No:</b> FIN007
<b>Responsibility:</b> CAO	<b>Approved by:</b> Board of Directors	<b>Date of Approval:</b> October 27, 2022
<b>Cycle of review:</b> Fee Policy, Every 3 years or as needed Fee Schedule, Annually or as needed		
<b>Revisions:</b> May 25, 2024- permit fee appeals, legislative conformity		<b>Page:</b> 1 OF 9

## Fee Policy

### Policy Purpose

The purpose of the Fee Policy and Schedules is to inform the public and our municipal partners of the fees charged for programs and services delivered by Kawartha Conservation.

### Background

Amendments to the Conservation Authorities Act were undertaken in 2020 to clarify the programs and services that conservation authorities provide. Following this, *O. Reg. 686/21 Mandatory Programs and Services* provided additional clarity regarding the programs and services that Conservation Authorities are required to provide.

In April 2022 the *Policy: Minister's list of classes of programs and services in respect of which conservation authorities may charge a fee* ("Minister's List") was published. Conservation Authorities may only charge a fee for a program or services that it provides if it is set out in the Minister's List. The Minister's List replaces the *1997 Policies and Procedures for the Charging of Conservation Authority Fees* which was approved by the Minister of Natural Resources and Forestry.

### Legislation

The Conservation Authorities Act (CAA) Section 21.2 allows for conservation authorities to charge fees for services. This policy serves to fulfill the requirement for a written fee policy and fee schedule with respect to the fees that it charges for the programs and services it provides. The Minister has defined three categories in which Conservation Authorities can charge fees.

#### Category 1: Mandatory Programs

The CAA Section 21.1 Mandatory programs and services and *Ontario Regulation (O. Reg.) 686/21 Mandatory Programs and Services* outline mandatory (Category 1) programs that may be funded by municipal apportionment, provincial grants, or self-generated revenue with the user pay principle as appropriate.



Mandatory Programs and Services include:

- Administration of Conservation Authorities Act (CAA) Section 28 and 28.1 including technical advice and studies;
- Response to legal, real estate and public inquiries regarding a CAA Section 28 and 28.1 and natural hazard inquiries under the Planning Act;
- Activities requiring a permit made pursuant to section 29 of the CAA;
- Review and commenting on applications under other legislation noted under the Mandatory Programs and Services Regulation (O. Reg. 686/21) and associated inquiries.
- Access to authority owned or controlled land for recreational activities not requiring direct authority or other staff involvement.

### **Category 2: Municipal programs and services**

Section 21.1.1 of the CAA outlines Category 2 Municipal programs and services, “An authority may provide, within its area of jurisdiction, municipal programs and services that it agrees to provide on behalf of a municipality situated in whole or in part within its area of jurisdiction under a memorandum of understanding, or such other agreement as may be entered into with the municipality, in respect of the programs and services”

Municipal programs and services include but are not limited to:

- Commenting on Planning Act applications for technical and policy matters other than for consistency with natural hazard policies, such as related to natural heritage, storm water management, or other matters requested by a municipality, county, corporation or individual.
- Municipally focused services (e.g., technical advice/implementation of erosion control measures, forest management/tree planting, wildlife/fisheries habitat management, water management, management of forests/recreational land owned by others, technical studies)

### **Category 3: Other programs and services**

Section 21.1.2 of the CAA defines Category 3 Other programs and services, “In addition to programs and services described in sections 21.1 and 21.1.1, an authority may provide, within its area of jurisdiction, any other programs and services that it determines are advisable to further the purposes of this Act.”

Other programs and services include but are not limited to:

- Extension Services (e.g., technical advice/implementation of erosion control measures, forest management/tree planting, wildlife/fisheries habitat management, water quality monitoring, management of forests/recreational land owned by others, technical studies)

The following Category 3 programs are considered pre-approved, and do not need to be incorporated into a cost apportioning agreement to enable the charging of CA fees.

- Recreational activities that are provided on land that is owned or controlled by the authority with the direct support or supervision of staff employed by the authority or by another person or body, or with facilities or other amenities maintained by the authority, including equipment rentals and renting facilities for special events.



- Community relations to help establish, maintain, or improve relationships between the authority and community members.
- Public education services to improve awareness of issues relating to the conservation, restoration, development, and management of natural resources in watersheds in Ontario.
- The provision of information to the public.
- The sale of products by the authority.

## Policy Scope

This policy is in accordance with legislation under the *Conservation Authorities Act* amendment effective January 1, 2023. This policy applies to all classes of programs and services for which Kawartha Conservation may charge a fee.

This policy does not include instances where the authority is already authorized under another statute to charge a fee for a program or service. Under *Part IV* of the *Clean Water Act, 2006*, a municipality has enforcement responsibility to regulate significant drinking water threats in wellhead protection areas and intake protection zones and may delegate that responsibility to a conservation authority. When this delegation occurs, the conservation authority is also given the power to charge fees as the enforcement body under that Act.

## Policy Principles

The Fee Policy and Schedule have been prepared in conformity with the *Conservation Authorities Act*. When developing fee schedules, the following principles apply:

- Conservation authorities are entitled to set rates, charge, and collect fees for services rendered.
- Conservation authority fee recovery direction/standards for programs and services are set by the Members of the authority.
- A fee may only be applied when the User-Pay Principle is considered appropriate, which is when there is a class of persons that directly benefits from a program or service delivered by an authority.
- Direct and indirect costs associated with the program or service are included in the calculation of the overall cost.
- Fees shall be reviewed for market comparison to similar operations and opportunities in the industry, including trends.
- Fees are adjusted for inflation on an annual basis, where feasible, to offset increased costs and impacts to levy for municipalities.
- Fees should be established with due regard to legislative requirements and the ability to sustain programs.
- The fees and revenues for planning and permitting services are designed to assist with recovering the costs associated with administering and delivering the services on a program basis. These fees do not exceed the cost of the service.
- When appropriate, fees associated with municipal and other programs and services provisions to enable the charging of fees are included in agreements with municipalities.





## Exemptions and In-Kind Services

Kawartha Conservation may waive or discount fees and/or provide in-kind services for non-profit groups aligning with the protection or restoration of the natural environment. Exemptions will be reviewed on a situational basis contingent on the scope of the project or request, resources required, and budgetary considerations. These fee exemptions and/or in-kind services must be approved by the CAO.

Exemptions to the application of fees established on the Fee Schedules include:

- Participating and local municipalities forming part of the Authority for planning applications, inquiries, permits, and review of environmental assessments (EA) receive exemptions for fees.
- Crown corporations or agencies may be exempt from the regulatory approval process under the Conservation Authorities Act.
- Federal undertakings are exempt from the regulatory approval process under the *Conservation Authorities Act*,
- National and Ontario Energy Board Applications are a matter of exclusive federal or provincial jurisdiction, respectively, with the board itself being responsible for all decisions. Through these processes, proponents are required to consult community stakeholders, including conservation authorities. Kawartha Conservation can choose to comment on these applications through the commenting process established by the NEB or OEB. While there are no provisions that would allow for us to charge review fees for participation in a NEB or OEB process, if conditions for NEB or OEB approval specifically require our involvement, appropriate fees will be negotiated on a project-specific basis.

## Review Process and Public Notification

The Fee Policy and Schedule has been established by the Kawartha Conservation Board of Directors. We will review the Fee Policy and Schedule every three years or as needed. Recommended changes will be brought forward to the Board of Directors and if the Board considers the changes, then a public consultation process will occur. The Fee Schedule will be reviewed and updated on an annual basis.

Minimum consultation on updates to the fee policy and fee schedules will include a draft proposal to the Board, followed by the posting of a notice for comment for review and/or revisions to the Fee Policy and Schedules on the Kawartha Conservation website for a minimum of 30 days. Comments received will be reviewed, proposed changes drafted as may be appropriate and presented to the Board of Directors prior to any approval.

In depth reviews of the fee policy or fee schedule in line with the scope of review or type of schedule being reviewed will also involve direct communication and engagement with key stakeholders (e.g., municipalities, key agencies, or organizations) as deemed applicable.

Inflationary fee updates will be applied annually, indexed to the Consumer Price Index. These changes aren't intended for public consultation, however, a minimum 30-day notice period for these updates will be provided.



## Implementation

Our fee schedules adhere to the “Policy Principles” and the implementation of the fee schedules is further defined below.

### Planning and Permitting Fees (Section 28 Permits, Planning Act and Technical Reviews)

Kawartha Conservation administers its fee schedule for Planning and Permitting with the intent of achieving a full cost recovery for the issuance of permits, responding to planning act and technical reviews. We also ensure fees will not exceed the cost of the service, as prescribed by legislation.

There is a balance between user fees directed towards cost recovery of services provided and municipal levy supporting aspects which are not cost recoverable through the issuance of permits or commenting functions. There are also significant resources directed to pre-consultations, proposals, and inquiries prior to application submissions and compliance efforts. It our objective to provide an effective and efficient delivery of services consistent with *the Client Service Standards for Conservation Authority Plan and Permit Review*, endorsed by Conservation Ontario Council, June 24, 2019.

### General Fees

The intent is for the general fee schedule to be reviewed and updated annually. This fee schedule includes administrative fees, conservation areas fees and other fees.

### Stewardship Fees

Fees for trees, tree planting and stewardship services are reviewed and updated annually to reflect market pricing. User fees are balanced with program costs and are in alignment with the *Kawartha Conservation Stewardship Strategy 2020-2030* and other strategic initiatives. The cost of these fees are based on the following principles:

- Tree and native plant costs are based on full cost recovery plus administrative fees of 15% are applied to orders.
  - Pricing on individual tree species are streamlined into deciduous trees, conifers, shrubs, and specialty trees categories. Individual species within these categories have differing prices, streamlined pricing is based on a combination of most popular tree, reasonability, and market conditions.
- Planting services are completed on a cost recovery basis, with a handling fee applied to cover project management costs. Net costs for customers may be reduced by grants available to Kawartha Conservation
- Programming and achieving planting targets are dependent on sustainable funding received through funding opportunities such as 50 million trees, Forest Ontario, Highway of Heroes, etc.

### Education and Community Programming Fees

Education and community programming fees are reviewed annually. Programs are funded through a number of avenues including fees charged directly to the school classes participating, fees charged



directly to the School Board, user fees, and through corporate, foundation or government donations and sponsorships of specific programs. The objective of full cost recovery is applied to these fees.

## Refunds

Kawartha Conservation does not issue refunds for goods or services once the application or order is submitted, the payment has been processed and works have been partially or substantially completed. Works might include but aren't limited to administration procedures, review of applications and initiation of product orders or service requests.

Under exceptional circumstances, refund requests will be considered and may be approved by the Chief Administrative Officer or Director, Corporate Services. If a refund is approved when works have been initiated and not substantially been advanced, a 50% refund fee will apply. This fee may be waived or adjusted with CAO approval in extenuating circumstances.

In cases where goods or services have been requested, once the application or order is submitted and the payment has been processed but works haven't been initiated, a 10% refund fee will apply, if approved by the CAO or management.

In cases where payment is accepted by Kawartha Conservation due to error, there is an event cancellation, or we are unable to fulfill the order, a choice will be provided to customers for a full refund or an alternative date, good or service.

## Fee Reconsiderations

The fee reconsideration process will be based on the principles of fairness, opportunity, and notification.

Requests for fee reconsiderations will be directed to the Chief Administrative Officer (CAO). The appellant must submit in writing to the CAO the reasons for the reconsideration request. The CAO will review the request, with consultations as appropriate with the proponent and/or staff. The request for reconsideration will be dismissed, upheld or the fee altered.

If the request is dismissed, the proponent will be required to pay the fee amount. If the request for reconsideration is upheld, the fee could be waived or varied from the original amount. The applicant will be notified of the CAO's decision.

If the applicant is dissatisfied with the decision from the CAO, a request for reconsideration to the Board of Directors can be requested.

The appellant must submit in writing to the CAO the reasons for the reconsideration request to the Board of Directors. The written request must identify a request to present the fee reconsideration before the Board of Directors. Once heard, the request will be dismissed, upheld or the fee altered.



If the request for reconsideration is dismissed, the proponent is required to pay the fee amount. If the request for reconsideration is upheld, the fee could be waived or varied from the original amount. Any reconsideration decision requires a resolution passed by the Board of Directors. The appellant will be notified of the Board's decision.

### **Reconsideration of Fees for Permit Applications**

Requests for reconsideration of a fee charged for a permit made under subsection 28.1 (2) of the Conservation Authorities Act must be made in writing to the CAO.

The CAO will review the fee with consultations as appropriate with the applicant and/or staff and will make a decision within 30 days after receiving the request. If a decision to reconsider the fee is not made within the 30-days of receiving the request, the applicant making the request may appeal the amount of the fee directly to the Ontario Land Tribunal.

Requests for reconsideration may be upheld, dismissed, or the fee amended.

Once the reconsideration is complete, the applicant must pay the associated fee based on the decision. If the applicant is not satisfied with the reconsideration decision, they can:

- a) Pay the fee and indicate in writing, that the payment of fee is being made under protest; and,
- b) Within 30 days after payment of the fee, appeal the amount to the Ontario Land Tribunal.

### **Date of Effect**

The Fee Policy and Schedules become effective on the date approved for implementation by the Board of Directors.

### **Transition**

The establishment of this Fee Policy and Schedules supersedes and replaces all previous fee policies and/or schedules.

The Policy also applies to proposals not previously invoiced, such as draft approved plans of subdivision which predated any fee schedule.

An exception applies for multi-year agreements that have been committed to through agreement prior to the Fee Policy and Schedule that extend beyond January 1, 2023. Upon cessation of these agreements, the fee policy and schedule will be applied for renewing agreements.



## Fee Schedule

The Fee Schedules corresponding to the Fee Policy are identified below.

Schedule 1: Planning Fees

Schedule 2: Permitting Fees

Schedule 3: General Fees

Schedule 4: Stewardship Fees

Schedule 5: Education and Community Programming Fees



\*\*Note: Effective as of April 1, 2024, all references of Ontario Regulation 182/06 are replaced with Ontario Regulation 41/24.

Permits are required within regulated areas, for:

- ❖ Development in areas where flooding, erosion, dynamic beaches, or unstable soil or bedrock may be affected by development.
- ❖ Interference with wetlands.
- ❖ Alteration to shorelines and watercourses.

## Schedule 2

### Permit Fee Schedule

(Effective December 1, 2022)

<p>Pursuant to the <i>Development, Interference with Wetlands and Alterations to Shorelines and Watercourses</i> regulation (Ontario Regulation 182/06) under Ontario Regulation 97/04, within Kawartha Conservation regulated areas, a permit is required for:</p>	<ul style="list-style-type: none"> <li>❖ Development in areas where flooding, erosion, dynamic beaches, pollution or the conservation of land may be affected by development</li> <li>❖ Interference with Wetlands</li> <li>❖ Alteration to Shorelines and Watercourses.</li> </ul>
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Please be advised that the Permit Fee Schedule is to be read in conjunction with the notes following the table.

PERMIT APPLICATION TYPE	CURRENT FEE
<b>Streamlined Review and Approvals</b>	
<ul style="list-style-type: none"> <li>Construction of non-habitable accessory structures (&lt;46.5 m<sup>2</sup>)</li> <li>Construction of unenclosed decks, patios and docks</li> <li>Swimming pool installation</li> <li>Routine maintenance/repair of private infrastructure</li> <li>Culvert replacement (same length and diameter)</li> <li>Maintenance of existing isolated or dug-out ponds (not enlargement of the pond)</li> <li>Fill placement/excavation/grade modifications not exceeding a volume of 20 m<sup>3</sup></li> <li>Demolition of existing structures where NO reconstruction, site alteration, in-water works, or fill will occur</li> </ul> <p><i>* Type 1 Development fee will apply where a site visit is required to complete an application</i></p>	<b>\$200</b>
<b>Type 1 Development</b>	
<ul style="list-style-type: none"> <li>Basement/crawlspace installation</li> <li>Construction of non-habitable accessory structures ≥46.5m<sup>2</sup> or additions to existing non-habitable accessory structures</li> <li>Construction of on-shore boathouses</li> <li>Residential/agricultural reconstruction, replacement, and relocation</li> <li>Single or multiple minor ground floor residential additions – total area of addition(s) not exceeding the lesser of 50% of the ground floor area of the existing structure or 46.5m<sup>2</sup></li> <li>Above ground-level residential additions (additional storey or extension thereof)</li> <li>Internal residential renovations which would change the use or potential use of dwelling</li> <li>Single or multiple minor agricultural additions – total area of addition(s) not exceeding 50% of the ground floor area of the existing structure or 100 m<sup>2</sup>, whichever is less</li> <li>Other development of a minor nature</li> </ul>	<b>\$550</b>

PERMIT APPLICATION TYPE	CURRENT FEE
<p><b>Type 2 Development</b></p> <ul style="list-style-type: none"> <li>• New single residential/agricultural buildings or structures</li> <li>• Single or multiple major ground floor residential additions – total area of addition(s) exceeding 50% of the ground floor area of the existing structure or exceeding 46.5 m<sup>2</sup></li> <li>• Single or multiple major agricultural additions – total area of addition(s) exceeding 50% of the ground floor area of the existing structure or exceeding 100 m<sup>2</sup></li> <li>• Single or multiple minor commercial/industrial/institutional additions – total area of addition(s) not exceeding 50% of the ground floor area of the existing structure or 100 m<sup>2</sup>, whichever is less</li> <li>• Commercial/industrial/institutional reconstruction, replacement, or relocation</li> </ul>	<b>\$1,100</b>
<p><b>Type 3 Development</b></p> <ul style="list-style-type: none"> <li>• New multiple residential units</li> <li>• New commercial/industrial/ institutional buildings or structures</li> <li>• Single or multiple major commercial/industrial/institutional additions – total area of addition(s) exceeding 50% of the ground floor area of the existing structure or exceeding 100 m<sup>2</sup></li> <li>• Private infrastructure (e.g., roads, gas and electrical transmission pipelines/corridors)</li> <li>• Marinas</li> <li>• Golf courses</li> </ul>	<b>\$2,750 OR \$1,100 where current Site Plan Approval ≤3 years</b>
<p><b>Fill Placement, Excavation, Grade Modifications</b></p> <ul style="list-style-type: none"> <li>• Importation of fill &gt; 20 m<sup>3</sup> but &lt; 500 m<sup>3</sup> OR excavation/grade modifications of onsite fill &gt; 20 m<sup>3</sup></li> </ul> <p><i>Notes:</i></p> <p>* <i>\$0.50 surcharge is applied only where fill is imported to the site. This fee applies to fill placement/excavation/grade modifications either on their own (e.g., flooding and/or erosion protection of existing buildings or structures) or associated with Type 1 or 2 Development projects where this fee is higher. Fill, which by legislation must be clean fill associated with development structures such as septic systems may be discounted from the applicable fill volume.</i></p>	<b>\$550 PLUS \$0.50/m<sup>3</sup> of imported fill</b>
<p><b>Large-Scale Fill (associated with infrastructure projects, commercial, industrial, multiple residential, or agricultural developments)</b></p> <ul style="list-style-type: none"> <li>• Importation of fill &gt; 500 m<sup>3</sup></li> </ul> <p><i>Note:</i></p> <p>* <i>\$0.75 surcharge is applied only where fill is imported to the site.</i></p>	<b>\$5,000 PLUS \$0.75/m<sup>3</sup></b>
<b>Alterations to Shorelines and Watercourses</b>	
<ul style="list-style-type: none"> <li>• Installation of private utilities (e.g., cable laying)</li> <li>• Bed-level crossings</li> </ul>	<b>\$275</b>
<ul style="list-style-type: none"> <li>• Erosion protection and shoreline/bank stabilization</li> </ul>	<b>\$550</b>
<ul style="list-style-type: none"> <li>• Dredging</li> </ul>	<b>\$1,100</b>
<ul style="list-style-type: none"> <li>• Construction of in-water boathouses</li> </ul>	<b>\$1,100</b>
<ul style="list-style-type: none"> <li>• Bridge replacements</li> <li>• Culvert replacements involving dimensional changes</li> </ul>	<b>\$1,100</b>
<ul style="list-style-type: none"> <li>• New culvert, bridge and causeway installations</li> </ul>	<b>\$1,650</b>
<ul style="list-style-type: none"> <li>• Water control structure repair, maintenance, modification, and/or decommissioning</li> </ul>	<b>\$1,650</b>

PERMIT APPLICATION TYPE	CURRENT FEE
<ul style="list-style-type: none"> <li>New water control structures</li> <li>Enclosures other than a culvert</li> <li>Channel realignment, straightening, changing, diverting</li> </ul>	<b>\$2,750</b>
<b>Interference with Wetlands</b>	
<ul style="list-style-type: none"> <li>Installation of private utilities (e.g., cable laying)</li> </ul>	<b>\$275</b>
<ul style="list-style-type: none"> <li>Installation of tile drain that is inconsistent with natural drainage grade</li> </ul>	<b>\$1,100</b>
<ul style="list-style-type: none"> <li>Land conversion for agricultural activities</li> </ul> <p><i>Note:</i></p> <ul style="list-style-type: none"> <li><i>* Where there is a minimum 1.5x gain in wetland area, 50% of the cost will apply to any fees charged (other fees may be required for multiple reviews of technical reports and/or additional site visits).</i></li> </ul>	<b>\$1,100</b>
<b>Other Permit Fees</b>	
<p><b>Renewable Energy Act (REA) Projects</b></p> <p><i>Note: This fee applies to large scale wind and solar projects involving multiple ground mounted wind turbines or ground mounted solar units requiring an REA approval and where technical reports are required in support of the applications. Technical reports could include hazard impact assessment, grading and drainage plans, storm water management plans and construction erosion and sediment control plans.</i></p> <p><i>Smaller solar wind projects such as micro Feed- in- Tariff where there is minimal site alteration/disturbance would be subject to the applicable Type 2 or Type 3 development fee plus any required technical review or site visit fees that may be applicable.</i></p>	<b>\$5,500</b>
<b>Permit and/or Remediation Agreement to resolve unauthorized works</b>	<b>2 times applicable permit fee plus recoverable costs (additional site visits, technical review). If an applicable permit fee does not exist, a base fee of \$1,000 will apply (plus recoverable costs)</b>
<p><b>Administrative Fee For Board Processes</b></p> <ul style="list-style-type: none"> <li>Application Requiring Board Consideration (Inconsistent with Board approved policies)</li> <li>Application Appealed to the Board (Hearing required)</li> </ul>	<p><b>\$750</b></p> <p><b>\$750 (plus all peer review costs)</b></p>



<b>Permit Revision</b> <ul style="list-style-type: none"> <li>Minor (Administrative)</li> <li>Major (Proposal revision)</li> </ul>	<b>\$125</b> <b>50% of original permit fee</b>
<b>Conservation Activities (Stewardship Projects)</b> <ul style="list-style-type: none"> <li>Projects where the sole purpose is intended to maintain, enhance, or restore the functions of a natural heritage feature or function.</li> </ul>	<b>50% of applicable permit fee;</b> <b>minimum of \$165</b>

PERMIT APPLICATION TYPE	CURRENT FEE
<ul style="list-style-type: none"> <li>If sponsored by a conservation organization (e.g., Ducks Unlimited Canada, Community Stream Stewards, Lakeland Alliance) and supported by appropriate technical information required to evaluate impact.</li> </ul>	<b>\$220</b>
<b>Other Works</b> <ul style="list-style-type: none"> <li>Other development or construction works not specified in the fee schedule will be subject to the fee that most closely describes the activity being proposed as determined by the Director of Planning and Development.</li> </ul>	<b>Closest applicable fee</b>
<b>Other Fees</b>	
<b>Proposal Review/Request for Information</b> <ul style="list-style-type: none"> <li>Single lot residential or agricultural development</li> <li>Multiple residential/commercial/ industrial/institutional development</li> </ul>	<b>\$275</b> <b>\$1,100</b>
<b>Additional Site Visit</b> <ul style="list-style-type: none"> <li>Applicant Driven – consultation</li> <li>Information acquisition to complete application</li> </ul>	<b>\$275</b> <b>\$550</b>
<b>Detailed Technical Review</b> Review of reports (e.g., geotechnical analysis) not covered by initial permit fee <ul style="list-style-type: none"> <li>Minor (single lot residential)</li> <li>Major (commercial/industrial/institutional/ multiple residential)</li> </ul>	<b>\$1,100</b> <b>Peer review paid by applicant</b>
<b>Peer Review</b>	<b>Cost paid by applicant</b>
<b>File Reactivation (dormant files &lt; 2 years inactive)</b>  <i>Note: current policies will apply</i>	<b>50% of current applicable fee</b>

**Notes:**

1. Projects with multiple components: will be subject to only the higher of the application fees – not the aggregated amount for the components.
2. Kawartha Conservation reserves the right to collect a fee for the review of technical reports/studies (i.e., Detailed Technical Review fee OR Peer Review fee listed above) if review costs exceed initial Permit fee.
3. Peer Review fees will be recovered when a report contains information that is beyond the scope of the Authority's in-house technical expertise (e.g., hydrogeological analysis) OR to come to a third-party resolution where there is a conflict.
4. Three resubmissions of a technical report(s) are included in the initial Planning fee, after which a detailed technical review fee will be applied to each subsequent resubmission of the report(s).
5. Kawartha Conservation reserves the right to increase fees without notice to address year to year increases that may occur from inflationary increases in operating costs.



## Agenda Item #9.1

BOD Meeting #5/23

May 23, 2024

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

From: Mark Majchrowski, CAO

Re: Letter of Support – Sir Sandford Fleming College Programming

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### KEY ISSUE:

Environmental Program cuts to Sir Sandford Fleming College.

### RECOMMENDED RESOLUTION:

RESOLVED, THAT, a letter outlining support for Environmental Program Curriculum at Sir Sandford Fleming College be forwarded to the Federal and Provincial Governments and the Board of Governors of Fleming College.

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At the request of the Chair, this Item is being brought forward for Board consideration.

The following provides some context resulting in program discontinuation or program suspensions as determined by the Board of Governors of Fleming College as a result of the recent federal cap on international students coming to Ontario and the elimination of educational private partnerships, which impacts the financial viability of college operations.

Details on the program announcements are located on the [Fleming Announcements, Updates, and FAQs webpage](#), and a full list of programs affected are available on the [Program Suspension April 2024](#) webpage.

Program suspensions include several programs from which our organization has benefited from, in addition to providing practical learning experiences for the students in their journeys as environmental professionals. These programs also led to a qualified pool of candidates for our summer seasonal assistance and full-time workforce. These programs which we interacted with the most include the Environmental Technician, Ecosystem Management Technology (3<sup>rd</sup> year), Fish & Wildlife Technology (3<sup>rd</sup> year), Conservation Law, GIS Applications, and GIS Cartographic programs.

A letter of support outlining the impact of suspending these programs to our organization is proposed.

For more information, please contact Mark Majchrowski at extension 215.