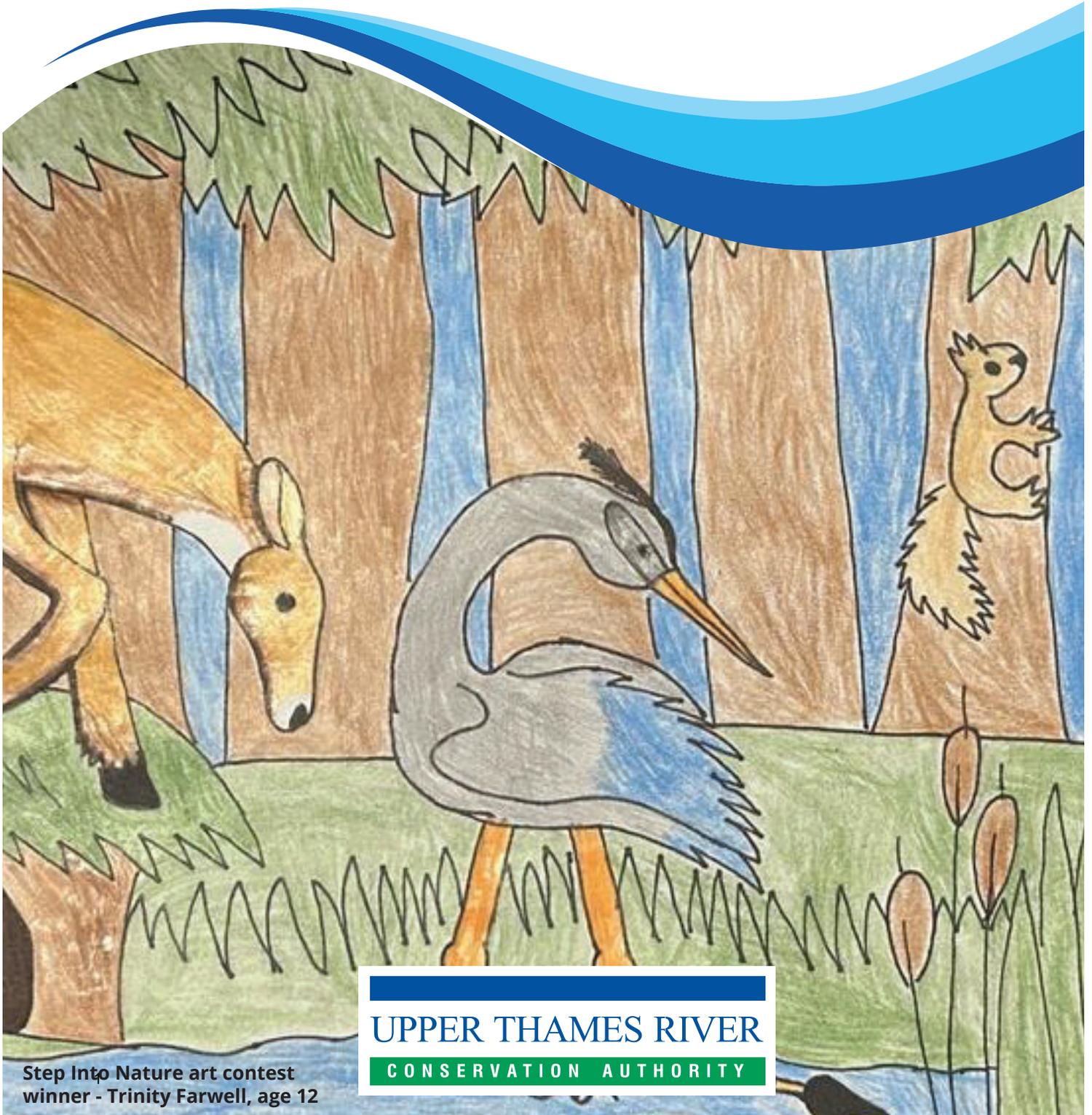


Board of Directors

Upper Thames River Conservation Authority



UPPER THAMES RIVER

CONSERVATION AUTHORITY

Step Into Nature art contest
winner - Trinity Farwell, age 12

Upper Thames River Conservation Authority Board of Directors' Meeting Agenda – March 2025

Date: March 25, 2025

Time: 9:30am

Place: Watershed Conservation Centre Board Room, Fanshawe Conservation Area –
1424 Clarke Road, London, ON

1. Territorial Acknowledgement

2. Modifications to the Agenda

3. Declarations of Pecuniary Interest

4. Presentations/Delegations

5. Administrative Business

5.1. Approval of Minutes of Previous Meeting: February 25, 2025

5.2. Business Arising from Minutes

5.3. Correspondence

5.3.1. Perth County Stewardship Program Letter

6. Reports – For Consideration

6.1. Fullarton Dam Environmental Assessment Presentation and Report
BoD-03-25-18

6.2. Indigenous Engagement Discussion Paper – BoD-03-25-19

6.3. Procurement Under the Buy Canada Movement – BoD-03-25-20

7. Reports – In Camera

- 7.1. Closed Session Pending Disposition of Land – Lands Strategy Implementation – BoD-03-25-21

8. Reports – For Information

- 8.1. Administration and Enforcement – Section 28 Status Report – BoD-03-25-22
- 8.2. Project Status Update – BoD-03-25-23
- 8.3. Health and Safety Annual Summary 2024 – BoD-03-25-24
- 8.4. Administrative Review Officers (ARO) Discretionary Policy Decisions Quarterly Report – BoD-03-25-25
- 8.5. [Thames River Current March Edition](#)

9. Reports – Committee Updates

- 9.1. Finance and Audit Committee
- 9.2. Hearing Committee

10. Notices of Motion

11. Chair’s Comments

12. Member’s Comments

13. General Manager’s Comments

14. Adjournment

Tracy Annett, General Manager

Robert Davies
Forestry and Restoration Supervisor
Upper Thames River Conservation Authority
1424 Clarke Road
London, ON N5V 5B9

March 6, 2025

Dear Mr. Davies,

RE: Support of the Perth County Stewardship Program

We are writing on behalf of the Perth County Stewardship Program to express our gratitude for your unwavering support and collaboration in our shared mission to enhance and protect the natural environment of Perth County.

The success of our program in its initial two application intakes is a testament to the direct and indirect support provided by the Conservation Authority. Your commitment to offering technical expertise and partnership has been instrumental in empowering local landowners to invest in vital stewardship projects such as windbreaks, shelterbelts, and living snow fences. These initiatives are pivotal in enhancing the resilience of our natural assets and agricultural lands, and in contributing to the mitigation and adaptation efforts needed to combat the challenges posed by a changing climate.

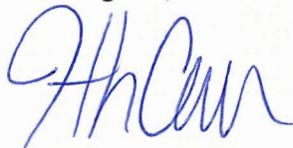
Without your support, knowledge, and the collaborative spirit of your organization, our achievements would not have been possible. Together, we have achieved the following:

- Supported the planting of 18,766 trees and shrubs in Perth County;
- Establishing 27.6 kilometers of new windbreaks;
- Reforesting 26.8 acres of marginal lands or sub-quality forests;
- Adding 52,769 kilograms of annual carbon sequestration power to our landscape.

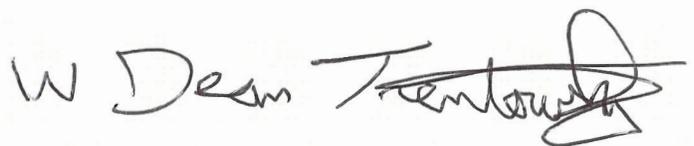
Attached is a one-page infographic highlighting the success of the program since its official launch in November 2023. As we continue to adaptively manage the Stewardship Program, we are excited about the prospect of expanding our grant streams. We are confident that, together, we will continue to 'walk hand in hand down the same trail', striving toward our common goals and ensuring a sustainable future for Perth County.

Once again, thank you for your invaluable support. We look forward to our continued partnership and to achieving even greater successes together. Please circulate copies of this letter as correspondence to your General Manager and Board of Directors. Thank you.

Warm regards,



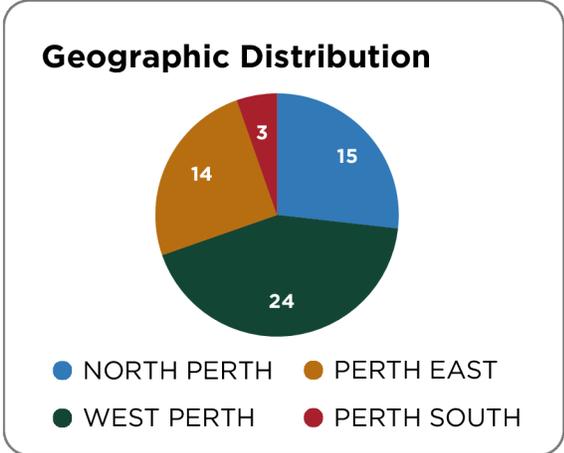
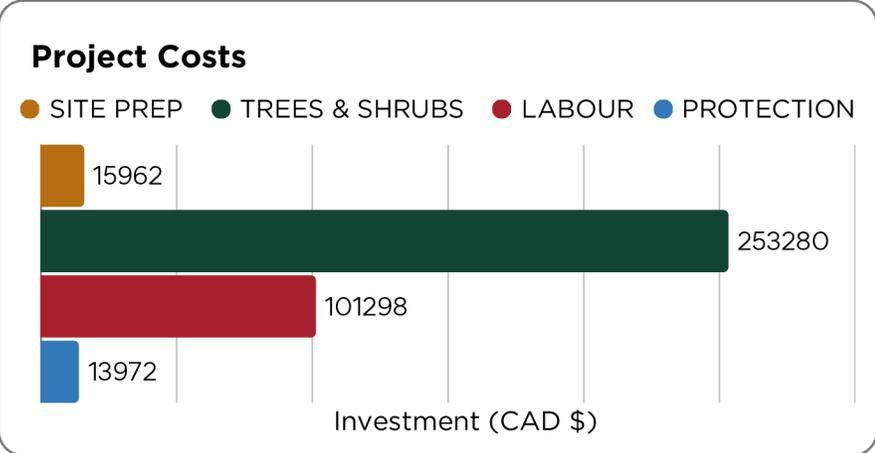
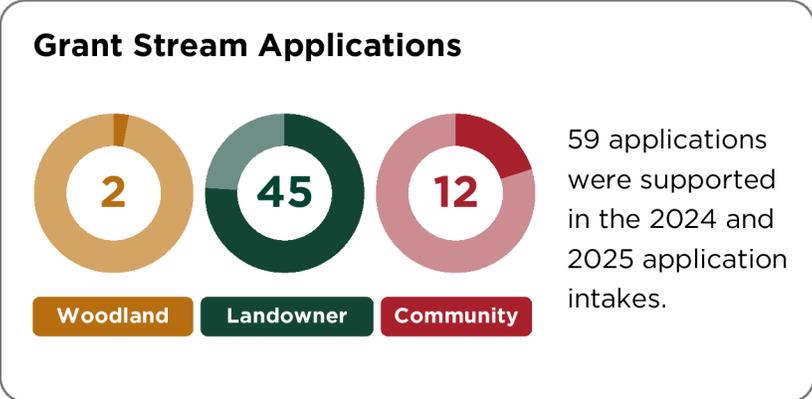
Hannah Cann
Resilience & Stewardship Coordinator
Perth County Stewardship Program
4 Napier Street
Mitchell ON, N0K 1N0
hcann@perthcounty.ca



W. Dean Trentowsky
Deputy Warden of Perth County
Chair of the Perth County Agricultural Working Group
Perth County Stewardship Program
1 Huron Street
Stratford ON, N5A 5S4
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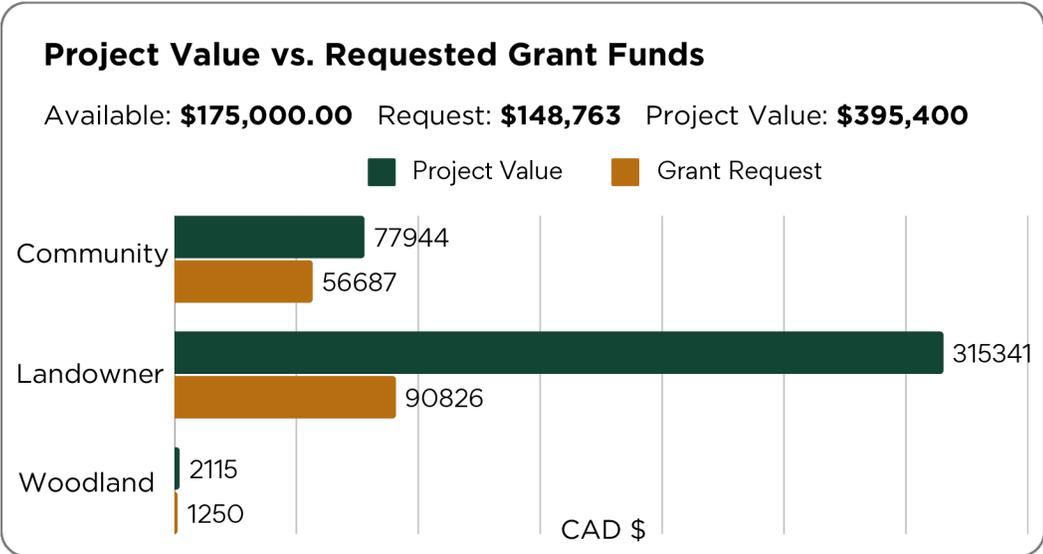
STEWARDSHIP PROGRAM RESULTS

The Stewardship Program supports stewardship projects and forest management plans across Perth County. The program invests in natural assets supports resiliency and climate mitigation efforts, as well as safeguarding the agricultural resources across the County.



Species Diversity

51 plant species will be planted, creating cohesive ecosystems in restoration plots, and strategically diverse windbreaks. 99% of the trees and shrubs planted will be large stock, and 1% will be seedling stock.



To: UTRCA Board of Directors
From: Chris Tasker, Manager, Water and Information Management
Date: March 25, 2025
File Number: BoD-03-25-18
Agenda #: 6.1
Subject: Fullarton Dam Environmental Assessment

Recommendation

It is recommended that the Board endorse the Environmental Assessment study, including the preferred alternative, and approves proceeding with final posting of the Class Environmental Assessment for consultation.

Background

Fullarton Conservation Area is located at 3000 Perth Road 163, Fullarton, Ontario and is a 34-hectare recreational area used for baseball, hiking, picnicking and other activities. The existing Fullarton Dam is an earth dam that was built in the 1950s to create a recreational pond. A 2007 dam safety assessment (ACRES 2007) indicated that updates were required to bring the dam into compliance with current guidelines and identified spillway capacity issues and stability concerns. As a result, the Environmental Assessment was initiated to assess the existing conditions and evaluate alternative solutions.

In 2022, Stantec Consulting Inc. (Stantec) was retained by UTRCA to initiate a Class Environmental Assessment (EA or Class EA) at the Fullarton Dam. The project is being undertaken under the Conservation Ontario Class Environmental Assessment for Remedial Flood and Erosion Control Projects document (Conservation Ontario, June 2013).

Additional information regarding the project, including background reports and information on public engagement, is available on [UTRCA website](#).

Public Engagement

UTRCA engaged with the public through social media, local press release, project mailing list, and a notice board at Fullarton Conservation Area. The key events in public engagement are summarized below:

1. UTRCA issued the 'Notice of Intent' for the EA. The notice was sent to various partners via email. These partners included: First Nations, federal departments, various provincial ministries, West Perth, UTRCA staff, local groups and interested public.

2. On March 6, 2024, UTRCA and Stantec Consulting Inc. presented to staff at Chippewas of the Thames First Nation.
3. UTRCA and Stantec Consulting Inc., held a Public Information Session on March 28, 2024.

Discussion

This Class EA study examines four alternative design concepts for remedial works and evaluates each based on a series of environmental, social, and technical criteria and recommends a preferred design. The four alternatives examined were:

- Alternative 1 – “Do Nothing” (Maintain Existing Dam)
- Alternative 2 – Maintain Reservoir and Dam with New Fish Bypass Channel
- Alternative 3 – Partial Dam Removal with New Constructed Bypass Channel
- Alternative 4 – Dam Decommissioning and Watercourse Restoration

The preferred alternative is Alternative 4 – Dam Decommissioning and Watercourse Restoration.

UTRCA and Stantec presented to Council of the Municipality of West Perth on February 3, 2025 where UTRCA staff requested Council to endorse the Environmental Assessment Study for the Fullarton Dam. Stantec provided a presentation regarding the study, focusing on the alternative solutions, project implementation plan, and the cost of implementation. The consultant will deliver a nearly identical presentation to the UTRCA Board of Directors at their March 25, 2025 meeting.

Council endorsed the Environmental Assessment Study passing the following resolution:

*That the Council of the Municipality of West Perth proceed with the Notice of Completion and Filing of the Environmental Study Report; and
That the Municipality of West Perth endorse option 4, in the event that 75% grant funding is achieved.*

UTRCA remains committed to working closely with the municipality to secure funding for the project. A key step in this process will be proceeding with the design to be able to pursue funding sources for implementation. Funding is included in the 2025 budget for proceeding with studies and design however WECl funding was not approved for this project in 2025. We would continue to pursue WECl funding in future years as well as pursuing other sources of funding together with the municipality.

It is recommended that the board endorses the preferred alternative and approves proceeding with final posting of the Class Environmental Assessment. Final posting will include an additional 30-day consultation period.

Prepared by:

Jillian Smith, Water Control Structures Technologist

Huda Ghadhban, Engineering Coordinator, Water and Erosion Control Structures

Recommended by:

Chris Tasker, Manager, Water and Information Management

To: UTRCA Board of Directors
From: Teresa Hollingsworth
Date: March 25, 2025
File Number: BoD-03-25-19
Agenda #: 6.2
Subject: Indigenous Engagement Discussion Paper

Recommendation

THAT the UTRCA Board of Directors approve the attached Indigenous Engagement Discussion paper.

Background

The recently approved Upper Thames River Conservation Authority Watershed Strategy (Watershed-based Resource Management Strategy) provides the context and rationale for the UTRCA's programs and identifies future directions. The need to develop an Indigenous engagement approach is identified in both the recommended actions to address priority corporate challenges, issues and risks section and the consultation section of the Strategy.

The Strategy identifies the following actions:

- Develop a draft, distinct nation-based approach for engaging with Indigenous peoples for all watershed initiatives, including the Watershed Strategy implementation.
- Develop an Engagement Strategy that includes sensitivity training of Indigenous and colonial history to improve engagement and collaboration with, and leadership by, Indigenous peoples.

In addition, Goal 3 of the UTRCA Conservation Areas and Lands Strategy, approved in November of 2024, also references the intention to engage with Indigenous communities to better understand local needs and explore opportunities to develop relationships and shared initiatives related to natural spaces and recreational activities. The Lands Strategy provides another opportunity to build upon relationships and work towards meaningful engagement and collaboration with Indigenous people.

The Indigenous Engagement discussion paper provides context, background and recommends actions that will advance the UTRCA's ability to successfully and sincerely engage with Indigenous peoples and together, develop an Indigenous Engagement Strategy.

Recommended by:

Teresa Hollingsworth, Manager, Community & Corporate Services
Tara Tchir, Coordinator, Watershed Science
Tom Cull, Community Partnerships Specialist

UTRCA Discussion Paper on Indigenous Engagement and Stewardship of the Thames River Watershed

Introduction

The stewardship of the Thames River watershed necessitates a collaborative approach with Indigenous Peoples and Nations who have a unique and longstanding relationship with the lands, waters, and ecology of their traditional territories. Recognizing and respecting this connection is vital for effective stewardship and for fulfilling our responsibilities under Treaties and reconciliation efforts.

As an organization with a vision of a “community engaged in a healthy, resilient environment,” the Upper Thames River Conservation Authority (UTRCA) is uniquely positioned to partner with Indigenous Peoples and Nations on shared objectives around protecting and enhancing the Thames River watershed. By meaningfully integrating Indigenous Traditional Knowledge and perspectives into watershed practices, the UTRCA can foster mutual understanding, promote cultural awareness, facilitate relationship-building among municipalities and First Nations, and work towards Truth and Reconciliation and respecting Treaty Rights.

The need to develop an Indigenous engagement approach is identified as a priority action within the Upper Thames River Conservation Authority Watershed Strategy. In addition, the UTRCA Conservation Areas and Lands Strategy also references the intention to engage with Indigenous communities to better understand local needs and explore opportunities to develop relationships and shared initiatives.

Definitions and Context

Indigenous peoples of Canada, as defined in the Constitution Act, include the First Nations, Inuit, and Métis peoples. The Upper Thames River watershed is situated on the traditional territory of the Chonnonton, Anishinaabeg, Haudenosaunee, and Lunaapeewak peoples. These First Nation peoples, who had been living south of the Great Lakes, settled in southwestern Ontario after the retreat of the Wisconsin ice sheet (Wilson and Horne 1995, London and Middlesex Historical Society 1998).

In this region today, there are 10 First Nation communities with traditional territories in the watershed and a growing Indigenous urban population. There is no recognized territory of the Inuit or Métis in this region. The local First Nation communities in the Thames watershed include the Chippewas of the Thames First Nation, the Oneida Nation of the Thames First Nation, Delaware Nation at Moraviantown, and the Munsee Delaware Nation. These First Nations established reserve lands and settled permanently along the banks of the Thames between the 1780s and 1840s.

The UTRCA has worked with all First Nations located within the entire Thames watershed as well as many residing within the greater region: Caldwell, Walpole Island, Aamjiwnaang, and

Chippewas of Kettle and Stony Point. In addition to working with First Nations, the Authority has also worked with numerous urban and rural Indigenous organizations throughout the watershed.

Understanding the Relationship between Equity, Diversity, and Inclusion (EDI) and Indigenous Engagement

EDI and an Indigenous Engagement Strategy have the shared goals of promoting inclusion and dismantling systemic discrimination. However, an Indigenous Engagement Strategy stands as its own distinctive pillar in its acknowledgement of the unique and special status of First Nation, Inuit, and Métis Peoples as original stewards of Turtle Island (North America) and as sovereign and distinct Nations with their own laws and governance systems.

Indigenous engagement recognizes that the founding of Canada as a modern nation state was predicated on Treaties and agreements with Indigenous Peoples, and that the nation-to-nation relationship between the Crown and Indigenous Peoples is expressed in legislation such as the Duty to Consult, and affirmed in the United Nations Declaration on the Rights of Indigenous Peoples, which was passed into law in Canada in 2021.

An Indigenous Engagement Strategy arises out of the historical and ongoing legacy of colonial violence perpetrated against Indigenous Peoples and works towards reconciliation through the Calls for Actions established by the Truth and Reconciliation Commission of Canada.

Advancing Indigenous Engagement

The UTRCA has made strides in engaging Indigenous communities through various projects (see Table 1). Some engagements are project-based partnerships (e.g., tree planting, beaver management consultation, etc.), while others are long-standing initiatives supported by management and strategic plans (e.g., 2024 Watershed Management Strategy, 2024 Lands Strategy, 2019 Shared Waters Approach).

To date, UTRCA Indigenous engagement has been generally positive; however, the absence of a comprehensive engagement approach has caused some challenges. For example, staff have reported gaps in knowledge, inconsistent messaging, and fears of causing unintentional harm through specific instances of failed communication and understandings. There has also been an overwhelming reliance on the knowledge of a few staff with experience in engaging Indigenous partners.

Staff are seeking guidance on how to build and strengthen relationships and share knowledge in a meaningful and respectful manner. They wish to improve their understanding of Canada's history and First Nations, and to learn tools and concepts that will facilitate strong relationship building: appropriate language, importance of positionality, cultural protocols, and customs related to professional relationships (e.g., when to smudge, when to bring food or gifts, when and how to do a land acknowledgement, etc.).

In addition to knowledge gaps, staff have also identified numerous opportunities for working with Indigenous partners, and instances where Indigenous partners are reaching out to UTRCA staff to work collaboratively (see Table 2). To address these issues and opportunities, a unified approach is necessary to build trust and foster meaningful, respectful, and reciprocal partnerships.

Proposed Recommendations

1. Provide Cultural Awareness and Sensitivity Training to UTRCA Staff

Hire, through a request for proposal process, a third-party subject matter expert on Indigenous cultural competency to enhance staff knowledge. Staff should undergo Indigenous-led training to enhance their understanding of Indigenous history, culture, and engagement best practices. The training would offer both local and Canadian context to establish a foundation for respectful interactions and collaborations. This training may include in-person training, independent remote learning modules, and development of a resource library (e.g., webinars, workshops, cultural events, maps, etc.).

These actions will:

- Raise the level of shared knowledge about Indigenous history, culture, and engagement to better facilitate Indigenous partnerships, coordinate efforts and practices across units, and create a workplace that is more welcoming and inclusive to Indigenous colleagues.
- Avoid cultural misunderstandings and miscommunications that cause setbacks and harm.
- Build staff confidence and bolster mental health.

2. Develop an Indigenous Engagement Strategy

Develop a long-term and on-going strategy that ensures Indigenous Peoples are active partners in watershed initiatives. This strategy should be tailored to the distinct needs and perspectives of different Indigenous communities. The engagement strategy must, where appropriate, be integrated into UTRCA's operations and strategic plans to ensure Indigenous perspectives are consistently incorporated into decision-making processes.

These actions will:

- Help staff identify shared goals and partnership opportunities (including accessing funding) for watershed health, conservation, and enjoyment of natural spaces.
- Create improved capacity for the UTRCA to help community and municipal partners identify and reach goals around Indigenous engagement and Truth and Reconciliation.

Table 1. List of current and past Indigenous Engagement projects / initiatives

UTRCA Unit	Project/Product (staff members)	Activity (process)	First Nations Groups
UTRCA-wide; Team for Inclusion, Diversity, and Equity (TIDE)	Inclusion of Indigenous cultural learning for UTRCA staff	Subcommittee National Day for Truth and Reconciliation (Water Ceremony, Orange Shirt Day, orange lighting, informational newsletter); Calls to Action Document (documenting calls to action that could be taken up by each unit)	Chippewa of the Thames, Oneida, Aamjiwnaang, Walpole Island, Caldwell, Kettle and Stoney Point, Munsee Delaware, Delaware Nation
UTRCA-wide	Letters of support	Previous examples include: Food sovereignty program, Guardians program	Chippewa of the Thames, Oneida, Aamjiwnaang, Walpole Island, Caldwell, Kettle and Stoney Point, Munsee Delaware, Delaware Nation
Integrated Watershed Management	Shared Waters Approach	Watershed management plan that includes partnering with First Nations within and proximate to the Thames River watershed on youth engagement, conservation projects, and shared goals	Chippewa of the Thames, Oneida, Aamjiwnaang, Walpole Island, Caldwell, Kettle and Stoney Point all participate in committees; Munsee Delaware and Delaware Nation have been invited
Integrated Watershed Management	Freshwater mussel identification (Erin Carroll)	Sharing of knowledge around importance of mussel identification and mussel sampling procedures and collection of data along the Thames River to establish baseline community data	Chippewa of the Thames
Integrated Watershed	Fish identification (Erin Carroll)	Sharing of knowledge around fish sampling procedures and collection of	Chippewa of the Thames

UTRCA Unit	Project/Product (staff members)	Activity (process)	First Nations Groups
Management		data along the Thames River to establish baseline community data	
Integrated Watershed Management	Vegetation inventories and identification	Sharing of plant identification	Chippewa of the Thames, Clint Jacobs and Desmond Moser
Integrated Watershed Management	Phosphorus reduction initiative	Sharing of ideas and progress with agricultural stewardship initiatives to reduce phosphorus runoff	Chippewa of the Thames
Integrated Watershed Management	Hatchling turtle/snake release (with Thames Talbot Land Trust and Scott Gillingwater)	Sharing of knowledge around turtle and snake conservation procedures and collection of data along the Thames River to establish baseline community data	
Lands, Facilities, and Conservation Areas	Beaver Baffle consultation (Brandon Williamson)	Sharing of knowledge around beaver management	Chippewa of the Thames
Lands, Facilities, and Conservation Areas	Indigenous Ceremony	Working with UTRCA Partnerships staff and ISAN to arrange for Indigenous Ceremony to take place on UTRCA lands (e.g., 2024 ceremony at Pittock CA for National Day for Truth and Reconciliation)	Indigenous Solidarity and Awareness Network — Oxford (ISAN)
Community Partnerships and Education	Community events	Participate in community events, including: Tree planting (apply for funds, distribute and plant trees)	Oneida Nation of the Thames, Chippewa of the Thames, and Métis Nation of Ontario
Community Partnerships and Education	Partnership with Indigenous Solidarity and Awareness Network (ISAN)	Facilitate lands at Pittock CA for Indigenous Ceremony. Access funding for Indigenous Reconciliation Speakers Series. Access funding for ISAN's partnership in Celebrating the Thames community event (included an Indigenous-led Water Ceremony, Indigenous Perspectives on Water booth).	
Community Partnerships and Education	Partnership with Western University naturalization	Live staking project along Medway Creek on Western campus that included Indigenous-led Water Ceremony. Creation of a documentary	Oneida Nation of the Thames and Chippewa of the Thames

UTRCA Unit	Project/Product (staff members)	Activity (process)	First Nations Groups
	project on Medway Creek	film with local Indigenous filmmaker.	
Community Partnerships and Education	School programs	Education programs at Antler School on specific topics including Stream of Dreams	Chippewas of the Thames First Nation
Community Partnerships and Education	Great Lakes Retrospective Workshop	High school brainstorming and workshopping models of teaching about Great Lakes including retrospective report of other learnings	(Tia Kennedy) – Oneida Nation of the Thames
Community Partnerships and Education	Great Lakes Student Conferences	Online education staff with other Great Lakes Authorities (Lower Thames Valley CA, St Clair Region CA)	
Community Partnerships and Education	Conferences, symposiums, festivals, etc.	Include Indigenous perspectives and teachings at public conferences, symposiums and festivals, including: Climate change symposium Water festivals Objiwe Spirit horses	
Community Partner and Education	School yard bio-blitz	Holding a bio-blitz at Antler River Elementary School.	Chippewas of the Thames First Nation
Environmental Planning and Regulations	Drinking Water Source Protection Steering Committee	Participate in steering committee (2 seats) at various capacity.	Oneida Nation of the Thames and Chippewa of the Thames

Table 2. Types of projects / activities in which UTRCA would like to engage Indigenous Communities

UTRCA Unit	Project (product) / Activity (process)	Description
Honoring Treaty Rights		
Lands, Facilities, and Conservation Areas	Park use/entry protocol for Indigenous visitors to UTRCA owned lands	How to ensure Indigenous access to UTRCA lands (and come to agreements about exerting Treaty Rights)
Environmental Planning and Regulations, Water and Information Management	Duty to consult for Drinking Water Source Protection and for water and erosion control structure environmental assessments	How to ensure Indigenous peoples are appropriately consulted
Water and Information Management	Asset management	How to incorporate Indigenous Engagement/ Duty to Consult in asset management (e.g., water control structures, lands, etc.)
Developing Partnerships		

UTRCA Unit	Project (product) / Activity (process)	Description
Community Partnerships and Education	Ally-Indigenous relationship building	Facilitating Indigenous/non-Indigenous relationship building around shared goals and projects (e.g., naturalization projects, municipal goal/objectives)
Environmental Planning and Regulations	Planning files (if approached, direct to appropriate municipality)	How to ensure Indigenous communities are provided opportunities to comment and / or see our comments
Integrated Watershed Management, Community Partnerships and Education	Tree planting	What Indigenous group is interested and how best to coordinate
UTRCA-wide	Cultural protocols	What cultural protocols to follow when visiting First Nations or inviting Indigenous Peoples to UTRCA lands/facilities (gifts, tobacco, introductions, smudging, food, configuration of meeting spaces)
UTRCA-wide	Strategic Plan	Ensure strategic plan is includes Indigenous perspectives during Pillar Development and operations / workplans
UTRCA-wide	Indigenous Engagement Strategy	Indigenous partnerships and collaboration are now a requirement of many stewardship funding opportunities. The UTRCA endeavours to ensure that any actions taken supports the needs of Indigenous Communities.
Incorporating Indigenous Knowledge / Culture/Artwork		
Lands, Facilities, and Conservation Areas	Healing garden	Install and ensure access to healing garden(s)
Lands, Facilities, and Conservation Areas	Prairie burning	Gather Indigenous Traditional Knowledge on why and how to burn
Community Partnerships and Education	Decolonizing and Indigenizing UTRCA educational programming for TVDSB and LDCSB	Indigenous educator / consultant or an Indigenous representative that has a close relationship with school boards to help appropriately include Two-Eyed Seeing approach, Traditional Knowledge, and land-based learning into educational programming
Community Partnerships and Education	Indigenous perspectives on water included in Children's Water Festivals	Inviting Indigenous partners to participate in Children's Water Festival planning and programming to ensure activities include Indigenous knowledge of water.
Water and	Engagement prior to	Gather feedback and information on water

UTRCA Unit	Project (product) / Activity (process)	Description
Information Management	Environmental Assessment (EA) Duty to Consult	and erosion control structures that may undergo an EA in the future.
Lands, Facilities, and Conservation Areas (project management)	Indigenous art/ mural/ landscape design (e.g., amphitheatre) installations at Fanshawe CA	Engaging local First Nations to ascertain how Indigenous art/design can be included in park improvements/ development.
Community Partnerships and Education	Art installations and/or inclusion in partnership and educational materials (e.g., Stream of Dreams).	Who to ask and how to compensate for artwork
Integrated Watershed Management	Logo development for Shared Waters Approach	Who to ask and how to compensate for artwork
Integrated Watershed Management	Invasive species	Share knowledge about invasive species including if and how they are controlled.

To: UTRCA Board of Directors
From: Christine Saracino
Date: March 25, 2025
File Number: BoD-03-25-20
Agenda #: 6.3
Subject: Procurement Under the Buy Canada Movement

Recommendation

That the Board of Directors approve an amendment to UTRCA Purchasing Regulations which would encourage buyers to consider the source of supply in their best value decisions in procurement. "The UTRCA prefers local supply".

Background

UTRCA Purchasing Regulations were last revised in 2019 however, the US trade war is now underway and proves to be an emerging issue for all levels of government, large industries and institutions. Many are currently contemplating a "Buy Canada" directive and restricting contracting to Canadian suppliers. The Association of Municipalities in Ontario (AMO) is attempting to collaborate with the province to harmonize procurement strategies. All attempts to change procurement practices are designed to help cushion the economic impact of the trade tariffs.

In 2018 the Board of Directors approved a set of Purchasing Regulations as a first step to provide guidance to staff who engage in procurement. At the time, there was internal discussion whether to include guidance on buying locally or buying Canadian. Many of our service suppliers are local, some are not. Some of our supply is Canadian, but much of it is unknown. Ultimately it was determined that the key thrust of the regulations at that time was to move buyers from a "lowest price" perception of procurement to one of "best value" and to introduce many other concepts to buyers which they may never have considered. The intent of the guidance is written as:

UTRCA wishes to operate in an ethically transparent and fair manner with a focus on the environment foremost. We would like to ensure that our suppliers have a shared commitment and similar responsible policies and practices. These procedures have been prepared to adhere to the Board Policy on Procurement and they attempt to ensure that the Authority engages in acquisition practices for which it receives best value, and that procurement is appropriately authorized.

The Regulations further speak to requiring accountability, transparency in use of funds, planning for buying, integrity, adherence to OADA and the Broader Public Sector Procurement Directive, codes of ethics regarding inducements, declaration of interest, and most specifically recognizing energy efficiency, reusable goods, biodegradable and low-water/low-impact products. The Regulations also specify how purchasing approvals

are required so that spending is controlled. Even with all these procurement requirements, the impact on the environment was intended to be stressed.

A full review of procurement activities is due. In the meantime, the Board could consider revising the Purchasing Regulations considering recent events. Some points to reflect upon:

1. A “Buy Canada” directive would necessarily preclude procurement from other nations besides the USA. This is likely not desirable, and it has, at times, been necessary to purchase software from the EU.
2. Such a directive requires a definition of what it means to be a Canadian product. Is that 100% Canadian parts or a minimum 90%? Does “Canadian” mean that it must be made in Canada, by Canadian workers and from a Canadian owned corporation? The extent of manufacturing integration creates difficulty in defining the Canadian product.
3. Is it better value to purchase a product, made in BC from Canadian trees, shipped from BC, than the same product made in Detroit from Canadian trees? Is the latter better or worse for the environment, for the Authority, or for the Canadian economy and which of those priorities supersedes the other?
4. The terms “Buy Canadian” or “Buy local”, “Give preference” or “Consider the source of supply” mean different things to different people. More than 60 people are registered to procure at UTRCA so the message and priorities must be clear and simple.
5. Until many interprovincial trade barriers are reduced, buying within Canada may be more difficult than procuring from the USA.
6. UTRCA, like many other CAs, require specialized products which do not have Canadian made alternatives. This constraint is related to the procurement regulation that which allows for sole sourcing for certain goods and services – we can often find best value overall with vendors who know our needs well, or we need to ensure continued compatibility with existing supplies, for example.
7. UTRCA is currently engaged in a procurement review of some goods and services, notably, waste management, uniforms supply, facilities supply, and fuels. We have not yet indicated that the recommended suppliers be local.
8. Scale and ultimate impact should be considered. Large municipalities, such as Toronto, display a “Love Local” web page with many resources to help individual residents and small business owners. At the same time, the city, like others, is gathering information on how best to respond to the tariffs by monitoring developments, using task forces to consult and develop ways to “enhance local procurement”. The City of Toronto has significant procurement needs while the UTRCA will spend approximately \$25M in 2025 on procurement contracts and supplies.

Summary

A brief poll of many CAs and municipalities indicates they are not focusing on a “Buy Canada” approach but adopting a “Buy Local” stance. “Buy Local” reduces transportation impacts on the environment and supports local businesses and jobs. This approach arguably supports the economy of the province and the country. It perhaps fits best with the scale of impact the UTRCA can make with its procurement practices.

Prepared by:

Christine Saracino, Supervisor of Finance

Recommended by:

Tracy Annett, General Manager

To: UTRCA Board of Directors
From: Joe Gordon, Regulations Coordinator
Date: March 25, 2025
File Number: BoD-03-25-22
Agenda #: 8.1
Subject: Administration and Enforcement – Section 28 Status Report

Recommendation

THAT the Board of Directors receive the Section 28 Status Report for information.

Background

The attached tables are provided to the Board as a summary of staff activity related to Section 28 of the *Conservation Authorities Act* and Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits. The tables cover staff activities and information as of **March 14, 2025**.

Summary of 2025 Permit Activity To-Date:

- **35 permit numbers** have been assigned to date in 2025 with **27 of those permits issued**.
- **Four (4)** Hydro One Standard Compliance Permits have been issued.
- **Eight (8)** Permit Extensions or Amendments have been issued.
- **50** Site Clearances have been issued for regulated properties where proposed development was reviewed and determined not to require a Section 28 Permit.

Permits In-Progress:

There are currently **22 total permits in progress** where additional information is still required prior to processing the permit application. There are thirteen (13) permits-in-progress from 2024 and one (1) from 2023 (i.e., *Permit 209-23. Applicant has been provided verbal consent from UTRCA but the permit will not be issued until associated planning approvals are in place*). Fifty percent (50%) of those permits-in-progress are within the City of London. Twenty-four (24) permit numbers previously reported in annual reports have been cancelled due to inactivity where the application was subsequently withdrawn or where no application form and/or applicable fee have been received.

The following table provides information on ALL permits-in-progress in a tally format

Table 1: Permit In-Progress Tracker:

YEAR	PERMIT #'S ASSIGNED	MORE INFORMATION REQUIRED	PERMIT ISSUED	HEARING DECISION	INACTIVE* (CLOSED)
2025	35	8	27	0	0
Permits in Progress (Prior Year Submission):					Prior Years
2024	219	13	183	4	19
2023	235	1*	229		5

The attached Table 2 provides further details of those permits issued to date in 2025 and demonstrates compliance with processing timelines required by O. Reg. 41/24 unless otherwise stated.

Recommended by:

Jenna Allan, Manager, Environmental Planning and Regulations

Prepared by:

Joe Gordon, Regulations Coordinator
 Jessica Schnaithmann, Land Use Regulations Officer
 Mike Funk, Land Use Regulations Officer
 Cari Ramsey, Land Use Regulations Officer
 Dave Griffin, Land Use Regulations Assistant
 Richard Brewer, Land Use Regulations Assistant
 Carly Sing-Judge, Land Use Regulations Assistant

Section 28 Status Report – Summary of Applications for 2024
Ontario Regulation 41/24

Report Date: March 14, 2025

Permit #	Municipality	Location	Category	Application Type	Project Description	Application Received	Response Notice	Notification of Complete Application	Permit Issued On	Comply with Timelines	Staff
1	London	19 Empress Avenue	Major	Development	Interior reno and addition - West London SPA	17-Dec-24	03-Jan-25	29-Jan-25	04-Feb-25	YES	Sing-Judge
2	West Perth	Perth Line 44 and 170 Road	Minor	Linear Utility Corridor	Proposed Directional Bore and install new HDPE conduit & fibre Optic Cable	06-Dec-24	12-Dec-24	06-Jan-25	10-Jan-25	YES	Brewer
3	London	35 Wyatt Street	Minor	Development	Basement renovations including window change	24-Dec-24	07-Jan-25	08-Jan-25	08-Jan-25	YES	Funk
4	EZ Tavistock	Oxford Rd 8	Minor	Linear Utility Corridor	Proposed Directional Bore and install new HDPE conduit & fibre Optic Cable	13-Dec-24	03-Jan-25	07-Jan-25	13-Jan-25	YES	Brewer
5	Blanford-Blenheim	Township Rd 10 and Township Rd 9	Minor	Linear Utility Corridor	Proposed Directional Bore and install new HDPE conduit & fibre Optic Cable (DRMBON102-DP01-MC09 and DRMBON102-DP01-MC12)	13-Dec-24	03-Jan-25	07-Jan-25	13-Jan-25	YES	Brewer
6	London	Huron Storm Channel, East of Adelaide WWTP at 1145 Adelaide Street North	Minor	Municipal Project	Proposed Storm Channel Cleanout	02-Jan-25	14-Jan-25	25-Feb-25	26-Feb-25	YES	Schnaithmann
7	London	28 Clarke Road	Minor	Municipal Project	EnviroDepot Facility Updates	14-Jan-25	21-Jan-25	21-Jan-25	21-Jan-25	YES	Funk
8	Zorra	Various - 9 Sites	Major	Municipal Project	Proposed installation of new Xplore Strand, Conduit and Fibre Project – AHSIP FTTH	12-Dec-24	13-Dec-24	28-Jan-25	07-Feb-25	YES	Brewer

Permit #	Municipality	Location	Category	Application Type	Project Description	Application Received	Response Notice	Notification of Complete Application	Permit Issued On	Comply with Timelines	Staff
9	Zorra	Various - 14 Sites	Major	Municipal Project	Proposed installation of new Xplore Strand, Conduit and Fibre Project – AHSIP FTTH	12-Dec-24	13-Dec-24	28-Jan-25	07-Feb-25	YES	Brewer
10	Zorra	Various - 17 Sites	Major	Municipal Project	Proposed installation of new Xplore Strand, Conduit and Fibre Project – AHSIP FTTH	12-Dec-24	13-Dec-24	28-Jan-25	07-Feb-25	YES	Brewer
11	Zorra	Various -12 Sites	Major	Municipal Project	Proposed installation of new Xplore Strand, Conduit and Fibre Project – AHSIP FTTH	12-Dec-24	13-Dec-24	28-Jan-25	07-Feb-25	YES	Brewer
12	Middlesex Centre	Clarke Rd (Approx 0.1km south of 10 Mile Rd- spanning Mills Drain	Minor	Municipal Project	Replacement of structure C-155	26-Nov-24	26-Nov-24	28-Jan-25	29-Jan-25	YES	Brewer
13	London	693 Proudfoot Lane	Minor	Municipal Project	Community Garden pathway	10-Jan-25	23-Jan-25	07-Mar-25	10-Mar-25	YES	Sing-Judge
14	Perth South	Lot 13 Southern Boundary - James Street	Minor	Linear Utility Corridor	Install 102m of 4" PE 420kPa Gas Main (Abandon ~100m of PE gas main) Crossing Sgariglia Drain	14-Jan-25	24-Jan-25	30-Jan-25	13-Feb-25	YES	Brewer
15	Stratford	115 O'Loane Ave.	Minor	Development	Replace existing 4500L septic tank to 9000L	27-Jan-25	27-Jan-25	27-Jan-25	28-Jan-25	YES	Brewer
17	Norwich	Newton Municipal Drain: Lots 20 & 21, Concession 3 East, north of Horn Road	Minor	Municipal Project	The installation of 73m of 450 mm diameter HDPE pipe, 3 concrete structures w 2 directional berms & 1 rip-rap stilling basin at the tile outlet	08-Jan-25	29-Jan-25	08-Jan-25	29-Jan-25	YES	Brewer
18	EZ Tavistock	Timms Creek Municipal Drain-Lots 10, Con 13- lot 12 con 12	Minor	Municipal Project	Drain Maintenance - Bottom Only Cleanout of 4000m through a wetland	29-Jan-25	03-Feb-25	29-Jan-25	03-Feb-25	YES	Brewer

Permit #	Municipality	Location	Category	Application Type	Project Description	Application Received	Response Notice	Notification of Complete Application	Permit Issued On	Comply with Timelines	Staff
19	Woodstock	Pittock Conservation Area, North Shore -221 Pittock Park Road	Minor	Development	Demolition of existing pavilion and construction of new shade structure and concrete pad with engineered footings.	04-Dec-24	06-Dec-24	15-Jan-25	05-Feb-25	YES	Winfield
20	Thames Centre	Lot 28, Con 1	Minor	Development	Spot cleanout of natural watercourse	04-Feb-25	04-Feb-25	04-Feb-25	14-Feb-25	YES	Ramsey
21	Thames Centre	23290 Valleyview Road	Minor	Development	Spot cleanout of natural watercourse	04-Feb-25	04-Feb-25	04-Feb-25	14-Feb-25	YES	Ramsey
22	Middlesex Centre	Adelaide 800 metre north of Ilderton Rd (White-Fitzgerald Drain)	Minor	Municipal Project	Minor bridge repairs	24-Jan-25	05-Feb-25	07-Feb-25	13-Feb-25	YES	Ramsey
25	London	485 Pond Mills Rd	Minor	Municipal Project	Replacement catchbasin outlet	12-Feb-25	14-Feb-25	14-Feb-25	14-Feb-25	YES	Funk
26	Woodstock	763 Athlone Avenue	Major	Development	Stormwater Management Outlet for New Subdivision	24-Jan-25	14-Feb-25	21-Feb-25	28-Feb-25	YES	Griffin
28	Stratford	67, 71 (Lot 1) Worsley Street	Major	Development	Proposed Semi-Detached Residences & Attached Garages	11-Feb-25	24-Feb-25	28-Feb-25	06-Mar-25	YES	Winfield
29	Stratford	59, 63 (Lot 2) Worsley Street	Major	Development	Proposed Semi-Detached Residences & Attached Garages	11-Feb-25	24-Feb-25	28-Feb-25	06-Mar-25	YES	Winfield
30	London	159 Paul Street - West London potential SPA	Major	Development	Proposed second floor addition and interior renovation	11-Feb-25	24-Feb-25	25-Feb-25	05-Mar-25	YES	Sing-Judge
34	Stratford	50 McManus Road	Minor	Development	Septic System upgrade & relocation of beds	07-Feb-25	18-Feb-25	04-Mar-25	07-Mar-25	YES	Brewer

To: UTRCA Board of Directors
From: Tracy Annett
Date: March 25, 2025
File Number: BoD-03-25-23
Agenda #: 8.2
Subject: Project Status Updates

Recommendation

THAT the Board of Directors receive the report for information.

Background

To assist the Board with previously discussed items the following status updates are provided. This report is updated and included at each meeting to identify project timelines and expected future reports.

Discussion

The table below provides progress and estimated timelines associated with significant UTRCA projects and items identified by the Board of Directors requesting reports. As the Strategic Plan is completed, workplans deliverables will also be incorporated into the tables below.

Report Back Items	Planned report or update	Project lead(s)	Status
Land Options	March 2025	Brent & Tracy	In progress - As requested at the October meeting, report back in the first quarter of 2025 with a report on options for parcels identified in closed session.
Administrative Review / Interim Policies	March 2025 with quarterly updates	Jenna	Administrative Review Policy in November 2024 December - Environmental Policy Manual Updates and Interim Response Mechanisms: Discussion Papers 1) Overview and Discussion 2) Wetland Management Policies 3) Access Standards (Administrative Review Report in no later than March 31, 2025) Quarterly reports planned February – Floodplain Freeboard Interim Response
Section 28 Regulation Policies (March	May 2025	Jenna	In Progress - Release of new Regulations on Friday February 16th, effective April 1, 2024.

Report Back Items	Planned report or update	Project lead(s)	Status
2024, September 2024)			May Meeting included Technical Checklists and S28 Compliance Procedures Staff will continue to: develop policies and procedures, and undertake consultation with municipalities, partners, and development groups, etc.
Hazard Mapping Consultation	April 2025	Jenna & Erin	In Progress - Hazard Mapping Consultation Thames River in the City of London Report was provided at September Meeting and Presentation in October 2024.
Cyber Security	October – Postponed to April	Tracy Christine Chris	Overdue - Report to F&A – Staff to prepare a report on the current state of cyber security for the organization and any recommendations to improve to be presented to the Finance and Audit Committee at the April meeting, in-camera. Directed staff for future updates. Report to the Board to follow.
Children’s Safety Village (June 2023, February 2024)	October - Postponed to April	Teresa & Brent	Overdue – Internal Discussions on-going, business plan for use as education / visitors centre and campground registration. Update to be provided to BOD as Day-Use Plan is advanced.
Retention Policy	August – Postponed to April	Tracy & Michelle	Overdue – updated retention policy to be prepared based on a collaborative CA draft. The CA draft has been legally reviewed. Aligning retention policies with integration of Microsoft 365 (file structure, naming conventions, etc.) Currently migrating from GroupWise to Outlook and Microsoft 365.
UTRCA Asset Management Plan	May 2025	Brent & Christine	In progress - Groups of Assets e.g., Natural Hazard Infrastructure, Fleet, Facilities etc. Regular progress reports expected. (Note* suggested to add graphics similar to those used by the City of London in their asset management plans to identify overall condition of asset) Asset Management Policy – Approved January 2024
Land Tenant Program Update	As required	Brent	In Progress – Ongoing status of land tenant program, in-camera. Report

Report Back Items	Planned report or update	Project lead(s)	Status
(March 2022 meeting, November 2023, March 2024, August 2024, October 2024, November 2024)			provided. Update provided in October. Verbal in-camera update in November. Future update as required

Definitions

Progress	Timeline
Not started	indicate project initiation date
In progress	anticipate completion date
Complete	date completed
Overdue	expected completion date and reasons for the delay
On Hold	other circumstances

Summary

The summary provided is intended to help track items requesting report updates to the Board and project updates. It is noted that items may be shifted to accommodate the number of agenda items and board meeting schedules.

Recommended by:

Tracy Annett, General Manager

To: UTRCA Board of Directors
From: Jennifer Howley, Health and Safety Specialist
Kimberly Richardson, Human Resources Coordinator
Date: March 25, 2025
File Number: BoD-03-25-24
Agenda #: 8.3
Subject: Annual Health and Safety Update - 2024

Recommendation

THAT the Board receive the following report for information.

Background

A strong internal responsibility system (IRS) is considered a key element to a successful health and safety program. It ensures that every individual within an organization, regardless of their position, actively participates in identifying and addressing safety hazards, taking ownership for their own safety, and the safety of others. This approach creates a culture where safety is everyone’s responsibility. The UTRCA management team are responsible for the health and safety of all workers. Through their leadership and commitment, the prevention of accidents, injuries and occupational illnesses are an integral part of every job associated with the UTRCA.

In 2024, the UTRCA participated in the Workplace Safety and Insurance Board (WSIB) Health and Safety Excellence Program (HSEP). While the UTRCA has always prioritized the health and safety of the workers, participation in the HSEP enabled the Authority to further improve the UTRCA health and safety program by introducing standardized templates for policy, program, and procedure development ensuring consistent content, organization, and availability of the information. Outcomes from the program participation has ensured the UTRCA internal responsibility system has a solid foundation.

Annually, the Board of Directors is updated about the UTRCA Health and Safety Program including accident reporting, milestones, and objectives for the upcoming year.

First Aid Summary Report

Reports by Body Area of Injury

Body Area of Injury	2024	2023	2022	2021	2020
Back/Torso	3	5	5	5	3
Arms/Shoulders	2	7	8	4	-
Fingers/Hand/Wrists	19	8	9	8	-
¹ Arms/Shoulder/Fingers/Hands/Wrists	-	-	-	-	10
Legs/Knees	5	5	4	3	-

Body Area of Injury	2024	2023	2022	2021	2020
Toes/Feet/Ankles	1	-	1	1	-
¹ Legs/Knees/Toes/Feet/Ankles	-	-	-	-	4
Head/Face	3	5	1	3	-
Eyes	5	3	2	4	-
Ears	-	-	-	-	-
Multiple areas	-	-	-	1	-
Other	-	4	-	-	-
Total Reports Submitted	38	37	30	29	15

¹ In 2021, the categories of Arms/Shoulders/Fingers/Hands/Wrists and Legs/Knees/Toes/Feet/Ankles were split into four categories: Arms/Shoulders, Fingers/Hands/Wrists, Legs/Knees, and Toes/Feet/Ankles.

Reports by Injury Type

Injury Type	2024	2023	2022	2021
Struck/Caught/Pinch/Cut/Puncture	24	14	13	7
Fracture	-	-	-	-
Sprain/Strain (i.e., back injury, twisted ankle)	1	5	6	6
Slip/Trip/Fall	1	3	4	2
Biological Hazards (i.e., bites, stings)	9	9	6	12
Chemical Hazards	3	3	1	2
Psychological	-	2	-	-
Other	-	2	-	-
Total	38	38	30	29

While 2024 saw similar numbers of incidents to 2023, the severity of the actual injury was much less. Nonetheless, these are workplace injuries that staff are reporting, and it is important to understand their root causes and how to prevent them from happening again.

While hand injuries made up many reports submitted over the years, 2024 saw a significant increase. Hand injuries included blisters, bee stings, paper cuts, broken glass, and pinches. While they seem minor, it demonstrates that the UTRCA can do more to protect our workers' hands. A Hand Safety Program will be developed in 2025, and all staff will be trained.

Lost Time Summary

A lost time injury is when an employee cannot return to work after an injury. Workplace Safety and Insurance Board (WSIB) must be notified if:

- the injured worker requires medical attention (doctor, dentist etc.) and/or
- The injured worker misses work due to the injury

Annual Summary	2024	2023	2022	2021	2020
Number of First Aid Reports Resulting in Lost Time	3	4	1	3	1

Incident/Accident Follow-up

It is important to follow up after an incident or accident happens to prevent it from reoccurring. Understanding root cause, providing support to those involved and implementing corrective measures and monitoring the effectiveness of the actions is important to ensuring the health and safety of workers.

Workplace supervisors are responsible for following up with their staff after every incident and accident. The Joint Health and Safety Committee will perform an in-depth investigation, when the incident/accident causes lost time, personal or property damage or disruptions to operations including near misses.

In 2024, the JHSC performed one accident investigation. Results of the investigation were discussed at the JHSC as well as with staff involved. Operational changes have been put in place with additional recommendations being explored further.

Ministry of Labour Visit

In July 2024, the Ministry of Labour followed up with a complaint from a sub-contractor about working conditions in the tunnel area of Fanshawe Dam; specifically, air quality and concern of mould growing on the walls. Orders received during the visit included the requirement to develop a Heat Stress Program for the workplace and train staff in the program, conduct air quality and mould testing in the tunnel area, and addressing a few housekeeping items. Pinchin was hired to perform the mould and air testing, which revealed elevated mould levels, leading to a recommendation for remediation. A contractor (First Onsite) was brought in to remediate the tunnel, after which Pinchin conducted follow-up testing. The results were deemed acceptable, with minor mould growth detected in one area. Given the workplace's nature, staff are implementing a long-term solution to monitor mould and manage algae growth.

WSIB – Health and Safety Excellence Program

As noted at the January Board of Directors meeting, the UTRCA received \$29,202 for the successful completion of the WSIB HSEP. Following the Plan, Do, Check, Act Framework, the UTRCA Leadership, Commitment, Roles, and Responsibilities Program, the UTRCA Hazard Management Program and the Hazard Risk Registry were developed.

The health and safety benefits of participating in the program are greater than the financial incentive. Networking opportunities with other Conservation Authorities, employee engagement throughout the process, and the opportunity to re-evaluate existing health and safety programs has also been beneficial.

Joint Health and Safety Committee Structure

In the fall of 2024, the three Joint Health and Safety Committees evaluated the committee structure's effectiveness. As part of the WSIB HSEP, the development of the Hazard Management Program and the UTRCA Hazard Risk Registry made it clear that as an organization, although there are different physical workplace locations, the work is the same and many of the tasks and hazards identified overlap. The current committees agreed that it would be beneficial to consider a multi-site Joint Health and Safety

Committee (MJHSC) designation to allow for fulsome discussions about hazards in the workplace versus each individual committee not being able to benefit from the perspective of others.

As part of the application process to the Ministry of Labour, Immigration, Skills and Development (MOL), a MJHSC Terms of Reference was developed and approved in December 2024 by the three JHSC's. The application was submitted to the MOL in January 2025, and we are currently awaiting their decision.

Goals for the UTRCA Health and Safety Program in 2025

- Complete three topics associated with HSEP
 - UTRCA Hand Safety Program
 - UTRCA Visitor and Contractors Management in the WCC Program
 - Fanshawe Dam Tunnel Evacuation Plan
- Receive rebate from WSIB 2024 surplus – **ACHIEVED! \$127,124.70**
- Receive Multi-site JHSC designation

Summary

The UTRCA has always made health and safety a priority. Having participated in the WSIB HSEP, the benefits to our own program are greater than the financial incentives received. All workplace parties have been instrumental in ensuring our internal responsibility system is successful and should be proud of the accomplishments.

Recommended by:

Jennifer Howley, Health and Safety Specialist

Kimberly Richardson, Coordinator, Human Resources

To: UTRCA Board of Directors
From: Joe Gordon, Regulations Coordinator
Date: March 25, 2025
File Number: BoD-03-25-25
Agenda #: 8.4
Subject: Administrative Review Officers (ARO) Discretionary Policy Decisions – Quarterly Report

Recommendation

That the Board of Directors receive the ARO Quarterly Report for information.

Background

At the December 2024 meeting the Board of Directors carried a motion to authorize the Administrative Review Officers (ARO), being the General Manager and the Manager, Environmental Planning and Regulations, to exercise discretionary decision-making regarding certain policies within the Environmental Planning Policy Manual (revised 2017), on an interim basis, and that this discretionary decision-making be limited to wetland management policies and certain floodplain management policies relating to dry access requirements.

Additional authorization for consideration of floodplain freeboard areas was added to the list of certain policies for ARO discretionary decision-making at the February 2025 Board of Directors meeting. As part of the Board authorizations, staff was directed to report back to the Board on a quarterly basis summarizing the instances and outcomes associated with the ARO use of interim authority. The following provides a summary of the ARO discretionary policy decisions that have been considered and endorsed to date.

Wetlands – Removal, Compensation and/or Off-setting:

Contrary to existing prohibitive wetland policy #3.2.6(2), a total of **eleven (11)** Development Applications have been endorsed by ARO to date for proposed development within a wetland where demonstration has been provided to staff satisfaction that there will likely be no impact upon the control of natural hazards:

- Six (6) of those applications relate to the full removal of small unmapped wetlands (<0.5ha) with proposed onsite compensation/off-setting;
- Three (3) of those applications relate to partial removal or alterations of wetlands with proposed onsite compensation/off-setting; and

- Two (2) of those applications relate to the removal of small unmapped wetlands (<0.5ha) or wetlands where potential impacts to natural hazards have been compensated for and mitigated within a new complete corridor design concept.

Access Standards – Dry Access Requirements:

A total of **two (2)** planning applications have been supported by ARO to date for new development that maintains the provincial “safe” access standard but cannot achieve UTRCA policy # 3.2.3.1(4) for “dry” access:

- One (1) of those applications relate to proposed new development where all construction of proposed new buildings and structures are located outside of any hazardous lands and the regulated area. However, the existing entrance to the subject property is inundated by the outer extent of flood water from the Thames River. “Dry” access standards are achieved for pedestrian ingress/egress to the property but vehicular access can only achieve the provincial “safe” access standard.
- One (1) of those applications relate to redevelopment of an existing land use that includes expansion and intensification of use considerations. A portion of the subject property is located within the floodplain including the existing access driveway which crosses Waubuno Creek. The proposed new development concept sites all new development outside of the floodplain and relocates existing structures at risk to flooding. A flood model has been completed to demonstrate “safe” access standards with proposed bridge modifications.

Floodplain Freeboard Area:

There have been no applications to date considered by the ARO for development within the floodplain freeboard area.

Outcomes

The discretionary ARO decisions to date have provided the necessary support and guidance for staff to work collaboratively with the associated municipality and proactively advance appropriate development applications through the municipal planning process.

These ARO decisions to date have supported staff’s position on proposed development where, through satisfactory technical studies, have demonstrated that the provincial minimum standards have been met and/or impacts of development upon the control of natural hazards are minor or negligible. The discretionary policy decisions provide the necessary certainty to staff that a Section 28 Permit can be issued at the staff level after completion of the planning approval process.

This interim process has eliminated the prior challenges for staff providing regulatory and advisory comments on planning and development applications that are generally supported by staff and the municipality but have been complicated by existing UTRCA

prohibitive policies with no flexibility for consideration of support based on the site-specific considerations and technical aspects.

This process has also reduced the necessity of scheduling hearings for the sole purpose of addressing non-compliance with policy where staff are supportive of the development and where the requirements of provincial policy and the Section 28 regulation have ultimately been met. These examples will be considered when developing policy updates to the new Planning and Regulation Policy Document.

Recommended by:

Tracy Annett, General Manager / Secretary Treasurer (ARO)

Jenna Allain, Manager, Environmental Planning and Regulations (ARO)

Prepared by:

Joe Gordon, Regulations Coordinator

Jenna Allain, Manager, Environmental Planning and Regulations