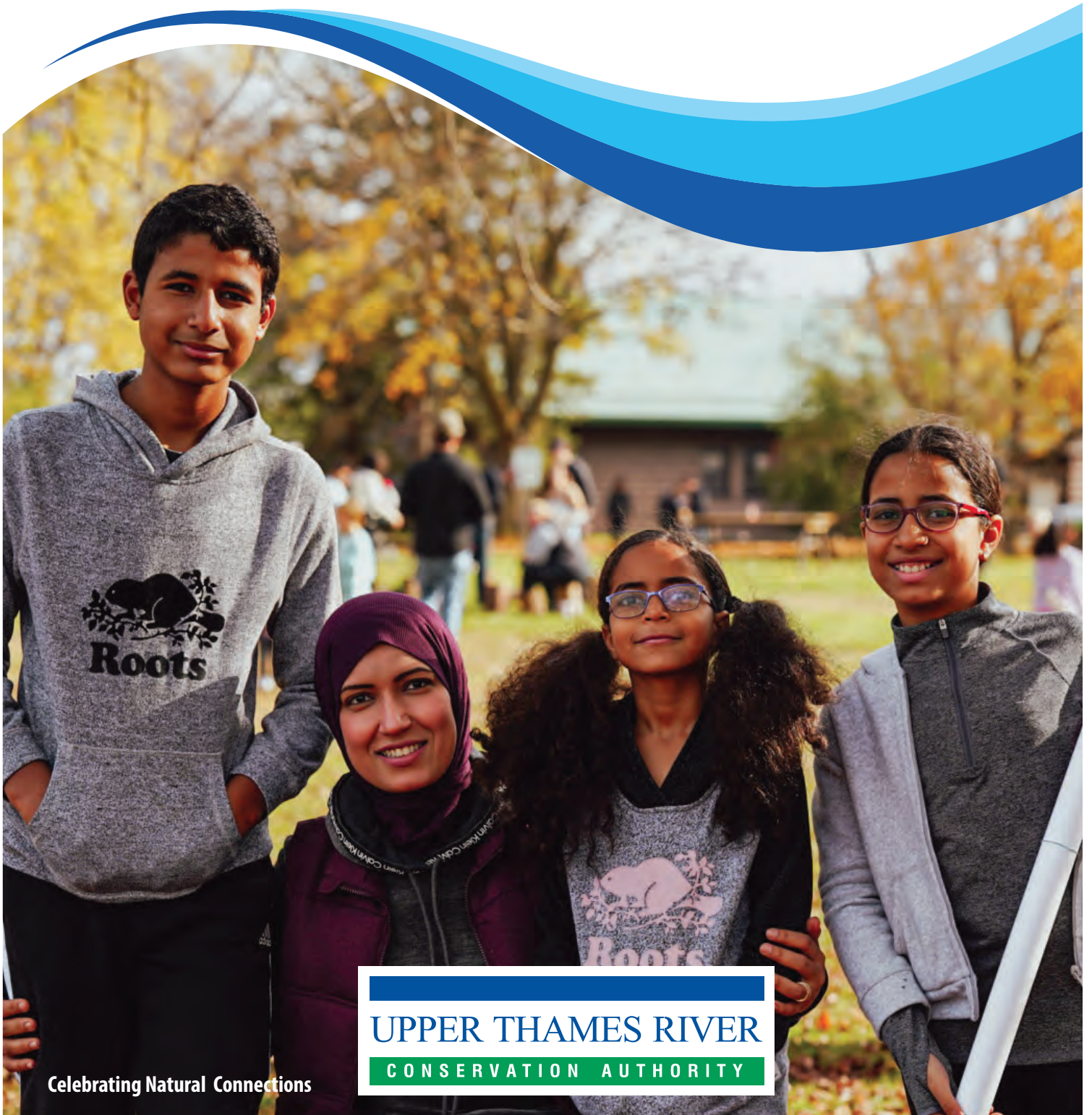


Board of Directors

Upper Thames River Conservation Authority



UPPER THAMES RIVER
CONSERVATION AUTHORITY

Celebrating Natural Connections

Upper Thames River Conservation Authority Board of Directors' Meeting Agenda

Tuesday November 22, 2022 at 9:30 A.M

Virtual Meeting due to COVID-19 Pandemic

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: Wednesday October 26, 2022

Mover: A.Westman

Seconder: M.Blosh

THAT that the Upper Thames River Conservation Authority Board of Directors approve the Board of Directors' minutes dated October 26, 2022, including any closed session minutes, as posted on the Upper Thames River Conservation Authority web-site.

5.2. Business Arising from Minutes

5.3. Correspondence

6. Reports – For Consideration

6.1. 2023 Fees Policy and Fee Schedules

T.Annett – #125941

Mover: A.Hopkins

Seconder: T.Jackson

THAT the Board of Directors approve the recommendation as presented in the report.

- 6.2. 2023 Board of Directors Meeting Schedule, Transition and Orientation Plan
T.Annett / M.Viglianti – Admin #4639
Mover: S.Levin
Seconder: M.Lupton
THAT the Board of Directors approve the recommendation as presented in the report.
- 6.3. Omnibus Bill 23: More Homes Built Faster Act
J.Allain – ENVP #12678
Mover: N.Manning
Seconder: H.McDermid
THAT the Board of Directors receive the report for information.
- 6.4. 2023 Draft Budget Approval
T.Annett – Admin #4641
Mover: P.Mitchell
Seconder: A.Murray
THAT the Board of Directors approve the recommendation as presented in the report.

7. Reports – For Information

- 7.1. Administration and Enforcement – Section 28 Status Report
J.Allain – ENVP #12677
Mover: B.Petrie
Seconder: J.Reffle
THAT the Board of Directors receive the report for information.
- 7.2. November For Your Information Report
Mover: J.Salter
Seconder: M.Schadenberg
THAT the Board of Directors receive the report for information.

8. Notices of Motion

9. Chair's Comments

10. Members' Comments

11. General Manager's Comments

12. Reports – In Camera

13. Adjournment

Mover: M.Blosh

A handwritten signature in blue ink, appearing to read "Tracy Annett", with a long horizontal flourish extending to the right.

Tracy Annett, General Manager

To: UTRCA Board of Directors
From: Tracy Annett
Date: November, 2022
Filename: #125941
Agenda #: 6.1
Subject: 2023 Fees Policy & Fee Schedules

Recommendation

THAT the proposed 2023 Fee Schedules be approved by the UTRCA Board of Directors for implementation beginning December 31, 2022.

Background

The Upper Thames River Conservation Authority (UTRCA) approved the Fees Policy in 2019. In keeping with Board direction, UTRCA charges fees for its services on a cost-recovery basis and the benefit received by the applicant from specific types of services. The policy states the following:

This Fee Policy & Schedules will be reviewed annually by the UTRCA Management Team, in conjunction with the annual budgeting process. The Management Team will seek information regarding fees, from various sources, as identified in the process and public notification section above; prepare a proposed revised Fee Schedule with a report to members regarding recommendations. The Board of Directors shall receive and make recommendation as to the proposed Fee Schedule.

There are no changes to the Fee Policy proposed, some fee schedules have been revised as outlined below.

Fee Schedules

Consistent with policy, an annual review of fee schedules for each program area has been undertaken. Amendments were provided for the following program areas:

Section 28 Permit fees

UTRCA's Environmental Planning and Regulations Unit typically updates the fee schedules every year to keep pace with cost-of-living and other initiatives, and to ensure a sustainable revenue source and high level of service. A comprehensive review of our planning and permit fee schedules was undertaken earlier this year and recommended changes were presented and approved at the June Board of Directors meeting. The goal of the fee changes approved in June was to achieve a reasonable and fair increase

in each fee category that aimed to result in a 50% cost recovery of the service delivered.

The fee increases approved in June have been successful in achieving our objectives. Our projected fee revenue for 2022 is 43% higher than actual fee revenue collected in 2021. In order to maintain this revenue source and our high level of service delivery, we are proposing to increase our fees by 6% for 2023 to reflect wage increases and keep pace with inflationary increases in our operating expenses.

Given the recent announcement under Bill 23, the More Homes Built Faster Act, to freeze Conservation Authority fees at the Minister's direction, UTRCA staff have given consideration to how other changes proposed under Bill 23 could impact our fees revenue. For 2023, we have proposed to include a new note to our planning fee schedule that would double our plan review fees where an exemption for a Section 28 permit is granted. The Province has proposed to exempt development applications subject to Planning Act approvals from requiring a Section 28 permit in certain municipalities. Should these exemptions be applied in the Upper Thames River watershed, the new note we have proposed recognizes that staff time for permit work is still needed, even if an exemption from obtaining that permit is granted.

Conservation Areas

Conservation Areas Fee increases reflect the anticipated increases in operating costs including but not limited to wages, insurance, taxes, electricity and other operational incidentals. Trends with respect to outdoor recreation continue to climb in both day use and campground operations and staff anticipate similar activity in 2023. In 2022 each of our CA's experienced increased demand to near capacity for seasonal and overnight campsites and staff anticipate similar demand in 2023.

New for 2023 is a "Shoulder Season Day-Use Fee" at Wildwood and Fanshawe CA's that would be applied once the campground operating season ends, as a means of recognizing an extended operating season with reduced services.

Forestry

Price increases for 2023 were made to offset supplier price increases. Increases in nursery stock, as well as cost associated with herbicide, stakes, ties and rodent guards that are built into the planting fee. Some tree planting fees have been reduced where reduced crew sizes and efficiencies have been realized for larger orders (over 25 trees).

Environmental Education Programs and Lands & Facilities

Fees for environmental education programs were updated in 2022 and the majority have remained unchanged for 2023. The range of fees for In-Classroom and Off-Site Programs have been updated to reflect demand for virtual programming (low end) and more involved, yearlong program implementation (high end). Environmental education program fees are determined by balancing the intention to recover costs while at the same time keeping pricing competitive.

With respect to the UTRCA hunting program, permit fees have not increased in nearly 10 years and do not currently cover the cost of program delivery. A nominal fee increase is being proposed for 2023 to help offset the increase in program

administrative costs. A comprehensive review of the UTRCA Hunting program and fees will be undertaken in 2023.

Summary

The fee increases proposed reflect minor increases to account for inflation or costs associated with program delivery. The proposed increases are consistent with the UTRCA's fees policy.

Recommended by:

Tracy Annett, General Manager

Prepared by:

Jenna Allain, Manager, Environmental Planning and Regulations
Brent Verscheure, Manager, Lands, Facilities and Conservation Areas
Brad Glasman, Manager, Integrated Watershed Management
Teresa Hollingsworth, Manager, Community and Corporate Services

Attachments:

Upper Thames River Conservation Authority Fees Policy & UTRCA Fee Schedules

Upper Thames River Conservation Authority

Fees Policy

**Approved by the Upper Thames River Conservation Authority Board of Directors,
November 26, 2019 and amended on October 26, 2022**

**Fee Schedules revised November 24, 2020; effective January 1, 2021; amended May 25,
2021**

Fee Schedules revised November 23, 2021; effective January 1, 2022

Fee Schedules revised June 28, 2022; effective July 1, 2022

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Upper Thames River Conservation Authority Fees Policy

Approved by the Upper Thames River Conservation Authority (UTRCA) Board of Directors, November 26, 2019 and amended on October 26, 2022.

Basis

Amendments to the Conservation Authorities Act were undertaken in 2020 to clarify the programs and services that conservation authorities (CAs) deliver. In 2021, O. Reg. 686/21 Mandatory Programs and Services provided additional clarity regarding the programs and services that CAs are required to provide. In April 2022 the Minister released Policy: Minister's list of classes of programs and services in respect of which conservation authorities may

Upper Thames River Conservation Authority Fees Policy

charge a fee (“Minister’s List”). CAs 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 identifies that CAs may charge a fee for mandatory, municipal and other programs and services where the user-pay principle is appropriate.

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. The new Minister’s List will come into effect on January 1, 2023. This policy document is intended to fulfill the requirements for each authority to adopt a written policy with respect to the fees it charges for the programs and services it provides.

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The attached Fee Schedules are based on the user-pay principle. The fees and revenues generated are designed to assist with recovering the costs associated with administering and delivering the services on a program basis. Fees take into account estimated staff time, travel, and materials costs to provide the service, but do not exceed the cost of the service.

Legislative Framework

On January 1, 2023 the Conservation Authorities Act is amended by enacting section 21.2 (1)-(12) “Fees for Programs and Services”. Subsection (1) enables the Minister to determine the classes of programs and services in respect of which an authority may charge a fee and (2) requires the minister to publish a List in a policy document. CAs may only charge a fee for a program or service that it provides if it falls within this list.

Under the *Conservation Authorities Act*, programs and services delivered by conservation authorities include:

- **Mandatory programs and services.** Mandatory programs and services that the conservation authority is required to provide [see 21.1 for further details]. These services are further defined in O.Reg. 686/21: Mandatory Programs and Services and may be funded by provincial grants, other sources, municipal apportionment and/or conservation authority self-generated revenue (e.g., user fees) where the user-pay principle is appropriate.
- **Municipal programs and services.** Programs and services that an authority agrees to provide on behalf of a municipality under a MOU or agreement [see 21.1.1 for further details]. The program or service may be funded by the municipality or by other funding mechanisms (e.g., user fees where the user-pay principle is appropriate) as per the MOU or agreement.
- **Other programs and services.** Programs and services that an authority determines are advisable to further the purposes of the Act [see 21.1.2 for further details]. The program or service may be funded by the municipality or by other funding mechanisms (e.g., user fees where the user-pay principle is appropriate) as per the cost apportioning agreement and the Minister’s List.
 - a)

Policy Direction

When updating existing fee schedules or establishing new fees the following policy direction will be considered:

- 1) fees need to be set with regard to legislative requirements, ability to sustain programs, and be based on a user-pay philosophy;
- 2) fee increases should include inflation;
- 3) fees must not exceed the costs of delivering the services;
- 4) refunds of fees may carry an administrative cost/penalty;
- 5) fees are reviewed at least annually and regular adjustments to fees are desirable;
- 6) the fee schedule will be approved on an annual basis to inform the budget for the following year.

Exemptions and In-Kind Services

The Authority may waive fees for non-profit conservation groups contributing to the protection and restoration of the natural environment. Examples include but are not limited to: Ducks Unlimited, Nature Conservancy of Canada, Ontario Federation of Anglers and Hunters, and various “Friends of” groups.

In addition, in-kind technical services are routinely provided by the Authority to assist non-profit conservation groups. Technical services may be required for non-profit groups that do not have qualified professionals nor the funding to acquire the expertise to undertake projects to further achieve the environmental targets of the Authority.

Process and Public Notification

When developing and establishing fees, the Authority also considers the fees of Conservation Authorities offering the same level of service and technical advice, the fees set by neighbouring Conservation Authorities, fees charged by local municipalities and agencies, and fees charged by the private sector for similar services.

Fees account for estimated staff time, travel, equipment and material costs plus a reasonable charge to cover administration of the program, which normally includes an allocation for shared corporate services.

This Fees Policy has been established by the UTRCA Board of Directors and is administered and applied by staff of UTRCA. The Management Team in consultation with the General Manager may, under extenuating circumstances, waive or reduce fees.

The public is notified of any proposed increases or revisions to the Fee Schedule, by way of posting a notice on the UTRCA website that the Fee Schedule will be reviewed on an identified date, at an open meeting of the Authority’s Board of Directors.

Implementation

While cost recovery is a requirement for certain services, noted above, the Authority considers other factors when setting fees, such as fees of neighbouring Conservation Authorities, the

nature and level of fees charged by local municipalities for related services and in some cases, the value of similar services provided by the private sector. It should also be noted that for some circumstances and programs, an attempt to charge a fee that would provide complete cost recovery is not feasible due to inability to pay and would result in reduced demand for the service, e.g., school education programs.

1. Planning and Regulations (Section 28 Permit Fees, Planning Act and Technical Reviews)

UTRCA administers its fee program for Planning and Regulations to achieve a partial cost recovery to-date for the plan review function. UTRCA programs aims to achieve a 50-50 user fee to levy ratio to represent the maximum reliance on user-fees in order to safeguard the planning and regulations program and its services against economic volatility and subsequent budgetary uncertainty. It is also intended to reflect that significant effort and resources are used for pre-consultation related to activities, proposals and inquiries prior to application submissions as well as compliance activities. The fee schedules are based on the complexity of the application and technical review required, which influences the staff time and resources needed for the review. Administration may consider the following issues and data, where and when relevant to revise the fee schedule:

- analysis of trends in workload changes as a result of shifts in the development market and types of applications;
- consultation with developers/municipalities about work effort, new planning/legislative requirements and streamlining;
- general overview of status of cost recovery;
- statistics related to number of applications and annual changes, where required;
- level of service/review expectation for processing timing;
- areas of improvement of level of service/staffing demands;
- cost cutting measures as required;
- reserve fund requirements;
- identification of specific/specialized municipal requirements;
- trends in legal costs associated with appeals to the Local Planning Appeal Tribunal (formerly the Ontario Municipal Board), Mining and Lands Tribunal, and other legal services.

It is the objective of the UTRCA 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.

Exemptions to the application of these fees include:

- Non-profit conservation groups contributing to the protection and restoration of the natural environment, examples include but are not limited to: Ducks Unlimited, Nature Conservancy of Canada, Ontario Federation of Anglers and Hunters;
- UTRCA for permit applications, Planning Act applications, inquiries, and site assessments.

2. Conservation Areas Fees

Conservation Areas fees are reviewed annually by Conservation Unit staff following the end of the camping season in October. Criteria for setting fees are:

- impact on or opportunity to support the Environmental Targets Strategic Plan;
- anticipated operational expenses that will be incurred that will impact the budget;
- comments and feedback from CA users;
- comparison to similar operations and opportunities in the industry, including trends.

As part of the fee setting process, staff also review operational policies that pertain to the various aspects of the Conservation Area services and programs. Refund policies are included in this review and adjusted as necessary. Information pertaining to these policies is shared on our websites as well as available in print. Seasonal campers receive an electronic copy of both the fee schedule and policies annually.

In order to meet deadlines for print advertising as well as reservation system upgrades, fees are approved in November and come into effect January 1 of the new year. Once approved, new fees become public.

To be consistent with Accessibility Standards for Customer Service Regulation (O.Reg. 429/07) and the Human Rights Code, the Conservation Areas permit people with disabilities who use a support person to bring that person with them while accessing goods or services in premises open to the public or third parties, free of charge.

3. Forestry Services Fees

Fees for trees and services are reviewed and up-dated annually. An attempt is made to balance user fees with program costs while trying to maintain and, over the long-term, expand natural areas according to the Environmental Targets Strategic Plan. It must be noted that without cost-sharing opportunities such as the Clean Water Program, 50 Million Tree Program, Ontario Power Generation and others, the program would not be sustainable (i.e. tree numbers planted would drop considerably).

The cost of providing these services is based on the following principles:

- tree costs are based on wholesale tree costs dependent on individual stock items. A mark-up is applied to cover costs associated with tree delivery and storage requirements;
- planting fees for both machine and hand planting are based on staffing and equipment costs;
- where the UTRCA is asked to replant areas to comply with court orders (e.g., Woodlands Conservation By-Law, CA Act Permit requirements), the fees charged reflect full cost recovery.

4. Community Education Program Fees

Conservation Education program fees are reviewed annually and changes implemented in time for promotion of fall programs. The fees advertised in September are in place for the school year. UTRCA conservation education programs are funded through a number of avenues including fees charged directly to the school classes participating, fees charged

Upper Thames River Conservation Authority Fees Policy

directly to the School Board and through corporate, foundation or government sponsorships of specific programs.

The Authority offers programs on site (within Fanshawe or Wildwood Conservation Areas), off site (wetland, watercourse) and in-class and on the grounds of the school. The fees charged for an on-site program is a cost per student per half day program. There is a minimum fee per program. Most programs can accommodate two or three classes. This revenue is augmented by Authority levy funds to cover costs. Staff endeavour to control dependency on Authority levy funds by recovering as much of the program costs as the market will bear. To determine the fees charged directly to the school classes a number of factors are considered including:

- availability of similar services;
- surveys of prices charged by organizations offering similar services; and
- demand for the program.

Off site, specialty programs are sponsored through corporate, foundation or government agencies. At times, a school board will arrange for the UTRCA to provide programming or professional development to a number of classes or staff. In these instances, the fees charged cover all costs incurred by the Authority.

5. Hunting Fees

Lands, Facilities and Conservation Areas Unit's fee for hunting will be reviewed annually. Criteria for increasing the hunting program fees are:

- anticipated operational expenses that will be incurred;
- comments and feedback from applicants and permitted users of designated hunting areas;
- comparison to similar operations and opportunities at other Conservation Authorities.

The fee setting process will include a review of operational policies. The Hunting Team will incorporate MNRF hunting regulation changes, UTRCA policy changes, admission agreements, terms and conditions (written permission) updates, GIS map updates, and applicable fee updates, which are shared on our websites as well as available in print.

Refunds

The UTRCA does not issue refunds for services or products once the application or order is submitted and the payment has been processed.

The Lands, Facilities and Conservation Areas Unit has policies regarding refunds specific to the different programs and services offered. Policies regarding refunds are posted on the individual conservation area websites as well as copies are distributed to seasonal campers. Links to the websites are updated by January 1 for the upcoming operating season. Refunds are not offered for inclement weather nor are they offered when a permit holder is being evicted from the premises.

Appeal

The fee appeal process will be based on the principles of fairness, opportunity, and notification. Application for an administrative review may be received for, 1) an appeal if a fee is contrary to the fees set out in the fee schedule, or 2) that the fee set out in the fee schedule is excessive in relation to the service or program received.

Requests for an administrative review must be in writing to the General Manager (or delegate) and specify the reason(s) for the request for review. Upon reconsideration of a fee that was charged by the authority, the authority may:

- a) Order the person pay the fee in the amount originally charged;
- b) Vary the amount of the fee originally charged, as the authority considers appropriate; or
- c) Order that no fee be charged for the program or service.

If not satisfied with the outcome then an appeal will be directed to the UTRCA Board of Directors for a decision. Once heard, the appeal will be dismissed or upheld through a resolution passed by the Board of Directors. The appellant will be notified accordingly of the Board's decision.

If a refund is approved, a 10% administration fee will apply.

Date of Effect

The Fee Policy becomes effective as of the date of UTRCA Board of Directors approval unless stated otherwise.

Transition

The establishment of this Fee Policy 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.

Review

This Fee Policy and Schedules will be reviewed annually by the UTRCA Management Team, in conjunction with the annual budgeting process. The Management Team will seek information regarding fees, from various sources, as identified in the process and public notification section above; prepare a proposed revised Fee Schedule with a report to members regarding recommendations. The Board of Directors shall receive and make recommendation as to the proposed Fee Schedule. Once approved, the revised Fee Schedule to this policy will be published on UTRCA's website, distributed to Municipal Clerks for posting, and in other materials used by the public.

Fee Schedules

Schedule 1: Planning and Regulations Fees (includes UTRCA Section 28 Permit Fees, Plan Review Fees, Technical Review Fees, and other fees)

Schedule 2: Conservation Areas Fees

Schedule 3: Forestry Services Fees

Schedule 4: Community Education Program Fees

Schedule 5: Hunting Fees

Schedule 1: Planning and Regulations Fees

Includes UTRCA Section 28 Permit Fees, Plan Review Fees, Technical Review Fees, and other fees

1a. UTRCA Section 28 Permit Fees

Category	Type	2022 Fee	2023 Fee
Pre-consultation	Pre-consultation with the applicant regarding requirement	No Charge	No Charge
Alterations to Wetlands and Watercourses	<u>Routine</u> - No engineering drawings required	\$525.00	\$555.00
	<u>Minor</u> - Engineering drawings required	\$1,100.00	\$1,160.00
	<u>Major</u> - Involves comprehensive review by various technical staff	\$1,500.00	\$1,590.00
Development Applications	<u>Routine</u> - Limited review, minor in nature relative to cost, location, or impact (decks, patios, etc.)	\$250.00	\$265.00
	<u>Minor</u> - Small scale (less than 500 square feet), and/or consistent with policy	\$1,100.00	\$1,160.00
	<u>Major</u> - Medium scale, primary structures (greater than 500 square feet) and/or consistent with policy	\$1,500.00	\$1,590.00
Linear Utility Corridor	<u>Routine</u> - May include linear utility crossings adjacent to watercourses and wetlands	\$1,100.00	\$1,160.00
	<u>Minor</u> - May include linear utility corridors where a watercourse or wetland crossing is proposed	\$1,500.00	\$1,590.00
	<u>Major</u> - May include linear utility corridors where multiple watercourse or wetland crossings are proposed	\$6,000.00	\$6,360.00

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Category	Type	2022 Fee	2023 Fee
Municipal Drain Review	<u>Routine</u> - Project is drain maintenance consistent with Standard Compliance Requirements in DART Protocol	\$275.00	\$290.00
	<u>Minor</u> - Review of engineers report and/or within regulated wetland limits	\$850.00	\$900.00
	<u>Major</u> - Requires multiple site visits, and/or detailed review of engineering reports, and/or within regulated wetland limits	\$1,500.00	\$1,590.00
Municipal Project Review	<u>Routine</u> - Does not require any technical reports or analysis (may include bridge or culvert repairs)	\$1,100.00	\$1,160.00
	<u>Minor</u> - Requires technical reports or analysis to support the application (may include minor bridge or culvert replacements)	\$1,500.00	\$1,590.00
	<u>Major</u> - Works that cover large geographic areas such as multiple road culvert or bridge replacements	\$5,000.00	\$5,300.00
Complex Applications	Large scale development proposals, and/or inconsistent with policy (examples include multi-lot development, large scale municipal project, golf course, renewable energy project, etc.)	\$6,000.00	\$6,360.00
	Large Fill - Volumes > 1000 m ³	\$6,000.00 Plus \$0.50/m ³ of fill	\$6,360.00 Plus \$0.50/m ³ of fill
	Aggregate Resources Act - Above water table	\$6,000.00	\$6,360.00
	Aggregate Resources Act - Below water table	\$10,500.00	\$11,130.00

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Category	Type	2022 Fee	2023 Fee
Environmental Assessments	Standard	\$1,100.00	\$1,160.00
	Intermediate	\$5,000.00	\$5,300.00
	Full/Comprehensive	\$10,000.00	\$10,600.00
Hearing Request	Streamlined Hearing	\$800.00	\$850.00
	Full Hearing – Intermediate	\$1,200.00	\$1,270
	Full Hearing – Major	\$5,000.00	\$5,300.00
Clearance	Verification Letter (Hazards or Areas of Interference)	\$250.00	\$265.00
Extensions	Minor application revisions and minor permit revisions and/or extensions	\$135.00	\$140.00
Violation	<p>Work commenced prior to approval - First occurrence</p> <p>- Second and subsequent occurrences</p> <p>Note: Applications will only be accepted retroactively where works undertaken meet UTRCA board approved policies or where works are proposed that are intended to bring a project into compliance with said policies.</p>	<p>100% surcharge (cost recovery)</p> <p>200% surcharge</p>	<p>100% surcharge (cost recovery)</p> <p>200% surcharge</p>
NEW - Minister's Zoning Order (MZO)	Permit associated with Minister's Zoning Order (MZO)	100% surcharge of the permit fee (cost recovery)	100% surcharge of the permit fee (cost recovery)

General Notes for All Permit Fees

Routine - Routine permit applications are activities that are documented through another approval process or are determined to have limited impacts on the control of flooding, erosion, pollution, or the conservation of land. Routine permit applications could be those involving Standard Compliance Requirements under the Drainage Act and Conservation Authorities Act Protocol, and non-habitable buildings and structures that are less than 10 m² in size.

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Minor - Permit applications for development projects could be considered minor in nature due to the project size, level of risk, location, and/or other factors. These projects have minor impacts on the control of flooding, erosion, pollution, or the conservation of land. Based on the proximity of the project to the hazard, the minor permit applications are reviewed by UTRCA staff and generally require standard recommendations or conditions. Minor permit applications could be those involving, for example, minor fill, minor development, and minor site alteration where there is a high degree of certainty that issues associated with natural hazards are minimal.

Major - Major applications for Section 28 permits require significant UTRCA staff involvement. They could be highly complex projects, for example, large subdivisions requiring technical review supported by comprehensive analysis, or smaller scale site specific applications that require complex technical reviews. The proposals may involve developments with significant natural hazards, environmental impacts, or multiple approval processes requirements. Generally, these would include Plans of Subdivision and Condominium, large Site Plan Control applications, and major infrastructure development. Major applications could also include those where works have been undertaken, or are in process of being undertaken, without prior approval from the UTRCA; and those where works have been undertaken that do not comply with the UTRCA Section 28 policies and restoration/remediation measures are required.

1. The UTRCA reserves the right to charge technical report review fees over and above the permit fees for projects that require a detailed technical report or reports covering one or more issues.
2. Large fill projects involve proposals for fill movement which exceed 1000 m³. Smaller fill projects will be covered under other categories of the fee schedule.
3. Applications that fall under one or more of the categories will be charged at the highest rate.
4. Large renewable energy projects are defined as:
 - a. Class 3 solar facilities with a nameplate capacity greater than 10 kW.
 - b. Class 3, 4 or 5 wind facilities equal to or greater than 50 kW.
 - c. Any waterpower project involving construction of a new dam or retrofit of an existing dam.
 - d. Any bio-fuel project (anaerobic digestion, biofuel, biogas, or thermal treatment facility) that would not fall under our general categories for buildings or building additions as outlined in the table above.
5. Large scale municipal projects – Projects that have generally come forward following a Class Environmental Assessment, where input from the UTRCA has been solicited and the need for Section 28 approval has been acknowledged. UTRCA costs are related to multiple technical report reviews, preparation of correspondence, attendance at pre-consultation meetings, and site inspections. Estimated total project costs generally exceed \$1 million. Staff reserve the right to charge additional fees for significant technical report review.
6. Costs associated with legal review for agreements required for permits issued under Minister's Zoning Order (MZO) shall be paid by the applicant.
7. For Environmental Assessments undertaken by private proponents (i.e., non-municipal EAs), standard, intermediate and full/comprehensive categories are distinguished by the anticipated amount of staff time required for reviews. For the purposes of the fee schedule, intermediate will be defined as projects with estimated cumulative staff review time requirements of greater than 15 hours and major will be defined as projects with estimated cumulative staff review time requirements of greater than 30 hours. The

Upper Thames River Conservation Authority Fees Policy

UTRCA reserves the right to charge additional fees if peer review requirements warrant additional cost-recovery.

8. For Municipal Drain applications where only a scoped review of the engineers report is undertaken, the lesser fee may be charged.
9. Projects carried out by the UTRCA or under the supervision of the UTRCA Clean Water Program may be exempt from this fee schedule.

Please contact UTRCA Regulations staff at 519-451-2800 to arrange a pre-consultation discussion prior to submission, or email Emailregulationsinquiry@thamesriver.on.ca

1b. UTRCA Plan Review Fees

Application Review	Type	2022 Fee	2023 Fee
Formal Pre-consultation	Fee will apply when a formal pre-consultation comment letter has been requested by a municipality. This fee will be deducted from subsequent review fees once a formal application is submitted.	\$300	\$320.00
Comprehensive Official Plan Amendment and housekeeping amendments initiated by Municipality		No charge	No charge
Official Plan Amendment	<u>Minor/Routine</u> - i.e., Single family residence	\$550.00	\$580.00
	<u>Major</u> - Large scale, complex features, requiring technical studies	\$1,500.00	\$1,590.00
Zoning By-law Amendment (ZBA)	Comprehensive ZBA initiated by Municipality	No charge	
	<u>Minor/Routine</u>	\$550.00	\$580.00
	<u>Major</u> - Large scale, complex features, requiring technical studies	\$1,300.00	\$1,380.00
Consent (severance)	<u>Minor/Routine</u>	\$400.00	\$425.00
	<u>Major</u> - Large scale, complex features, requiring technical studies	\$800.00	\$850.00
Minor Variance	<u>Minor/Routine</u>	\$250.00	\$265.00
	<u>Major</u> - Large scale, complex features, requiring technical studies	\$1,250.00	\$1,325.00
Site Plan	<u>Minor/Routine</u>	\$550.00	\$580.00
	<u>Intermediate</u> – Intermediate scale requiring scoped technical studies	\$1,250.00	\$1,325.00
	<u>Major</u> - Large scale, complex features, requiring technical studies	\$3,000.00	\$320.00
Draft Plan of Subdivision or Condo		\$160.00 per Lot to a maximum of \$13,500.00	\$170.00 per lot Max of \$14,300.00
Processing Fee		\$250.00	\$265.00

General Notes for all Application Fees

1. Fees are only collected for applications where natural hazard or natural heritage features affect the property.
2. The UTRCA reserves the right to waive the application fee or reduce the fee on a case by case basis.
3. Major applications include complex natural hazard and natural heritage issues involving multiple meetings and peer reviews to be completed by the UTRCA and/or other qualified professionals. The UTRCA reserves the right to determine what is considered to be a major application on a case by case basis.
4. Fees for multiple applications made for the same parcel within one year will be discounted as follows:
 - First application: full fee per lot/application,
 - Additional applications: 50% of the lesser of the application fee per lot/application.
5. A processing fee is charged in the following cases:
 - Provision of an extension letter,
 - Provision of a letter for a Draft Plan of Condominium for those proposals that are limited to conversion of existing buildings with no new construction or as long as the design complies with criteria established through a previous circulation (e.g., Subdivision or Site Plan).
6. Where an exception to a permit may be granted through the *Planning Act*, the review fee will be doubled.

1c. UTRCA Technical Review Fees (to support Section 28 and Plan Review Services)

Technical Review	2022 Fee	2023 Fee
Environmental Impact Studies (EIS) (Minor) – Limited assessment, adjacent to feature	\$750.00	\$795.00
EIS (Scoped) – Scoped assessment, adjacent to or within feature	\$1,200.00	\$1,270.00
EIS (Comprehensive)	\$2,200.00	\$2,330.00
Stormwater Management (SWM) Studies – Preliminary	\$1,200.00	\$1,270.00
SWM Studies – Detailed Design	\$2,200.00	\$2,330.00
Sediment and Erosion Control (SEC) Plan – Minor/Routine	No charge	No charge
SEC Plan/Report – Intermediate	\$250.00	\$265.00
SEC Plan/Report – Major	\$500.00	\$530.00
Geotechnical or Slope Stability Assessment – Scoped Report	\$750.00	\$795.00
Geotechnical or Slope Stability Assessment – Full Report (1 lot)	\$1,200.00	\$1,270.00
Geotechnical or Slope Stability Assessment – Full Report (multiple lots)	\$1,600.00	\$1,700.00
Hydrogeology Assessments	\$1,600.00	\$1,700.00
Other Technical Report	\$1,200.00	\$1,270.00
Technical Expert Peer Review - External (Instance where there is a need for an outside Technical Expert)	\$525.00 + TBD Technical Review	\$555.00 + TBD Technical Review

General Notes for Technical Review Fees

1. It is required that the proponent pre-consult with the UTRCA and the municipality prior to preparation and submission of a detailed technical report.
2. For the purpose of this fee schedule, Scoped Studies are generally recommended in situations where the nature of the natural heritage feature or hazard is well documented, similar development has been previously proposed, modelled and analyzed, impacts are not anticipated due to the location or nature of a proposed development, and mitigation options have been developed.
3. For the purpose of this fee schedule, Comprehensive Studies are generally recommended in situations that are more complex, where information is lacking, or where the risk or significance of the impact is high.
4. The fees for technical report review include one comprehensive report review and one revised report review. The UTRCA reserves the right to charge a processing fee or additional technical report fees for additional reviews.

1d. Other UTRCA Fees

Category	Type	2022 Fee	2023 Fee
Inquiry or Release of Agreements	Written response provided	\$350.00	\$370.00
	Written response provide (rush request)	\$700.00	\$740.00
	Verbal response provided	No charge	No charge
	Regulation Maps provided as digital pdf via email	No charge	No charge
Maps	Printed standard legal sized hardcopy	\$25.00	\$25.00
	Custom Map Fees - Contact GIS staff for exact prices	\$55.00 (per hour rate)	\$60.00 (per hour rate)
Other	GPS Surveying (generally involves a crew of two staff)	\$90.00/hour + expenses, minimum charge 2 hours	\$95.00/hour + expenses, minimum charge 2 hours
	Aquatic Ecosystem – Preliminary Assessment (generally involves a crew of two staff)	\$90.00/hour + expenses, minimum charge 2 hours	\$95.00/hour + expenses, minimum charge 2 hours
	Terrestrial Ecosystem – Preliminary Assessment (generally involves a crew of two staff)	\$90.00/hour + expenses, minimum charge 2 hours	\$95.00/hour + expenses, minimum charge 2 hours
	Photocopies	\$0.10 per standard copy	\$0.10 per standard copy

Schedule 2 - Conservation Areas Fees

All fees effective January 1, 2022

Day Use Revenue Centres		2022 Fees	2023 Fees
Day Use Fees	Shoulder Season Day Vehicle Pass	-	\$8.00
	Vehicle day pass	\$15.00	\$15.00
	Non vehicle day pass	\$8.00	\$8.00
	Seasons pass	\$135.00	\$140.00
	Bus day pass	\$150.00	\$150.00
Watercraft Fees	Motor/sail boat daily	\$15.00	\$15.00
	Motor/sail boat seasons pass	\$135.00	\$140.00
	Wet dock seasonal	\$410.00	\$450.00
	Wet dock monthly	\$185.00	\$225.00
	Wet dock weekly	\$125.00	\$145.00
	Dry dock seasonal	\$185.00	\$225.00
	Dry dock monthly	\$110.00	\$125.00
Pavilion Rental Fees	Watson Porter Pavilion – wedding	\$2,300.00	\$2,500.00
	Watson Porter Pavilion – inclusive	\$1,100.00	\$1,200.00
	Watson Porter Pavilion	\$400.00	\$450.00
	Lakeview Pavilion – inclusive	\$675.00	\$700.00
	Lakeview Pavilion	\$270.00	\$300.00
	Day Use Shelter	\$100.00	\$125.00

Upper Thames River Conservation Authority Fees Policy

Campground Revenue Centres		2022 Fees	2023 Fees
Nightly Camping Fees	Reservation fee - Call Centre	\$14.00	\$15.00
	Reservation fee - Internet	\$14.00	\$15.00
	Reservation fee - Campground	\$14.00	\$15.00
	Change fee	\$16.00	\$15.00
	Cancelation fee	\$21.00	\$25.00
	Daily electricity - 50 amp	\$59.00	\$63.00
	Daily electricity - 30 amp	\$51.00	\$53.00
	Daily electricity - 15 amp	\$51.00	\$53.00
	Daily without electricity	\$41.00	\$43.00
	Back Country (no electricity) - daily	\$40.00	\$43.00
	Weekly electricity 50 amp	\$413.00	\$434.00
	Weekly electricity 30 amp	\$357.00	\$371.00
	Weekly electricity 15 amp	\$357.00	\$371.00
	Weekly without electricity	\$287.00	\$301.00
	Additional Vehicle Pass (overnight pass daily)	\$15.00	\$15.00
Seasonal Camping Fees	Seasonal 50 amp	\$3,600.00	\$3750.00
	Seasonal 30 amp – Premium	\$4,000.00	\$4,200.00
	Seasonal 30 amp - Waterfront	\$3,350.00	\$3,600.00
	Seasonal 30 amp - Premium	\$3,100.00	\$3,350.00
	Seasonal 15 amp	\$2,800.00	\$3,050.00
	Seasonal non electric	\$2,030.00	\$2,250.00
	Seasonal non electric - Waterfront	\$2,110.00	\$2,550.00
	Swipe Card Seasons Vehicle Pass	\$130.00	\$140.00
	Seasonal Site Administration Fee	\$200.00	\$250.00
Storage Fees	Trailer	\$350.00	\$375.00
	Shed / deck only	\$175.00	\$200.00
	Boat	\$200.00	\$225.00
Sewage Fees	Sewage disposal - weekly	\$680.00	\$730.00
	Sewage disposal - bi-weekly	\$340.00	\$365.00
	Sewage disposal - single	\$53.00	\$57.00

Upper Thames River Conservation Authority Fees Policy

Sewage disposal - unscheduled request	\$110.00	\$120.00
Sewage disposal - non camper	\$53.00	\$57.00
5 Ticket Booklet	\$165.00	\$200.00

Schedule 3 - Forestry Services Fees

Stock			2022 Fee (+ HST)	2023 Fee
Large Stock Trees	Coniferous Trees (45-60 cm balled and burlap)	Each	\$11.25 - \$16.00*	\$12.50 - \$16.00*
	Deciduous Trees (175-200 cm bare root)	Each	\$30.00 - \$35.00*	\$32.00 - \$38.00*
	UTRCA Planting Fee - Coniferous Trees Minimum order 50 trees	Fee per tree	\$17.50 + Cost of tree	\$16.00 + Cost of tree
	UTRCA Planting Fee - Deciduous Trees (Includes stakes, guards) Minimum order 25 trees	Fee per tree	\$37.50 + Cost of tree	\$36.00 + Cost of tree
	Landowner Planting - Minimum order 25 coniferous and/or deciduous trees			
Seedlings	Coniferous Seedlings (18-40 cm) Minimum order 50 seedlings	Each	\$1.00 - \$1.20*	\$1.10 - \$1.35*
	Deciduous Seedlings (26-90 cm) Minimum order 50 seedlings	Each	\$1.25 - \$2.10*	\$1.35 - \$2.10*
	Wildlife Shrubs (20-35 cm) Minimum order 50 seedlings	Each	\$1.25 - \$1.90*	\$1.35 - \$2.10*
	UTRCA Planting Fee – Seedlings (500 trees and up) (for 2023) (Includes 2 applications of herbicide)	Fee per tree	\$0.90 + Cost of seedling	\$1.00 + Cost of seedling
	(250-450 trees) (for 2023) Minimum order 250 seedlings (Includes 2 applications of herbicide)			Flat rate of \$500.00 + Cost of seedling
	Landowner Planting - Administration Fee Minimum order 100 seedlings Seedlings must be ordered in lots of 10			\$30.00

*Price dependent on species

Schedule 4 - Community Education Program Fees

Fee schedule effective in September to align with the school year

Program			2022 Fees	2023 Fees
Conservation Education	On Site Programs	Per student	\$8.00	\$8.00
		Per group minimum	\$136.00	\$136.00
	In Classroom and Off-site Programs	Per group (sponsored)	\$175 - \$4,000	\$150 - \$5,000
Nature School		Per session	\$100 - \$360	\$100 - \$360
Specialist High Skills Major	GPS	Per student	\$30.00	\$30.00
		Minimum (full day)	\$500.00	\$500.00
	Safe Hiker Certification (Note: \$45/student is charged, with \$30 to UTRCA & \$15 to Hike Ontario)	Per student	\$30.00	\$30.00
	Project WILD and Below Zero Certificates	Per student	\$100.00	\$100.00
	Below Zero only	Per student	\$65.00	\$65.00
	Project WILD only	Per student	\$65.00	\$65.00
	Intro to Watershed Management	Per student	\$15.00	\$15.00
		Minimum	\$300.00	\$300.00
	Intro to Stream Assessment Protocol	Per student	\$15.00	\$15.00
		Minimum	\$300.00	\$300.00
Intro to Habitat Restoration	Per student	\$15.00	\$15.00	
	Minimum	\$300.00	\$300.00	
Intro to Species Identification	Per student	\$15.00	\$15.00	
	Minimum	\$300.00	\$300.00	
ICE Training	Fully Facilitated	Per day	\$500.00	\$500.00
	Co-facilitated	Per day	\$250.00	\$250.00

Note: In some instances, educational program fees are supported by a sponsor or grant.

Schedule 5 - Hunting Fees

Hunting Fee (Lands, Facilities and Conservation Areas Revenue Centre)	2022 Fee	2023 Fee
Hunting Permission (Permit)	\$65.00	\$75.00

Note: A comprehensive review of the UTRCA's Hunting program and fee schedule to be undertaken in 2023.

To: UTRCA Board of Directors
From: T. Annett
Date: November 8, 2022
Filename: Admin # 4639
Agenda #: 6.2
Subject: 2023 Board of Directors Meeting Schedule, Transition and Orientation Plan

Recommendation

That the Board approves the following orientation and meeting dates for 2023,

Tuesday, January 31, 2023 – Orientation
AGM – Tuesday, February 28, 2023*
Tuesday, March 28, 2023
Tuesday, April 25, 2023
Tuesday, May 23, 2023
Tuesday, June 27, 2023
Tuesday, August 22, 2023
Tuesday, September 26, 2023
Tuesday, October 24, 2023
Tuesday, November 28, 2023

Background

Meeting Procedures are outlined in Section C of the UTRCA's Administrative By-Law, updated March 22, 2022. It states that the General Membership shall approve a schedule for regular meetings in November for the upcoming year, and further, that the schedule will be posted to the Authority Website December 1st. The above noted schedule provides the notice of regular meetings. The Rural Ontario Municipal Association (ROMA) General Meeting and Conference and the Good Roads Conference have been considered in the proposed schedule.

As in previous years all Board of Directors meetings will be held on the fourth Tuesday of every month, at 9:30am. There are no meetings scheduled during July and December. Apart from the Orientation session and the Annual General Meeting, all meetings will be held using a hybrid model, giving the members the option of attending in person, or virtually over Zoom.

Transition Timeline

The 17 member municipalities of the Upper Thames River Conservation Authority (UTRCA) are now in the process of appointing/ reappointing membership to the Board of Directors for the 2023-2026 term. Appointments are typically confirmed early in the new year. This period of transition can cause some confusion regarding the current

Board's status. The following is intended to clarify how the transition will occur, including future meetings leading up to the February 2023 Annual General Meeting.

Member's Term

While municipalities often provide letters of appointment to board members with terms that coincide with those of Council, terms are actually determined via the Conservation Authorities Act which states:

Term

(4.1) A member shall be appointed for a term of up to four years, as may be determined by the council that appoints the member. 2017, c. 23, Sched. 4, s. 12 (2).

Same

*(4.2) A member's term begins at the first meeting of the authority after his or her appointment and **expires immediately before the first meeting of the authority after the appointment of his or her replacement.** 2017, c. 23, Sched. 4, s. 12 (2).*

(Note- emphasis added)

Several of you may have received letters suggesting your Board term ends this November or December. **Given the above, Member's terms will actually carry forward to the February 2023 Annual General Meeting** which will be the next meeting of the Board following municipal appointments. (January's regular meeting has been replaced with an orientation session).

January Orientation

The regularly scheduled January 2023 Board of Directors' meeting will be replaced by an orientation session designed to:

- allow new members to meet their co-directors,
- introduce members to the UTRCA's programs and services,
- provide an overview of the Environmental Targets Strategic Plan, and
- prepare new members to make decisions at their first meeting which will include voting for officers and approving a budget.

Ideally returning, retiring and new board members will attend the January orientation session to assist with the transition. The orientation session will be held in person at the Watershed Conservation Centre.

2023 Annual General Meeting

Current and new Board members will be invited to the February 2023 Annual General Meeting (AGM). The current Board will start the meeting with agenda approval and approval of the past meeting minutes. At this point the official transition will take place with new members assuming their places and the meeting continuing with the election of officers and budget approval. Returning to usual, staff will be invited to the AGM, held at the Watershed Conservation Centre. Meeting details will be finalized in the New Year and will be circulated with the AGM agenda.

If you have questions concerning this report please contact Tracy Annett at ext. 253 or annettt@thamesriver.on.ca.

Recommended & Prepared by:
Tracy Annett, General Manager

Conservation Authority	Upper Tier	Municipality	% in CA	Municipal Population	Municipal Population in CA Jurisdiction	2022 Tax Year Current Value Assessment (CVA) (Modified)	2022 Tax Year CVA (Modified) in CA Jurisdiction	CVA Based Apportionment Percentage
Upper Thames River	Huron County	South Huron M	8	8,414	673	1,862,485,584.65	148,998,847	0.2006
Upper Thames River	Middlesex County	London C	82	308,620	253,068	58,028,058,304.35	47,583,007,810	64.0751
Upper Thames River	Middlesex County	Lucan Biddulph Tp	32	4,359	1,395	816,293,640.00	261,213,965	0.3517
Upper Thames River	Middlesex County	Middlesex Centre M	49	15,476	7,583	3,656,532,420.40	1,791,700,886	2.4127
Upper Thames River	Middlesex County	Thames Centre M	92	11,747	10,807	2,574,729,165.45	2,368,750,832	3.1897
Upper Thames River	Oxford County	Blandford-Blenheim Tp	12	6,405	769	1,468,317,345.00	176,198,081	0.2373
Upper Thames River	Oxford County	East Zorra-Tavistock Tp	89	6,218	5,534	1,405,091,082.50	1,250,531,063	1.6840
Upper Thames River	Oxford County	Ingersoll T	100	10,328	10,328	1,794,980,259.00	1,794,980,259	2.4171
Upper Thames River	Oxford County	Norwich Tp	13	8,445	1,098	1,700,977,301.00	221,127,049	0.2978
Upper Thames River	Oxford County	South-West Oxford Tp	62	5,788	3,589	1,253,152,275.75	776,954,411	1.0462
Upper Thames River	Oxford County	Woodstock C	100	32,615	32,615	6,512,730,579.05	6,512,730,579	8.7700
Upper Thames River	Oxford County	Zorra Tp	100	7,053	7,053	1,824,533,064.95	1,824,533,065	2.4569
Upper Thames River	Perth County	Perth East Tp	51	9,596	4,894	2,078,521,740.95	1,060,046,088	1.4275
Upper Thames River	Perth County	Perth South Tp	98	3,346	3,279	925,633,344.55	907,120,678	1.2215
Upper Thames River	Perth County	St. Marys T	100	6,254	6,254	1,087,493,330.00	1,087,493,330	1.4644
Upper Thames River	Perth County	Stratford C	100	26,328	26,328	5,394,887,744.15	5,394,887,744	7.2647
Upper Thames River	Perth County	West Perth M	67	7,509	5,031	1,643,391,111.85	1,101,072,045	1.4827
				478,501	380,298		74,261,346,732	100

To: UTRCA Board of Directors
From: Jenna Allain, Manager, Environmental Planning and Regulations
Date: November 10, 2022
Filename: ENVP #12678
Agenda #: 6.3
Subject: Omnibus Bill 23: More Homes Built Faster Act

Recommendation

That the Board direct the Manager of Environmental Planning and Regulations to, in consultation with other UTRCA staff, prepare and submit the Upper Thames River Conservation Authority's formal comments in response to the Provincial consultations on Bill 23, More Homes Built Faster Act, 2002 and other related postings, as generally outlined in this report.

That the comments prepared be shared with municipalities and County planning offices within the watershed.

That the draft letter to the Premier of Ontario regarding the UTRCA's concerns about Bill 23 be finalized and signed by the Chair and Vice Chair.

Background

The province has committed to getting 1.5 million homes built over the next 10 years. As part of that strategy, an Omnibus Bill 23 "More Homes Built Faster Act" was introduced on October 25, 2022 which included a number of legislative and regulatory changes affecting Conservation Authorities (CAs).

According to the province the objective of the various proposals is intended to further focus CAs on protecting people and property from natural hazards, support faster and less costly approvals, streamline CA processes and help make suitable land for housing available in a timely manner. In addition to proposed changes to the *Conservation Authorities Act (CA Act)*, the province introduced policy reviews including proposed changes to Ontario's Natural Heritage and Ontario Wetland Evaluation Strategy.

Review of the proposals has raised concerns within the CA network and beyond. See attached a news release from Conservation Ontario (October 27, 2022) and a letter to the Province from Conservation Halton's Board of Directors (October 31, 2022). A letter to the Premier of Ontario regarding the UTRCA's concerns about Bill 23 has been prepared and is also attached. It is recommended that the Chair and Vice Chair send the letter provided.

This report provides an overview of the various legislative amendments currently being proposed through Bill 23 that affect CAs, and a summary of the responses UTRCA staff intend to submit on the various ERO postings.

ERO Posting: 019-6141 Legislative and regulatory proposals affecting conservation authorities to support the Housing Supply Action Plan

([Environmental Registry Posting: 019-6141](#) - consultation closes on November 24, 2022)

This posting introduces a series of legislative changes to the *Conservation Authorities Act* and *Planning Act* with the intent of further focusing CAs on their core mandate, support faster and less costly approvals, streamline CA processes and help make land suitable for housing available for development. The proposed changes include:

Enabling the Minister to exempt certain types of *Planning Act* applications from requiring a conservation authority permit.

It is unclear if this exemption would be limited to certain types of low risk development and hazards, or if the purpose is to transfer CA responsibilities to municipalities on a much broader scale. Further details about affected municipalities and conditions are to be outlined in regulation.

While the government wants to focus CAs on their core mandate, this proposed sweeping exemption signals the exact opposite. As proposed in the legislation, the CA exclusions will nullify the core functions of CAs and open up significant holes in the delivery of our natural hazard roles, rendering them ineffective. This will negatively impact our ability to protect people and property from natural hazards, which seem to be more and more prevalent with extreme weather events.

Regulations staff at the UTRCA are engaged throughout the *Planning Act* process where they identify matters that will need to be addressed in order to achieve CA Permit approval. This streamlines the process by ensuring that natural hazard concerns are addressed during the planning process, and enables our regulations staff to issue CA approvals quickly once the permit application is received. CA permits are a vital component, which support and complement an effective planning process, without redundancy.

Key Recommendation

- With respect to natural hazards, development subject to *Planning Act* authorizations should continue to be subject to CA reviews and permitting. The responsibility of implementing *CA Act* regulations should remain with CAs rather than delegating that role to our member municipalities.

The proposed changes prohibit a municipality's choice to request that conservation authorities comment on conservation and environmental matters in the development review process, except for flooding and erosion.

Ontario's CAs have a valuable review and commenting role in the development process to ensure public safety and property protection. Working with our municipal partners, we use a variety of tools present in the *CA Act* and *Planning Act* to ensure that our communities are

well planned, desirable places to live with resilient natural systems that will support the communities in the future.

Municipalities rely on the benefits of conservation authority local watershed science to guide decision-making. The UTRCA provides input on ecology, natural heritage, wetlands and stormwater management in the review of development proposals. It is vital that CAs retain these responsibilities, where requested by municipalities, to maintain a watershed-based approach where we make connections between flood and erosion control, wetlands and other green infrastructure or natural cover, for the benefit of the proposed communities, and those downstream.

Conservation authorities offer timely, value-added services for municipalities as well as certainty and predictability through the development review and permitting processes, without lengthening the approvals process.

Key Recommendation

- Municipalities should retain the option to enter into MOUs with CAs for plan review services, with clearly defined terms, timelines, and performance measures, as allowed under Section 21.1.1 (1) of the *CA Act*. Since the first round of amendments to the *CA Act* in 2017, it has been clear that CAs must focus on mandatory services related to natural hazards (Category 1), and that CAs may continue to provide non-mandatory services at the request of municipalities (Category 2) or other partners, to further purposes of the *Act* (Category 3). We urge the Province to maintain this approach.
- Work with the Conservation Authorities Working Group (CAWG) to develop guidance for commenting and exploring the option of limiting CAs from commenting beyond natural hazards risks except where a CA has entered into an agreement or MOU.

The proposed changes remove critical tests that are used in reviewing permit applications.

The current legislation proposes to remove the “Pollution” and “Conservation of Land” tests, which are two of the five tests that are considered by CAs in their review and decision making on permit applications. Natural systems are living systems, and their ability to perform their natural hazard mitigation role is dependent upon the systems remaining alive to perform their function. These tests allow CAs to ensure that the natural systems, such as wetlands, are not adversely impacted by development and site alteration to an extent that they are not able to perform their natural hazard roles over the long-term. The removal of these tests will impair our ability to manage water quality, sediment and erosion control, and the overall integrated health of the watershed.

Key Recommendation

- In lieu of removing the “conservation of land” test, it is recommended that the term “conservation of land” be defined in the new Regulation. Conservation Ontario has established a definition for conservation of land that is used by CAs that relates to protection, management, and restoration of lands to maintain and enhance hydrologic and ecological functions.
- Recommend maintaining the “pollution” test. The CA’s Section 28 permit is a critical first line of defence in pollution prevention during development. Pollution is defined in the *CA Act* as a deleterious substance or other contaminant that has potential to be generated by development activity. This requirement helps to prevent unwanted substances entering into waterbodies and wetlands. The removal of this test will

ultimately result in serious harm and cumulative negative impacts on natural hazard lands which include watercourses, slopes and wetlands.

The proposed changes empower the Minister to freeze CA user fees.

Conservation authority plan review and permitting fees are based on the user pay principle to recover program and service costs. If these fees are frozen, it will create additional financial pressures requiring conservation authorities to make up the difference through the municipal levy. This forces the cost of development from the developer to the taxpayers. The proposed changes provide no mechanism to make up for the accumulating shortfall in the future.

Key Recommendation

- UTRCA recommends adding criteria to the circumstances under which the Minister may direct a conservation authority to “freeze” its fees. We suggest this include requiring CAs to demonstrate to the Province that permit and planning fees do not exceed the cost to deliver the program or service and only freeze fees if CAs are exceeding 100% cost recovery. Criteria should also include a maximum period to be identified for a freeze (e.g., one year), or in the event of a “freeze”, CAs be allowed to increase fees by an annual cost of living adjustment (e.g., Consumer Price Index) during the “freeze” period.
- For clarity and transparency, UTRCA suggests that this proposed new section explicitly provide that forgone or lost revenue resulting from a “freeze” directive may be added to the municipal levy (funded by taxpayers).

Proposed changes to the Planning Act will limit appeals on Planning Act matters by CAs to natural hazards only.

We appreciate the desire by the province to focus CAs to their core mandate, however, it is unclear if this change will limit the ability of CAs to appeal *Planning Act* decisions where wetlands are impacted. This is a key component of a CA’s mandate as indicated recently through the Ontario Regulation 686/21 – Mandatory Programs and Services. Given that all Provincial Plans and the Provincial Policy Statement do not explicitly include wetlands as a natural hazard, we encourage the Province to clarify this in the proposed changes.

Key Recommendation

- Clarify that CAs may appeal *Planning Act* decisions related to wetlands.

The proposed changes would make conservation lands available to support housing development.

Generally, the majority of UTRCA-owned land contains significant natural heritage features or is hazardous lands and would not be appropriate for development. This typically holds true for all other CAs across the Province. It is unclear if the Province intends for such CA-owned lands to be made available for development (e.g. through powers under Sections 34.1 or 47 of the *Planning Act*). This would not be an appropriate method to solve Ontario’s housing affordability issue.

The UTRCA recognizes that the changes to the *Planning Act* aim to facilitate a more streamlined process for the disposition of CA-owned lands. This reduces the extensive

disposition process and will allow CAs to dispose of CA-owned lands that were acquired using money under Section 39 grants. As staff continue to engage with our partner CA's and Conservation Ontario in the development of our CA specific Conservation Area Strategy and the CA Land Inventory, a consistent and streamlined approach will help to identify what impacts this may have on UTRCA-owned lands.

Key Recommendation

- Careful consideration is required when identifying conservation authority lands to support housing development.

ERO Posting: 019-6160 Proposed Updates to the Ontario Wetland Evaluation Systems (OWES)

([Environmental Registry of Ontario Posting: 019-6160](#) - consultation closes on November 24, 2022)

The Ontario Wetland Evaluation System (OWES) is a science-based system that outlines a process, and a set of criteria to define, identify, and assess the functions and values of wetlands in Ontario. OWES is the process which establishes 'evaluated' wetlands, including those that are provincially significant wetlands (PSWs). OWES evaluations, including for complexing, are approved by the Province. Currently, under the Provincial Policy Statement, no development is permitted in PSWs due to their importance for the protection of water quality, biodiversity, flood control, ground water recharge, etc.

Conservation Authorities rely on this proven scientific methodology as an aid in implementing regulations under the *Conservation Authorities Act*. This information is used for making decisions for the purposes of public safety, natural hazard prevention and management, to regulate wetlands for flood attenuation, natural storage capacities and for preventing shoreline erosion. UTRCA staff have identified significant concerns with the following proposed changes to OWES which have been summarized below:

1. Wetland Complexing has been entirely removed from OWES. Upon re-evaluation, each wetland unit must qualify as significant individually. This is unacceptable as many wetlands within the urban and suburban landscape are composed of complexed wetlands consisting of separate individual units (e.g., discontinuous units in close proximity to one another but separated by roads). Together, the wetland complex meets the criteria to be identified as a PSW, but individually, the units may not themselves meet the score to be considered significant. This removal of complexing will result in individual wetland units within a complex being re-evaluated and found to no longer qualify as provincially significant and therefore developable. This is unacceptable as this will result in huge losses of wetlands across Ontario where wetland complexes exist.
2. The determination of whether or not a wetland is provincially significant is no longer based on an OWES evaluation that has been approved by MNRF. It is simply based upon the "professional opinion" of a wetland evaluator who submits an evaluation, re-evaluation or mapping update to a "decision maker" (i.e., Planning Authority or Municipality). Without MNRF consultation and oversight in administering, reviewing, verifying or approving of the proper application of OWES, the system will no longer be a credible evaluation system. Without any oversight, it will be subject to abuse and this will result in many PSWs across Ontario being "re-evaluated" and scored as no longer

provincially significant. This will in turn lead to the loss of these wetlands from the landscape.

3. Reproductive Habitat and Migration, Feeding or Hibernation Habitat for an Endangered or Threatened Species sections and scoring has been entirely removed. Scoring was weighted to protect habitat. No consideration or scoring weight adjustment added for this section. The weighted scoring matrix no longer evaluates all criteria against weighted factors.
4. It is unclear from the posting who will maintain an appropriate mapping inventory of wetland classifications, particularly non-Provincially Significant Wetlands. CAs have been maintaining data inventories of wetlands for many years and would be well suited to takeover this role with respect to OWES evaluated wetland mapping. This information is vital for municipal decision-making and is well-suited to the CAs resource management agency role.
5. The proposed changes remove language around Locally Important Wetlands (LSWs). These wetlands could be evaluated, partially evaluated or unevaluated. Sometimes they are known as non-PSWs, LSWs, or other wetlands. If these wetlands have been evaluated as non-PSWs, once a re-evaluation of these wetlands occurs, there is no mechanism to identify or preserve it, resulting in negative impacts to evaluated non-PSWs.

The Upper Thames River watershed currently has approximately 4.6% wetland cover, and only about 1.6% is currently considered Provincially Significant Wetland. With the changes proposed to OWES, the percentage of PSW within our watershed would drop to 1.3% which equates to an approximately 20% reduction in area considered PSW. It should be noted that both the Sifton Bog and the Dingman Creek Fen Wetland Complex would both lose PSW status with the proposed changes, and bog and fen habitats are extremely rare in southern Ontario.

In the Federal Government document *How Much Habitat is Enough?*, it is recommended that at minimum, the greater of (a) 10% of each major watershed and 6% of each subwatershed, or (b) 40% of the historic watershed wetland coverage, should be protected and restored. Since we are below this threshold, we cannot afford to lose any of our existing wetlands, and removing scientifically-based criteria for evaluating the significance of wetlands, and the policies to protect the remaining wetlands on the landscape, puts our area at risk.

According to Ontario's Wetland Conservation Strategy (2017), southwestern Ontario has already lost over 85% of historic wetland cover. Some of the recommended actions included in the strategy to combat wetland losses are:

- Support the development of policy tools to improve the conservation of all wetlands, including provincially significant, coastal wetlands and other locally and regionally important wetlands.
- Develop conservation approaches and policy tools to prevent the net loss of wetlands in Ontario, focusing on areas where wetland loss has been the greatest.
- Review provincial laws, regulations and policies, with the goal of strengthening Ontario's wetland policies.
- Develop and ensure that adequate policy guidance is available on incorporating wetland protection strategies in local planning (e.g. natural heritage system planning, consideration of wetlands in the development of land use policies addressing climate change mitigation and adaptation and planning for natural hazard management).

The Province's proposed changes to OWES appear to directly contradict what is recommended in their own strategy document for the protection and preservation of wetlands.

Key Recommendations

- We urge the Province to reconsider the proposed changes to the Wetland Evaluation System, and to consult with CAs and other science-based organizations to quantify the impact of the proposed changes on the landscape. Maintaining wetlands on the landscape is a cost-effective measure to help combat the effects of climate change and the associated extreme weather events, in addition to safeguarding against the rapid loss of biodiversity.
- Instead of eliminating the OWES complexing and scoring criteria, work with conservation experts such as CAs to amend the OWES criteria for complexing and scoring using a scientific approach.
- Should the Province remove MNRF as the decision-maker, clearly identify who is responsible for determining if an OWES evaluation has been conducted properly. In the absence of MNRF, we recommend that CAs should be identified as the decision-maker to ensure that a consistent standard for OWES evaluations is maintained.
- CAs should be tasked with maintaining the mapping of OWES evaluated wetlands for decision-makers.

ERO Posting: 019-6161 Conserving Ontario's Natural Heritage

([Environmental Registry of Ontario Posting: 019-6161](#) - consultation closes on December 30, 2022)

Wetlands play a critical role in mitigating floods and provide valuable ecosystem services. Further wetland loss may result in serious flooding, putting the safety of communities at risk. Wetlands are a cost-effective strategy for protecting downstream properties. The Province must be prudent when considering changes like offsetting, which could negatively affect the ability of wetlands to reduce flooding and confuse roles in wetland management and protection between municipalities and CAs. Any provincial-wide use of offsetting for wetlands should only be allowed in the case of non-PSWs (based on the current OWES scoring criteria), where the protection hierarchy has established that there is no option for avoidance, and there is an ecological net gain to the watershed natural system. Offsetting should also not be used for complete removal of a feature to facilitate development but instead for minor rounding of feature boundaries.

Key Recommendation

- Offsetting should be limited to non-PSWs and other natural heritage features where the protection hierarchy has clearly established there is no option for avoidance and an ecological net gain to the watershed natural system can be achieved.

ERO Posting: 019-2927 Proposed updates to the regulation of development for the protection of people and property from natural hazards in Ontario

([Environmental Registry of Ontario Posting: 019-2927](#) - Consultation closes on December 30, 2022)

The Province is proposing one Regulation to consolidate the various Regulations across all CAs. We recognize this may help provide a more consistent approach across all CAs towards regulating natural hazards, however, there should be flexibility to identify local watershed conditions, e.g. different regulatory flood standards. Several proposed inclusions to the new Regulation are administrative in nature (program service delivery standards, notification requirements for mapping changes, etc.). The UTRCA (and many other CAs) already follow such service delivery standards as set out in several Conservation Ontario guidelines.

Key Recommendation

- The consolidated Regulation should also include flexibility to identify local watershed conditions, e.g. different regulatory flood standards.

Recommended by:

Jenna Allain, Manager, Environmental Planning and Regulations

Prepared by:

Jenna Allain, Manager, Environmental Planning and Regulations

Attachments:

- 1) Conservation Ontario News Release (October 27, 2022)
- 2) Letter From Conservation Halton (October 31, 2022)
- 3) Draft Letter prepared on behalf of the Chair and Vice Chair



Media Release

FOR IMMEDIATE RELEASE

Province Continues to Change Roles and Responsibilities of Conservation Authorities

Newmarket, Ontario (October 27, 2022) In a bid to address the housing supply, the Ontario government released a series of new proposed legislative changes, many of which impact Ontario's 36 conservation authorities.

Among them, the Province proposes to prevent municipalities from entering into agreements with conservation authorities to review planning applications on their behalf, proposes exemptions from natural hazard permits for select municipalities where *Planning Act* approvals are in place, remove 'conservation of lands' and 'pollution' as considerations in permit decisions, to put a freeze on development fees and to possibly tap into conservation lands to support housing.

To date, conservation authorities have supported the Province's efforts to increase the housing supply by streamlining and speeding up review and approval processes for plan applications and permits.

"At the same time, we need to make sure mechanisms are still in place to ensure that we balance growth with a healthy environment," said Angela Coleman, General Manager of Conservation Ontario. Conservation Ontario represents Ontario's 36 conservation authorities.

Ms. Coleman points out that conservation authorities are not a barrier to growth. Through [Conservation Ontario's Client Service and Streamlining Initiative](#), timely reviews are provided and service level enhancements and improvements have continued throughout the *Conservation Authorities Act* review dialogue.

In terms of plan reviews, Ms. Coleman points out that municipalities need to continue to be able to enter into agreements with conservation authorities for advisory services and CAs need to retain responsibility for Natural Hazard approvals.

"The plan review process by conservation authorities ensures the protection of the watershed-based approach and enables the connections to be made between flood control, wetlands, and other green infrastructure or natural cover, thus ensuring safe development", Ms. Coleman says.

Conservation Ontario is calling for the re-establishment of the Multi-stakeholder Conservation Authority Working Group which is comprised of members from conservation authorities,

municipalities, the development sector, and agriculture. The CA Working Group helped guide the Province in its implementation of the last round of changes to the CA Act.

In terms of another provincial proposal to freeze conservation authority development fees, Ms. Coleman states that 'development needs to pay for development'. Freezing these fees just creates a backlog of costs that will eventually need to be addressed.

"Conservation authority fees are based on cost recovery and there is no other mechanism being suggested that would ensure those costs are met," Ms. Coleman said. "Who will pay for the eventual shortfall?"

Regarding the provincial proposal that conservation lands be used to support housing development, Ms. Coleman points out that careful consideration is required when identifying CA lands in this way. Conservation authorities own approximately 147,000 hectares of land which are made up of important natural systems and biodiversity such as wetlands, forests, moraines, and ecologically sensitive lands. These lands typically have clear functions and purposes.

Conservation authority lands are often located in floodplains and help to protect against flooding and erosion. They offer trails and other outdoor amenities that contribute to public well-being and they protect important sources of drinking water and biodiversity. They also contribute to climate change adaptation measures by capturing emissions, cooling temperatures, and protecting water quality.

"Regardless of the source of funding for the lands, clear policies are needed to protect these locally significant conservation lands and land use should only be considered for housing in exceptional circumstances," Ms. Coleman points out.

Conservation authorities provide cost-effective solutions that help to solve challenging local issues. Their watershed-based approach is recognized globally as the best management unit for ensuring we take into consideration a wide range of competing interests and impacts on natural resources. When downloading these kinds of responsibilities to municipalities, we need to consider how development in one jurisdiction can impact other adjacent or 'downstream' municipalities.

One last consideration Ms. Coleman points out is that it's important to maintain local stability particularly now. The recent municipal elections in Ontario have created a plethora of new municipal council and conservation authority Board appointments and transitions. "The conservation authorities' collaboration in plan review with municipalities provides a long-term, consistent approach which enables more effective planning and implementation.

-30-

For more information contact:

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Protecting the Natural
Environment from
Lake to Escarpment

The Honourable Doug Ford
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The Honourable Steve Clark
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The Honourable David Piccini
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October 31st, 2022

Dear Premier Ford, Minister Clark, Minister Smith and Minister Piccini,

We are writing to you in response to Bill 23, the *More Homes Built Faster Act*, which was announced on Tuesday, October 25th, 2022, specifically regarding Schedule 2.

We agree that there is a housing supply and affordability issue in Ontario that needs to be pragmatically addressed. We support the government's commitment to reducing unnecessary barriers to development and streamlining processes. We share this commitment and publicly report on the standards of service delivery to illustrate our goal of providing the best customer service to the municipalities, communities, residents and developers we serve.

We will do our part to help the Province meet its goal of building 1.5 million homes in Ontario over the next ten years. We think your stated outcomes are important but are concerned that your proposed legislative changes may have unintentional, negative consequences. Rather than creating the conditions for efficient housing development, these changes may jeopardize the Province's stated goals by increasing risks to life and property for Ontario residents.

1. Potential sweeping exemptions to transfer CA regulatory responsibilities to municipalities

Conservation Halton would like to understand the government's intentions with this proposed exemption. It is unclear whether it will be limited to certain types of low-risk development and hazards, or if the purpose is to transfer Conservation Authorities (CA) responsibilities to municipalities on a much broader scale. While the government wants to focus CAs on their core mandate, this proposed sweeping exemption signals the exact opposite. As proposed in the legislation, the CA exclusions will nullify the core functions of CAs and open up significant holes in the delivery of our natural hazard roles, rendering them ineffective. This will negatively

impact our ability to protect people and property from natural hazards, which seem to be more and more prevalent with extreme weather events.

Without limitations or further scoping, these proposed changes signal the likelihood of future delegation of CA permitting roles to municipalities that have neither capacity nor expertise in water resources engineering, environmental planning and regulatory compliance. This will result in longer response times and increased costs and impede the government's goal of making life more affordable.

Municipalities will also assume sole liability for the impact of development on natural hazards within municipal boundaries and on neighbouring upstream and downstream communities, which is a significant and new responsibility that they have never had to manage.

Key Recommendations:

- Address this risk expressly – keep all hazard-related responsibilities with CAs.
- Engage with the existing multi-stakeholder Conservation Authorities Working Group (CAWG) to ensure there is a streamlined, consistent and scoped process for CAs to help the Province achieve its housing goals while ensuring costs are low, the process is fast and Ontario taxpayers are protected.

2. Proposed change that would prohibit CAs from entering into MOUs with municipalities for other services (e.g., natural heritage reviews, select aspects of stormwater management reviews, etc.)

Conservation Halton has demonstrated that we can deliver these services efficiently without lengthening the approvals process. There is no evidence that municipalities can do this faster or cheaper. Bill 23 as currently written, precludes municipalities from entering into agreements with CAs to provide advice on environmental and natural heritage matters. They will have to coordinate with neighbouring municipalities and the Province on a watershed basis, rather than taking advantage of expertise already available within many CAs.

Key Recommendations:

- Municipalities should retain the option to enter into MOUs with CAs, with clearly defined terms, timelines and performance measures, as allowed under Section 21.1.1 (1) of the CA Act.
- Work with the CAWG to develop guidance for commenting and exploring the option of limiting CAs from commenting beyond natural hazards risks except where a CA has entered into an agreement or MOU.

3. Proposed change to freeze CA fees

This proposal has no guidelines on the timing or permanence of the fee freeze. Conservation Halton has already undertaken an extensive cost-based analysis that has been benchmarked against other development review fees to ensure our fees do not exceed the cost to deliver the service. We meet regularly with developer groups and municipalities to ensure our fees, processes and service standards are transparent, consistent and fair. We hope that you will be guided by your already approved fee policy that Conservation Halton supports, otherwise this change will impose additional costs on municipalities.

Key Recommendation:

- Require CAs to demonstrate to the Province that permit and planning fees do not exceed the cost to deliver the program or service and only consider freezing fees if CAs are exceeding 100% cost recovery.

4. Wetland Offsetting

Wetlands play a critical role in mitigating floods. Further wetland loss may result in serious flooding, putting the safety of communities at risk. Wetlands are a cost-effective strategy for protecting downstream properties. The

government must be prudent when considering changes like offsetting, which could negatively affect the ability of wetlands to reduce flooding and confuse roles in wetland management and protection between municipalities and CAs.

Conservation Halton is disciplined and focused on providing mandatory programs and services related to natural hazards. We have a transparent and proven track record of providing regulatory services that are streamlined, accountable and centred on rigorous service delivery standards. Our commitment focuses on stakeholder engagement, from meeting homeowners on-site to engaging with the development community to better understand perceived barriers. This approach helps us find innovative solutions for continued and safe growth in the municipalities we serve.

To ensure the most effective implementation of this Bill, we believe it is critical that the government presses pause on the proposed changes we have highlighted and meet with us to clarify and consider more effective alternatives. It is our hope that we can work with you again to safeguard the best possible outcomes for the people of Ontario.

You had such great success through the multi-stakeholder CA Working Group, which your Progressive Conservative government created and which Hassaan Basit, President and CEO of Conservation Halton, chaired. We strongly suggest continuing this engagement and we stand ready to help.

Sincerely,

Gerry Smallegange



Chair
Conservation Halton Board of Directors

Mayor Gordon Krantz



Town of Milton
Conservation Halton Board member

Mayor Rob Burton, BA, MS



Town of Oakville
Conservation Halton Board member

Mayor Marianne Meed Ward



City of Burlington
Conservation Halton Board member

cc:

MPP Ted Arnott
MPP Parm Gill
MPP Stephen Crawford
MPP Effie Triantafilopoulos
MPP Natalie Pierre
MPP Donna Skelly
MPP Deepak Anand
MPP Peter Tabuns

The Honourable Doug Ford
Premier of Ontario
Legislative Building, Queen's Park,
Toronto ON M7A 1A1
premier@ontario.ca

RE: PROPOSED CHANGES IN BILL 23 REGARDING CONSERVATION AUTHORITIES

Dear Premier Ford;

Conservation Authorities (CAs) want to do their part to help the Province meet its goal of building 1.5 million homes in Ontario over the next ten years.

We are concerned some changes proposed in the *More Homes Built Faster Act* will:

- Place new responsibilities on municipalities related to natural hazards and natural resources that may lead to inefficiencies, uncertainties, and delays in the development review process;
- Weaken the ability of conservation authorities to continue protecting people and property from natural hazards; and,
- Reduce critical, natural, infrastructure like wetlands that reduce flooding and protect waters in our lakes and rivers.

To avoid unintended consequences, we recommend:

1. Allowing Municipalities to continue voluntary agreements for review and commenting with Conservation Authorities; this means removal of the clauses in Bill 23 that prevent this from occurring.

The current model enables Municipalities to use existing expertise within Conservation Authorities to fulfill responsibilities for natural heritage and water resources, while saving time and money for applicants.
2. Development subject to *Planning Act* authorizations should not be exempt from Conservation Authority permits, and CA regulations should not be delegated to municipalities. This approach could result in building permits issued in error and other unintended results. The watershed, not municipal boundaries, should continue be the scale used to assess natural hazards.
3. The multi-stakeholder Conservation Authority Working Group should continue working with the Province to provide solutions for shared goals and objectives.
4. Conservation Authority development fees should not be frozen since they are based on cost recovery.

Conservation Authorities work with local Municipalities to reduce barriers to development and streamline processes for the best possible service to all. We are: modernizing policies and procedures; streamlining approvals; reducing timelines and red tape; promoting pre-consultation; and reporting on service standards.

For example, in 2021, 91% of the permits issued by high growth conservation authorities were within provincial timelines, and a total of 93% of permits issued by non-high growth CAs were within provincial timelines. As a high growth CA, UTRCA issued 91% of our 2021 permits within the provincial timelines.

Municipalities rely on the benefits of long-standing conservation authority partnerships. In our view, the proposed changes undermine the core mandate of Conservation Authorities and may put people – and their homes – at risk.

We request Schedule 2 of Bill 23 and changes to the *Conservation Authorities Act* that: limit the ability of Municipalities to enter into review and commenting agreements with Conservation Authorities; and that delegate Conservation Authority regulations to Municipalities be removed.

Sincerely,

Alan Dale
Chair

Mayor of Ingersoll, Brian Petrie
Vice Chair

cc:

The Honourable Steve Clark, Minister of Municipal Affairs and Housing

The Honourable Graydon Smith, Minister of Natural Resources and Forestry

The Honourable David Piccini, Minister of Environment Parks and Conservation

Rob Flack, Member of Provincial Parliament

Monte McNaughton, Member of Provincial Parliament

Ernie Hardeman, Member of Provincial Parliament

To: UTRCA Board of Directors
From: Tracy Annett, General Manager
Date: November 11, 2022
Filename: Admin #4641
Agenda #: 6.4
Subject: 2023 Draft Budget Approval

Recommendation

That the Board of Directors approves the attached UTRCA 2023 Draft Budget for discussion with member municipalities. Final Budget approval will be considered at the Board's Annual General Meeting in February 2023.

Introduction

This Draft Budget focuses on immediate financial challenges in response to increasing costs due to inflation. Furthermore, it is expected that additional administrative effort will be required to meet the Phase 1 Regulatory Requirements of the Conservation Authorities Act, at the expense of the organization's long-term strategic goals.

Discussion

- 1. Environmental Targets Strategic Plan:** The UTRCA's Strategic Plan (2016) recommends significant and planned service growth to support the achievement of specific environmental targets by 2037. New Levy funding has been deferred.
- 2. Conservation Authorities Act Phase 1 Regulations:** Significant administrative and technical effort will be required to undertake and or update components of the regulations:
 - a. Watershed-Based Resource Management Strategy
 - b. Conservation Authority Land Inventories
 - c. Natural Hazards Infrastructure Operational Management Plan
 - d. Natural Hazards Infrastructure Asset Management Plan.The draft budget includes additional capacity to fulfill the requirements.
- 3. Section 39 Hazard Management Provincial Transfer Payment –** This funding was reduced by 50% in 2019 and is assumed to be status quo for 2023. Section 39 funding is considered a mandatory program with additional requirements identified in the new regulation (above).
- 4. Flood Hazard Information and Mapping Program (FHIMP):** This budget includes two project proposals under the FHIMP totaling \$605,000 in potential funding requiring levy contributions over the next two years.
- 5. Inflation:** An overall increase to wages of 3% has been included in the draft budget in consideration of inflation, or cost of living. Where higher increases are known, they have been included.
- 6. Capital Spending:** Work will proceed in 2023 for capital projects. A preliminary list of capital needs planned for the next number of years attached. In addition we include a listing of anticipated 2023 flood control major maintenance projects

which may be approved for WECl funding in part. Further refinement and prioritization of capital spending will be provided in advance of the Budget Approval.

7. **Insurance** – Marsh has provided insurance estimates with some lines of insurance expected to continue to see increases. The overall increases included in these budgets are 18% for property and liability insurance, and because D&O, E&O and cyber coverage increases were underestimated in 2022, that increase is 48% for 2023.
8. **Health and Safety** – A risk assessment was undertaken that identified additional training, focusing on de-escalation and mental health awareness as well as updated procedures. Costs related to incorporating these measures have been included in the 2023 budget.
9. **Current Value Assessment:** The provincial funding formula that apportions levy across member municipalities changes again for 2023. The formula uses MPAC's Current Value Assessment of municipal properties within each CAs jurisdiction to calculate proportional costs. 2023 changes to CVA apportionment are less dramatic than in previous years with several rural member municipalities benefitting from slightly lowered CVA rates. Nevertheless, increases in levies will be felt particularly among those municipalities with benefitting percentages on the large dam structures due to capital repairs and safety studies.

Summary

The UTRCA is presenting an operating budget with a projected shortfall of \$633,171. This projection includes a conservative estimate of "soft revenue," typically contract revenue that is expected during the year from programs that have not yet been announced.

The current capital expenditure registry outlines the proposed capital projects for 2023, and further outlines the anticipated capital spending for the next 5 years (2023-2027) for information and consideration. It should be noted that the business plans, asset management plans and risk management analysis shall be considered and may re-prioritize these 5 year forecasted plans.

The municipal levy increase is 5.3% for operating purposes of which 85% is for general operating purposes and 14.3% is driven by flood control needs.

While the administration is proud of the effort and commitment of staff to achieve the ends in delivering programs and services that improved watershed health, this is not sustainable. While the 2022 budget deferred much needed funding, it was considered due to our need to transition to a new budget framework to meet the regulatory requirements in 2024. Our expectation is that budgets for 2023 and beyond would more accurately reflect actual costs to support legislative requirements, local environmental needs and public demands for service.

2023 Budget Development Schedule

September 2022: Board Direction regarding Budget Concepts

November 2022: Draft Budget Board Approval

November- February 2023: Draft Budget circulation to member municipalities for comment and revisions

January 2023: New Board orientation to include Draft Budget review and comments

February 2023: Budget review and approval

Prepared and Recommended by:

Tracy Annett, General Manager / Secretary-Treasurer
Christine Saracino, Supervisor, Finance

UTRCA
2023 - Operating Budget

DRAFT

	YTD Actuals to 11/14/2022	Final 2022 Budget	Draft 2023 Budget	% Change from Final 2022 Budget	Notes
REVENUES:					
New Levy Funding					
Municipal General Levy	4,154,463	4,245,898	4,517,812	6.4%	
Dam and Flood Control Levies	1,625,294	1,703,866	1,749,502	2.7%	
Operating Reserve Levy	34,014	34,692	35,387	2.0%	
	5,813,771	5,984,456	6,302,701	5.3%	
Amortized Levy from previous years					
Municipal General Levy	910,560	493,038	1,106,189	124.4%	Some 2022 actual will be deferred to 2023
Flood Control Levies	118,214	201,386	244,386	21.4%	
Capital Maintenance Levy	52,944	86,552	45,950	-46.9%	
	1,081,718	780,976	1,396,525	78.8%	
MNRF Transfer Payment					
	181,213	181,213	181,213	0.0%	
Contracts and Grants					
Municipal within Watershed	1,016,452	1,079,292	1,374,188	27.3%	
Municipal outside Watershed	66,138	157,402	151,386	-3.8%	
Provincial	1,078,881	952,343	1,089,177	14.4%	
Federal	480,584	754,384	892,200	18.3%	Includes some uncertain at this time
All Other	1,934,444	1,943,365	1,638,722	-15.7%	
	4,576,499	4,886,785	5,145,673	5.3%	
User Fees and Other Revenues					
Conservation Areas	3,333,810	3,876,027	4,296,087	10.8%	
Planning and Permit Fees	372,212	581,500	680,000	16.9%	Includes effect of new fee schedule
Education Fees	35,291	142,401	206,000	44.7%	
Landowner, tree sales, cost recoveries	183,952	160,500	200,000	24.6%	
	3,925,265	4,760,428	5,382,087	13.1%	
Other Revenues					
From deferred revenues	68,373	353,373	50,300	-85.8%	Reflects new budget methodology, see above
Donations, interest and gains	470,322	406,420	447,325	10.1%	
	538,695	759,793	497,625	-34.5%	
TOTAL REVENUES	16,117,160	17,353,651	18,905,824	8.9%	
EXPENDITURES:					
Mission Cost Centres					
Community Partnerships	1,164,826	1,674,857	1,772,448	5.8%	
Water and Information Management	2,536,082	3,155,657	3,900,838	23.6%	Some added costs for federal grant uncertain
Environmental Planning & Regulations	1,932,302	2,559,299	2,941,737	14.9%	
Integrated Watershed Management	2,364,708	2,880,169	2,617,435	-9.1%	Reflects unit in transition
Campground Operations	3,786,868	4,477,135	4,693,733	4.8%	
Lands, Facilities and Cas	1,610,934	2,408,376	3,186,667	32.3%	Addition of lands inventory & asset management work
Service Cost Centres (unallocated)	171,806	475,920	426,137	-10.5%	
TOTAL EXPENDITURES	13,567,525	17,631,413	19,538,995	10.8%	
NET SURPLUS (DEFICIT)	2,549,635	(277,762)	(633,171)	128.0%	Estimated surplus in 2022 less than \$500,000
Funding required from Reserves	-	338,536	341,710	0.9%	Relieving some flood control reserves in lieu of levy
Desired Transfer to Reserves	-	176,400	18,950	-89.3%	and adding some flood control reserves
COMBINED EFFECT ON EQUITY	2,549,635	(439,898)	(955,931)	117.3%	
Depreciation Expense	1,071,486	1,185,665	1,169,467	-1.4%	
CASH SURPLUS (DEFICIT)	3,621,121	907,904	536,296	-40.9%	

Draft Municipal Levy

Municipality	Current Year Operations													
	2022 CVA	2023 CVA	General Levy		Operating Reserve Levy		Dam and Flood Control Levy		Specific Project Funding		Total Municipal Operational Funding		Year over Year Increase	
			2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	\$	%
Oxford County	16.8428	16.9093	696,731	745,091	5,843	5,984	282,875	293,234			985,449	1,044,309	58,860	6.0%
London	64.2416	64.0751	2,657,463	2,823,404	22,288	22,674	1,131,355	1,158,439	109,232	111,417	3,920,338	4,115,934	195,596	5.0%
Lucan-Biddulph	0.3468	0.3517	14,346	15,497	120	124	2,953	3,114			17,419	18,735	1,316	7.6%
Thames Centre	3.1857	3.1897	131,782	140,551	1,105	1,129	32,425	33,542			165,312	175,222	9,910	6.0%
Middlesex Centre	2.3789	2.4127	98,407	106,313	825	854	20,256	21,363			119,488	128,530	9,042	7.6%
Stratford	7.2417	7.2647	299,565	320,112	2,512	2,571	102,579	105,324			404,656	428,007	23,351	5.8%
Perth East	1.4232	1.4275	58,873	62,901	494	505	14,719	15,240			74,086	78,646	4,560	6.2%
West Perth	1.4873	1.4827	61,525	65,334	516	525	55,381	55,846			117,422	121,705	4,283	3.6%
St. Marys	1.4482	1.4644	59,907	64,527	502	518	35,264	36,696			95,673	101,741	6,068	6.3%
Perth South	1.2009	1.2215	49,677	53,824	417	432	10,225	10,817			60,319	65,073	4,754	7.9%
South Huron	0.2028	0.2006	8,389	8,839	70	71	1,726	1,777			10,185	10,687	502	4.9%
Zorra	0	0	-	-	-	-	8,500	8,500			8,500	8,500	-	0.0%
South-West Oxford	0	0	-	-	-	-	5,610	5,610			5,610	5,610	-	0.0%
Total	100.000	100.000	4,136,665	4,406,394	34,692	35,387	1,703,868	1,749,502	109,232	111,417	5,984,457	6,302,700	318,243	5.3%

Contribution to increase: 85%, 0.2%, 14.3%, 0.7%, 100.0%

Capital Investments									
Capital Maintenance		Flood Control Capital Levy			Total Municipal Capital Funding		Year over Year Increase		
2022	2023	Structure	2022	2023	2022	2023	\$	%	
30,928	31,982		29,879	30,000	60,807	61,982	1,175	1.9%	
117,966	121,189	All Structures (see below)	733,348	334,600	851,314	455,789	(395,525)	-46.5%	
637	665				637	665	28	4.4%	
5,850	6,033	Dorchester Mill Pond		-	5,850	6,033	183	3.1%	
4,368	4,563				4,368	4,563	195	4.5%	
13,298	13,740	RT Orr Dam		-	13,298	13,740	442	3.3%	
2,613	2,700				2,613	2,700	87	3.3%	
2,731	2,804	Fullarton Dam & Mitchell EAs	25,000	68,000	27,731	70,804	43,073	155.3%	
2,659	2,770	Wildwood Dam, St Marys Floodwall	45,000	45,000	47,659	47,770	111	0.2%	
2,205	2,310				2,205	2,310	105	4.8%	
372	379				372	379	7	1.9%	
-	-	Embro \$5000/Harrington \$1500	6,500	6,500	6,500	6,500	-	0.0%	
-	-				-	-	-	0.0%	
183,627	189,135		839,727	484,100	1,023,354	673,235	(350,119)	-34.2%	

Total Structures - City of London

Fanshawe Dam	25,000	-
Pittock Dam portion only for 2023	100,000	54,600
Erosion Control	-	-
London Dykes	256,156	280,000
Total London Structures	381,156	334,600

Total Municipal Funding for Operations and Capital		Year over Year Increase	
2021	2022	\$	%
1,046,256	1,106,291	60,035	5.7%
4,771,652	4,571,723	(199,929)	-4.2%
18,056	19,400	1,344	7.4%
171,162	181,255	10,093	5.9%
123,856	133,093	9,237	7.5%
417,954	441,747	23,793	5.7%
76,699	81,346	4,647	6.1%
145,153	192,509	47,356	32.6%
143,332	149,511	6,179	4.3%
62,524	67,383	4,859	7.8%
10,557	11,066	509	4.8%
15,000	15,000	-	0.0%
5,610	5,610	-	0.0%
7,007,811	6,975,935	(31,876)	-0.5%

Draft Dam and Flood Control Levy - Details

Municipality	CVA Rates							Special Benefitting Rates											
	2022		2023		Forecasting, Planning & Technical Studies		Small Holdings		Wildwood Dam		Pittock Dam		100% Structures and Projects			Total Dam and Flood Control Levy			
									%	2022	2023	%	2022	2023	2022	2023	2022	2023	
Oxford County	16.8428	16.9093	138,866	144,990	1,194	1,241			1.01	1,439	1,502	62.11	117,641	121,766	Ingersoll Channel	23,735	23,735	282,875	293,234
London	64.2416	64.0751	529,660	549,418	4,555	4,702			83.84	119,385	124,147	36.74	69,615	72,032	Total Structures (see table below)	408,140	408,140	1,131,355	1,158,439
Lucan-Biddulph	0.3468	0.3517	2,859	3,016	25	26			0.02	30	31	0.02	39	41		-	2,953	3,114	
Thames Centre	3.1857	3.1897	26,265	27,350	226	234			0.19	272	283	0.19	362	375	Dorchester Mill Pond, Dorchester CA	5,300	5,300	32,425	33,542
Middlesex Centre	2.3789	2.4127	19,614	20,688	169	177			0.14	203	214	0.14	270	284		-	20,256	21,363	
Stratford	7.2417	7.2647	59,706	62,292	514	533			0.44	619	645	0.44	823	854	RT Orr Dam & Channel	40,917	41,000	102,579	105,324
Perth East	1.4232	1.4275	11,734	12,240	101	105			0.09	122	127	0.09	162	168	Shakespeare Dam	2,600	2,600	14,719	15,240
West Perth	1.4873	1.4827	12,263	12,714	105	109			0.09	127	132	0.09	169	174	Mitchell Dam, Fullarton Dam (\$2600)	42,717	42,717	55,381	55,846
St. Marys	1.4482	1.4644	11,940	12,557	103	107			14.09	20,056	20,860	0.09	165	172	St. Marys Floodwall	3,000	3,000	35,264	36,696
Perth South	1.2009	1.2215	9,901	10,474	85	90			0.07	103	109	0.07	136	144		-	10,225	10,817	
South Huron	0.2028	0.2006	1,672	1,720	14	15			0.01	17	18	0.01	23	24		-	1,726	1,777	
Zorra			-	-	-	-				-	-		-	-	Embro Dam, Harrington Dam	8,500	8,500	8,500	8,500
South-West Oxford			-	-	-	-				-	-		-	-	Centreville Dam	5,610	5,610	5,610	5,610
Total	100	100	824,480	857,459	7,091	7,339	100	142,373	148,068	100	189,405	196,034	540,519	540,602			1,703,868	1,749,502	

Total Structures - City of London

	2022	2023
Fanshawe Dam	356,140	356,140
Springbank Dam	10,000	10,000
London Dykes/Erosion Control	42,000	42,000
Total London	408,140	408,140

						Timing and costs to be finalized					
Business Plans			Benefits:	Qty	Each Cost	Total	2023	2024	2025	2026	2027
	Tri Park Busines plans		Required to inform most appropriate capital spending priorities. Urgent need.	3	25,000	75,000	75,000				
Infrastructure											
PCA	Municipal Water Servicing (est \$300K)		To reduce testing time and lab sampling costs, offers drinking water in off season, eliminates maintenance on 4 pumphouses			300,000		300,000			
WCC	Charging Stations	1 at workshop 2 at WCC 2 at Visitor Parking	50% Federal grants available (2023/24)			125,000	100,000	25,000			
FCA	Campsite Electrical Upgrades		ESA requirement			300,000		150,000	150,000		
WCA	Campsite Electrical Upgrades		ESA requirement			320,000			20,000	150,000	150,000
FCA	Dau use canoe Launch and access - NEW					125,000		125,000			
FCA	Main/Campground Road improvements					750,000			750,000		
FCA	Day-use Road Improvements					500,000			500,000		
WCA	Main/Campground Road Improvements								75,000		
WCA	Day-use playground - NEW										

						Timing and costs to be finalized				
Benefits:		Qty	Each Cost	Total	2023	2024	2025	2026	2027	
				150,000				150,000		
FCA	Campground playground - NEW			150,000					200,000	
Buildings										
	Gatehouse Designs	3	25,000	75,000	75,000					
WCA	Day Use Pavilion			150,000					150,000	
PCA	Gatehouse Building			600,000		600,000				
FCA	Gatehouse/Registration/Office Building		Potential funding from entrance negotiations	1,200,000			1,200,000			
WCA	Gatehouse/Registration/Office Building			1,000,000				1,000,000		
WCA	Maintenance Workshop			750,000					750,000	
Building Improvements										
FCA	Children's Safety Village			25,000	25,000					
	Lakeview Pavilion			5,000	5,000					
				150,000		150,000				
	Watson Porter Pavilion			5,000	5,000					
				175,000		200,000				
									150,000	

						Timing and costs to be finalized				
Benefits:			Qty	Each Cost	Total	2023	2024	2025	2026	2027
WCA	A-Washroom	Hot water tanks replaced (may be on-demand)	4	6,500	26,000	26,000				
	Lighting upgrades	some new, some replacements - energy efficient, photo/timer			15,000	15,000				
PCA	2nd & 4th washroom improvements	AODA doors, lighting, accessible sinks (AODA by January 1, 2025)			75,000		75,000			
WCA	A and C Washrooms Improvements (AODA)	AODA doors, lighting, accessible sinks			75,000		75,000			
FCA	Hillcrest and Woodlands Facility Renovations/AODA Improvements	AODA doors, lighting, accessible sinks			600,000		600,000			
Land Improvements										
FCA	Landscape design plan (for execution over 3 years)	Day Use area			15,000	15,000				
FCA	Molok pits	Day Use area	6	7,000	42,000		42,000			
PCA	Molok pits	Campground area	4	7,000	28,000	28,000			28,000	
Fleet Vehicles and Equipment										
	New vehicles	Replace existing >200km fleet (in addition to 3 vehicles from 2022 not yet acquired).	5	50,000	250,000	225,000	200,000	200,000		
	Rental Program (canoes/Kayak/bicycles)				25,000	25,000			25,000	

Technology

		Benefits:	Qty	Each Cost	Total	Timing and costs to be finalized					
						2023	2024	2025	2026	2027	
Fleet management software	example, Fleetio	Fleet Management and Maintenance Data Tracking software			15,000	15,000					
Fuel management software	for all parks combined				25,000	25,000					
Computer Servers		Typical annual need			50,000	50,000	50,000	50,000			
					Total	8,171,000	709,000	2,592,000	2,945,000	1,353,000	1,400,000

Possible sources of Funding:

Capital Maintenance Levy accumulated		752,535
Capital Levy for 2023		189,135
Conservation Areas reserve (est. end of 2022)		<u>1,700,000</u>
	Total	2,641,670

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Flood Control Major Maintenance Projects Planned for 2023

Projects provided for context of levies included in the 2023 draft budget. Major maintenance project lists will continue to be refined through municipal discussion in advance of final budget approval and subsequently in preparation for WECl application and updating of the 20 year Water and Erosion Control Structures Maintenance Plan.

Structure	Project	Source of Funding for 2023 if Approved			
		WECl	Dam & Flood Control Levies	Existing Reserves	Total Project Cost
Centreville Dam	Dam Safety Review	\$20,000	-	\$20,000	\$40,000
Dorchester Mill Pond	Hand Railing Replacement	\$12,500	-	\$12,500	\$25,000
Embros Dam	Dam Rehabilitation Environment Assessment (EA) Phase 3	\$10,000	\$5,000	\$5,000	\$20,000
Fanshawe Dam	Emergency Preparedness Plan Updates	\$5,000	-	\$5,000	\$10,000
Fanshawe Dam	Operating, Maintenance and Surveillance Manual Updates	\$10,000	-	\$10,000	\$20,000
Fanshawe Dam	Safety Boom Design	\$20,000	-	\$20,000	\$40,000
Fanshawe Dam	Trash Rack Cleaning/Repairs	\$15,000	-	\$15,000	\$30,000
Fullarton Dam	Dam Rehabilitation Environment Assessment (EA) Phase 2	\$25,000	\$25,000	-	\$50,000
Mitchell Dam	Dam Safety Review	\$30,000	\$30,000	-	\$60,000
Orr Dam	Dam Safety Review	\$30,000	\$30,000	-	\$60,000
St. Marys Flood Wall	Flood Wall Rehabilitation Inspection & Design	\$25,000	\$25,000	-	\$50,000
West London Dyke	West London Dyke Phase 8 Design (Potential Carry Over from Code # 6604-30-DAGA)	\$120,000	\$280,000	-	\$400,000
Wildwood Dam	Trash Rack Cleaning/Repairs	\$10,000	\$10,000	-	\$20,000
Wildwood Dam	Operating, Maintenance and Surveillance Manual Updates	\$15,000	\$15,000	-	\$30,000
Wildwood Dam	Operations Review & Climate Change	\$10,000	\$10,000	-	\$20,000
Wildwood Dam	Upstream Slope Rip-rap Repairs	\$5,000	\$5,000	-	\$10,000
Wildwood Dam	Gallery Relief Well Pipe Repairs	\$15,000	\$15,000	-	\$30,000
Wildwood Dam	Air Shaft Structural Grating Repairs	\$10,000	\$10,000	-	\$20,000
Totals		\$387,500	\$460,000	\$87,500	\$935,000

To: UTRCA Board of Directors
From: Jenna Allain, Manager, Environmental Planning and Regulations
Date: November 10, 2022
Filename: ENVP # 12677
Agenda #: 7.1
Subject: Administration and Enforcement – Section 28 Status Report – *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (O.Reg.157/06)*

Section 28 Report

The attached tables are provided to the Board as a summary of staff activity related to the Conservation Authority's *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ontario Regulation 157/06 made pursuant to Section 28 of the Conservation Authorities Act). The summary covers permits issued between October 1, 2022 and October 31, 2022.

To date, 227 permit numbers have been assigned this year with 168 of those permits issued before October 31st. A further seven permits have been issued in 2022 where the permit number was assigned in 2021, bringing the total number of permits issued in 2022 to 175. This number now exceeds the total number of permits that were issued during the calendar year of 2021 which was 153.

Recommended by:

Jenna Allain, Manager, Manager, Environmental Planning and Regulations

Prepared by:

Jessica Schnaithmann, Land Use Regulations Officer
Ben Dafoe, Land Use Regulations Officer
Cari Ramsey, Land Use Regulations Officer
Mike Funk, Land Use Regulations Officer
Brad Dryburgh, Land Use Regulations Assistant
Karen Winfield, Planning and Regulations Resource Specialist

SECTION 28 STATUS REPORT SUMMARY OF APPLICATIONS FOR 2021

DEVELOPMENT, INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINE AND WATERCOURSES REGULATION
ONTARIO REGULATION 157/06

Report Date: October 2022

[Client Service Standards for Conservation Authority Plan and Permit Review \(CO, Dec 2019\)](#)

Permit #	Municipality	Location/Address	Category	Application Type	Project Description	Application Received	Notification of Complete Application	Permit Required By	Permit Issued On	Comply with Timelines	Staff
185-22	London	Medway Valley ESA	Routine	Alterations to Wetlands & Watercourses	Constructing a cribwall and stepping stone crossing	14-Jun-2022	18-Aug-2022	1-Sep-2022	5-Oct-2022	NO	Funk
179-22	Perth South	Line 3; Road 132	Minor	Utility Corridor	Directional drill under watercourse	6-Sep-2022	6-Oct-2022	27-Oct-2022	6-Oct-2022	YES	Dryburgh
142-22	London	3392 Wonderland Road South	Major	Development	Proposed Expansion to an Existing Storage Facility, including New Buildings, Parking Spaces, Culvert Replacement and an On-Site Stormwater Management Facility	9-Feb-2022	6-Oct-2022	3-Nov-2022	7-Oct-2022	YES	Schnaithmann
198-22	Zorra	923508 Road 92	Major	Development	Replacement Garage, Storage Shed and Tree Restoration	21-Sep-2022	6-Oct-2022	3-Nov-2022	7-Oct-2022	YES	Dafoe
200-22	Windsor-Essex	775372 Blandford Rd	Routine	Development	Enbridge Gas service to house	6-Oct-2022	7-Oct-2022	21-Oct-2022	7-Oct-2022	YES	Dryburgh
202-22	Thames Centre	Duffin-Wakeling Drain	Routine	Municipal Drain	Brushing bank slope, Brushing top of bank	6-Oct-2022	6-Oct-2022	20-Oct-2022	12-Oct-2022	YES	Dryburgh
162-22	London	6 Napier St	Minor	Development	Attached Garage Construction	23-Sep-2022	6-Oct-2022	27-Oct-2022	14-Oct-2022	YES	Funk
195-22	Zorra	19th Line and Bates Ln	Minor	Utility Corridor	Horizontal Directional Drill	20-Sep-2022	19-Oct-2022	9-Nov-2022	20-Oct-2022	YES	Dryburgh

Permit #	Municipality	Location/Address	Category	Application Type	Project Description	Application Received	Notification of Complete Application	Permit Required By	Permit Issued On	Comply with Timelines	Staff
149-22	London	355 Middleton Avenue	Major	Development	Proposed Construction of 122 Townhouse Units	27-Jun-2022	20-Oct-2022	17-Nov-2022	21-Oct-2022	YES	Schnaithmann
190-22	Stratford	69 William St.	Routine	Restoration/Creation	Shoreline Restoration and Erosion Control	16-Sep-2022	19-Oct-2022	2-Nov-2022	21-Oct-2022	YES	Dafoe
205-22	St Marys	14 St. John St. N.	Major	Development	Addition to Existing Home and New Garage and Driveway	3-Oct-2022	17-Oct-2022	14-Nov-2022	21-Oct-2022	YES	Dafoe
165-22	Stratford	197 William St.	Major	Development	Single Family Residence	3-Oct-2022	4-Oct-2022	1-Nov-2022	25-Oct-2022	YES	Dafoe
188-22	Perth East	4908 Perth Line 36	Minor	Development	Replacement Accessory Structure	28-Sep-2022	26-Oct-2022	16-Nov-2022	27-Oct-2022	YES	Dafoe
211-22	SW Oxford	Waite Drain	Routine	Municipal Drain	Drain Maintenance	22-Apr-2022	20-Oct-2022	3-Nov-2022	27-Oct-2022	YES	Dryburgh
212-22	SW Oxford	Waite Drain Extension	Routine	Municipal Drain	Drain Maintenance	25-Mar-2022	20-Oct-2022	3-Nov-2022	27-Oct-2022	YES	Dryburgh
213-22	Perth East	Seip Drain	Routine	Municipal Drain	Drain Maintenance	24-Oct-2022	24-Oct-2022	7-Nov-2022	27-Oct-2022	YES	Dryburgh
172-22	London	3075 Shaver St	Minor	Development	Sunroom Addition	19-Aug-2022	11-Oct-2022	1-Nov-2022	28-Oct-2022	YES	Funk
184-22	London	2A Grosvenor St (Gibbons Park)	Routine	Development	Playground upgrades	16-Sep-2022	17-Oct-2022	31-Oct-2022	31-Oct-2022	YES	Funk
208-22	Woodstock	845 Dufferin St.	Major	Development	Single Family Residence	25-Oct-2022	27-Oct-2022	24-Nov-2022	31-Oct-2022	YES	Dafoe

fyi

November 2022

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Celebrating Natural Connections at the Dorchester Mill Pond with a drumming circle.

Thank you for Inspiring a Healthy Environment!

With the November municipal elections over and the new requirements of the Conservation Authorities Act, there will be many changes in the membership of the UTRCA's Board of Directors in the New Year. We wish to thank all of our Board members for the time and effort they have put into this organization. Their contributions and dedication have been instrumental in the success of the UTRCA and are sincerely appreciated.

Celebrating Natural Connections

The UTRCA is "Celebrating Natural Connections" with free public events across the watershed, thanks to funding from the Canadian Heritage Celebration and Commemoration Program Reopening Fund!

The [Celebrating Natural Connections \(CNC\)](#) project commemorates front line workers and celebrates the natural spaces that became so important for physical and mental health during the pandemic.

The UTRCA has hosted seven in person CNC events across the watershed so far, including:

- [Burgess Park, Woodstock](#) (August 27)
- [Wildwood Conservation Area](#) (September 24)
- [Dorchester Mill Pond](#) (September 25)
- [Hodges Pond, Woodstock](#) (October 15)
- [Mitchell Lions Park](#) (October 22)
- [TJ Dolan Natural Area, Stratford](#) (October 29)
- [Fanshawe Conservation Area](#) (November 5)



The new commemorative bench at Mitchell Lions Park, with (from left): Mayor Walter McKenzie, UTRCA Chair Alan Dale, and MP John Nater with a family member.

Many amazing community partnerships have been forged from these events with local organizations, businesses, municipalities, Indigenous educators, health units, libraries, local artists, and newcomers to Canada.



From top to bottom: Learning about local fish and stream health; enjoying a beautiful fall day in Stratford's TJ Dolan Natural Area; and UTRCA Chair Alan Dale (at podium) introduces MP Peter Fragiskatos (to his right) at Fanshawe CA.

Most of the CNC events have had 150 to 250 people in attendance, but the most recent event at Fanshawe CA drew more than 1000 participants!

Each event featured hikes and activities focused on the outdoors and wildlife, and involved local organizations, community groups, and artists. Each event also unveiled a permanent commemorative item, such as a bench or accessible picnic table, to commemorate frontline workers' on-going efforts throughout the Covid-19 pandemic.

Thank you to the UTRCA Board members who have come to these events. Big thanks

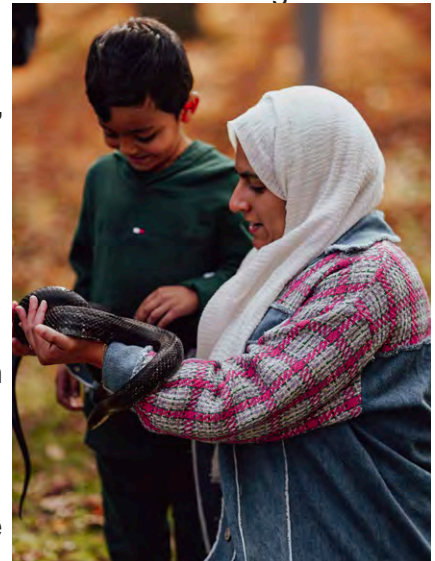
also to the staff team that has organized them, and the other staff members who have given up their Saturdays to work at them.

Three more in person events are planned for the New Year, as well as some virtual hikes.

Contact:

[Linda Smith](#),

Community Partnerships Specialist



The live snake shows were a hit with all ages!

Stream Surveying Season Wraps Up

With cold weather approaching, we are down to the last couple weeks of the 2022 surveying season. The UTRCA field surveyors have had a successful year collecting information on stream depth, shape, and bank heights, while also measuring the size and shape of bridges and culverts. The crew has measured more than 15,000 elevation points and surveyed 400 bridges across our watershed since the season began in early June, and are on pace to collect more than 20,000 points by the end of the season.



We were fortunate to have another excellent crew this year. Ryan Queenan and Will Morrow returned for a second season, while Morgan Walmsley and Robyn Whaley were first timers who hit the ground running. Bailey Arnold joined us for the fall to help us finish the season strong.

The data this crew collected is an integral part of UTRCA flood models and is the first

component used to create a new model. A flood model is used to simulate various flows in a river and then determine where a flood could occur along the river. The information collected by the surveyors helps us know how much water could flow through a bridge opening during a flood event and how much water a stream can contain before it starts to spill over its banks.

The information the surveyors collect needs to be accurate and thorough to ensure a good final product and the team endured some tough field conditions while meeting this high standard. Heat, cold, bugs, dense bush – this crew worked in it all!

Contact: [Collin Branton](#), GIS Water Resources Project Specialist

Highlighting Outdoor Learning for our Youngest Students



This fall, 29 kindergarten teachers applied for and received Outdoor Learning Kits from the Thames Valley District School Board (TVDSB) as part of an exciting pilot program centred on outdoor education. The kits are packed with a variety of materials, equipment, and resources that teachers can use to facilitate outdoor learning, including magnifiers, binoculars, bug catchers, environmental books, and much more.

Fanshawe Community Education staff are supporting this primary outreach program and modeling some ways teachers can use the kit items in their schoolyards, by visiting each kindergarten teacher and class three times in the school year to deliver programming geared to the season.

For the fall, staff led activities featuring squirrels, fall colours, and butterflies, with games on nut caching, leaf sorting, and natural symmetry. For the winter and spring visits, staff will highlight new kit items and explore the seasonal changes.

The TVDSB plans to collect teacher feedback on the usefulness of the kit and hopes the kit will be shared among all the kindergarten teachers at each school. This will give more students the chance to enjoy outdoor learning in their schoolyard, in new ways and in all seasons.

Contact: [Kim Gilbert](#) or [Heather Hawkins Jensen](#), Community Education Technicians

Treed Buffer Planted on Pittock Conservation Area's South Shore

Pittock Reservoir's south shore has a new treed buffer, planted by UTRCA staff and school students over the past four years. The buffer is approximately 50 metre wide and 600 m long, and flanks Pittock's South Shore Trail and the Lampman-Lock Drain on UTRCA land. The buffer roughly follows the regulation



limit, meaning all flood susceptible land is now retired and protected.

Buffering watercourses with native plants helps to filter pollutants in runoff, prevent erosion, and provide wildlife corridors.

In 2019, two local school groups planted the first section of the buffer through the [UTRCA's Communities for Nature program](#). In 2020-2022, UTRCA forestry staff machine planted the remainder of the buffer. Staff's family members helped with some of the tree planting during the pandemic.

The species planted include oaks, hickories, White Pine, Sycamore, Tamarack, Black Cherry, and Tulip Tree. In 2021, eight Butternut seedlings were added. The tree survival rate in this light soil has been very good so far. Staff will maintain the site with mowing and spraying for another couple of years until the trees are tall enough to out-compete the weeds.

This project increases the area's biodiversity and assists the UTRCA with its [environmental target](#) of planting and restoring 1500 hectares of vegetation by 2037. The project was funded by a private donor as well as grants from [Forests Ontario](#) and the [Clean Water Program](#).

Contact: [Cathy Quinlan](#), Terrestrial Biologist

Tree Planting along Medway Creek

Over the course of three mostly sunny, warm October days, hundreds of native trees and shrubs were planted along Medway Creek near 13 Mile Road. Two elementary school classes (Princess Elizabeth Public School and Masonville Public School) and two secondary school classes (Medway High School and H.B. Beal Secondary School) each spent a half day along the creek. The [Friends of Medway Creek](#) and other community members also enjoyed a sunny Saturday of tree planting.

Funding through Eco-Action and the hard work of all the participants made this project



possible. Thank you to the Friends of Medway Creek, Medway High School Eco-Club, and the other teachers, students, and community members who made this project a success. Contact: [Jessica Penz](#), Water Resources Assistant/Community Partnership Specialist

Source Water Protection: the Plan

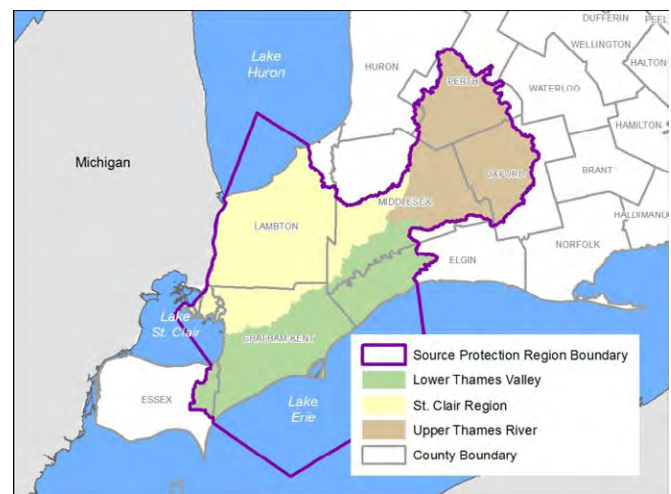
Water is critical to all aspects of our lives. It's important to ensure there is a safe and reliable source of water for all our uses - now and in the future. The *Clean Water Act (2006)* is part of the Ontario government's commitment to ensure the sustainability of clean, safe drinking water for all Ontarians. The purpose of the Act is to protect sources of municipal drinking water including lakes, rivers, and well water.

Under the *Clean Water Act*, local Source Protection Plans (SPPs) were developed by 19 multi-stakeholder Source Protection Committees across the province. In this area, the Upper Thames River, Lower Thames Valley, and St. Clair Region Conservation Authorities have partnered watersheds together as the [Thames-Sydenham and Region Source Protection Region](#).

The local Committee includes members of the general public as well as representatives

of municipalities, the aggregate/oil and gas industry, agriculture, and First Nations from across the region. The Conservation Authorities provide administrative and technical support for the Committee.

Local Source Protection Plans contain policies to protect sources of municipal drinking water. The process includes consulting with owners of residential, agricultural, industrial, commercial, and institutional properties located within vulnerable areas, to inform them that activities identified as significant drinking water threats are subject to local SPP policies that regulate or prohibit those activities. Examples of activities that could be considered a "significant threat" in a vulnerable area include septic systems, fuel storage, and application of pesticides.



SPP policies use tools to reduce threats to drinking water. These tools range from voluntary action to prohibiting an activity. Some threats can be reduced through education to encourage different ways of doing things. Some threats are addressed through existing regulatory processes, such as permits and land use planning (e.g., zoning bylaws).

For most existing significant threats, the Committee chose to use a new tool, the Risk Management Plan, which allows the municipality's risk management official and

the landowner to negotiate a risk reduction strategy that satisfies the Source Protection Plan.

When it comes to protecting our drinking water, we need to start at the source. Local source protection plans aim to do just that, with the commitment and cooperation of the communities that rely on municipal drinking water systems.

Contact: [Katie Ebel](#), Source Protection Policy and Risk Management Advisor

Take Our Kids to Work

Take Our Kids to Work Day is a national initiative that allows Grade 9 students to explore the world of work by spending a day with a parent, relative, or friend at their place of employment. On November 2, Jack McNaughton and Sam MacKean, both



Walking the planks: Jack had an awesome day working outside at Sifton Bog Environmentally Significant Area, learning new skills and the importance of protecting nature.

children of current employees, spent the day working at the UTRCA learning about different aspects of the organization and tasks involved.



Leading the charges: Sam spent the day at Wildwood CA helping to lead education programs while getting a glimpse into how any topic can be made fun and relevant to taking care of the environment.

Mitchell TD Tree Day

Grade seven and eight students from Mitchell planted 150 trees and shrubs along Whirl Creek on November 9. The project was happily completed on a sunny, mild day, after being delayed twice due to rain and once due to fog.



Students from Mitchell District High School (yes, the 7's and 8's go to the high school).

The native species planted included White Cedar, White Spruce, Serviceberry, Red Oak, Sugar and Red Maples, and Nannyberry. The students also learned about the connection between trees and improved water quality.

Thank you to [TD Tree Days](#) for funding this project.

Contact: [Karen Pugh](#), Resource Specialist

2022 Watershed Reports Coming Soon

Work on the 2022 edition of the [Upper Thames River Watershed Report Cards](#) is nearing completion, with an expected launch in early 2023. The report cards are produced every five years and summarize a great deal of environmental information on the health of the 28 subwatersheds within the Upper Thames River watershed.

The new report cards will be similar in content to the 2017 version, with letter grades for surface water quality and forest conditions as well as information on groundwater resources. In addition, there is information on current watershed features, recommended actions, and highlights of progress since the last report cards.



The watershed report cards allow staff to track environmental changes over time and give an indication of program needs in light of current stressors. They also help to track progress towards the UTRCA's [Environmental Targets](#).

The report cards are well used by our municipal partners, agency staff, community groups, individuals, educators, and others.

Contact: [Cathy Quinlan](#), Terrestrial Biologist

On the Board Agenda

The next Board of Directors meeting will be held virtually on November 22, 2022.

Please visit [Board Agendas and Minutes](#) for agendas, reports, audio/video links and recordings, and approved minutes.

- 2023 Fees Policy and Fee Schedules
- 2023 Board of Directors Meeting Schedule, Transition, and Orientation Plan
- Omnibus Bill 23: More Homes Built Faster Act
- 2023 Draft Budget Approval
- Administration and Enforcement – Section 28 Status Report

Contact: [Michelle Viglianti](#), Administrative Assistant