



Board of Directors Meeting

AGENDA

December 15, 2022

2:00 p.m.

1. First Nations Acknowledgement	
2. Call to Order – Roll Call	
3. Adoption of Agenda	
4. Disclosure of Conflicts of Interest	
5. Approval of Previous Meeting Minutes	
5.1) Board of Directors Meeting Minutes – November 10, 2022	3
6. Business Arising from the Minutes	
7. Presentations	
7.1) Update Bill 23	6
7.2) 2023 Budget Review	6
7.3) Imagine McGregor Project – Year end Summary	6
8. New Business	
9. Business for Approval	
9.1) Income and Expenditure vs Budget to October 31, 2022	13
9.2) LTVCA Fee Policy and Schedules	17
10. Business for Information	
10.1) CAO's Report	34
10.2) Water Management	37
10.3) Planning and Regulations	40
10.4) Conservation Area Lands	46
10.5) Conservation Services	49
10.6) Communications, Outreach and Education	57
10.7) Wheatley Two Creeks Association Minutes - October 6, 2022	65
11. Correspondence	
11.1) Bill 23 LTVCA Letter to Premier Ford	66
11.2) Bill 23 Standing Committee Written Submission - Conservation Ontario	69
11.3) Bill 23 Municipal Support	77
11.4) Chiefs of Ontario and First Nations Oppose Bill 23: More Homes Built Faster Act	128
13. Other Business	129
14. Adjournment	129

1. First Nations Acknowledgement

We will begin by acknowledging that the land on which we gather is the traditional territory of First Nations people who have longstanding relationships to the land, water and region of southwestern Ontario. We also acknowledge the local lower Thames River watershed communities of this area which include Chippewas of the Thames First Nation, Oneida Nation of the Thames, Munsee Delaware Nation, Delaware Nation, and Caldwell Nation. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original peoples of Turtle Island (North America). We are thankful for the opportunity to live, learn and share with mutual respect and appreciation.

5. Approval of Previous Meeting Minutes

5.1) Board of Directors Meeting Minutes November 10, 2022



Board of Directors Meeting

DRAFT MINUTES

The meeting of the Lower Thames Valley Conservation Authority's Board of Directors was held in person and remotely via the LTVCA's Administration Office at 100 Thames Street, Chatham, at 2:30 P.M. on Thursday, November 10, 2022.

1. First Nations Acknowledgment

Mark Peacock read the First Nations acknowledgement.

2. Call to Order

Chair, Trevor Thompson called the meeting to order.

Roll Call

T. Thompson	L. McKinlay
C. Cowell – on line	A. Finn – on line
J. Wright – not present	M. Hentz – on line
P. Tiessen – on line	H. Aerts
S. Emons – not present	S. Hipple – on line
R. Leatham	JJ Strybosch – not present

3. Adoption of Agenda

BD-2022-61 C. Cowell – R. Leatham

Moved that the agenda be adopted.

CARRIED

4. Disclosures of Conflicts of Interest

None Declared.

5. Approval of Previous Meeting Minutes

BD-2022-62 L. McKinlay – H. Aerts

Moved that the Board of Directors meeting minutes of October 20, 2022 be approved.

CARRIED

6. Business Arising from the Minutes

None declared.

7. Presentations

7.1) Mark Peacock and Jason Wintermute provided a Power Point Presentation to the Board of Directors on Bill 23 and its regulations, and the implications to both the CA as well as our member municipalities.

8. Business for Approval

8.1) Bill 23 Actions

Board members discussed the implications of these changes to both the conservation authorities and the impacts to the municipalities. Request that the CA hold a workshop or presentation to Councils for their next council meeting. Timeline to hold these types of sessions would eat away at the required response time. Request that the CA do up a detailed video discussion around all these issues and send them to our member municipalities. Understanding the ramifications, particularly the cost implications, needs to be disseminated to councils as soon as possible to get responses back to the province to meet the EBR posting requirements.

Recommendation that if we do up a presentation, that we coordinate with neighbouring conservation authorities on this presentation so that municipalities do not see it multiple times, from potentially multiple CA's within a municipal jurisdiction.

Proposal to send a letter to the Premier with four main recommendations. Seeking our member municipalities support for this submission.

BD-2022-63 S. Hipple – M. Heitz

Moved that the Board of Directors receives the report on the Bill 23 Actions as submitted.

CARRIED

9. Business for Information

10. Other Business

None noted.

11. Adjournment

BD-2022-64 L. McKinlay – R. Leatham

Moved that the meeting be adjourned.

CARRIED

Trevor Thompson
Chair

Mark Peacock, P. Eng.
CAO/Secretary-Treasurer

7. Presentations

7.1) Update Bill 23

Mark Peacock to present.

7.2) 2023 Budget Review

Todd Casier to present (refer to attached Budget below).

7.3) Imagine McGregor Project Year End Summary

Alyssa Broeders to present.

**LOWER THAMES VALLEY CONSERVATION AUTHORITY
2023 PRELIMINARY DRAFT BUDGET**

F U N D I N G S O U R C E S

PG. NO.	2022 BUDGET	2023 BUDGET	2023 GRANTS	MATCHING GENERAL LEVY	DIRECT SPECIAL BENEFIT LEVY	NON MATCHING GENERAL LEVY	GENERAL REVENUES	FOUNDATION GRANTS & REVENUES	RESERVES
WATER MANAGEMENT									
2	183,084	187,142	31,071	31,071	125,000	0	0	0	0
2	12	9	4	4	0	1	0	0	0
2	202,809	132,280	50,392	50,392	0	31,496	0	0	0
3	124,632	179,707	55,000	0	0	124,707	0	0	0
3	379,055	485,410	0	0	0	320,410	165,000	0	0
3	124,124	205,314	165,000	0	0	40,314	0	0	0
3	31,885	30,519	28,000	0	0	2,519	0	0	0
3	0	0	0	0	0	0	0	0	0
	1,045,601	1,220,381	329,467	81,467	125,000	519,447	165,000	0	0
CONSERVATION & RECREATION PROPERTIES									
3	626,269	712,741	0	0	0	379,491	333,250	0	0
COMMUNITY RELATIONS AND EDUCATION									
4	161,756	185,449	0	0	0	185,449	0	0	0
4	84,130	33,940	0	0	0	21,940	12,000	0	0
4	130,605	145,817	22,992	0	0	72,825	50,000	0	0
	376,491	365,206	22,992	0	0	280,214	62,000	0	0
CONSERVATION SERVICES/STEWARDSHIP									
5	94,027	174,493	27,100	0	0	94,293	53,100	0	0
5	541,298	522,336	229,900	0	80,000	107,336	105,100	0	0
5	908,339	1,077,985	934,162	0	0	143,823	0	0	0
5	300,481	127,342	111,650	0	0	15,692	0	0	0
	1,844,145	1,902,156	1,302,812	0	80,000	361,144	158,200	0	0
CAPITAL/MISCELLANEOUS									
5	0	0	0	0	0	-30,000	30,000	0	0
5	0	0	9,808	0	0	-9,808	0	0	0
	0	0	9,808	0	0	-39,808	30,000	0	0
	3,892,506	4,200,484	1,665,079	81,467	205,000	1,500,488	748,450	-	-

**LOWER THAMES VALLEY CONSERVATION AUTHORITY
2023 PRELIMINARY DRAFT BUDGET**

F U N D I N G S O U R C E S

	2022 BUDGET	2023 BUDGET	2023 GRANTS	MATCHING GENERAL LEVY	DIRECT SPECIAL BENEFIT LEVY	NON MATCHING GENERAL LEVY	GENERAL REVENUES	FOUNDATION GRANTS & REVENUES	RESERVES
<u>WATER MANAGEMENT</u>									
<u>FLOOD CONTROL STRUCTURES</u>									
WAGES AND BENEFITS	119,840	119,465							
ADMINISTRATION OVERHEAD	24,553	23,049							
OPERATIONS	28,891	33,733							
ROUTINE MAINTENANCE	9,450	5,545							
PREVENTATIVE MAINTENANCE	350	5,350							
TOTAL FLOOD CONTROL STRUCTURES	183,084	187,142	31,071	31,071	125,000				
					(CHATHAM-KENT)				
<u>EROSION CONTROL STRUCTURES</u>									
WAGES AND BENEFITS									
ADMINISTRATION OVERHEAD	1	1							
OPERATIONS	11	8							
TOTAL EROSION CONTROL STRUCTURES	12	9	4	4		1			
<u>FLOOD FORECASTING AND WARNING</u>									
WAGES AND BENEFITS	149,820	90,118							
ADMINISTRATION OVERHEAD	27,198	16,292							
DATA COLLECTIONS	13,978	13,998							
FLOOD FORECASTING	2,650	2,650							
COMMUNICATIONS	2,400	2,400							
OPERATIONS CENTRE (RENT)	2,430	2,430							
FLOOD RESPONSE AND MONITORING	4,333	4,392							
TOTAL FLOOD FORECASTING & WARNING	202,809	132,280	50,392	50,392		31,496			

**LOWER THAMES VALLEY CONSERVATION AUTHORITY
2023 PRELIMINARY DRAFT BUDGET**

F U N D I N G S O U R C E S

	2022 BUDGET	2023 BUDGET	2023 GRANTS	MATCHING GENERAL LEVY	DIRECT SPECIAL BENEFIT LEVY	NON MATCHING GENERAL LEVY	GENERAL REVENUES	FOUNDATION GRANTS & REVENUES	RESERVES
<u>TECHNICAL STUDIES</u>									
WAGES AND BENEFITS	77,918	140,574							
ADMINISTRATION OVERHEAD	16,714	22,133							
AERIAL PHOTOGRAPHY & MAPPING	0	0							
OPERATING-MATERIALS, SUPPLIES, AND EXPENSES	30,000	17,000							
TOTAL TECHNICAL STUDIES	124,632	179,707	55,000			124,707			
<u>REGULATIONS AND PLAN REVIEW</u>									
WAGES AND BENEFITS	300,143	381,906							
ADMINISTRATION OVERHEAD	50,835	59,785							
OPERATING-MATERIALS, SUPPLIES, AND EXPENSES	28,077	43,719							
TOTAL REGS. & PLAN REVIEW	379,055	485,410				320,410	165,000		
<u>WATERSHED MONITORING</u>									
WAGES AND BENEFITS	54,463	131,496							
ADMINISTRATION OVERHEAD	16,646	25,287							
OPERATING-MATERIALS, SUPPLIES, AND EXPENSES	53,015	48,531							
TOTAL REGS. & PLAN REVIEW	124,124	205,314	165,000			40,314			
<u>SOURCE PROTECTION</u>									
THAMES MOUTH DEBRIS REMOVAL	31,885	30,519	28,000			2,519			
<u>CONSERVATION & RECREATION PROPERTIES</u>									
WAGES AND BENEFITS	308,163	332,561							
ADMINISTRATION OVERHEAD	83,988	87,784							
OPERATING- MATERIALS & SUPPLIES, STORAGE, RENTALS, INSURANCE, ETC.	234,118	292,396							
TOTAL CONS. & RECREATION PROPERTIES	626,269	712,741				379,491	333,250		

**LOWER THAMES VALLEY CONSERVATION AUTHORITY
2023 PRELIMINARY DRAFT BUDGET**

F U N D I N G S O U R C E S

	2022 BUDGET	2023 BUDGET	2023 GRANTS	MATCHING GENERAL LEVY	DIRECT SPECIAL BENEFIT LEVY	NON MATCHING GENERAL LEVY	GENERAL REVENUES	FOUNDATION GRANTS & REVENUES	RESERVES
<u>COMMUNITY RELATIONS AND EDUCATION</u>									
<u>COMMUNITY RELATIONS</u>									
WAGES AND BENEFITS	129,563	150,758							
ADMINISTRATION OVERHEAD	21,693	22,841							
OPERATING- MATERIALS & SUPPLIES, SERVICES, RENTALS, INSURANCE, ETC.	10,500	11,850							
TOTAL COMMUNITY RELATIONS	161,756	185,449				185,449			
<u>CONSERVATION EDUCATION</u>									
WAGES AND BENEFITS	69,729	26,891							
ADMINISTRATION OVERHEAD	11,282	4,180							
OPERATING- MATERIALS & SUPPLIES, SERVICES, RENTALS, INSURANCE, ETC.	3,119	2,869							
TOTAL CONSERVATION EDUCATION	84,130	33,940				21,940	12,000		
<u>SKA-NAH-DOHT VILLAGE</u>									
WAGES AND BENEFITS	104,940	120,508							
ADMINISTRATION OVERHEAD	17,515	17,959							
OPERATING- MATERIALS & SUPPLIES, SERVICES, RENTALS, INSURANCE, ETC.	8,150	7,350							
TOTAL SKA-NAH-DOHT VILLAGE	130,605	145,817	22,992			72,825	50,000		

**LOWER THAMES VALLEY CONSERVATION AUTHORITY
2023 PRELIMINARY DRAFT BUDGET**

FUNDING SOURCES

	2022 BUDGET	2023 BUDGET	2023 GRANTS	MATCHING GENERAL LEVY	DIRECT SPECIAL BENEFIT LEVY	NON MATCHING GENERAL LEVY	GENERAL REVENUES	FOUNDATION GRANTS & REVENUES	RESERVES
<u>CONSERVATION SERVICES</u>									
<u>FORESTRY</u>									
WAGES AND BENEFITS	51,260	107,852							
ADMINISTRATION OVERHEAD	12,610	21,491							
OPERATING- MATERIALS & SUPPLIES, STORAGE, RENTALS, INSURANCE, ETC.	30,157	45,150							
TOTAL FORESTRY	94,027	174,493	27,100			94,293	53,100		
<u>CHATHAM-KENT GREENING PROJECT</u>									
WAGES AND BENEFITS	172,189	176,485							
ADMINISTRATION OVERHEAD	72,592	64,333							
OPERATING- MATERIALS & SUPPLIES, STORAGE, RENTALS, INSURANCE, ETC.	296,517	281,518							
TOTAL CHATHAM-KENT GREENING	541,298	522,336	229,900		80,000	107,336	105,100		
<u>PHOSPHORUS</u>									
WAGES AND BENEFITS	354,150	510,040							
ADMINISTRATION OVERHEAD	121,816	132,769							
OPERATING- MATERIALS & SUPPLIES, STORAGE, RENTALS, INSURANCE, ETC.	432,373	435,176							
TOTAL PHOSPHORUS	908,339	1,077,985	934,162			143,823			
<u>SPECIES AT RISK</u>									
WAGES AND BENEFITS	150,466	105,171							
ADMINISTRATION OVERHEAD	40,297	15,684							
OPERATING- MATERIALS & SUPPLIES, STORAGE, RENTALS, INSURANCE, ETC.	109,718	6,487							
TOTAL CONS. SERVICES	300,481	127,342	111,650			15,692			
<u>CAPITAL/MISCELLANEOUS</u>									
ADMINISTRATION/MISCELLANEOUS	0	0				-30,000	30000		
EMPLOYMENT PROGRAMS (FED/PROV)			9,808			-9,808			

LOWER THAMES VALLEY CONSERVATION AUTHORITY

Levy for 2023 using Modified CVA

	Current Value Assessment (Modified CVA)	% of Levy	C-K Flood Control, Greening Levy 2023	Non- Matching Levy 2023	Matching Levy 2023	Total General Levy 2023	Total Municipal Levy 2023	Total Municipal Levy 2022	\$ Change from 2022 Levy	% Change from 2022
Dutton-Dunwich M	554,180,029	3.6831%	0	55,264	3,001	58,265	58,265	55,738	2,527	4.53%
Southwold Tp	172,076,120	1.1436%	0	17,160	932	18,092	18,092	16,662	1,430	8.58%
West Elgin M	646,846,548	4.2989%	0	64,505	3,502	68,007	68,007	65,212	2,795	4.29%
Lakeshore T	1,434,366,637	9.5328%	0	143,039	7,766	150,805	150,805	143,038	7,767	5.43%
Leamington M	356,697,324	2.3706%	0	35,571	1,931	37,502	37,502	35,651	1,851	5.19%
Chatham-Kent M	8,502,941,863	56.5105%	205,000	847,933	46,038	893,971	1,098,971	1,058,821	40,150	3.79%
London C	1,740,841,749	11.5696%	0	173,601	9,425	183,026	183,026	174,419	8,607	4.93%
Middlesex Centre M	255,957,269	1.7011%	0	25,524	1,386	26,910	26,910	25,220	1,690	6.70%
Southwest Middlesex M	452,526,174	3.0075%	0	45,127	2,450	47,577	47,577	44,901	2,676	5.96%
Strathroy - Caradoc Tp	930,218,792	6.1822%	0	92,764	5,036	97,800	97,800	91,962	5,838	6.35%
TOTAL	15,046,652,505	100%	\$205,000	\$1,500,488	\$81,467	\$1,581,955	\$1,786,955	\$1,711,624	\$75,331	4.40%

9. Business for Approval

9.1) Income and Expenditure vs Budget to October 31, 2022

Date: December 15, 2022,
 Memo to: LTVCA Board of Directors
 Subject: **Income and Expenditure vs Budget to October 31, 2022**
 From: Todd Casier, CPA, CA, Manager, Finance and Administrative Services

Background:

Review the 2022 Budget to the Revenue and Expenditures for the 10 months ended October 31, 2022.

REVENUE	2022 BUDGET	2022 BUDGET OCT PROJECTED		2022 ACTUAL TO OCT 31	\$ VARIANCE TO PROJECTED
GRANTS	1,609,782	1,341,485	*	1,975,366	633,881
GENERAL LEVY	1,506,624	1,506,624	^	1,506,624	0
DIRECT SPECIAL BENEFIT	205,000	205,000	^	205,000	0
GENERAL REVENUES	571,100	475,917	*	769,456	293,539
FOUNDATION GRANTS & REVENUES	0	0	*	6,144	6,144
RESERVES	0	0	*	0	0
CASH FUNDING	3,892,506	3,529,026		4,462,590	933,564
OTHER	0	0		0	0
TOTAL FUNDING	3,892,506	3,529,026		4,462,590	933,564

*-based on a 10 of 12 month proration of the budget

^-based on cash received to date

Grant income is greater than budgeted due to the reversal of deferred revenue for ongoing programs, the timing of grants invoiced and increased or new grants including Rondeau Barrier Beach, Watershed Monitoring, Longwoods Indigenous Centre grant, Tall Grass Prairie grants, OMAF, ALUS Chatham-Kent, ALUS Middlesex, ALUS Elgin and Species at Risk.

Note: Grant income is based on funds received/invoiced and not matched to expenses, meaning there may be expenses outstanding and not recognized in the attached expense statement. At year-end, each grant is reviewed individually; spent funds for grant programs not invoiced are set-up as receivables and added to grant income and unspent funds are reduced from grant income and deferred for future expenditures.

Levy revenue is shown on a cash basis. All municipalities are paid in full.

General Revenue is above budget due to the following factors:

- Conservation Areas is above budget due to increased seasonal sites and camping usage, Ska-Nah-Doht Village is above budget due to returning schools, stewardship is above budget due to tree sales and planting revenue over budget and interest revenue is above budget.

Foundation Grants and Revenues budget are zero due to the uncertainty of funds available. The amount recorded is due to the payment of an invoice for Longwoods CA and for signs for Wilson by the Foundation.

Reserves are zero as this account is used to balance the accounts at year-end if expenses are greater than revenues.

EXPENSES	2022 BUDGET	2022 BUDGET OCT PROJECTED	2022 ACTUAL TO OCT 31	\$ VARIANCE TO PROJECTED
WATER MANAGEMENT				
FLOOD CONTROL STRUCTURES	183,042	152,535	135,282	(17,253)
EROSION CONTROL STRUCTURES	12	10	9	(1)
FLOOD FORECASTING AND WARNING	202,762	168,969	97,153	(71,816)
TECHNICAL STUDIES	124,979	104,149	123,708	19,559
PLANNING & REGULATIONS	378,967	315,806	355,881	40,075
WATERSHED MONITORING (PGMN)	124,315	103,595	129,764	26,169
SOURCE PROTECTION	31,878	26,565	21,359	(5,206)
THAMES MOUTH DEBRIS REMOVAL	0	0	0	0
Water Management Subtotal	1,045,955	871,629	863,156	(8,473)
CONSERVATION & RECREATION PROPERTIES				
CONSERVATION AREAS	626,125	521,771	769,120	247,349
COMMUNITY RELATIONS AND EDUCATION				
COMMUNITY RELATIONS	161,719	134,766	124,486	(10,280)
CONSERVATION EDUCATION	84,111	70,092	18,340	(51,752)
SKA-NAH-DOHT VILLAGE	130,575	108,813	102,370	(6,443)
Community Relations & Education Subtotal	376,405	313,671	245,196	(68,475)
CONSERVATION SERVICES/STEWARDSHIP				
CONSERVATION SERVICES (FORESTRY)	94,006	78,338	89,188	10,850
CHATHAM-KENT GREENING PROJECT	541,174	450,978	381,407	(69,571)
PHOSPHORUS REDUCTION	908,429	757,024	918,808	161,784
SPECIES AT RISK	300,412	250,343	309,242	58,899
Conservation Services/Stewardship Subtotal	1,844,021	1,536,683	1,698,645	161,962
CAPITAL/MISCELLANEOUS				
ADMINISTRATION BUILDING				
REPAIRS/UPGRADES	0	0	0	0
UNION GAS CENTENNIAL PROJECT	0	0	0	0
EMPLOYMENT PROGRAMS (FED/PROV)	0	0	0	0
Capital/Miscellaneous Subtotal	0	0	0	0
TOTAL EXPENDITURES	3,892,506	3,243,754	3,576,117	332,363

Water Management

Flood Control Structures is below budget due to no flood events on the Thames River in the current year.

Flood Forecasting and Warning expenses are below budget due to no flood events on the Thames River to date and staffing being utilized by other programs.

Technical Studies are above budget due the Cambium project nearing completion and the associated staff time required, as well as, staff time and services performed for the Rondeau Barrier Beach Grant and not included in the budget. Planning and Regulations is above budget due to staff time spent on Bill 229 requirements.

Watershed Monitoring is above budget due to grant funding not included in the original budget.

Source Protection is below budget due to the timing of when staff are required to meet and work on this program.

Conservation Areas

Conservation area expenses are above budget due the increased camping and usage at the campgrounds, work on a rental house to prepare it to be rented again and work on the Longwoods Indigenous Centre grant.

Community Relations and Education

Community Relations, Conservation Education and SKA-NAH-DOHT Museum and Village are below budget due to one budgeted staff on leave.

Conservation Services/Stewardship

Conservation Services (Forestry) is comparable to budget. Chatham-Kent Greening expenses are below budget due to staff being utilized and funded by Phosphorous Reduction projects.

Phosphorous Reduction is above budget mostly due to new ALUS Chatham-Kent, Middlesex and Elgin grants and the related expenses and due to equipment purchased for an unbudgeted project with Chippewas of the Thames First Nation.

Species at Risk is above budget due to the receipt of an unbudgeted grant and the expenses related to this grant.

Capital/Miscellaneous

No Capital/Miscellaneous expenses to date.

Operating Summary:

	2022 BUDGET	2022 BUDGET OCT PROJECTED	2022 ACTUAL TO OCT 31	\$ VARIANCE TO PROJECTED
TOTAL CASH FUNDING	3,892,506	3,529,026	4,462,590	933,564
TOTAL EXPENDITURES	3,892,506	3,243,754	3,576,117	332,363
OPERATING SURPLUS (DEFICIT)	0	285,272	886,473	601,201
LESS: ACQUISITION OF CAPITAL ASSET	0	0		0
NET CASH FUNDING SURPLUS (DEFICIT)	0	285,272	886,473	601,201

At October 31, 2022, LTVCA's operating surplus is favourable due to increased grant and general revenue over budget and partially offset by increased expenditures due to the increased grants.

Note: The difference between the projected budget funding and projected budget expenditures is due to the recognition of the annual General Levy and Special Levy versus all other income and expenses are prorated for the period.

Recommendation:

That the Board of Directors receives the Budget vs Revenue and Expenditures report for the period ended October 31, 2022.

The reports align with the following objectives of the LTVCA's Strategic Plan:

4. Improve Transparency and Understanding of Financial Statements

Respectfully Submitted

Todd Casier, CPA, CA
Manager, Financial and Administrative Services

Mark Peacock, P. Eng.
C.A.O. / Secretary Treasurer

9.2) LTVCA Fee Policy and Schedules

Date: December 15, 2022

Memo to: LTVCA Board of Directors

Subject: LTVCA Fee Policy and Schedules

From: Valerie Towsley, Watershed Resource Planner

Background:

Through Bill 229, Protect, Support and Recover from COVID-19 Act, 2020, Conservation Authorities were required to update their Fee Policies (or generate new ones if non-existent). In particular, the Bill required CA's to provide clear guidelines for reconsideration of a fee charged to the proponent for a service. The Bill requires CA's to make a decision on the reconsideration of a fee within 30 days of receiving the request. The amendments would also allow a proponent to appeal the decision of the Authority to the Local Planning Appeal Tribunal or to bring the matter directly to the Tribunal if the authority fails to render a decision within 30 days. The Act can be found here:

<https://www.ontario.ca/laws/statute/90c27#BK34>, with Section 21.2(7)(d) being the operative section in question.

- (7) Every authority shall adopt a written policy with respect to the fees that it charges for the programs and services it provides, and the policy shall set out,
 - (d) the circumstances in which a person may request that the authority reconsider a fee that was charged to the person and the procedures applicable to the reconsideration. 2017, c. 23, Sched. 4, s. 21.

A Fee Policy and Schedules were generated in 2015, and have undergone several revisions as the Fee Schedules have been adjusted over the years for the services we provide to the public. As a result of Bill 229, the Policy was reviewed in its entirety to ensure it still met the needs of the Authority and our programs as well as the requirements under Bill 229. A revised 'Appeal Process' section, including refund wording, has been added to the Policy to address this gap.

Recommendation: That the Board of Directors approve the Fee Policy and Schedules, dated December 15, 2022, as presented.

The report aligns with the following objectives of the LTVCA's Strategic Plan:

1. Strengthen and Increase Collaboration with Community Stakeholders
4. Improve Transparency and Understanding of Financial Statements

Prepared by:
Valerie Towsley
Watershed Resource Planner

Reviewed by:
Mark Peacock, P.Eng.
Chief Administrative Officer / Secretary-Treasurer

Fee Policy

1. BACKGROUND

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 (<https://www.ontario.ca/laws/regulation/210686>) provided additional clarity regarding the programs and services that CAs are required to provide. In April, 2022 the Minister of Environment, Conservation and Parks released 'Policy: Minister's list of classes of programs and services in respect of which conservation authorities may 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 requirement for the Lower Thames Valley Conservation Authority (LTVCA) to adopt a written policy with respect to the fees that it charges for the programs and services it provides.

2. LEGISLATION

On January 1, 2023, the Conservation Authorities Act will be amended by enacting section 21.2 (1)-(12) "Fees for Programs and Services" (<https://www.ontario.ca/laws/statute/90c27#BK34>). 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 is set out on 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, grants, etc.) as per the cost apportioning agreement and the Minister’s List.

3. POLICY SCOPE

This Fee Policy and Schedules have been prepared in conformity with the DRAFT Conservation Ontario Guidance on CA Fee Policies and Fee Schedules, established by the Minister. This policy would apply to all classes of programs and services for which a conservation authority may charge a fee. This policy does not include those instances where the authority is already authorized under another statute to charge a fee for a program or service (e.g. on-site sewage system program under the Building Code Act).

The Fee Schedule is based on a cost recovery / fee for services user-pay principle, and to document the charging of fees charged under provisions of the Conservation Authorities Act [Section 21.2]. 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 material costs to provide the service, but do not exceed the cost of the service.

This policy used the following documents as references:

- The Conservation Authorities Act, Section 21.2 (1)-(12) “Fees for Programs and Services” (coming into effect on January 1, 2023)
- DRAFT Conservation Ontario Guidance on CA Fee Policies and Fee Schedules (July 25, 2022);
- Policy: Minister’s list of classes of programs and services in respect of which conservation authorities may charge a fee (“Minister’s List”) (April 11, 2022)
- Client Service Standards for Conservation Authority Plan and Permit Review (December 9, 2019);
- Policies and Procedures for Conservation Authority Plan Review and Permitting Activities (May 2010)

4. POLICY PRINCIPLES

As a public body, the LTVCA strives to balance its multiple roles as a supplier of a wide variety of services, which include:

- Delivery of services which broadly benefit the region and its residents;
- Legislated services which are applicant or proponent driven; and
- Discretionary services provided by other agencies and private companies.

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 principle as set by the Board of Directors of the Authority;
- 2) Fee increases will need to include inflation;
- 3) Fees should be set to recover, but must not exceed the costs associated with delivering the services on a program basis;
- 4) Direct and indirect costs associated with the program or service will be included in the calculation of the overall cost;
- 5) Refunds of fees may carry an administrative cost/penalty;
- 6) Fee schedules are reviewed at least annually and regular adjustments to fees are desirable;
- 7) The fee schedules will be approved on an annual basis to inform the budget for the following year.

5. PROCESS AND PUBLIC NOTIFICATION

This Fee Policy & Schedule has been established by the Lower Thames Valley Conservation Authority (LTVCA) Board of Directors following consultation with neighbouring conservation authorities, local municipalities and other stakeholders.

Consultation, proposed increases or revisions to the Fee Schedules includes at a minimum, direct notification to key stakeholders (e.g., municipalities), posting the notice of revisions of the Fee Policy & Schedule on the LTVCA website, and posting a notice in the LTVCA administrative office.

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.

6. IMPLEMENTATION

It is the objective of the LTVCA to provide an effective and efficient delivery of services consistent with the "Client Service Standards for Conservation Authority Plan and Permit Review", (https://conservationontario.ca/fileadmin/pdf/policy-priorities_section/PlanRegs_Client_Client_Service_Standards_for_Conservation_Authority_Plan_and_Permit_Review_As_Amended.pdf) endorsed by Conservation Ontario Council, June 24, 2019.

The remaining programs and services are not subject to a limitation regarding the percentage of costs of administering and delivering the program which can be recovered. These costs can be established at the direction of the Authority. When developing a fee schedule for programs and services related to the conservation and management of lands owned or controlled by the Authority, consideration will be made to referencing any objectives contained within the LTVCA's Conservation Areas Strategy (forthcoming).

To achieve this objective of implementation, the schedules include:

- Planning Act: Comments on applications under the Planning Act will be provided in time for the legislated public meeting or hearing, as set by the municipality. Land use proposals will be reviewed in a timely fashion as per the signed Planning MOU's / Agreements.
- Watershed Management: Permit applications under the Conservation Authorities Act will be generally processed within time-lines outlined in Conservation Ontario's "Client Service Standards for Conservation Authority Plan and Permit Review", June 2019. However, the reduced timelines for responses back to proponents, and the influx of applications may make meeting these targets more challenging.
- Conservation Services, Education & Outreach, Corporate Services & Technical Services: Includes fees for programs, services and products not related to planning and compliance activities.
- Conservation Lands: Includes fees for use and occupation of authority assets (e.g. recreational facilities, land and works, equipment, etc.).
- ❖ Fees will not exceed the costs to deliver the service.

Exemptions to the application of these fees include:

- Non-profit conservation groups contributing to the creation, protection and restoration of the natural environment, such as Ducks Unlimited (DU), Nature Conservancy of Canada (NC), Ontario Federation of Anglers and Hunters (OFAH), etc. for permit applications, inquiries, and site assessments.
- Applications submitted by landowners undertaking work for the creation of habitat / watershed / water quality improvement projects i.e. water quality retention ponds.

While the fee schedules are a part of the overall Fee Policy, it is anticipated that the schedules will be subject to more regular reviews and updates.

7. EXEMPTIONS AND IN-KIND SERVICES

The Authority may waive fees for non-profit conservation groups / projects contributing to the creation, 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.

8. APPEAL PROCESS and REFUND REQUESTS

As per subsection 21.2 (11) and (12), conservation authorities must identify the circumstances under which any person may request a reconsideration of fees and the applicable procedures.

After considering the request, the authority may vary the amount of the fee to be charged, order that no fee be charged, or confirm the original amount of the fee.

The fee appeal process will be based on the principles of fairness, opportunity, and notification. Any initial appeal or request for reduction of the set fee schedule will be directed to, and reviewed by, the CAO/Secretary-Treasurer to determine if the appeal can be fairly arranged to the satisfaction of all parties. Failing that, any deviation from this Policy requires the approval of the Members of the Authority.

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 CAO/Secretary-Treasurer (or delegate) and specify the reason(s) for the request for review. The CA will render a decision and respond to the proponent within 30 days of the initial written 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 of the CAO/Secretary-Treasurer decision, then an appeal will be directed to the LTVCA's Executive Committee for review and decision. Once heard, the appeal will be dismissed or upheld through a resolution passed by the Executive Committee. The appellant will be notified accordingly of the Committee's decision.

If a refund is approved, a 15% administration fee will apply.

If still not satisfied, the proponent can appeal the decision of the Authority to the Local Planning Appeal Tribunal or to bring the matter directly to the Tribunal if the authority fails to render a decision within 30 days.

9. DATE OF EFFECT

The Fee Policy and Schedules becomes effective as of the date of the LTVCA Board of Directors approval.

10. TRANSITION

The establishment of this Fee Policy and Schedules supersedes and replaces all previous fee policies and/or schedules. The Policy also applies to proposals not previously invoiced, such as draft approved plans of subdivision which predated any fee schedule.

11. REVIEW PROCESS

The Conservation Authorities Act (s. 21.2 (7) (c)) requires that the CA includes within their fee policy, information regarding the process for carrying out a review of the policy, including the rules for giving notice and of any changes resulting from the review. The Minister's List states CAs must notify the public of any proposed change it wishes to make to its fee schedule. Any updates to the fee schedule should follow the procedures outlined in the CA's fee policy.

In keeping with the Conservation Authorities Act, S.21.2 (9), the Fee Policy will be reviewed by CA staff every five years and propose any changes to the Policy to the Members for approval. The Fee Schedule will be reviewed annually by CA staff, in conjunction with the annual budgeting process. Information will be sought regarding fees, from various sources, as identified below, and recommend any changes to listed fees for consideration by the Board.

The authority shall give notice of the proposed changes to the Fee Policy and/or the increases or revisions to the Fee Schedules, by way of posting on the LTVCA's website, that the Fee Policy and/or Schedules will be reviewed at an open meeting of the Authority's Board.

Authority staff will consult with key stakeholders at a level appropriate for proposed changes to the Fee Schedule. The greater the impacts of changes to the fee schedules, the larger the scale of consultation.

Key stakeholders include:

- (a) Primary user groups who may represent interests of applicants, participants, customers, or other program or service stakeholders who may be consulted for various CA programs and services;
- (b) Neighbouring conservation authorities, in order to compare services, eligible costs and percentage cost recovery proposed to and/or approved by the Board; and
- (c) Municipalities in order to identify proposed changes to fee schedules, and define service(s) to be provided.

Consultation will, at a minimum, include posting the proposed changes to the fee schedule on the LTVCA website and by other means deemed to be appropriate.

As per O. Reg. 687/21 (<https://www.ontario.ca/laws/regulation/210687>) after January 1, 2023 conservation authorities must consult with participating municipalities that are party to a cost apportioning agreement prior to setting a fee for a Category 3 program or service.

LTVCA department Managers, as part of the annual budgeting process, will review the Fee Policy and Schedules annually. Managers will seek input from technical staff responsible for collection of the department fees, as well as member municipalities and as identified in the process and public notification section above. Any changes will trigger a revision to the Fee Schedule section of the Policy, with a report to the Board of Directors regarding recommendations for any changes. The Board of Directors shall receive and make any recommendations to the proposed Fee Schedules being submitted for review. Once approved, the revised Fee Schedules to this policy will be published on the LTVCA's website, distributed to Municipal Clerks for posting, made available at the Administration Office and Longwoods Resource Centre, and in other materials made available to the public.

12. FEE SCHEDULES

Schedule 1: LTVCA Planning and Technical Review Fees

Schedule 2: LTVCA Section 28 Regulation Fee Schedule

Schedule 3: LTVCA Conservation Areas Fee Schedule

Schedule 4: LTVCA Education Fee Schedule

Schedule 5: LTVCA Conservation Services Fee Schedule

Schedule 6: LTVCA Spring Tree Availability and Order Form

SCHEDULE 1

LTVCA Planning Fee Schedule

Board Approved: April 21, 2022

<u>Plan Review Fee Schedule</u>	<u>New LTVCA Planning Fee Schedule</u>
legal / private / realtor inquiries (fee charged for each assessment roll number, not by ownership)	\$125.00
clearance letters for subdivision/condominium approval (applies to each phase of subd. requested) (from draft plan to clearance, including SWM review) (where permit fee not required)	a. \$115/lot (max \$10,000 per phase) (outside of regulated area)
a. \$115/lot (max \$10,000 per phase) detailed SWM Review and all other review (outside of regulated area)	b. \$350/lot (within regulated area)
b. \$350/lot detailed SWM Review and all other review (within regulated area with each lot receiving a permit) (current fee)	c. \$1,200 preliminary SWM review
major OPA/ZBLA industrial, commercial, institutional, subdivision, etc.	\$300.00 (no SWM review required)
minor OPA/ZBLA single lot/unit residence	\$200.00
consent	\$200.00
minor variance	\$115.00
site plan control / approval	\$200.00
OPA / ZBLA combination	\$275.00
consent / minor variance with ZBLA combination	\$250.00
consent with minor variance combination	\$250.00
multiple consent applications on a single application	\$115.00/lot (unregulated) \$350.00/lot (regulated)
input and review of relevant EIS's / DAR's / EA's and other major studies, proponent driven	\$1,500.00
LTVCA staff appearing as an expert witness at a Committee of Adjustment hearing or Ontario Land Tribunal hearing:	
a. Acting on behalf of the municipality	a. no fee charged
b. At the request of the proponent	b. hourly rate

SCHEDULE 2

LTVCA Section 28 Permit Fees

Category	Type	2022 Fee
Pre-consultation	Pre-consultation with the applicant regarding requirement	No Charge
Development Applications	<u>Minor Works</u> Involving a limited review where the works are minor in nature relative to cost, location, and/or impact (e.g. decks, aboveground pools, patios, pergolas, etc.)	\$150.00
	<u>Habitable Structures within Flood Hazard</u> (e.g. new build, additions, major renovations, etc.)	\$500.00
	<u>Habitable Structures outside Flood Hazard</u> Where the works' footprint is greater than 500 sq. ft.	>500 sq. ft. = \$400.00 <500 sq. ft. = \$300.00
	<u>Non-habitable Structure within Flood Hazard</u> (e.g. new build, additions, major renovations, etc.)	\$250.00
	<u>Non-habitable Structure outside Flood Hazard</u> (e.g. new build, additions, major renovations, etc.)	\$150.00
Fill Placement / Removal; Site Grading; or, Alteration of Shoreline or Watercourse	Greater than 40 m ³ of material or greater than \$2,500 estimated cost or where a site visit is required	\$500.00
	Less than or equal to 40 m ³ of material or less than \$2,500 estimated cost or where a site visit isn't required	\$300.00
Major Construction / Alterations	For applications where more than one activity described above is being applied for	\$600.00
Multi-Lot Development	To construct and/or place fill on multiple lots affected by O. Reg. 152/06 and where a plan of subdivision is actively being built out	\$350.00 per lot
Utility Pipelines / Conduits	May include linear utilities adjacent to or crossing watercourses and wetlands	\$125.00
Hydro One	<u>Base Fee</u> – to cover project review regardless of whether permits are required or not. To be deducted from subsequent permit fees determined for the project.	\$100.00
	<u>Routine</u> – works adjacent to flood prone areas, watercourses and wetlands using Standard Compliance	\$100.00

Category	Type	2022 Fee
	Requirements. Items which fall under Section 6.2 Application of Standard Best Practices of the Hydro One MOU.	
	<u>Minor</u> – where a flood plain, watercourse or wetland crossing / works is proposed. Items which fall under Section 6.1 Standard Compliance Requirements form.	\$150.00
	<u>Major</u> – where multiple works are proposed for watercourse or wetland crossings, or large infrastructure installation works are proposed	\$500.00
Municipal Drain Review	<u>Routine</u> - Project is drain maintenance consistent with Standard Compliance Requirements in DART Protocol	\$100.00
	<u>Minor</u> - Review of engineers report and/or within regulated wetland limits	\$150.00
	<u>Major</u> - Requires multiple site visits, meetings, and/or detailed review of engineering reports (e.g. large enclosures, channel re-alignments, etc.)	\$500.00
Municipal Project Review	<u>Routine</u> - Does not require any technical reports or analysis (e.g. bridge or culvert rehabilitation, replacement, shoreline stabilization, etc.)	\$100.00
Hardship	Re-construction as a result of a hardship not related to the hazard	\$75.00
Minor Revisions	Minor revisions to a recently approved and valid application	\$75.00
Technical Evaluation	E.g. elevation surveys, setback surveys, property evaluation for tax assessment, etc.. Note: Cost is deducted from the permit fee if an application is submitted.	\$200.00
Detailed Hazard Verification letter / Written Inquiry	Note: Cost is deducted from the permit fee if an application is submitted.	\$200.00
Violation Clearance	- Applications where work has commenced or finished without authorization and where such works comply with LTVCA board-approved policies -	Double the Applicable Fee
Hearing Request	Request for a meeting before the Hearing Board	\$1,000.00
Minister's Zoning Order (MZO)	Permit associated with Minister's Zoning Order (MZO)	To be Negotiated on a case-by-case basis

General Notes for All Permit Fees

- Please contact LTVCA Regulations staff at permits@ltvca.ca to arrange a pre-consultation discussion prior to submission. Any questions regarding the applicable fee can be directed to the above e-mail address.
- Issuance of a permit by the LTVCA does not exempt the landowner nor applicant from obtaining permission from any other government agency. Any proposed work within a waterbody such as a lake, river, stream, or creek (including adjacent lands) falls under Fisheries and Oceans Canada and Ministry of Northern Development, Mines, Natural Resources and Forestry jurisdiction and a permit may be required from their office before any work begins. Please review your proposed work as it may apply under the Fisheries Act (Fisheries and Oceans Canada), Public Lands Act (MNDMNR), Lakes and Rivers Improvement Act (MNDMNR), Endangered Species Act (Ministry of Environment, Conservation and Parks) and the Navigable Waterways Act (Transport Canada).

SCHEDULE 3

LTVCA Conservation Areas Fee Schedule

Lower Thames Valley Conservation Authority 2022 Conservation Areas Fee Schedule

ALL PRICES INCLUDE HST

	Longwood's Road	Big Bend	CM Wilson	EM Warwick	Sharon Creek
Camping (<i>Single Sites</i> †)		✓	✓		
Group Camping (<i>5-person min.</i>)	✓	✓	✓	✓	
Seasonal Camping		✓	✓		
Pavilion/Area Rental	✓	✓	✓		
Day Use Fee	✓ <i>coin or credit card</i>		✓ <i>coin or credit card</i>		✓ <i>MacKay Pay</i>
2022 CA Parking Pass	✓		✓		✓

Day Use Parking Passes

Vehicle Permit	5.00 per day
Bus	110.00 per day
2022 CA Parking Pass	60.00 each or two for 90.00

Camping

	<i>Nightly</i>	<i>Monthly</i>	<i>Half Season</i> <i>(10 weeks)</i>	<i>Season</i> <i>(Victoria Day – Thanksgiving)</i>
Premium Sites	40.00	625.00	1,000.00	1,800.00 <i>(other fees may apply)</i>
<i>Hydro & Water/Waterfront Sites [Big Bend]</i>				
Hydro Only	38.00			
Unserviced	32.00			1,600.00 <i>(other fees may apply)</i>
Extra Overnight Vehicle	5.00 per night			
Group Camping	10.00 per person <i>(5-person minimum)</i>			
Winter Storage of Camper	200.00 <i>(Thanksgiving – Victoria Day [CM Wilson Only])</i>			
Firewood	10.00/bag			

EM Warwick†

(Includes all buildings)

	<i>Weekends/night</i>	<i>Fri & Sat bundle</i>	<i>Sun-Thurs/night</i>	<i>Weekly</i>
Year-Round	400.00	600.00	250.00	1100.00
Scouts/Cadets/Guides (Nov-Apr)	250.00	450.00	150.00	750.00
Reservation Deposit*	50% of total bill due at time of booking <i>(\$100 of which non-refundable without 30 days' notice)</i>			
Firewood	50.00 per ½ face cord			

Pavilion Rental†

Per day, excludes parking *(Guests must use Pay & Display machine OR Purchase permits in advance)*

Pavilion/Area Rental	100.00 <i>(for outdoor and pavilion weddings \$200 consultation fee also applies)</i>
Barn (CM Wilson)	250.00
Per 25 Vehicle Permits	50.00
Reservation Deposit*	100.00 <i>(Non-refundable without 30 days' notice)</i>
Wedding Consultation Fee	200.00 <i>(includes one CA Parking Pass for couple)</i>

CM Wilson Barn Wedding†

1,000.00

Includes:

- Outdoor area rental and use of outdoor area for photos
- Parking for 25 vehicles, one CA Parking Pass for couple
- Access to setup day before at 2:00 pm, including access to host rehearsal dinner
- Teardown before 1:00 pm day after, including access to host brunch
- 50% of total bill due at time of booking (*\$100 of which non-refundable without 30 days' notice*)

Photography Permits

Single Day (not incl. parking)	60.00
Annual (not incl. parking)	200.00

Other

Non-Camper Sewage Disposal	50.00 (<i>CM Wilson Only, May-Oct</i>)
Cleaning Fee	150.00 first hour, 50/hour thereafter

‡ *Includes one vehicle per site; limit 4 persons per site unless family unit; Let's Camp processing Fee additional*

† *Requires \$150 Security/Damage Deposit, to be refunded if applicable*

Prices are subject to change

** Reservation deposit applied to total bill*

SCHEDULE 4

Education Fee Schedule

Longwood's Road / Ska-Nah-Doht Village Education Programs

ON-SITE PROGRAMS

Offered at Longwood's Road Conservation Area and Ska-Nah-Doht Village and Museum.

PROGRAM COST

One Program or Half Day - 1.5 to 2 hours

\$8 per participant – minimum fee is \$120 for 15 participants or less

TWO PROGRAMS OR FULL DAY

- 3.5 to 4 hours, includes a half hour lunch break
- School groups: \$14 per participant – minimum fee is \$210 for 15 participants or less
- Community groups: \$16 per participant – minimum fee of \$240 for 15 participants or less

In-Class Education Programs

PROGRAM COST

Participant

- \$6 per participant – minimum fee is \$90 for 15 participants or less
- Programs are 1.5 hours long

Mileage

- Mileage will be charged at the LTVCA rate of \$0.40/km based upon your distance from: Longwood's Road Conservation Area, 8348 Longwood's Road, Mount Brydges, Ontario.
- Mileage as per Google Maps

Traditional Ecological Knowledge: A Heritage Perspective Program

Cost: The cost per person is \$40.

SCHEDULE 5

LTVCA Conservation Services Fee Schedule

SANDBAGS COST PER BAG

Standard (White)	\$0.30 + HST = \$0.34
Heavy Duty (Black)	\$0.65 + HST = \$0.73

MNR PUMP RENTAL

\$200 / day (*check with local Drainage Superintendent first to ensure no municipal emergency situation/need*)

NATURAL RESTORATION SERVICES

Tree planter rental fee (per day)	\$100.00 + HST = \$113.00
Roto-tilling	Minimum \$124 or \$11/acre (<i>includes operator</i>)
Broadcast seeding	\$300 for service and an additional \$25/ac for white clover \$300 for service and an additional \$725/ac for Tall Grass Prairie mix

COST PER TREE

Machine planting by LTVCA (seedlings)	\$1.00 + HST = \$1.30
Hand planting by LTVCA (seedlings)	\$1.50 + HST = \$1.70

Machine Tree Planter Specifications. We have two Tree Planters available:

1. Light Duty- Hydraulics with Pioneer Tips, can be pulled with 1 ⁷/₈th ball hitch (sandier sites)
2. Heavy Duty- Hydraulics with Pioneer Tips, can be pulled with a ³/₄ ton pick-up with a draw bolt (clay sites)

*** 50 hp or more is recommended

First come first serve for planter rental-pick up at CM Wilson CA at 21799 Fargo Rd., just south of 401, or Longwood's Rd. CA at 8449 Irish Drive, Mount Brydges

Note: Minimum order quantities exist. Contact Greg Van Every (Ext. 229) for details.

Lower Thames Valley Conservation Authority

100 Thames Street

Chatham, ON N7L 2Y8

Phone: 519-354-7310


Fax: 519-352-3435

E-mail: admin@ltvca.ca

Web: www.ltvca.ca

SCHEDULE 6

LTVCA Spring Tree Availability and Order Form

	Name: Mailing Address: Phone Number:		
<h1 style="margin: 0;">Tree Order Form</h1> Deadline			
March 1, 2023			
Species	Price ea.	Quantity	Total Cost Per Species <i>(Prices Subject to Change Annually)</i>
CONIFERS			
White Pine 2+2 25cm+	\$2.03		
White Pine J+1.5	\$1.49		
White Spruce 1.5+1.5	\$1.49		
Norway Spruce 1.5+1.5	\$1.49		
Colorado Blue Spruce 3yr 7-12"	\$1.35		
White Cedar 2+2 25cm+	\$1.88		
Red Cedar P+1 25cm+	\$2.24		
Tamarack J+1 20cm+	\$1.49		
DECIDUOUS			
Red Oak 1+0 25cm+	\$1.88		
Pin Oak 1+0 20cm+	\$2.25		
Bur Oak 1+0 20cm+	\$2.99		
White Oak 1 yr 12-18"	\$2.03		
Swamp White Oak 1 yr 12-18"	\$2.18		
Silver Maple 2 yr 12-18"	\$1.73		
Red Maple 1 yr 12-18"	\$1.88		
Sugar Maple 1 yr 12-18"	\$2.55		
Black Cherry 1 yr 12-18"	\$2.63		
Black Walnut 1+0 20cm+	\$2.03		
Bitternut Hickory 2+0 25cm+	\$2.24		
Shagbark Hickory 3+0 20cm+ 1.60	\$3.75		
Sycamore 2+0 25cm+ 1.49	\$2.63		
Kentucky Coffee Tree	\$2.78		
Paper Birch 1 yr 12-18"	\$2.18		
Trembling Aspen 1 yr 12-18"	\$2.78		
SHRUBS			
Nannyberry P+2 25cm+	\$3.45		
MACHINE PLANTER RENTAL/DAY	\$ 100.00		
Subtotal			
HST (13%)			
TOTAL			
PAYMENT OPTIONS: call in CREDIT, Online by request, CASH OR CHEQUE TREES CAN BE ORDERED AS SOON AS PAYMENT IS RECEIVED			
Funding is available for projects over 1 acre; please inquire. NOTE : There is also a MINIMUM order of 10 seedlings/species			
WARRANTY – All seedlings are sold with NO WARRANTY.			
Lower Thames Valley Conservation Authority 100 Thames Street Chatham, ON N7L 2Y8		Stewardship@ltvca.ca	
Deadline- March 1, 2023			

10. Business for Information

10.1) C.A.O.s Report

Date: December 15, 2022
Memo to: LTVCA Board of Directors
Subject: C.A.O.'s Report
From: Mark Peacock, P. Eng., C.A.O. / Secretary Treasurer

Covid-19 update

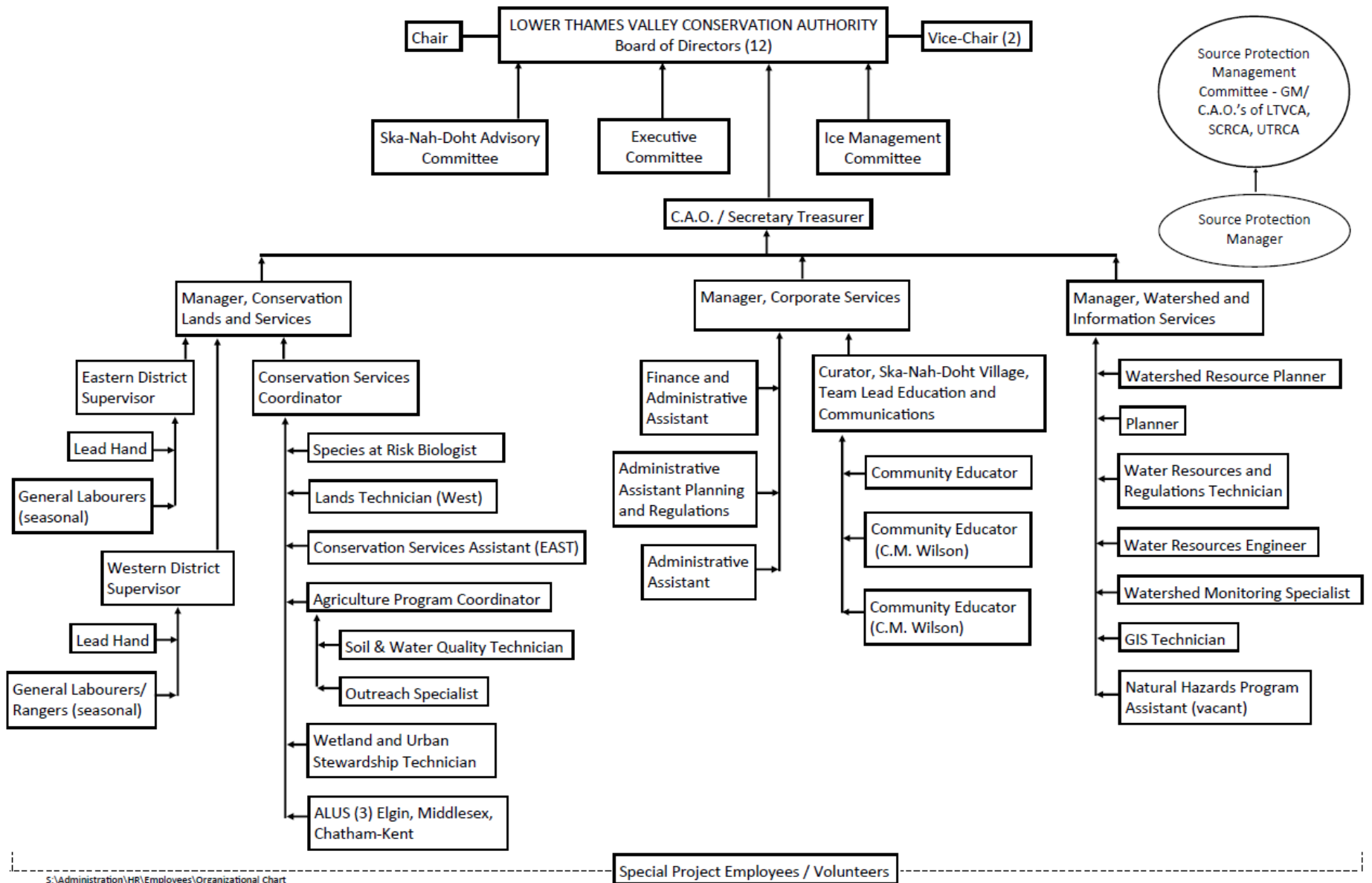
The Pandemic Management Committee has completed its work but COVID-19 still is an issue with a number of staff being affected over the last 2 months. We continue to follow provincial guidance with managing COVID-19 infections. All staff have returned to offices and off site meetings have returned to pre COVID-19 levels.

Staffing Changes

Significant changes are occurring to the management team at the LTVCA. Of the four managers, two will be moving on as of December 2022. Bonnie Carey, Manager, Communications, Outreach and Education will be retiring as of December 31, 2022 and Randall Van Wagner has accepted the position of Head, National Greening, Tree Canada (2 billion tree program). Randall will be assuming this position as of December 12, 2022. We wish these staff members all the best in their future endeavours.

Changes to Staff Organization Moving into 2023

With the above change to the management team, it is time to consider organizational changes. At the same time we are working to provide staffing to allow the reopening of the Children's Safety Village (now referred to as CM Wilson Learning Centre). The new organization chart will have one less manager and the two departments - 1. Finance and Administrative Services and 2. Communications, Outreach and Education will be merged into a new department entitled Corporate Services under the management of Todd Casier, current Manager, Finance and Administrative Services. Savings from this change will assist in providing Community Educators for the CM Wilson Learning Centre as well as streamline management at the LTVCA. An updated staff organization chart is attached for information.



Indigenous Community Education Centre / Resource Centre Revitalization Update

As discussed at the October Board of Director's meeting, the federal government has requested that the work scheduled be contained to only activities that can be fully completed to the end of the fiscal year (March 31, 2023). With this in mind, staff have developed a plan whereby only elements of the existing Centre will be undertaken in the current fiscal year (now referred to as phase 1A) and the construction of the Indigenous Community Education Centre (now referred to as Phase 1B) will occur in the 2023/2024 fiscal year. The federal government has confirmed that the Canada Community Revitalization Fund (which is providing \$750,000 to this project) will continue after March 31, 2023 and so we should be able to complete the entire project. To allow the construction to move forward, a set of drawings has been prepared for a building permit that will only contain work to be completed by March 31, 2023. As of the time of writing of this report, proposals are being received for this work from local contractors. The amount of work to be completed by March 31, 2023 will cost approximately \$200,000. The work remaining for the construction of the Indigenous Community Education Centre will be approximately \$800,000. It is intended that we will move forward with tendering the larger portion of the project in February to allow the contractor to begin as soon as the 2023/2024 fiscal year begins on April 1, 2023.

As part of the fundraising efforts by the Lower Thames Valley Conservation Foundation, a phase 2 is being proposed that will include 2 new galleries, an artifact storage area, an elevator, upgrades to existing washrooms and staff accommodations. An application has been submitted to the provincial government for \$100,000 of the estimated cost of \$190,000 for construction of the elevator.

Recommendation:

The C.A.O. / Secretary Treasurer Report be received for information.

The report aligns with the following objectives of the LTVCA's Strategic Plan:

1. Strengthen and Increase Collaboration with Community Stakeholders

Respectfully Submitted
Mark Peacock, P. Eng.
C.A.O. / Secretary Treasurer

10.2) Water Management

10.2.1) Flood Forecasting and Operations

Flood Messaging and Flood Events

There have been six flood messages issued since the last written report to the Board of Directors. All six of these messages have been Shoreline Condition Statement – Flood Outlook messages for the Lake Erie shoreline and Erie Shore Drive in particular. The messages were issued on October 14th and 19th, November 4th, 17th and 29th and December 2nd. No significant flooding was reported for any of these events. With the arrival of autumn, the appearance of higher winds has been more frequent. However, lower lake levels have raised the wind speed threshold for when flooding occurs down on Erie Shore Drive. During the last few wind events when sustained wind speeds were recorded at around 45 km/hr, very minimal flooding was observed on properties in the area and the existing catch basins seemed to be easily handling any water that made it to the front yards.

With respect to the Thames River and local watercourses, there were no messages issued as the relatively dry summer has now turned into an equally dry autumn and as a result there have been no predicted rainfall events large enough to trigger flood messages.

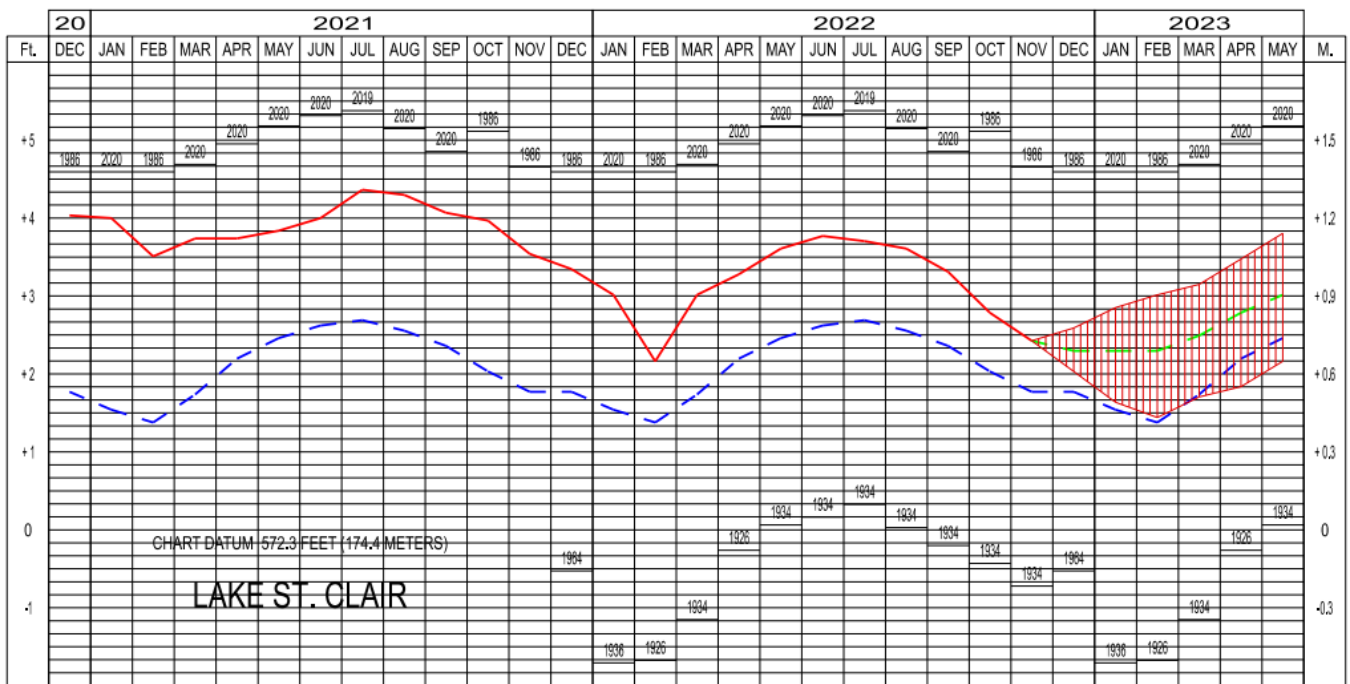
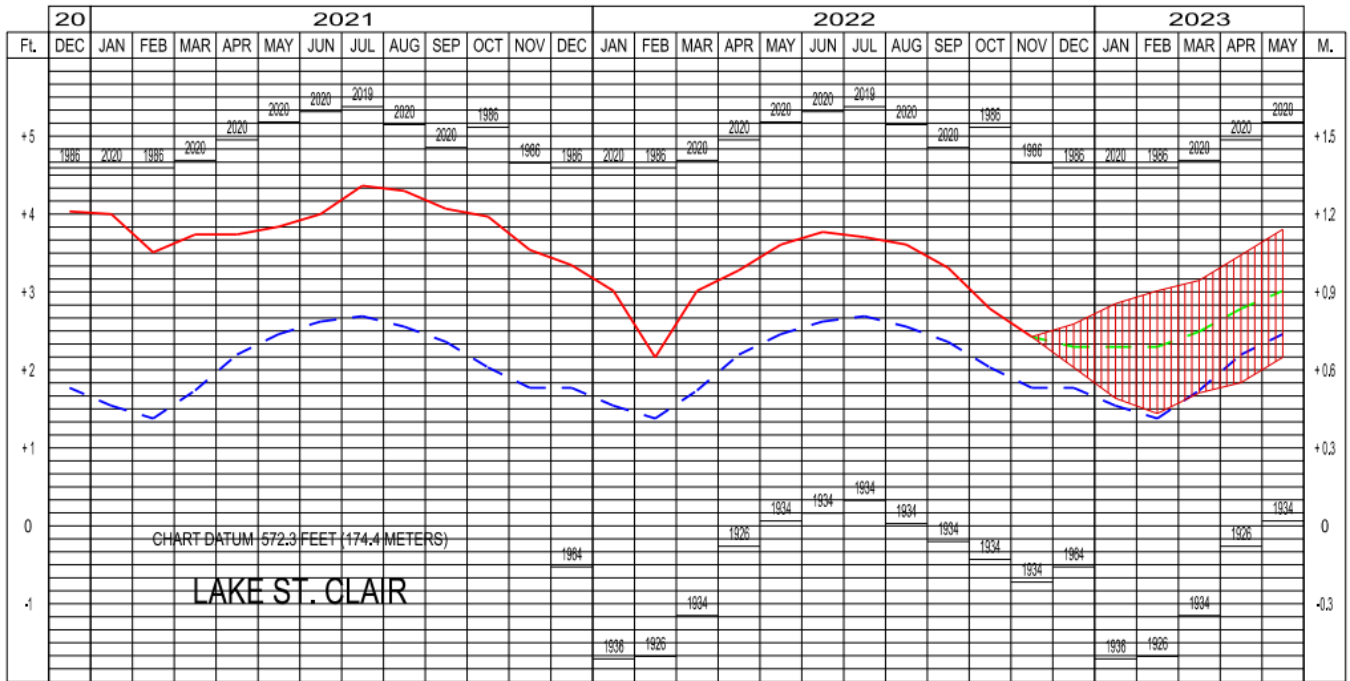
Report on Lake Conditions

Average daily water levels on Lake Erie at the beginning of December were around 174.23 m (I.G.L.D.). This is down about 64 cm from last year's peak daily average water level record set on July 21st. The all-time record high monthly average for December was 174.89 m, set in 1986. Water levels at the beginning of December were still 21 cm above what would be considered normal for the month of December. Water levels on Lake Erie are now near their seasonal lows. Forecasts suggest water levels would only drop around 2 or 3 cm by the beginning of January.

Average daily water levels on Lake St. Clair at the beginning of December were around 175.08 m (I.G.L.D.). This is down about 73 cm from last year's peak daily average water level record set on July 17th. The all-time record high monthly average for December was 175.80, set in 1986. Water levels at the beginning of December were 14 cm above what would be considered normal for the month of December. Water levels on Lake St. Clair are now around their seasonal low. Forecasts suggest water levels could rise by around 5 cm by the beginning of January.

Over the last several months, water levels on both lakes have fallen back much closer to their long-term averages. With the lakes now only around 15 to 20 cm above their long-term averages, the lakes can be considered almost back to normal water levels. Stronger wind events (most likely gale force wind events lasting several hours in duration) are now required to cause minor flooding along the LTVCA's Lake St. Clair shoreline and along most of its Lake Erie shoreline. However, the damage caused by high lake levels over the last few years along Erie Shore Drive means it's likely still more vulnerable at lower wind speeds. It may be that sustained wind speeds in the 50 km/hr range lasting for several hours may still be able to cause some flooding. LTVCA staff will be monitoring wind events to determine what the new thresholds for flooding are. Once the lakes freeze over for the winter, the risk of shoreline flooding will be over until the spring melt.

The figures below are published by the U.S. Army Corp of Engineers and graph the monthly average water levels and water level forecast over the next 6 months. These versions were published at the beginning of December.



10.2.2) Flood Control Structures

There has been little activity surrounding the LTVCA’s flood control structures over the last few months. It has been a relatively dry last few months so there have been no operations since the last report. Seasonal maintenance has continued for the flood control structures, including further vegetation control on the McGregor Creek Diversion Channel.

10.2.3) Low Water Response Program

The Low Water Response Program looks at both precipitation and flow in local watercourses in determining whether there is a low water condition. For precipitation, both 18-month and 3-month rainfall totals are examined and the program thresholds are: Level 1, 80% of average; Level 2, 60% of average; and Level 3, 40% of average. For flows, the

average flow over the last month is examined and the summer/autumn/winter thresholds are: Level 1, 70% lowest average summer flow (LASF); Level 2, 50% LASF; and Level 3, 30% LASF. During the growing season, LTVCA staff create a brief report summarizing conditions around the watershed, which is available by request. Outside of the growing season, the LTVCA relies on provincial level summary reports provided by the MNRF to keep up-to-date. As the growing season is now over a local summary report has not been created for December.

A Level 1 Low Water Condition was declared in June based on the rainfall deficit seen over the prior 3-month period. Since June, much of the watershed has seen rainfall totals below the Low Water Level 1 Condition criteria, with many areas in Chatham-Kent seeing Level 2 Conditions. The report by LTVCA staff produced at the beginning of November noted that the rain gauges in the eastern portion of the watershed showed near normal rainfall conditions. Gauges in the south-central portion of Chatham-Kent (south Chatham, Kent Centre, Ridgetown and Romney) showed Low Water Level 2 Condition while other gauges in the west (Leamington, Merlin, west Chatham) showed Level 1 Conditions. Flows in the Thames River did not indicate a Low Water Condition while flows in McGregor Creek indicated a Level 1 Low Water Condition.

An examination of flows at the beginning of December showed that both the Thames River and McGregor Creek no longer indicated Low Water Conditions. The provincial level summary only examines one rain gauge in the Lower Thames, which is the ECCC station at Ridgetown. That Ridgetown station suggests Level 3 Low Water Conditions for the LTVCA. Given the pattern of conditions documented in the LTVCA report at the beginning of November, it seems unlikely that the Ridgetown gauge represents the whole of the LTVCA.

Until such time as LTVCA staff can re-examine the rainfall numbers, and confirm with the Low Water Response Team, the LTVCA watershed will remain at a Level 1 low Water Condition. The declaration of a Level 3 Condition requires significant documentation and approval from the province. The recommended action under a Low Water Level 1 Condition is to use existing communication channels to seek a voluntary 10% reduction in water usage from the relevant water sources. Since the growing season is over now, there are essentially no water takings from the Thames River or local watercourses occurring anyways.

Further information on the Provincial Low Water Response Program can be found at <https://www.lioapplications.lrc.gov.on.ca/webapps/swmc/low-water-response/>

10.2.4) Watershed Monitoring

Watershed-wide, surface water quality monitoring continues at 22 sites throughout the watershed. The sampling is being conducted under two programs, the Provincial (Surface) Water Quality Monitoring Program (PWQMN) which has supplemented its regular sampling season with some additional winter sampling, and a special grant under Canada-Ontario Agreement (COA) Respecting the Great Lakes Basin Ecosystem. Final signoff for the COA grant is still pending.

There had been some challenges with the Provincial Groundwater Monitoring Network (PGMN) program over the last few years. However, significant efforts have been put into the program over the last few months and all the groundwater level monitoring instrumentation and telemetry is now up and running properly again. Every autumn there is also a program where LTVCA staff pump seven of the wells and take water quality samples to be analysed by the MECP. All the required autumn water quality sampling from the wells has now been completed as well. Recent correspondence from the MECP suggests that they are considering starting a spring groundwater sampling program as well.

The reports align with the following objectives of the LTVCA's Strategic Plan:

2. Strengthen and Increase Collaboration with Community Stakeholders
3. Increase the Awareness of the Value of Good Watershed Stewardship
4. Improve Capital Asset Review

10.3) Planning and Regulations

10.3.1) Planning

From the end of September 2022 through to the end of November 2022, there were 46 planning submissions reviewed by staff for this reporting season with respect to the Provincial Policy Statement, Section 28 of the Conservation Authorities Act and Ontario Regulation 152/06. On average it takes roughly 5 days to respond to submissions, ranging from same day response to 15 days for more involved planning submissions. There have also been 35 phone calls and over 102 email responses to inquiries that staff have responded to.

Planning Numbers	2020 Totals	2021 Totals	Jan Totals	Feb Totals	March Totals	Apr Totals	May Totals	June Totals	July Totals	Aug Totals	Sept Totals	Oct Totals	Nov Totals	2022 Totals
Chatham-Kent	259	306	16	11	16	23	23	14	17	22	17	15	10	184
Elgin	67	79	5	4	4	8	7	21	12	7	9	5	5	87
Essex	46	36	4	1	1	2	6	2	4	3	6	2	1	32
Middlesex	35	54	4	1	5	3	4	8	0	7	1	6	3	42
Total Numbers	407	475	29	17	26	36	40	45	33	39	33	27	19	344

**OP, ZBL, OPA, ZBLA, Consents, Minor Variances, Plans of Subdivision, Legal Inquiries*

10.3.2) Section 28 Regulations / Permitting

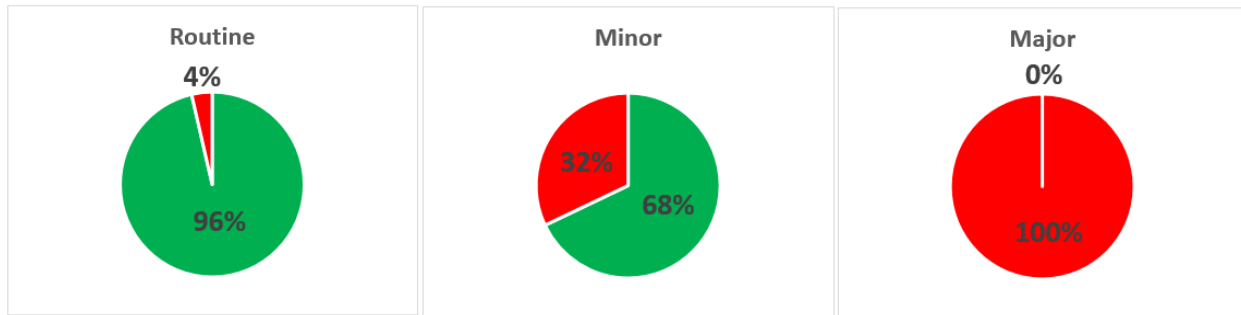
In the months of October and November, the LTVCA received 94 permit applications with respect to Section 28 of the Conservation Authorities Act and Ontario Regulation 152/06. Of the 521 permit applications received in the first eleven months of 2022, all but 23 had been approved by staff. 16 of the 23 applications were in the queue to be reviewed by staff as of the end of November. Three of the 23 applications have been placed on hold or cancelled by the applicants. Two of the remaining applications were approved by the Executive Committee following hearings and two more were refused by the Executive Committee following hearings. In total, there have been seven Hearings so far in 2022 (compared to four in 2021).

As previously reported, the refusal of a permission by the Executive Committee regarding Application #617-2021 earlier this year is being appealed by the applicant to the Ontario Land Tribunal. This is the first LTVCA Hearing Board decision to be appealed in the history of the LTVCA. There are no updates to provide regarding this matter at the time of writing of this report.

\$106,875 has been collected thus far this year (as of the end of November) in permit application and hearing fees.

10.3.3) Permit Processing Timelines

For applications issued up until the end of November, the charts and table below indicate that 96% of “routine”, 68% of “minor”, and 0% of “major” permit applications met their applicable customer service standard for turnaround time. Permit turnaround times for both “minor” and “major” complexity applications continue to lag behind the LTVCA’s & Conservation Ontario’s customer service standards. That being said, the turnaround times are improving as we head into the winter months where, traditionally, development pressure slows down.



Complexity of Application	# of Days to Review Permit Applications				
	0 - 14 Days	15 - 21 Days	21 - 28 Days	29 - 90 Days	> 90 Days
Routine	105	2	1	1	0
Minor	155	109	37	87	1
Major	0	0	0	0	4

For the months of October and November, the average turnaround time for a routine permit application was 2 days (ranged between 0 and 3 days). The customer service standard for routine permits is a turnaround within 14 days. The processing time for routine permits continues to meet customer service targets. This improvement is largely due to the Water Resources Engineer that was hired near the end of 2020 taking on the task of processing most of the applications identified as being routine in complexity.

For the months of October and November, the average turnaround time for a minor permit application was 11 days (ranged between 0 and 32 days). For private property minor complexity permits, the average turnaround time was 14 days. The customer service standard for minor complexity permits is a turnaround within 21 days. The average processing time for minor permit applications is meeting the customer service targets.

10.3.4) Property Inquiries

Up to the end of November, 1274 property inquiries (including permit pre-consultation questions) were received and responded to by the Regulations Program which is 187 more since the last board report. At the time of writing of this staff report, the current response time to property and pre-consultation inquiries is approximately 1-5 business days for e-mails and up to 5 business days for phone calls.

10.3.5) Section 28 Enforcement

In the first eleven months of 2022, thirty-two complaints / tips were received from the public about possible Section 28 enforcement issues. Twenty-six out of thirty-two issues are confirmed violations or potential violations of the Conservation Authorities Act and Ontario Regulation 152/06. None of the issues have been resolved.

App No.	Location	Community/ Township	Municipality	Decision	Processing Time (days)
643-2021	5269, 5273, 5279, and 5285 Tecumseh Line	Tilbury East	Chatham-Kent	Granted: 08 Sep, 2022	357
215-2022	18140 Erie Shore Drive	Erieau	Chatham-Kent	Refused: 20 Oct, 2022	184
228-2022	6465, 6473, 6487, 6507, and 6513 Riverview Line	Raleigh	Chatham-Kent	Granted: 20 Oct, 2022	164
231-2022	Lot A, Con 7	Aldborough	West Elgin	Granted: 01 Nov, 2022	13
261-2022	24377 Gray Line	Aldborough	West Elgin	Granted: 20 Oct, 2022	139
404-2022	167 Rosewood Crescent	Chatham	Chatham-Kent	Granted: 14 Oct, 2022	4
410-2022	950 Grand Avenue West	Chatham	Chatham-Kent	Granted: 14 Oct, 2022	32
414-2022	23250 Kent Bridge Road	Kent Bridge	Chatham-Kent	Granted: 17 Oct, 2022	2
418-2022	11522 Meadowview Road	Rondeau Bay Estates	Chatham-Kent	Granted: 14 Oct, 2022	21
419-2022	600 & 650 Grand Ave East	Chatham	Chatham-Kent	Granted: 14 Oct, 2022	17
420-2022	70 Legacy Lane	Chatham	Chatham-Kent	Granted: 25 Oct, 2022	28
423-2022	156 Peel Street	Shrewsbury	Chatham-Kent	Granted: 08 Nov, 2022	5
425-2022	GH Pennings Drain	Southwold	Southwold	Granted: 04 Oct, 2022	6
426-2022	1640 Tilton Line	Wheatley	Chatham-Kent	Granted: 14 Oct, 2022	9
427-2022	1636 Tilton Line	Wheatley	Chatham-Kent	Granted: 14 Oct, 2022	9
428-2022	10 Wellington Street	Shrewsbury	Chatham-Kent	Granted: 07 Oct, 2022	3
429-2022	700 Ross Lane	Erieau	Chatham-Kent	Granted: 14 Oct, 2022	9
430-2022	5733 Tecumseh Line	Raleigh	Chatham-Kent	Granted: 03 Nov, 2022	29
431-2022	8465 Parkhouse Drive	Mount Brydges	Strathroy-Caradoc	Granted: 03 Nov 2022	27
432-2022	22132 Charing Cross Road	Chatham	Chatham-Kent	Granted: 11 Oct, 2022	0
433-2022	19 McIntosh Ave	Chatham	Chatham-Kent	Granted: 02 Nov, 2022	21
434-2022	Gordon Hodge Drain	Zone	Chatham-Kent	Granted: 14 Oct, 2022	1
435-2022	Heatly Drive	Delaware	Middlesex Centre	Granted: 24 Oct, 2022	7
436-2022	Scafe Drain	Howard	Chatham-Kent	Granted: 25 Oct, 2022	1
437-2022	Deary Drain	Raleigh	Chatham-Kent	Granted: 25 Oct, 2022	1
438-2022	Whitman Drain	Howard	Chatham-Kent	Granted: 25 Oct, 2022	0
439-2022	600 Junction Ave	Chatham	Chatham-Kent	Granted: 27 Oct, 2022	3
440-2022	7538 Grande River Line	Chatham	Chatham-Kent	Granted: 21 Nov, 2022	28
441-2022	Wiebenga Drain	Howard	Chatham-kent	Granted: 25 Oct, 2022	0
442-2022	Rosalie Robert Drain	Tilbury	Chatham-Kent	Granted: 27 Oct, 2022	1
443-2022	21097 Campers Cove Road	Wheatley	Chatham-Kent	Granted: 02 Nov, 2022	8
444-2022	24 Tissiman Ave	Chatham	Chatham-Kent	Granted: 17 Nov, 2022	22
445-2022	51 Princess St	Shrewsbury	Chatham-Kent	Granted: 30 Nov, 2022	30
446-2022	7255 Riverview Line	Raleigh	Chatham-Kent	Granted: 08 Nov, 2022	7
447-2022	Pyne & Simpson Drain	Howard	Chatham-Kent	Granted: 03 Nov, 2022	2
460-2022	Pain Court Creek Drain @ Creek Line	Dover	Chatham-Kent	Granted: 08 Nov 2022	6

App No.	Location	Community/ Township	Municipality	Decision	Processing Time (days)
461-2022	Thibert Drain_near Gore Road	Tilbury West	Lakeshore	Granted: 18 Nov, 2022	15
462-2022	Tilbury Creek_near Gore Road	Tilbury West	Lakeshore	Granted: 18 Nov, 2022	15
463-2022	Natural Watercourse_King & Whittle Road	Tilbury East	Chatham-Kent	Granted: 18 Nov, 2022	15
464-2022	King & Whittle Drain_Davidson Road	Tilbury East	Chatham-Kent	Granted: 18 Nov, 2022	15
465-2022	Gagnier Drain_Davidson Road	Tilbury East	Chatham-Kent	Granted: 18 Nov, 2022	15
466-2022	Powel Drain_Middle Line	Tilbury East	Chatham-Kent	Granted: 18 Nov, 2022	15
467-2022	Ivison Drain_Davidson Road	Tilbury East	Chatham-Kent	Granted: 18 Nov, 2022	15
468-2022	Natural Watercourse_near Davidson and Pollard Line	Tilbury East	Chatham-Kent	Granted: 18 Nov, 2022	15
469-2022	Acesser Drain_Pollard Line	Tilbury East	Chatham-Kent	Granted: 18 Nov, 2022	15
470-2022	Natural Watercourse_between Pollard & Queens Line	Tilbury East	Chatham-Kent	Granted: 08 Nov, 2022	15
471-2022	Natural Watercourse_Davidson Road	Tilbury East	Chatham-Kent	Granted: 18 Nov, 2022	15
472-2022	Baptist Creek_Mint Road	Tilbury East	Chatham-Kent	Granted: 18 Nov, 2022	15
473-2022	Natural Watercourse_Dashwheel Road	Tilbury East	Chatham-Kent	Granted: 18 Nov, 2022	15
474-2022	Johnson Drain Tributary_Mint Road	Tilbury East	Chatham-Kent	Granted: 18 Nov, 2022	15
475-2022	Olds Drain_Jeannettes Creek Road	Tilbury East	Chatham-Kent	Granted: 18 Nov, 2022	15
476-2022	Forbes Internal Drain_Forbes Line	Tilbury East	Chatham-Kent	Granted: 18 Nov, 2022	15
477-2022	Jeannettes Creek Tributary_near Tecumseh Line	Tilbury East	Chatham-Kent	Granted: 18 Nov, 2022	15
478-2022	Jeannettes Creek_near Tecumseh Line	Tilbury East	Chatham-Kent	Granted: 18 Nov, 2022	15

App No.	Location	Community/ Township	Municipality	Decision	Processing Time (days)
479-2022	Natural Watercourse_Poppe Road	Tilbury East	Chatham-Kent	Granted: 18 Nov, 2022	15
480-2022	Thames River_near Poppe Road	Tilbury East	Chatham-Kent	Granted: 08 Nov, 2022	15
481-2022	Thames River Tributary_near Pain Court Line	Dover	Chatham-Kent	Granted: 18 Nov, 2022	15
482-2022	Myers Pump Works Drain Tributary_Pain Court Line	Dover	Chatham-Kent	Granted: 18 Nov, 2022	15
483-2023	Myers Pump Works Drain_Bradley Line	Dover	Chatham-Kent	Granted: 18 Nov, 2022	15
484-2022	Myers Pump Works Drain Tributary_Bradley Line	Dover	Chatham-Kent	Granted: 18 Nov, 2022	15
485-2022	Myers Pump Works Drain Tributary_Bradley Line	Dover	Chatham-Kent	Granted: 18 Nov, 2022	15
486-2022	Myers Pump Works Drain Tributary_Bradley Line	Dover	Chatham-Kent	Granted: 18 Nov, 2022	15
487-2022	Myers Pump Works Drain Tributary_Bradley Line	Dover	Chatham-Kent	Granted: 18 Nov, 2022	15
488-2022	Myers Pump Works Drain Tributary_Bradley Line	Dover	Chatham-Kent	Granted: 18 Nov, 2022	15
489-2022	Myers Pump Works Drain Tributary_Balmoral Line	Dover	Chatham-Kent	Granted: 18 Nov, 2022	15
490-2022	Myers Pump Works Drain Tributary_Balmoral Line	Dover	Chatham-Kent	Granted: 18 Nov, 2022	15
491-2022	Jack Creek Drain_near Balmoral Line	Dover	Chatham-Kent	Granted: 18 Nov, 2022	15
492-2022	6973 Riverview Line	Chatham	Chatham-Kent	Granted: 08 Nov, 2022	5
493-2022	King and Whittle Drain Culverts	Tilbury East	Chatham-Kent	Granted: 08 Nov, 2022	5
494-2022	Payne and Backus Drain	Raleigh	Chatham-Kent	Granted: 08 Nov, 2022	5
495-2022	Carriage Road	Delaware	Middlesex Centre	Granted: 08 Nov, 2022	1
496-2022	715 Towanda Blvd	Erieau	Chatham-Kent	Granted: 21 Nov, 2022	16

App No.	Location	Community/ Township	Municipality	Decision	Processing Time (days)
497-2022	Boucher Drain near Richardson Road	Tilbury West	Lakeshore	Granted: 18 Nov, 2022	15
498-2022	Payne and Bennett Drain	Raleigh	Chatham-Kent	Granted: 10 Nov, 2022	2
499-2022	Myers Pumping Works	Dover	Chatham-Kent	Granted: 15 Nov, 2022	5
500-2022	Roberts Drain	Aldborough	West Elgin	Granted: 16 Nov, 2022	0
501-2022	Zoller Drain Extension	Aldborough	West Elgin	Granted: 16 Nov, 2022	0
502-2022	Bogl Drain	Aldborough	West Elgin	Granted: 16 Nov, 2022	0
503-2022	Milton Drain	Aldborough	West Elgin	Granted: 16 Nov, 2022	0
504-2022	Kruppe Drain	Aldborough	West Elgin	Granted: 16 Nov, 2022	0
505-2022	246 Park Avenue West	Chatham	Chatham-Kent	Granted: 16 Nov, 2022	0
506-2022	1420 Kerr Ave	Erieau	Chatham-Kent	Granted: 28 Nov, 2022	14
507-2022	Balmer Routledge Drain	Howard	Chatham-Kent	Granted: 21 Nov, 2022	3
509-2022	9th Concession Road Drain	Mersea	Leamington	Granted: 24 Nov, 2022	1
510-2022	7954 Talbot Trail	Raleigh	Chatham-Kent	Granted: 28 Nov, 2022	4
511-2022	7372 Grand River Line	Chatham	Chatham-Kent	Granted: 28 Nov, 2022	4
512-2022	South Dales Drain	Mersea	Leamington	Granted: 25 Nov, 2022	0
513-2022	John Kelly Drain	Mosa	Southwest Middlesex	Granted: 25 Nov, 2022	0
514-2022	Buchanan Drain	Tilbury North	Lakeshore	Granted: 28 Nov, 2022	3
516-2022	Jariett Drain	Mosa	Southwest Middlesex	Granted: 28 Nov, 2022	0
517-2022	Lucas Drain	Harwich	Chatham-Kent	Granted: 30 Nov, 2022	1
518-2022	Jacob Road Bridge over Rivard Drain	Dover	Chatham-Kent	Granted: 30 Nov, 2022	0
519-2022	2060 Mockingbird St	Mount Brydges	Strathroy-Caradoc	Granted: 30 Nov, 2022	2

10.4) Conservation Area Lands

10.4.1) Conservation Area Visitation / Camping Stats, October 1 – November 30 2022

Longwoods Road Conservation Area – 5,687 people (2,140 Oct 1 – Nov 30 2021) (Includes two people per pay & display permit (transaction)) Pay and Display Permits – 659 vehicles (847 vehicles Oct 1 – Nov 30 2021)

E.M. Warwick Conservation Area – 350 people (242 Oct 1 – Nov 30 2021)

Big Bend Conservation Area – 1,179 people (872 Oct 1 – Nov 30 2021)

C.M. Wilson Conservation Area – 7,240 people (4,058 Oct 1 – Nov 30 2021) (Includes two people per pay & display permit (transaction)) Pay and Display Permits – 210 vehicles (88 Oct 1 – Nov 30 2021)

Sharon Creek Conservation Area – 0 Day Use Transactions (154 Oct 1 – Nov 30 2021)

2022 Parking Passes – 2 sold (1 sold Oct 1 – Nov 30 2021)

2023 Parking Passes – 65 sold (61 sold Oct 1 – Nov 30 2021)

10.4.2) Conservation Areas

Sharon Creek CA.

New payment system (Passport Canada) is now up and running from an administrative side and ready to implement for 2023.

The wooden dock was removed from the main area near the Dam. It was a previously used dock that was donated and installed over 5 years ago. General public had been calling about its need for repair. A new plastic click together dock with a kayak launch was quoted at around \$30,000. Staff are looking to partner with the newly formed Friends of Sharon Creek group on a replacement dock of some sort for 2023 (either wood or plastic).

Delaware CA

A new Municipal Drain is finally completed coming from the town of Delaware. Zero maintenance was done on trails during the 2022 season due to the construction and parking lot perimeter posts being replaced. The tall grass prairie area and trails will start to be mowed again in spring 2023.

Longwoods CA

Our LEAN journey continues at the Longwoods CA Lands workshop. Our CA Lands staff have been busy making daily 2 second improvements all year and we have made some impressive changes to how our shop functions and operates. Some highlights this year is a new location for our Emergency shut off switch for our fuel tanks, a trimmer rack for our landscape trailer, designated parking spaces for our fleet vehicles and workshop visitors and a new desk and learning station. All of these daily improvements not only make our jobs easier but it allow us to get work done safer and faster with less struggle.

Magic of Lights is up and running with lots of great feedback as usual from the public and on social media. New lights being installed and updated daily along the route. Ten thousand flyers are being created with upcoming LTVCA events, to go along with our 2022 Guidebooks that are being handed out at the ticket booths. Local Realtor, Jeff Nethercott, split the cost on the handouts.

150 Tons of material was purchased and delivered with the help from the LTVCA Foundation. Material is to be used to top up the wheelchair accessible trails within the park and to convert a single mulch trail into a gravel one, making it wheel chair accessible (work to be done in spring 2023). A newer/used B3200 series tractor with a front end loader was purchased for this project to mitigate the cost of hiring an outside sourced contractor.

The historic “Burwell House” is officially under construction. Work is being done to update and convert the historic home back into Staff Office for Longwoods and ALUS teams. ALUS Elgin & Middlesex have partnered with LTVCA and have contributed a substantial amount of money to the project. New AC/Heat units, old fireplace removal and installation of more efficient gas unit, new Kitchen, bathrooms update, security system, outdoor lighting. Those items go along with new desks, wall and ceiling paint, storage shelves, light fixtures and board room chairs.

LTVCA’s new Memorial Bench program has sold it’s 3rd bench. One is currently located at Sharon Creek CA, and one at Longwoods CA, an additional application has been received for a bench at Longwoods CA.

EM Warwick CA

Updates to the septic system are in the works with new permits and plans on the way. The aging underground infrastructure has been in need of repair for the past year. We are hoping to complete the work by spring.

New faucets were installed in the kitchen this fall and we are planning to have new electrical switches and plugs for 2023.

The tall grass prairie covering half of the large open area in the rental space is going well. We are in year 2 of the 3 yr. project. The area will be mowed once and then left to grow naturally again this year. Plans are to have a small walking trail through the tall grass with memorial benches and trees along the trail.

Big Bend CA

Hunt Camp 2022 saw a record number of hunters in the 1st of the 3 week season. MNRF were onsite a few days here and there to check on tags and enforcement type items. No issues or concerns to report. MNRF also did some testing on deer looking for disease and covid-19 in the deer population. A local group in Wardsville reached out to us to help plan a “Hunters Lunch” as a fundraiser for the local community. Plans are in the works for next year’s camp.

Lets Camp software was used for both the camping season AND hunt camp this year. We are already prepping the software for next year’s camping season.

New this past year was an Ice Machine from the local “Strathroy Ice House

Our local beavers have made a bit of a mess of some large trees around the Beaver Pond this fall. Some tree and trail maintenance is in the works for early 2023.



Beaver damage at Big Bend CA



Species at Risk Signage at Dunwich Dutton CA

Dutton Dunwich

New “Species at Risk” signage has been posted near the river.

The reports align with the following objectives of the **LTVCA’s Strategic Plan**:

2. Strengthen and Increase Collaboration with Community Stakeholders
3. Increase the Awareness of the Value of Good Watershed Stewardship

10.5) Conservation Services

10.5.1) General Stewardship Update

As the fall/winter grant writing season has begun, the Conservation Services team has submitted applications for \$75,000 from Wildlife Habitat Canada to fund wetland projects and \$100,000 from Environment and Climate Change Canada's EcoAction program to fund public and community stewardship projects, tree planting, and staff salaries.

Eastern District

Interest in stewardship projects has continued to come in as the harvest has finished on farms across the region.

- Tree planting interest for 2023 stands at approximately 24,000 trees so far, with this number likely to increase even before considering new project recruitment, as 5 recent projects are only at the initial contact stage and may grow beyond the 500 tree minimum value used to calculate the total. Some landowners have asked to place their projects on hold for a year while they complete other work on their property, which means 2,000 trees are already planned but on hold for 2024.
- One more wetland will be excavated in December, in partnership with Thames Talbot Land Trust, Ducks Unlimited Canada, Elgin Clean Water Program, and Elgin Stewardship Council. Wetland projects for 2023 are receiving interest, with six projects for 2.5 acres likely for 2023 (again, some projects are only beginning the planning process).
- After changes in which projects wanted to include grasslands and how much, the total for 2023 is nearly the same as in October, with three projects totaling 7.5 acres.

Outreach efforts are going well, with presentations to the West Elgin Nature Club completed in October, the Elgin Federation of Agriculture upcoming in December, and the Rodney Horticultural society scheduled in February.

An application for a Tree Canada "Treemendous Communities" grant is underway to fund a public planting project in a new, treeless park in Shedden. We are requesting \$10,000 to plant nearly 400 potted trees along walking trails and near picnic areas, with any that don't fit in the park expanding tree cover out of a natural ravine system toward the fire hall. Municipal staff are enthusiastic about the project and have voiced their strong support. An unrelated grant application asking \$2,500 has been submitted to the North American Bluebird Society to expand the nest box building and distribution program with a new partner school, given that demand for nest boxes exceeded supply in 2022.

Ducks Unlimited and Imagine McGregor

Events for the Imagine McGregor program have begun to ramp down for the winter with staff beginning to plan for the new year, but we still took advantage of the warm weather to hold some exciting events, such as a doubleheader conservation education event with local high school CUCO.

As the grade 9 science curriculum has recently been reworked to put more emphasis on environmental education, the teachers at Ursuline College Chatham teamed up with stewardship staff to create a holistic water and soil quality education day. We taught six classes the basics about water and soil quality as well as sampling techniques and sent them on an "amazing race" at C.M. Wilson Conservation Area. This included taking a water sample and measuring parameters such as pH, dissolved oxygen, and conductivity, searching for benthic invertebrates in the ponds, and determining the soil type of the area.



Figure 1: Students & staff participating in the UCC Conservation Education Double Header.

The Imagine McGregor program is also working on a restoration of the McGregor Creek Diversion Channel with the larger stewardship team, which involved an intensive seed collection outing from the established tall grass prairie on Kenesserie Rd. The seeds from this collection were scattered along the banks of the channel, which will also see a new sign implemented in the New Year as well as the planting of large stock trees and pollinator plugs.



Figure 2: Stewardship staff prairie seed collection outing.

The Paw Parade mentioned in the last report was a huge success, with staff going up to Reforest London to learn about the history and significance of the Paw within Southern Ontario and receiving seven pairs of trees: five of which went out into the community with the remaining two pairs planted at E.M. Warwick Conservation Area.

Preparations for the Imagine McGregor art show are well underway, with students from UCC art classes preparing environmentally-themed art that will be on display at William St. Cafe in mid-January. This event is generously funded by grants received from WHC and Together CK and will help to spread awareness of environmental issues and solutions. Planning for the second annual Winter Webinar series is also underway, with local environmentalist Rick Gray having been confirmed for the first webinar in mid-January.



Figure 3: UCC art students working on art for the Imagine McGregor Art Show.

The Ducks Unlimited Wetland Restoration Program has been quite busy during the past months, namely with a week-long site tour in the Niagara/Hamilton/Long Point areas, which will hopefully see over 10 acres of new wetland cells implemented in the area. Two wetlands were also recently created within the Lower Thames watershed, totaling 1.5 acres.

ALUS Chatham-Kent Update

ALUS Chatham-Kent has entered final reporting season, with the focus being financial and acreage target summaries. This year has been successful with **25 new projects with a total of 62.35 acres**, which surpasses the years target acreage. Projects include 19.1 acres planted with trees, 27.15 acres planted with native tallgrass prairie, 3.6 acres of wetland excavated, and 12.5 acres of modified agricultural practice implemented.



Figure 4: Before and after the establishment of a wetland in 2022 through the ALUS Chatham-Kent program.

The ALUS Chatham-Kent Partnership Advisory Committee (PAC) had their final year meeting on November 22, 2022 where PAC recruitment and engagement was heavily discussed. The group is eager to have even more success in 2023, and therefore will be meeting twice as often in the new year. People interested in joining the PAC will be invited to fill out an application which will be shared on LTVCA's social media pages.

There is a growing list of interested people looking to implement ALUS projects next year. Many site visits have taken place this fall, and will be continuing throughout December. It looks like 2023 will be a great year for ALUS Chatham-Kent!

ALUS Elgin Update

ALUS Elgin has continued developing relationships with landowners across the County – this is reflected in the 222 acres now restored under the program. We're gearing up for the New Year with the planning of diverse projects to be undertaken in 2023; a portion of which were presented at our recent Partnership Advisory Committee (PAC) meeting. During this meeting we proposed new projects and also reflected on the successes of the year.

As of this December, over 8000 people were reached through our events and social media presence. A special thanks goes out to our partners at *Huff Media Solutions* and *Sunflower Films* who captured beautiful imagery of ALUS Elgin projects that were shared with the public. It was another great experience to be able to host our partners at Environment and Climate Change Canada and the Canadian Wildlife Federation on field tours so that they were able to see the outcomes of successful collaboration and farmer-led stewardship in Elgin County.



Figure 5: ALUS wetland picture taken by Huff Media Solutions during our photo session tour in St. Thomas, ON



Figure 6: Mid November planting of a 6 acre grassland planting meant to support pollinators in Wallacetown, ON

There continues to be a growing interest in creating new and expanding-on existing ALUS projects. We look forward to the New Year, and what it will bring!

ALUS Middlesex Update

ALUS Middlesex is wrapping up another highly-successful year, celebrating its 5th year of field operations. Participation in the program soared in 2022, and through farmer-lead stewardship 47 new projects and a total of 273 acres were enrolled.

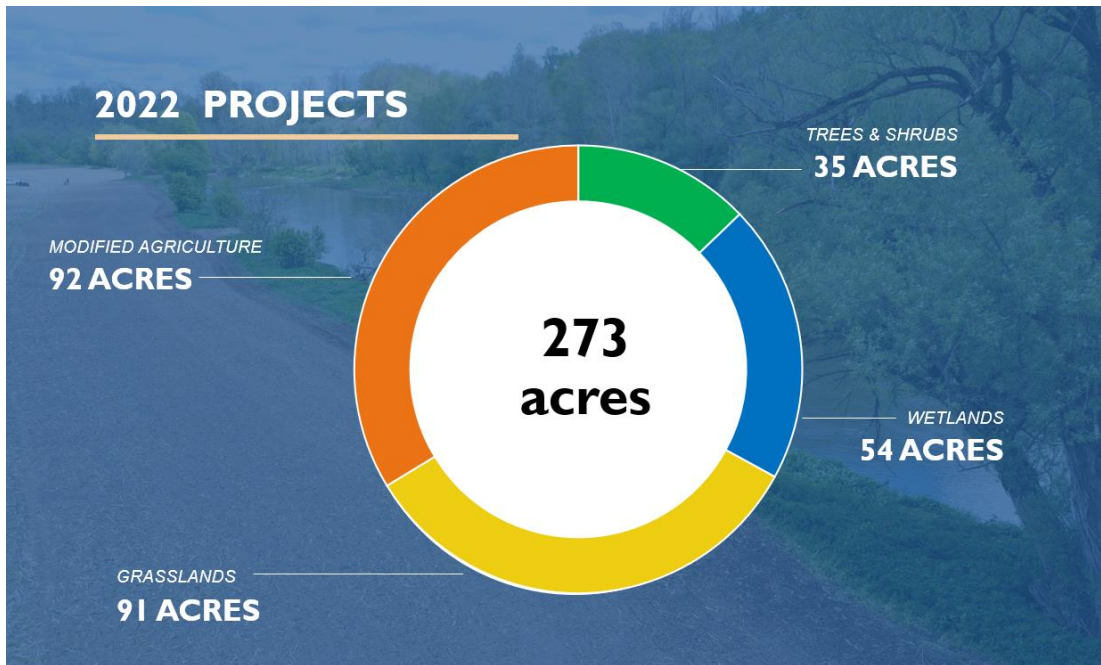


Figure 7: Breakdown of projects by ecotype established by ALUS Middlesex in 2022.

Strong community partnerships continued, with ALUS Middlesex working with Strathroy District Collegiate Institute, Fanshawe College, and Western University. In May, students from the Strathroy high school took part in helping to plant native plants in part of a wetland restoration.

National and community-sourced funding brought the program budget over \$900,000 and allowed for an impactful year. ALUS Middlesex is grateful to all of the funders, community partners, and participants who make this program possible!

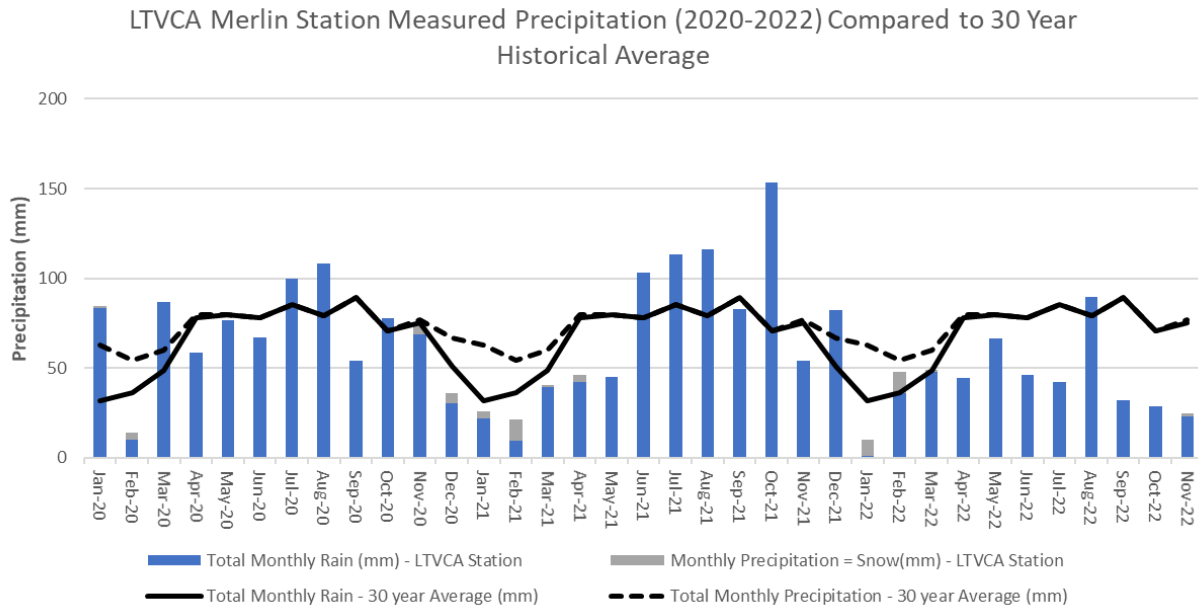
10.5.2) Phosphorus Reduction Initiatives

Ontario Ministry of Food & Rural Affairs (OMAFRA) – Canada-Ontario Agreement (COA) on Great Lakes Water Quality & Ecosystem Health

During October of 2022, the LTVCA signed a new OMAFRA-COA transfer payment agreement that will support a variety of agricultural based stewardship initiatives from 2022 to 2024. The purpose of the Canada-Ontario Agreement on Great Lakes Water Quality and Ecosystem Health (COA) is to restore, protect and conserve Great Lakes water quality and ecosystem health. The OMAFRA-LTVCA agreement is focused on activities that address the issue of excess nutrient loads with the objective to reduce harmful and nuisance algal blooms. The agreement includes a budget of \$249,500.00 and will support:

1. Green Infrastructure in Municipal Drain Pilot Projects
2. LTVCA Agricultural Stewardship Initiatives
3. A Soil Health Assessment Protocol Pilot Project
4. Development and implementation of an Agricultural Management Plan and Surface Water Monitoring Program by Chippewas of the Thames First Nation

From October to November of 2022, LTVCA project staff continued to collect water quality and quantity data in the Jeannettes Creek ONFARM study subwatershed. Approximately 53.2mm of precipitation was recorded at the Merlin edge of field sites during the period.



The LTVCA continued to record very low levels of precipitation in the Jeannettes Creek study subwatershed during this period. From January to November of 2022, the LTVCA has recorded 482mm of precipitation in the subwatershed, this is 333mm lower than the 30-year average for the region during this period (815mm). This is consistent with precipitation volumes recorded across southwestern Ontario and has resulted in dry conditions and very low water levels in watercourses and municipal drains. As such, event-based water sampling demand was significantly reduced during the 2022 water year.

As a result of the reduced sampling demand, project staff have allocated more time to data management and analysis tasks. An ONFARM technical report will be released during February of 2023 which will include a synthesis of the water quality results from the 5 study subwatersheds across Ontario. Furthermore, the LTVCA is working with Dr. Wahong Yang from the University of Guelph to configure an Integrated Model for Watershed Evaluation of BMPs (IMWEBS) for the Jeannettes Creek subwatershed. The model will be used to assess what BMPs are effective at reducing phosphorus loads in the Jeannettes Creek area.



The current ONFARM funding agreement is set to expire during February of 2023. To learn more about the LTVCA's involvement in this initiative, watch the below YouTube video: <https://www.youtube.com/watch?v=TON9EreMDXM>

This program is funded by the Canadian Agricultural Partnership, a five-year federal-provincial-territorial initiative. ONFARM was developed by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) and delivered by the Ontario Soil and Crop Improvement Association (OSCIA) with support from various organizations including Agriculture and Agri-Food Canada, five Conservation Authorities and The Soil Resource Group. The current funding agreement for the program concludes during February of 2023.

LTVCA: Soil Health Program 2022 – Update

The objective of the program is to provide financial support to farmers who are planting cover crops to sequester carbon, improve soil health, and to reduce agriculturally sourced phosphorus loads. With harvest complete, LTVCA project staff have been actively working with the approved farmer applicants to submit project claim forms and to validate plantings. The claim submission deadline is December 16th of 2022. As of December 5th, the LTVCA has received 35 of the expected 72 claims. The 35 completed projects equate to 4028 acres of cover crop plantings in the watershed during 2022.

If all projects proceed as planned, a total of 9,300 acres of cover crops will be planted by 72 farm businesses. This would equate to a total financial contribution \$140,000.00.

This project is undertaken with the financial support of the Nature Smart Climate Solutions Fund, a Government of Canada Department of Environment and Climate Change program, in partnership with Conservation Ontario. The LTVCA has been approved for \$423,000.00 in funding to administer the program from 2022-2024. The majority of the funding will be allocated to provide incentives to farm businesses to plant cover crops during 2022 and 2023. The LTVCA will also receive funds to offset the cost of administering the program.

10.5.3) Aquatic Species at Risk (SAR)



Figure 1: Model of an invasive Silver Carp.

Fisheries and Oceans Canada's (DFO's) Canada Nature Fund for Aquatic Species at Risk has provided top-up funding to extend the SAR Monitoring Technician position (Sarah Rabideau) until March 31, 2023 to complete the Aquatic SAR Threat Assessment Technical Document for DFO publication. Funding will also cover the purchase of a replacement turbidity sensor for the YSI unit, associated calibration fluids, fish nets, dissolved oxygen/temperature data loggers, a flowmeter and models of six aquatic invasive fish species and a transport case for outreach activities. A total of \$89,197 in funding has been secured.

Temperature/light data loggers have now been retrieved from the Thames River and Baptiste Creek.

A funding proposal is being prepared for submission to DFO's Habitat Stewardship Program for continuation of the LTVCA's aquatic SAR program for the next three fiscal years (2023/24 – 2025/26).

10.5.4) Terrestrial Species at Risk

Anabat Swift bat detectors have been removed from Mosa Forest and Ashton Forest Conservation Areas. The Myotistar contract has been extended to analyze and report on the bat data collected and ecological land classification (ELC) fieldwork completed in 2022. A request for proposals has been sent to local bird experts to process the bird sonograms collected. Funding for this work was provided by Environment and Climate Change Canada's Habitat Stewardship Program. A new funding proposal has been submitted to this same program to continue this work in 13 other conservation areas over a three-year period, accompanied by habitat restoration for targeted species at risk (Red-headed Woodpecker, Cerulean Warbler, Bank Swallow, Whip-poor-will, Blanding's Turtle, Spiny Softshell, Eastern Foxsnake [Carolinian population] and Monarch butterfly).

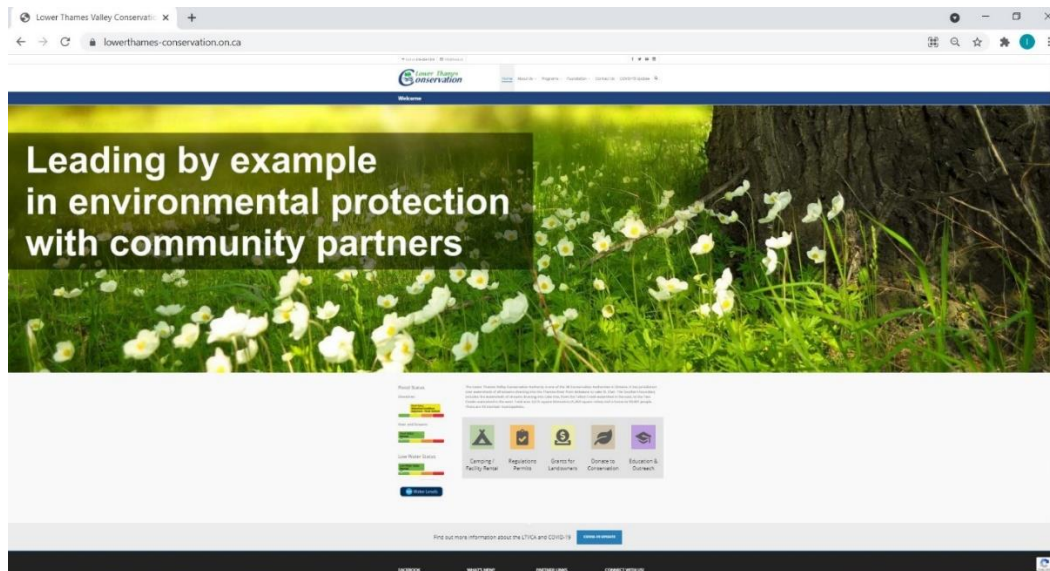


Figure 2: An Anabat Swift bat detector installed at the Mosa Forest Conservation Area.

10.6) Communications, Outreach and Education

10.6.1) Website Updates

On the homepage of our website we have kept public current on what is happening with Conservation Authorities and Bill 23 with links to presentations, Bill 23 and ways public can voice their opinions on various online petitions. Ongoing are the postings of watershed and shoreline conditions, Minutes and Agendas of Board Reports, changes in fees, updates regarding programs and services of the LTVCA and virtual/onsite events and activities.



Our website alerts visitors of the current status of COVID-19 Pandemic health unit and government guidelines that affect our conservation area usage and our programs and services.

10.6.2) Social Media Analytics as at December 5, 2022

Followers continue to increase on our social media platforms. Daily posts on LTVCA's social media platforms were issued following the October 20, 2022 meeting of the Board of Directors. (**Facebook** – 3,134 followers for an increase of 22 new followers; **Twitter** – 1,237 followers; **Instagram** – 1063 followers for an increase of 22 new followers, **YouTube** - 106 subscribers for an increase of 1 new subscribers.) Posts focus on the LTVCA's ongoing programs and services, and follow environmental issues across our watershed.

As of December 1, 2022, the **Ska-Nah-Doht Village's Facebook** page currently has 2,915 Followers for an increase of 69 Followers. The **Instagram page for the Village** has 471 Followers for an increase of 27 new Followers.

Social media posts circulate daily to Directors of the LTVCA and Foundation, First Nations Communities, Municipal Councils/Clerks/CAO's, MP's and MPP's, Ska-Nah-Doht Advisory Committee, all staff, Conservation Ontario, and watershed media (as needed).

We continue to reflect important Conservation Authority events, happenings and developments across all our departments on a weekly basis in addition to heightening awareness of Bill 23 and its future impacts to CA's.

In addition to the daily departmental posts, there were posts and media releases created on our social media and website for other activities associated with the LTVCA over the past couple of months:

- Shoreline and Watershed Condition Statements
- Thames River Fall Scenes
- Office Closures
- Magic of Lights Setup – Longwoods Road CA closure disruptions
- Media Release Provincial Changes Rules and Responsibilities of CA's
- Thanking 2022 Supporters of Chatham-Kent and Lambton Children's Water Festival
- We Remember – Remembrance Day / Office Closures
- Bill 23 news articles and petitions
- We're Hiring LTVCA Lands Manager

Departmental Social Media Post Messages

- **Water Management Mondays**
 - *October 17 – With Fall ... Comes Windy Weather*
 - *October 24 – Provincial Ground Water Monitoring Network*
 - *October 31 – Have Your Say on Proposed Changes to Conservation Authorities*
 - *November 7 – Treaty Recognition Week*
 - *November 14 – GIS Day is November 16!*
 - *November 21 – Bill 23 Will Cost Taxpayers Money*
 - *November 28 – About Collecting Bathymetry Data*
 - *December 5 – On the Thames Collecting Bathymetry Data*



- **Stewardship Tuesdays**
 - *October 11 – A TD Tree Days Volunteer Event*
 - *October 18 – CK Paddle and Clean a Huge Success*
 - *October 25 – Aquatic Surveys – DNA Sampling*
 - *October 25 – Wet Spots – Dry Spots Contact Us for Stewardship Programs*
 - *October 31 - Aquatic Surveys – Mussels Use Lures to Attract Fish*
 - *November 1 – Students Learn About Water Quality, Soil Sampling, and Stewardship*

- November 1 – 2023 Tree Seedlings Price List
- November 8 – Aquatic Surveys – Mussels of the Thames
- November 15 – Aquatic Surveys – White Bass
- November 22 – Aquatic Surveys – Deertoe Mussel
- November 29 – Aquatic Surveys Eastern Sand Darter
- November 29 – Giving Tuesday

Watershed
Stewardship & Restoration

2023
TREE SEEDLINGS
PRICE LIST
NOW AVAILABLE!

Link in text / bio

Lower Thames
Conservation

519-354-7310
info@ltvca.ca
ltvca.ca

- **Conservation Area Wednesdays**

- October 12 – 3rd Annual Witches n’ Warlock Paddle Halloween Celebration at Sharon Creek Conservation Area
- October 19 – Big Bend Hunt Camp
- October 26 – Now Available – 2023 LTVCA Parking Passes
- November 2 – Sharon Creek Witches and Warlock Paddle Outcomes
- November 9 – LTVCA Will Offer Outdoor Education at Chatham-Kent Safety Village
- November 16 – LTVCA Parking Passes on Sale – Special Offer
- November 23 – Municipalities of Southwestern Ontario Speak Out on Bill 23
- November 30 – LTVCA 2023 Parking Pass Special Offer

Relax, Refresh & Return

ON SALE NOW!
2023 LTVCA PARKING PASSES

Buy 2 passes at \$60
each and we will
include a 3rd pass for
FREE!

VISIT OUR WEBSITE
TO PURCHASE
(link in text/bio)

Lower Thames
Conservation

info@ltvca.ca
www.ltvca.ca
519-264-1600

- **Outreach and Education Thursdays**

- October 13 – Forest Bathing Walk
- October 20 – A Day of Learning and Service – Tube Planting
- October 27 – Now Booking Education Programs in 2023!
- November 3 – Treaty Recognition Week
- November 9 – Dish With One Spoon Wampum
- November 10 – Heritage Log Cabin Revitalization Project
- November 17 – Stay Safe Around Rivers and Creeks
- November 24 – ‘Giving Tuesday’ Coming Soon
- December 1 – History in Their Language

Outreach & Education

History in their Language

Heritage Log Cabin signs at Ska-Nah-Doht Village and Museum will feature a brief history in the language of their home Nation.

Thank you to Ian McCallum, Monty McGahey, and the Oneida Language and Cultural Centre for sharing their knowledge and time with us.

Munsee-Delaware Cabin
 Munsee-Delaware Cabin
 Built circa the 1800s.
 The Munsee-Delaware Cabin, also known as the Delton or Log Cabin, was built circa the 1800s. The Cabin was donated by the Delaware Nation.

Oneida Cabin
 Oneida Cabin
 Built circa the 1850s.
 The Oneida Cabin, also known as the George Cabin, was built circa the 1850s. The cabin was donated by Bill George of Oneida Nation of the Thames in 1972.

Chippewas Cabin
 Chippewas Cabin
 Built circa the 1820s.
 The Chippewas Cabin, also known as the Birch Cabin, was built circa the 1820s. The cabin was donated by Chief Harry M'Chikamun at the time of the Mr. William Burch in 1824.

Lower Thames Conservation | 519-264-2420 | info@ltvca.ca | ltvca.ca

- **Phosphorus / Water Quality Fridays**

- October 14 – Cover Crops and Coffee
- October 21 – 2022 Was a Dry Year!
- November 4 – Cover Crops are Growing with Warm Weather
- November 16 – 2022 Chatham-Kent Soil and Crop AGM
- November 18 – Farmers Plant Cover Crops with Support of LTVCA Soil Health Program
- November 25 – Flow from Tile Drain – 35 Events 2017 – 2021
- December 2 – Reinstalled Sensor in Jeannettes Creek Pump

Phosphorus Reduction Initiatives

Needless to say, 2022 was a dry year!

With 2022 water year concluding in Sept, we look back at precipitation data.

Total precip recorded at Merlin EoF research site was 718mm.
 This is 164mm < than the 30yr average for Chatham.

#ONFARM #OntAg

LTVCA Merlin Station Measured Precipitation (2022 Water Yr) Compared to 30 Year Historical Average (1980-2010)

Month	Total Monthly Rain (mm) - LTVCA Station	Monthly Precipitation - Snowdon - LTVCA Station	Total Monthly Rain - 30 year Average (mm)	Total Monthly Precipitation - 30 year Average (mm)
Oct 20	150	0	100	100
Nov 20	50	0	70	70
Dec 20	80	0	60	60
Jan 21	10	0	40	40
Feb 21	50	0	50	50
Mar 21	50	0	60	60
Apr 21	40	0	70	70
May 21	60	0	70	70
Jun 21	40	0	70	70
Jul 21	40	0	70	70
Aug 21	80	0	70	70
Sep 21	30	0	70	70
Total	718	0	718	718

Lower Thames Conservation | 519-354-7310 | info@ltvca.ca | ltvca.ca

PLUS WE POST AND SHARE OTHERS' MESSAGES ON OUR SOCIAL MEDIA PLATFORMS:

- encourage people to use our conservation areas safely during the COVID-19 pandemic
- articles of public interest from local media regarding ecosystems and the environment, and local environmental issues (erosion, flooding, emergency preparedness, wetlands, grasslands, pollinators)
- watershed community based environmental initiatives including reposting municipal posts; sharing London Canoe Club posts (for Sharon Creek Conservation Area)
- cool facts about nature – local plants, birds, trees, animals and things families can do with their children to engage with nature in their own back yards or in a conservation area during the pandemic – helping people to reconnect with nature
- supporting Conservation Ontario's social media campaigns: *Healthy Hikes Week Long 'Step Into Nature' Campaigns*
- Source Protection – Salt Campaigns
- sharing of neighbouring Conservation Authorities' information – posts of interest
- sharing of municipal public health information – CK Public Health, London Middlesex Health, St. Thomas Elgin Health, Windsor

Media – All LTVCA's media contacts were updated in November

- watershed newspapers, television, radio

Media Releases Issued

- Conservation Ontario - Province Continues to Change Roles and Responsibilities of Conservation Authorities – released October 27
- LTVCA Will Offer Outdoor Educational Programming at CK Children's Safety Village – released November 7

10.6.4) Education Programming Developments / Ska-Nah-Doht Village and Museum

Upcoming 2023 Public Events and Opportunities at Longwoods Road Conservation Area and Ska-Nah-Doht Village

Public Snowshoeing

- With hopes for snowy conditions the Education Team are planning a number of public snowshoe rental dates around community group bookings and pre-organized rentals.
- Family Day Weekend will be reserved for public rentals.

March Break

- Daily themed programming at Longwoods Road and other Conservation Areas.
- Outreach with the London Public Library System.

Outreach / Off-Site Programming

- On April 1, 2023 Ska-Nah-Doht Village and Museum will be participating in the Middlesex Centre Archives Heritage Fair.
- A number of outreach programs have been booked by the London Public Library System from March through August of 2023.
- We are eager to visit other community locations throughout the watershed to provide educational opportunities and support for local organizations.

Education Programming Developments

In October the Education Team spent a week at C.M. Wilson Conservation Area, lending support to the **Chatham-Kent and Lambton Children's Water Festival**. It was wonderful to be back in person for this critical multi-day education event that promotes water knowledge, safety, and conservation.

Since the Water Festival, the Education team has been seeing groups steadily. On October 14, the Junior High classes at London's Montessori Academy joined us for a tour of Ska-Nah-Doht Village and assisted with a **conservation project**. They helped plant a number of native species in Big O tubing so that the root system can develop above the ground. Once these plants have established in a year or two, they will be removed from their tubes and preserved for use in discussing the importance of root systems and erosion control, and the vital role native species of plants play in our ecosystem.



Montessori Junior High Students

Most weekdays we have seen at least one, but generally two classes for both **conservation education and heritage programming**. Bussing has been an issue for some schools, with the length of time classes are able to join us being protracted in comparison to years past. Further, prior to the pandemic, the education team was able to run up to 3 programs at a time but staffing levels have changed and are currently being assessed.

The Education Team has also been on the road, providing **River and Creek Safety programming** to select schools within the watershed. As this critical program was unable to be offered in schools since 2020, the team has been visiting grade 3 / 4 classes this fall with the intention of sharing this knowledge with those who missed the in-class program during the pandemic. In the spring, the Education Team will revisit a number of these schools, and others, to provide River and Creek Safety to grade 2 classes as normal. The River and Creek Safety Program is offered based on donations from philanthropic groups at this time but the team hopes to expand our reach in the future.

Over the weekends we have been joined by **Scouting and Guiding Groups**.

Many community groups and schools have begun to book for **winter programming**, with some educators already reaching out about spring opportunities. For example, our partnership with Nshwaasnangong Child Care & Family Centre will continue in the winter as they plan to join us for all ages snowshoeing in early February.

One **pop-up exhibit** remains out in the community with it returning to us in early 2023. The pop-up exhibit program has been well received by local libraries and a similar, longer-term program, may be developed in the future for locations that have suitable permanent cases.

Ska-Nah-Doht Village and Museum

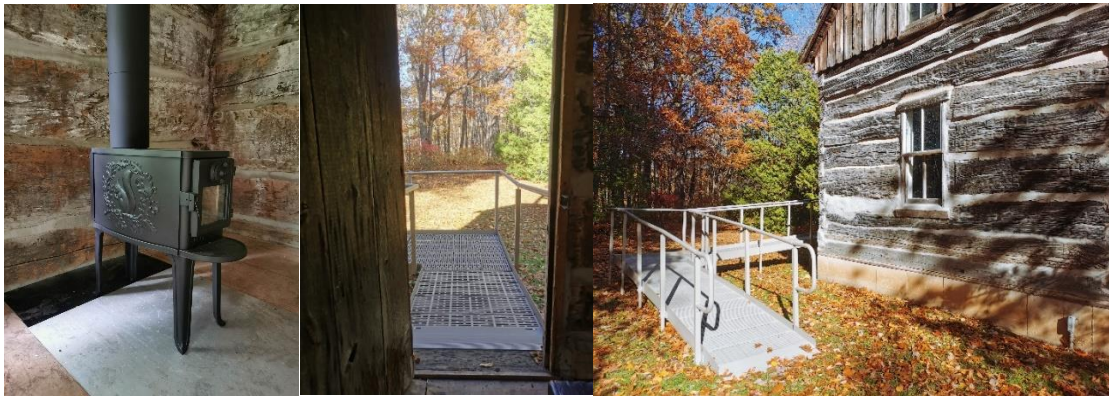
Treaty Recognition Week

November 6-12 was Treaty Recognition Week. Ska-Nah-Doht Village and Museum shared information about a number of local treaties, as well as content from other organizations to recognize the importance of relationship building, respect, reciprocity, and the fact that we are all treaty people.

Heritage Log Cabin Revitalization Project

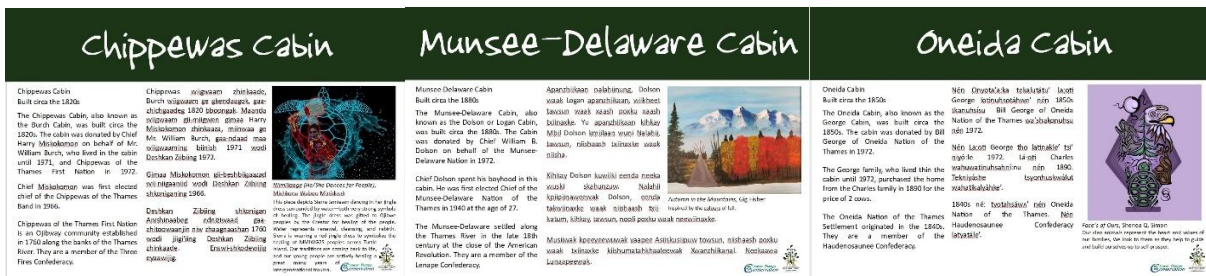
The Heritage Log Cabin Revitalization Project has progressed well and is on track to be completed by the deadline of December 31st.

A wood stove has been installed at the Chippewas Cabin, and accessibility ramps have been added to all three heritage log cabins.



New Woodstove and Ramp at the Chippewas / Burch Cabin

Didactic signage that include a brief history of each cabin have been designed. These signs will include original artwork from a visual artist from, as well as a translation of the information presented into the language of, each cabins respective Nation.



Screen Captures of Cabin Signs

New highway signs (below) and the didactic signage (above) will likely not be installed until the spring. Exhibits will be developed during winter of 2023 for opening in the spring as part of the commemoration of Ska-Nah-Doht Village and Museum’s 50th anniversary.

SKA-NAH-DOHT Village and Museum



ltvca.ca
519-264-2420

10.6.5) Lower Thames Valley Conservation Foundation

The Lower Thames Valley Conservation Foundation (LTVCF) is a not-for-profit, federally registered charity, governed by a volunteer Board of six Directors. The Executive – President Dan McKillop, Vice-president Ken Brooks and Secretary-Treasurer Don Pearson have been re-elected for 2022 at their AGM on May 18, 2022.

The LTVCF works in partnership with the Lower Thames Valley Conservation Authority and the watershed community, to raise funds for conservation projects in the lower Thames watershed. Since 1995, the Foundation has raised approximately \$1M for natural and cultural heritage conservation.

A committee formed to develop a fund-raising strategy for the Indigenous Education Centre addition. Jena Downen-Dempsey – Foundation Director, Don Pearson – Foundation Director, Mark Peacock - LTVCA CAO, Bonnie Carey – LTVCA Manager Communications, Outreach and Education (and Foundation volunteer administrator) and Alison Klages – Skana-Nah-Doht Museum Curator are on the fund-raising committee. This Committee has met over 8 times in 2022.

Next meeting of the Foundation Board of Directors is February 15, 2023.



The reports align with the following objectives of the **LTVCA's Strategic Plan**:

4. Strengthen and Increase Collaboration with Community Stakeholders
5. Increase the Awareness of the Value of Good Watershed Stewardship

10.7) Wheatley Two Creeks Association Meeting Minutes October 6, 2022

WHEATLEY TWO CREEKS ASSOCIATION

Minutes of regular meeting held at Two Creeks October 6th, 2022

Attendance: Gerry Soulliere, Joe Pinsonneault, Roger Dundas, Mark Peacock, Pauline Sample, Lorna Bell, Ken Hatt, Mike Diesbourg, Bob Niven, Bob Roth, Lee & Linda Pearce, Bruce & Marjorie Jackson.

Agenda: Moved by Lorna, sec by Roger agenda be accepted as outlined (Carried)

Minutes: Moved by Gerry, sec by Lorna minutes be accepted as printed. (Carried)

Memorial Groves: - One tree in grove adopted by Bob Roth. Some trees in grove need trimming. 10 posts have rotted off and require a spike. Several dead trees.

Property & Equip: Joe has trails mowed however some trees need to be trimmed back along trails. Healy Hill has been cut. Flags need to be replaced – some in shop. Pavillion rented out at the end of the month. New Pavillion – Cement has been poured. Going with Wheatley Home for materials. To date cement, material and labour is \$29,587.51. Quote on labour for remainder of build is \$4,000. from Dave Greenway out of Tilbury.

Moved by Joe, sec by Lee to accept \$4,000. Quote. (carried)

Concerts: Joe is working on obtaining band lineup for next season. Hope to have it by end of November. Need to apply for Music Grant by mid October

Financial Report: Submitted by Roger. Account balance as of Aug 31st \$57,838.15. Account balance as of Sept 30th \$57,305.54. Moved by Roger, sec by Lee report be accepted as given. (Carried).

Correspondence: Thank You from Brian Cobby for Fruit Basket. Good reviews on Google. Biker Christopher Deziel passed away with memorial donations going to Wheatley Two Creeks.

Old Business: None

New Business: None

Adjournment: Roger moved for adjournment at 7 p.m.

Marjorie Jackson, acting secretary

11. Correspondence

11.1) Bill 23 LTVCA Letter to Premier Ford



November 14, 2022

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:

The Lower Thames Valley Conservation Authority (LTVCA) wants to do its 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 to 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.

The Lower Thames Valley Conservation Authority works with its ten local Municipalities to reduce barriers to development and streamline processes for the best possible service to all. We are continuing to: modernize policies and procedures; streamline approvals; reduce timelines and red tape; promote pre-consultation; and report on service standards. This has been accomplished by implementation of the LTVCA Customer Service Initiative which supplements our commitment to customer support. It is noted that the LTVCA has reviewed its files and has not missed a municipal planning deadline in the 5 past years of reviewed service delivery. Additionally, the LTVCA continues its practice of reporting to all member municipalities on service delivery every 2 months.

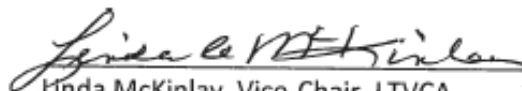
In Southwestern Ontario, Municipalities rely on the benefits of long-standing conservation authority partnerships. In our view, the proposed changes undermine the core mandate of Conservation Authorities and may put people – and their homes – at risk.

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,



Trevor Thompson, Chair, LTVCA
Board Member representing
Municipality of Chatham-Kent



Linda McKinlay, Vice-Chair, LTVCA
Board Member representing
Municipality of Lakeshore



Christa Cowell, Vice-Chair, LTVCA
Board Member representing
Municipality of Southwest Middlesex



Amy Finn, Board Member representing
Municipality of Chatham-Kent



John Wright, Board Member representing
Municipality of Chatham-Kent



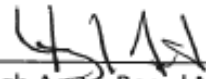
Mike Hentz, Board Member representing
Municipality of Dutton Dunwich



Paul Tiessen, Board Member representing
Municipality of Leamington



J.J. Strybosh, Board Member representing
City of London



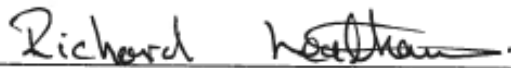
Hugh Aerts, Board Member representing
Municipality of Middlesex Centre



Sarah Emons, Board Member representing
Township of Southwold



Sandi Hipple, Board Member representing
Municipality of Strathroy-Caradoc



Richard Leatham, Board Member representing
Municipality of West Elgin

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
The Honourable Rob Flack, MPP Elgin – Middlesex – London
The Honourable Trevor Jones, MPP Chatham-Kent – Leamington
The Honourable Monte McNaughton, MPP Lambton – Kent – Middlesex

11.2) Bill 23 Standing Committee Written Submission Conservation Ontario

Bill 23, More Homes Built Faster Act, 2022

Purpose of Submission: Standing Committee Written Submission

Organization Name: Conservation Ontario

Presenter's Name and Title: Angela M. Coleman, General Manager

Address: 120 Bayview Parkway, Newmarket, ON, L3Y 3W3

Email Address: acoleman@conservationontario.ca

Phone Number: 289-763-4807

November 9, 2022

Honourable Laurie Scott, MPP

Chair, Standing Committee on Heritage, Infrastructure and Cultural Policy
College Park 5th Floor
777 Bay Street
Toronto, ON M7A 2J3

**RE: Conservation Ontario Comments – Bill 23, *More Homes Built Faster Act 2022*,
Schedule 2 *Conservation Authorities Act***

Dear Chair Scott and Honorable Members of the Standing Committee,

Thank you for the opportunity to provide comments on Bill 23, *More Homes Built Faster Act, 2022*, specifically, Schedule 2, *Conservation Authorities Act*. We request your thoughtful consideration of the proposed changes in this submission to identify solutions that will increase Ontario's housing supply without jeopardizing public safety.

The following builds on the success of previous amendments to the *Conservation Authorities Act* and ensures safe development in our partner Municipalities. We are committed to do our part to increase the supply of housing in Ontario.

We are concerned, however, that some changes proposed in Bill 23 will:

- Place new responsibilities on municipalities for 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 protect people and property from natural hazards; and
- Reduce critical, natural, infrastructure like wetlands and greenspaces that reduce flooding and protect waters in our lakes and rivers.

Our submission includes:

1. **Key Recommendations;**
2. **Verbal Presentation, Angela Coleman, Conservation Ontario; and,**
3. **Suggested Legislative Amendments**

Today we request legislative amendments and continued dialogue to ensure, together, that we can meet our shared objectives in a timely, cost-effective, and efficient manner.

I am pleased to answer your questions following this presentation.

Sincerely,

Angela M. Coleman

Key Recommendations

1. Municipalities should retain the ability to enter into agreements with conservation authorities for review and comment on development applications such as natural heritage and water resources reviews. Previous legislative amendments by your Government require agreements prior to Conservation Authorities undertaking this work. Recent regulations define requirements to be included in these voluntary agreements. Conservation Authorities provide comments to municipalities in a cost-effective and timely manner. In 2020, through amendments to the *Conservation Authorities Act*, Conservation Authorities are already prevented from commenting beyond mandatory programs and services, such as natural heritage, without a municipal agreement.
2. Development subject to *Planning Act* authorizations should not be exempt from requiring Conservation Authority permits and Conservation Authority regulations should not be delegated to Municipalities. The planning process is insufficient to ensure natural hazard concerns are addressed through design and construction alone. This places additional pressure, responsibility, and liability on Municipalities and could result, for example, in building permits being issued in error. Working beyond political boundaries is essential in the permitting role to consider impacts on upstream and downstream communities. Natural hazards must be considered at both site-specific and watershed levels to ensure safety.

Verbal Presentation to Standing Committee:

My name is Angela Coleman and I am the General Manager of Conservation Ontario. I have the challenging task of taking work that is technical, complex, and not always appreciated and making it easy to understand and meaningful to you as decision makers.

I am a lawyer and have worked hand-in-hand with communities and municipalities for over twenty years. I am a practical person who took this job only 2 months ago knowing sound advice and a reasoned approach is necessary to speed development approvals without: undue cost; delays; or harm to the natural environment or public safety.

I've worked with communities on their worst days. The day infrastructure fails. The day the flood hits. The day there is a loss of property, (or worse, life). I've worked with people facing environmental emergencies: drinking water contamination; floods with people displaced from their homes; landslides where infrastructure slides away; and legacy development that floods, shifts, and sinks.

In my experience, decision makers do not intend to put people and property at risk. Further, most people do not expect nor believe the worst can happen: it can and does. It is most often an ordinary weather day when we're debating: what would be safe, what is a hazard, and what would we need to ensure a successful development proposal. But it's not the average day Conservation Authorities prepare for. We are planning for the 1:100 year flood, or larger storm. It's the day the waters rise, when the roads are underwater, and the emergency vehicles must rescue people from their homes. It is, for example, the consecutive days of heavy rain just after the snow melts and the soils are rivers are already full of water.

Conservation Authorities were created in response to the deaths of 81 Ontarians caused by flooding of homes and infrastructure developed in hazard areas i.e. Hurricane Hazel, 1954. That is a startling wake-up call of what can happen when we fail to plan [or plan to fail].

Bill 23 separates the protection of wetlands and other green features from natural hazard planning. These are the features that slow floodwaters and flows: they are connected. This is particularly concerning for many municipalities that may not have the expertise to independently consider all of these matters when reviewing planning applications, which could elevate municipal risk and liability.

In the past, it cost the Province significant effort and money to move people and communities from their homes to protect them from natural hazards. You will hear from the insurance industry that Ontario is a leader in flood loss avoidance because of the work of Conservation Authorities in partnership with the Province and Municipalities. This is something we cannot, especially now, afford to lose.

Across the Province, Municipalities rely on Conservation Authorities' expertise to inform environmental assessments and provide input on official plans, studies and development applications. The process is a "watershed-based approach" and enables connections to be made between flood control, wetlands and other green infrastructure, ensuring safe development.

Simply, we request the unintended consequences and costs of limiting Conservation Authority involvement be thoroughly and carefully considered by this Committee.

Suggested Legislative Amendments:

1. Schedule 2 of Bill 23 – subsections 3 and 4 and associated amendments

That subsections 3 and 4 be removed in their entirety from the schedule. A complementary amendment to remove 14(3) is also required.

Explanation: Recent regulations under the *Conservation Authorities Act* require Conservation Authorities transition to new budget and program delivery frameworks. Regular reporting to the Province is required and ongoing dialogue with participating municipalities is occurring. Subsections 3 and 4 propose changes that prohibit Conservation Authorities from entering into Memorandums of Understanding (“MOUs”) with Municipalities, or Conservation Authority Boards to direct development review and commenting services. Many Municipalities choose Conservation Authorities to deliver development review and commenting services due to the efficiency it brings. Prohibiting this work will lead to longer and more costly application review processes and will not contribute to the Province’s goal of “more homes built faster”.

2. Schedule 2 of Bill 23 – subsection 7(2) and associated amendments

That subsection 7(2) be removed in its entirety from the schedule. Complementary amendments to remove 13(2) and 14(1) are also required.

Explanation: The Province recently confirmed the mandate of Conservation Authorities, which includes regulating development to address the risk of natural hazards. Subsection 7(2) proposes to exempt certain types and locations of development from the regulation process. This could create a two-tiered approach to the protection of people and property. This exemption is contrary to the core mandate of Conservation Authorities and may put people and property at risk.

Advice should be sought from the Conservation Authorities Working Group about development activities that may be suitable for exemption from requiring a permit using existing clauses within Section 28 (3) and (4) of the *Conservation Authorities Act*. In our view, this approach avoids unintended risks to public safety, properties, or natural hazards.

11.3) Bill 23 Municipal Support



Darrin Canniff
Mayor/CEO
P 519-436-3219
ckmayor@chatham-kent.ca

November 23, 2022

The Honourable Doug Ford
Premier of Ontario
Via email: premier@ontario.ca

Dear Premier Ford:

Re: Proposed changes in Bill 23 regarding Conservation Authorities and the Ontario Heritage Act (OHA)

Conservation Authorities

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.

The Municipality of Chatham-Kent has two watersheds within its geographic area, the St. Clair Region Conservation Authority (SCRCA) and the Lower Thames Valley Conservation Authority (LTVCA), and as we work in tandem with the conservation authorities, there is concern 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, consideration should be given to:

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

Cont'd...

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 to 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, including Chatham-Kent, to reduce barriers to development and streamline processes for the best possible service to all. Together, we are: modernizing policies and procedures; streamlining approvals; reducing timelines and red tape; promoting pre-consultation; and reporting on service standards.

For example, in the last five years, the LTVCA has met every planning deadline given to them by the Municipality of Chatham-Kent.

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.

Based on the above, it is hereby requested that 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.

Ontario Heritage Act

Regarding the proposed changes outlined in Schedule 6 to the *Ontario Heritage Act* (OHA), municipal heritage registers are a tool used by municipalities to identify and inventory heritage resources in the community. Under the proposal, it would force existing properties currently on the register and potential future properties to be listed to be formally designated under the OHA within two years of this bill being passed. If not, they are removed from the inventory and may not be reconsidered again for five years.

Over the years, through the advice and work of our Municipal Heritage Advisory Committee, the Municipality of Chatham-Kent has listed properties on the registry that have been approved by Council following the criteria set out under the OHA. Formally designating a building often takes significant time and research. Most municipalities do not have the necessary resources to do this work in a two-year timeframe as qualified heritage

Cont'd...

professionals are generally required to do the work. Therefore, we feel this is an unreasonable ask of the Province, given the additional cost and effort that will be required by the municipality to undertake this work in a condensed time frame.

Sincerely,



Darrin Canniff, Mayor/CEO
Municipality of Chatham-Kent

- C: Honourable Steve Clark, Minister of Municipal Affairs and Housing
Honourable Graydon Smith, Minister of Natural Resources and Forestry
Honourable David Piccini, Minister of Environment, Parks and Conservation
Honourable Monte McNaughton, Minister of Labour, Immigration, Training and Skills Development, MPP, Lambton—Kent—Middlesex
Honourable Trevor Jones, MPP, Chatham-Kent—Leamington
Lower Thames Valley Conservation Authority
St. Clair Region Conservation Authority



November 22, 2022

The Honourable Steve Clark
Ministry of Municipal Affairs & Housing
17th Floor, 777 Bay Street
Toronto, Ontario
M7A 2J3

Dear Minister Clark:

Re: ERO Number 019-6163 - Proposed Planning Act and City of Toronto Act Changes (Schedules 9 and 1 of Bill 23 - the proposed More Homes Built Faster Act, 2022)

I wish to provide you the following comments regarding ERO 019-6163 - Proposed Planning Act and City of Toronto Act Changes (Schedules 9 and 1 of Bill 23 - the proposed More Homes Built Faster Act, 2022).

In principle, Lakeshore supports the streamlining approvals for housing and reduction of barriers and costs to development, provided its not done in a way that does not negatively impact our existing community.

When it comes to addressing the "missing middle", we support the diversification of housing stock and tenure, but allowing Additional Residential Units as-of-right in all residential areas can have significant impacts on the Municipal infrastructure and services, which was designed and constructed to support specific densities.

ARU's will have impacts on Municipal infrastructure and services, which are financially supported by developers through Development Charges, park dedication, and other charges.

Lakeshore Administration and I support encouraging densification around transit, whenever the municipal infrastructure can support the intensification.

Lakeshore is interested in receiving delegation of subdivision and condominium approval authority from the upper tier municipality, the County of Essex.



419 Notre Dame Street, Belle River, ON NOR 1A0
519.728.2700 Toll Free: 1-877-249-3367 www.lakeshore.ca

Municipality of Lakeshore



We support the province amending the Act to delegate this authority to lower tier municipalities, if they have the capacity and are willing to do so. We look forward to future changes to the Act and regulations which will facilitate delegation to occur.

Lakeshore Administration and I support limiting third party appeals for certain types of applications such as official plans, official plan amendments, zoning by-laws, and zoning by-law amendments as it would reduce the financial impact of the Municipality to participate at the Ontario Land Tribunal (OLT). It is believed that this change will have an impact on our residents and stakeholders.

Since Plans of Subdivision need to be consistent with Official Plans & Zoning By-laws, there is no need for a statutory public meeting. It will remain a practice of Lakeshore to encourage all developers to undertake public engagement prior to submitting a formal application.

Lakeshore Administration and I support limiting Conservation Authorities appeals to matters of natural hazards policies in the Provincial Policy Statements.

Thank you for the opportunity to submit my comments regarding these proposed legislative changes. I look forward to reviewing the outcome of the consultation.

Sincerely,

Tracey M. Bailey
Mayor

Cc: Tammie Ryal, Corporate Leader Growth & Sustainability
Truper McBride, Chief Administrative Officer
Aaron Hair, Division Leader Community Planning

  LAKESHORE.CA

419 Notre Dame Street, Belle River, ON N0R 1A0
519.728.2700 Toll Free: 1-877-249-3367 www.lakeshore.ca

Municipality of Lakeshore



November 22, 2022

The Honourable Steve Clark
Ministry of Municipal Affairs & Housing
17th Floor, 777 Bay Street
Toronto, Ontario
M7A 2J3

Dear Minister Clark:

Re: ERO Number 019-6172 - Proposed Planning Act and Development Charges Act, 1997 Changes: Providing Greater Cost Certainty for Municipal Development-related Charges

I wish to provide the following comments regarding ERO-019-6172 - Proposed Planning Act and Development Charges Act, 1997 Changes: Providing Greater Cost Certainty for Municipal Development-related Charges.

The Municipality of Lakeshore acknowledges and supports the province's stated objective of increasing housing supply. However, Lakeshore Administration are deeply concerned that if Bill 23 is passed as currently proposed, a variety of significant unintended consequences will have the opposite effect and will delay or obstruct the construction of additional housing supply at the scale that is desired.

Lakeshore is of the opinion that reducing the amount of parkland that Municipalities can collect will not contribute to healthy active communities and will ultimately place additional tax burden on the existing rate payers to cover the shortfall in parklands. Reducing the amount of parkland that can be collected for new developments/communities will also contribute to inequitable access to services and amenities across our Municipality.

Lakeshore Administration and I support the proposal to freeze parkland dedication rates at time of application for a period. This will provide incentives for some developers to proceed with their developments in a more expeditious fashion. With that being said, I would suggest that only a one year freeze be implemented.

  LAKESHORE.CA

419 Notre Dame Street, Belle River, ON N0R 1A0
519.728.2700 Toll Free: 1-877-249-3367 www.lakeshore.ca

Municipality of Lakeshore



Lakeshore Administration and I support the clarification that parkland should only be applied to new residential units, and not to existing developments.

We support in principle, entering into agreements to use private property for parkland purposes. With that being said, I recognize that this should not be used as a substitute for developers to provide parkland dedication. When Municipalities acquire fee simple property for parkland, they can sell the land in the future and reinvest those funds to acquire or develop other parklands. This would not be the case when it is a private park.

I do not support the proposal to require municipalities to spend at least 60% of their parkland dedication, although I do support the requirement to allocate it. I understand that municipalities collect these funds for the specific purpose of providing parkland and agree that these funds should be allocated to specific projects. My concern is that sometimes these specific projects can cost significantly more than a municipality can collect in a given year, which would either require the municipality to fund the shortfall from its tax base or proceed with small projects that can be completely funded by cash-in-lieu.

There is support in setting a maximum interest rate for Development Charges (DC) freeze and deferral at prime plus one percent (1%).

Lakeshore Administration and I do not support the proposed changes that would reduce the amount of (DC) that a municipality can collect and the phasing-in of Development Charge rates. Municipalities collect DC's to pay for infrastructure that is required to support growth. Without that ability to collect the appropriate funds, the municipality will not be able to accommodate new development. In my opinion this change will limit future development since municipalities will not be able to pay for required services to support new growth.

I encourage and support the diversification of housing options, particularly family-friendly rental housing as this form is missing in Lakeshore. As stated previously, I am concerned that the reduction of DC's, would have a negative impact on the municipality's ability to fund the infrastructure that would be required to support the development.



With regard to encouraging the supply of affordable housing through non-profit and affordable housing units, we do not support the reduction or the phasing in of Development Charges and Parkland dedication for the reasons mentioned above. Also, entering into agreements on title to be administered over several years places an administrative burden on the municipality which is funded by the general taxpayer. We would suggest that instead, innovative tools be used which is funded by the general taxpayer. We would suggest that instead, innovative tools be used to cover these costs at the time of construction. For example, these costs could be covered through a municipal Community Improvement Plan program or alternatively, the non-profit organization would cover these costs through fund raising.

Accessory Residential Units will require municipal infrastructure and will benefit from having parks in close proximity, as such they should not be exempt from contributing. I recommend that ARU's be required to pay DC's and parkland dedication at a reduced rate.

Thank you for the opportunity to submit comments regarding these proposed legislative changes. I look forward to reviewing the outcome of the consultation.

Sincerely,

Tracey M. Bailey,
Mayor

Cc: Tammie Ryal, Corporate Leader Growth & Sustainability
Truper McBride, Chief Administrative Officer
Aaron Hair, Division Leader Community Planning



November 22, 2022

The Honourable Graydon Smith
Ministry of Natural Resources and Forestry
300 Water Street, 6th Floor, South tower
Peterborough, ON
K9J 8M5

Dear Minister Smith:

Re: ERO Number 019-6141 - Legislative and regulatory proposals affecting conservation authorities to support the Housing Supply Action Plan 3.0

I wish to express my concern regarding the legislative and regulatory proposals affecting conservation authorities to support the Housing Supply Action Plan 3.1. Lakeshore Council has not yet had their first business meeting following the election. I acknowledge and support the province's stated objective of increasing housing supply however, I am deeply concerned that if Bill 23 is passed as currently proposed, a variety of significant unintended consequences will actually have the opposite effect and will delay or obstruct the construction of additional housing supply at the scale that is desired.

Lakeshore Administration and I support streamlining the development process, and generally is in support with limiting the conservation authority to comment on what they are mandated to comment on. Our concerns with this are that our local conservation authorities do provide services at the request of the Municipality that are above their mandate under the Conservation Act. If we were not able to rely on the Conservation Authority to provide these services, then we would have to look at hiring additional staff to provide for that expertise. This is even more concerning given the current market conditions and the significant lack of qualified professionals to undertake this work in Ontario.

With regards to the two conservation authorities that provide services within Lakeshore, they both charge a minimal fee to review and comment on development applications. With how minimal these fees are, Lakeshore doesn't see how freezing or reducing the fees that a conservation authority can collect has any significant cost savings on developers, or the future purchaser.



419 Notre Dame Street, Belle River, ON N0R 1A0
519.728.2700 Toll Free: 1-877-249-3367 www.lakeshore.ca

Municipality of Lakeshore



Lakeshore Administration and I do not support the conversion of conservation lands to housing. These areas have historically been obtained by the conservation authorities to protect and enhance important greenways, woodlands, and wetlands, while providing habitat linkages for a wide range of birds, plants and animal species. In addition, there are multiple studies and papers on the Government of Canada's website that speaks to how green spaces can reduce chronic diseases, stress, and contribute to healthy environments.

Thank you for the opportunity to submit comments regarding these proposed legislative changes. I look forward to reviewing the outcome of the consultation.

Sincerely,

Tracey M. Bailey,
Mayor

Cc: Truper McBride, Chief Administrative Officer
Tammie Ryal, Corporate Leader Growth & Sustainability
Aaron Hair, Division Leader Community Planning



419 Notre Dame Street, Belle River, ON NOR 1A0
519.728.2700 Toll Free: 1-877-249-3367 www.lakeshore.ca

Municipality of Lakeshore



November 22, 2022

The Honourable Graydon Smith
Ministry of Natural Resources and Forestry
300 Water Street, 2nd Floor, South Tower
Peterborough, ON
K9J 8M5

Dear Minister Smith:

Re: ERO Number 019-6160 - Proposed Updates to the Ontario Wetland Evaluation System

I wish to provide you the following comments regarding ERO-019-6160 - Proposed Updates to the Ontario Wetland Evaluation System.

The 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. 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, regulate wetlands for flood attenuation, natural storage capacities and for preventing shoreline erosion.

Wetland Complexing has been entirely removed from OWES. Upon re-evaluation, each wetland unit must qualify as significant individually.

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 the list of all weighted factors.

It is unclear who the 'decision-maker' is and who will ensure evaluations are done by qualified professionals following OWES protocols.



419 Notre Dame Street, Belle River, ON N0R 1A0
519.728.2700 Toll Free: 1-877-249-3367 www.lakeshore.ca

Municipality of Lakeshore



It is unclear from the posting who will maintain an appropriate mapping inventory of wetland classifications, particularly non-Provincially Significant Wetlands (PSWs).

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 is vital for municipal decision-making and is well-suited to a CA's resource management agency role.

Requests to re-evaluate a complexed PSW will no longer consider the greater function of that wetland and rather will evaluate it as an isolated wetland unit. The removal of complexing along with the other proposed changes to the OWES would result in the eventual reduction of our wetland systems.

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.

Thank you for the opportunity to submit my comments regarding these proposed legislative changes. I look forward to reviewing the outcome of the consultation.

Sincerely,

Tracey M. Bailey,
Mayor

Cc: Tammie Ryal, Corporate Leader Growth & Sustainability
Truper McBride, Chief Administrative Officer
Aaron Hair, Division Leader Community Planning



Hilda MacDonald Mayor

Municipality of Leamington



519-326-5761



mayor@leamington.ca



MayorHildaMacDonald

OFFICE OF THE MAYOR

November 23, 2022

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

Dear Premier Ford,

RE: PROPOSED CHANGES IN BILL 23 REGARDING CONSERVATION AUTHORITIES

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.

Leamington has two watersheds within its geographic area (Essex Region Conservation Authority and Lower Thames Valley Conservation Authority) and as we work in tandem with the Conservation Authorities, there is concern with respect to 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, consideration should be given to:

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.

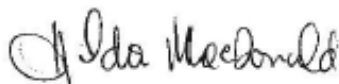
Conservation Authorities work with local Municipalities, including Leamington, to reduce barriers to development and streamline processes for the best possible service to all. Together, we are: modernizing policies and procedures; streamlining approvals; reducing timelines and red tape; promoting pre-consultation;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

For example, in the last five years the LTVCA has met every planning deadline given to them by the Municipality of Leamington.

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.

Based on the above, it is hereby requested that 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,



Mayor Hilda MacDonal
Municipality of Leamington

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, Conservation and Parks

Trevor Jones, MPP, Chatham-Kent – Leamington

Lower Thames Valley Conservation Authority

Essex Region Conservation Authority



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

Dear Premier Ford

RE: PROPOSED CHANGES IN BILL 23 REGARDING CONSERVATION AUTHORITIES

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.

Middlesex Centre has five watersheds within its geographic area (Ausable Bayfield CA, Kettle Creek CA, Lower Thames Valley CA, St. Clair Region CA, and Upper Thames River CA) and as we work in tandem with each of the five Conservation Authorities, there is concern with respect to 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, consideration should be given to:

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 to 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, including Middlesex Centre, to reduce barriers to development and streamline processes for the best possible service to all. Together, we are: modernizing policies and procedures; streamlining approvals; reducing timelines and red tape; promoting pre-consultation; and reporting on service standards.

For example, in the last five years the LTVCA has met every planning deadline given to them by the Municipality of Middlesex Centre.

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.

Based on the above, it is hereby requested that 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,



Mayor Aina DeViet
Municipality of Middlesex Centre

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

The Honourable Monte McNaughton, Minister of Labour, Immigration, Training and Skills Development / Area MPP

Five Conservation Authorities – Ausable Bayfield Conservation Authority, Kettle Creek Conservation Authority, Lower Thames Valley Conservation Authority, St. Clair Region Conservation Authority and Upper Thames Valley Conservation Authority



The Corporation of the Municipality of Strathroy-Caradoc
52 Frank Street, Strathroy, ON N7G 2R4
Phone: 519-245-1105 • Fax: 519-245-6353
www.strathroy-caradoc.ca

November 23, 2022

To Whom it May Concern

Re: Bill 23, More Homes Built Faster Act – Conservation Authority Act Changes

On behalf of the Municipality of Strathroy-Caradoc, I thank you for the opportunity to provide input on the proposed More Homes Built Faster Act and related Provincial changes. This submission relates to the Conservation Authority Act Changes.

It is appreciated that the Province of Ontario has highlighted the pressing need for housing across the Province. Its goal of supporting the construction of 1.5 million home is 10 years is laudable and elements of Bill 23 will certainly help achieve this target. Our own Municipality certainly views housing as a pressing need and the lack of affordable housing options is affecting many facets of our community. We now have a visible homeless population, our housing and support service providers are overwhelmed, long term residents cannot age in our community, nor can young people afford to move back to their home community to raise a family. Our employers are challenged to retain and attract employees which ultimately impacts their ability to expand or locate within their community of choice.

Despite this, we have still experienced unprecedented growth of our population – 18% increase in housing over the last five years, which has only further led to a rise in local housing prices as our inventory fails to keep pace with demand. During this time, the Municipality has worked collaboratively with the local Conservation Authorities to ensure that the development avoids natural hazard areas and mitigates negative impacts to natural heritage features. The Municipality regularly relies on the expertise of the ecologists and regulations officers on staff with the Conservation Authority, as we do not have the internal expertise in hydrology, hydro-modeling, or ecology to undertake this work ourselves. The Municipality would be challenged to progress files in a timely fashion without access to this level of expertise. As our Municipality contains three watersheds and a number of creeks, drains and rivers, this positive relationship has been fundamental to ensuring that new growth and development is safe from flooding and other hazards. Prohibiting Municipalities from working collaboratively with local Conservation Authorities appears to ultimately undermine our ability to progress

development files forward and places development again at risk of flooding and the liability issues related to that in our laps. This is not the time to go backwards.

We note our support of comments provided by Conservation Ontario, St. Clair Region CA, Upper Thames River CA, Lower Thames River CA, Association of Municipalities Ontario (AMO), Hemson, Watson & Associates, and the Municipal Finance Officers Association of Ontario (MFOA) to the Standing Committee and the ERO.

It is the intent of this letter to focus on those amendments that are anticipated to have a direct and immediate impact on the Municipality's ability to provide for more housing opportunities in the short and long term related to the proposed changes to the Conservation Authorities Act:

Conservation Authorities Act

- Exempting a permit where a planning approval has been granted is problematic in that the approval of a planning application does not necessarily mean that all hazard or heritage concerns have been addressed, or are able to be addressed through a planning approval process.
- Most municipalities have relied upon the expertise of Conservation Authorities relating to both natural hazard and heritage matters and as such, most do not have internal staff capacity to undertake natural heritage planning. Prohibiting municipalities from even making agreements with local Conservation Authorities for the provision of natural heritage planning is concerning. The PPS currently requires the consideration of natural heritage features, and as such – this planning will still need to occur. There are not enough consultants to take on this work in the immediate future.
- The requirement to process permits even faster requires CA's to be sufficiently staffed and funded. It appears the proposed changes would further erode CA's ability to fund themselves and removing the user-pay model of funding will make their ability to achieve their permitting timeframes even more difficult and potentially result in an increase to the Municipal levy.
- The related proposed changes to wetland classification system and removing the systems approach from wetlands impact analysis will not protect the important function that wetlands play in acting as a natural stormwater management facility to prevent natural hazards (flooding) downstream. Protecting wetlands is fundamental to flood mitigation.
- That Municipalities are to be delegated the responsibility to review and approve OWES evaluations, maintain wetland information including confirmation of wetland boundaries appears to duplicate the existing processes and agreements between the CA and Province. Further, most Municipalities do not have sufficient resources to take on this responsibility.
- Consideration of any significant changes to the CA Act have consequential impacts on local municipalities and the natural environment. Such changes

should be considered with fulsome and broad consultation and if any changes are to be made, a lengthy transition timeframe should be incorporated.

In light of these comments, the Municipality respectfully requests that the Province consider extending the commenting deadlines into 2023 to allow for a more fulsome consultation on the proposed changes to avoid unanticipated negative impacts on the existing housing crisis locally and Province-wide.

Sincerely,

Mayor Colin Grantham
Municipality of Strathroy-Caradoc



The Corporation of the Municipality of Strathroy-Caradoc
52 Frank Street, Strathroy, ON N7G 2R4
Phone: 519-245-1105 • Fax: 519-245-6353
www.strathroy-caradoc.ca

November 23, 2022

To Whom it May Concern

Re: Bill 23, More Homes Built Faster Act – Development Charges

On behalf of the Municipality of Strathroy-Caradoc, I thank you for the opportunity to provide input on the proposed More Homes Built Faster Act and related Provincial changes. This submission relates to the Development Charges Act Changes.

It is appreciated that the Province of Ontario has highlighted the pressing need for housing across the Province. Its goal of supporting the construction of 1.5 million home in 10 years is laudable and elements of Bill 23 will certainly help achieve this target. Our own Municipality certainly views housing as a pressing need and the lack of affordable housing options is affecting many facets of our community. We now have a visible homeless population, our housing and support service providers are overwhelmed, long term residents cannot age in our community, nor can young people afford to move back to their home community to raise a family. Our employers are challenged to retain and attract employees which ultimately impacts their ability to expand or locate within their community of choice.

Despite this, we have still experienced unprecedented growth of our population – 18% increase in housing over the last five years, which has only further led to a rise in local housing prices as our inventory fails to keep pace with demand. While this growth has allowed for the healthy collection of Development Charges, inflation increases have almost doubled the costs of the infrastructure projects required to service this growth. We are currently entering a very challenging time period where by our current DC rates may not be sufficient to cover the costs of recent growth, let alone future growth.

We are concerned that rather than assisting us in servicing our existing community and our future growth, elements of Bill 23 appear to potentially undermine the Municipality's ability to finance both existing and future growth-related infrastructure projects. This is not the time to go backwards.

We note our support of comments provided by the Association of Municipalities Ontario (AMO), Hemson, Watson & Associates, and the Municipal Finance Officers Association of Ontario (MFOA) to the Standing Committee.

It is the intent of this letter to focus on those amendments that are anticipated to have a direct and immediate impact on the Municipality's ability to provide for more housing opportunities in the short and long term related to the proposed changes to the Development Charges Act:

- The proposed changes to the DC Act appear to fundamentally limit its purpose to ensure that growth pays for growth.
- The combined impact of:
 - exempting affordable housing from DC's and parkland dedication requirements,
 - requiring mandatory discounts on DC's for rental housing,
 - removing studies, land acquisition, and housing services as DC eligible projects,
 - as well as the required phase-in period of DC fees (not the increases to DC fees)

will work together to substantially reduce the Municipality's ability to finance growth related infrastructure. There are few new housing developments that can proceed without the installation of new road infrastructure and underground services or the extension / upsizing of such. Reduced or delayed DC revenue will make it difficult for Municipalities to cover all of these DC recoverable costs. In order for new housing projects to proceed, those infrastructure costs will have to be covered through the Municipality via taxation and water/wastewater utility rates. The appetite to take on more costly debt to cover capital growth related infrastructure costs may not be palatable to Municipalities. There are no other long-term revenue sources available to Municipalities to cover capital infrastructure costs.

- The Act also does not define what 'attainable housing'. It is quite likely that based on current wording, the direction of the Act will force Municipalities to provide discounts for \$700-800K single-detached dwellings based on the reliance on the average market rate of ownership housing.
- The changes to the DC Act in no way compels any of the cost savings to be passed onto the home purchasers / renters.
- Our current DC By-law is scheduled to expire in 2023 and we require clarification if we are able to extend this by-law to align with the newly proposed 10-year lifespan of DC's without undertaking the required background studies.
- The proposed legislation would require affordable housing to remain as such for only 25-year. It is common place now that agreements are negotiated successfully with developers to maintain affordable housing units for a period of time much longer than 25 years. A long-term reliable stock of affordable housing

units greatly assists the housing crisis, and therefore contracts longer than 25-years are strongly encouraged.

In light of these comments, the Municipality respectfully requests that the Province consider extending the commenting deadlines into 2023 to allow for a more fulsome consultation on the proposed changes to avoid unanticipated negative impacts on the existing housing crisis locally and Province-wide.

Sincerely,

Mayor Colin Grantham
Municipality of Strathroy-Caradoc



The Corporation of the Municipality of Strathroy-Caradoc
52 Frank Street, Strathroy, ON N7G 2R4
Phone: 519-245-1105 • Fax: 519-245-6353
www.strathroy-caradoc.ca

November 23, 2022

To Whom it May Concern

Re: Bill 23, More Homes Built Faster Act – Planning Act Changes

On behalf of the Municipality of Strathroy-Caradoc, I thank you for the opportunity to provide input on the proposed More Homes Built Faster Act and related Provincial changes. This submission relates to the Planning Act Changes.

It is appreciated that the Province of Ontario has highlighted the pressing need for housing across the Province. Its goal of supporting the construction of 1.5 million home in 10 years is laudable and elements of Bill 23 will certainly help achieve this target. Our own Municipality certainly views housing as a pressing need and the lack of affordable housing options is affecting many facets of our community. We now have a visible homeless population, our housing and support service providers are overwhelmed, long term residents cannot age in our community, nor can young people afford to move back to their home community to raise a family. Our employers are challenged to retain and attract employees which ultimately impacts their ability to expand or locate within their community of choice.

Despite this, we have still experienced unprecedented growth of our population – 18% increase in housing over the last five years, which has only further led to a rise in local housing prices as our inventory fails to keep pace with demand.

We have been proactive in our response to the housing crisis from a planning perspective by undertaking a significant update to our Official Plan and by approving a Secondary Plan that greatly increases the ‘as-a-right’ housing options within all of our neighbourhood areas, in line with the Province’s approach to gentle intensification. We are also undertaking a Municipal-led update to our zoning by-law to permit emergency shelters as-a-right in the ‘Institutional’ zone. We provide financial incentives for the construction of new affordable units and secondary suites within our Community Improvement Program. Finally, as a small rural municipality with a population less than 25,000 people, we have also taken it upon ourselves to enter into a partnership with the private sector to construct a three-storey apartment building containing affordable

housing units. We are clearly facing the housing crisis head on but worry that changes being introduced by Bill 23 will undermine the Municipality's ability to address the housing crisis in a healthy and fiscally sound manner. This is not the time to go backwards.

We note our support of comments provided by the Association of Municipalities Ontario (AMO), Hemson, Watson & Associates, and the Municipal Finance Officers Association of Ontario (MFOA) to the Standing Committee.

It is the intent of this letter to focus on those amendments that are anticipated to have a direct and immediate impact on the Municipality's ability to provide for more housing opportunities in the short and long term related to the proposed changes to the Planning Act:

Planning Act Changes

- While it is acknowledged that the OLT process may be used for vexations or frivolous purposes and can slow the development approval process down, the wholesale removal of 3rd party appeals may result in placing even more pressure on approval authorities and further erode confidence in local governance. Third party appeals provides, in some cases, a much needed opportunity to bring forward legitimate land use planning concerns.
- The municipality supports increasing density into new and existing neighbourhoods and currently allows secondary suites as-a-right in all residential zones within the Municipality. It has also introduced policies in the Official Plan to permit, in addition to secondary suites, additional residential units within accessory structures. As such, the Municipality supports the proposed gentle density provisions provided that local considerations are available to ensure that increased density does not have a negative impact on our local servicing capacity, greenspace, or road network.
- The proposed removal of public meetings for plans of subdivision is unnecessary in our opinion. While we work within a two-tier municipal governance structure, we have stream-lined the approval process such that a subdivision and related zone change application are subject to a single-combined public meeting before the local Municipal Council. This is possible as the County has delegated the role of holding the public meeting for the subdivision to the local Municipal Council. Accordingly, it is our opinion that removing the requirement for holding a public meeting for a subdivision will not speed the approval process up as there are already methods available within the Planning Act to planning authorities to stream-line this process.
- While the proposed removal of upper-tier responsibilities does not currently impact Strathroy-Caradoc at this time, we are aware of the intent to ultimately extend this approach to all two-tier governance structures in the future. While there may be some efficiencies found in delegating all planning approvals to local governments (where an Upper Tier does not manage cross-regional services

such as transit or servicing) we simply do not have the capacity to transition to a single-tier model without an extensive transition period. A single-tier approach to planning governance would have an impact on the need for additional staffing, physical assets, and space considerations.

- Removal of site plan approval for residential / mixed use developments containing 10 units or less may, in some cases, be reasonable – for example, street facing townhouses that were previously considered as part of a subdivision / condominium development. However, for new development that has not otherwise gone through a planning process, site plan matters such as storm water management / grading and landscaping are often integral to ensuring appropriate development occurs on the site. Further, a review of the exterior design is crucial to ensure new development is sensitive to the area context and is often fundamental to the creation of a new building that is welcoming and sensitive to the surrounding residential neighbourhood.
- Inclusionary zoning should be available to municipalities without protected major transit stations and development permit systems.
- Clarification is requested on the requirement for “spending” vs. “allocating” of parkland dedication on an annual basis. It would not be possible for a Municipality to create meaningful park spaces using annual contributions – it often takes 5 or more years to accumulate enough cash-in-lieu of parkland to purchase capital or land. Further, the Municipality should not be forced to accept parkland in a form that is not suitable for long-term use as active parkland. While there may be potential for encumbered land to be useful, Municipalities should be given the authority to accept or refuse such land if it is not able to be used in accordance with the parkland master plan.
- The proposed reduction of parkland dedication rates seem to undermine the ability to ensure adequate greenspace is available for the enjoyment of its residents from a mental health and physical fitness perspective. The pandemic has clearly demonstrated how important, desirable, and well used our greenspaces are.

In light of these comments, the Municipality respectfully requests that the Province consider extending the commenting deadlines into 2023 to allow for a more fulsome consultation on the proposed changes to avoid unanticipated negative impacts on the existing housing crisis locally and Province-wide.

Sincerely,

Mayor Colin Grantham
Municipality of Strathroy-Caradoc



BY EMAIL

November 24, 2022

Conservation Ontario
acoleman@conservationontario.ca

Re: Conservation Ontario Response to Bill 23

Please be advised that at the Regular Council Meeting of November 23, 2022, the Municipality of Southwest Middlesex Council passed the following resolution to support the Conservation Ontario's letter to the province regarding Bill 23.

Resolution # 2022-285

Moved by Councillor Choi

Seconded by Councillor Myers

THAT the Council of Southwest Middlesex support the letter to the province from Conservation Ontario with Bill 23 concerns and circulate the resolution of support to Premier Ford, MPP Monte McNaughton, Minister of the Environment Steve Clark and AMO.

Carried

Kendra Kettler

Clerk

Cc:

Premier Doug Ford
Monte McNaughton, MPP Lambton-Kent-Middlesex
Minister Steve Clark
Association of Municipalities of Ontario

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

November 14, 2022

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 to 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. A total of 93% of permits issued by non-high growth CAs were within 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,



St. Clair Region Conservation Authority General Manager, Ken Phillips



St. Clair Region Conservation Authority Chair, Mike Stark
Former Council Member, Representing the City of Samia



St. Clair Region Conservation Authority Vice-Chair, Pat Brown
Council Member, Representing St. Clair Township



St. Clair Region Conservation Authority Board Member, Al Broad
Mayor of Dawn-Euphemia



St. Clair Region Conservation Authority Board Member, Diane Brewer
Reeve of Newbury

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

The Honourable Bob Bailey, MPP, Simia-Lambton

The Honourable Monte McNaughton, Minister of Labour, Immigration, Training
& Skills Development, MPP, Lambton-Kent-Middlesex



The Municipality of West Elgin

22413 Hoskins Line, Rodney Ontario N0L 2C0

November 24, 2022

At the Regular Meeting of Council on November 24, 2022 the Council of the Municipality of West Elgin passed the following Resolution:

Resolution No. 2022- 388

Moved: Deputy Mayor Leatham

Seconded: Councillor Navackas

That West Elgin Council hereby receives the report from Robert Brown, Planner, regarding Bill 23, Changes to the Role of the Conservation Authority;

And that West Elgin Council hereby authorize the Mayor to sign the letter attached as Appendix A to this report addressed to Premier Doug Ford in support of reconsideration of certain changes to the Conservation Authorities Act proposed by Bill 23.

Carried

Magda Badura
Deputy Clerk



Staff Report

Report To: Council Meeting
From: Robert Brown, Planner
Date: 2022-11-21
Subject: Bill 23 – Changes to the Role of the Conservation Authority – (Planning Report 2022-47)

Recommendation:

That West Elgin Council hereby receives the report from Robert Brown, Planner, regarding Bill 23, Changes to the Role of the Conservation Authority;

And that West Elgin Council hereby authorize the Mayor to sign the letter attached as Appendix A to this report addressed to Premier Doug Ford in support of reconsideration of certain changes to the Conservation Authorities Act proposed by Bill 23.

Purpose:

To provide Council with information on Bill 23, the *More Homes Built Faster Act, 2022*, specifically the changes that this Bill will have on the role that Conservation Authorities play in the planning process.

Background:

On October 25th, the Government of Ontario tabled Bill 23, the More Homes Built Faster Act, 2022. This omnibus bill proposes sweeping change to the province's natural heritage and land use planning legislation and policy. Bill 23 is, in part, supplementary to or in place of Bill 109, More Homes for Everyone Act, 2022 that was introduced in March of 2022. Bill 23 has received two readings in the legislature and is currently on the Environmental Registry of Ontario (ERO) for comment.

There are many pieces to Bill 23 that will have a direct impact on development across Ontario however the focus of this report is the Act's impact on the role the Conservation Authority plays in development within the Municipality of West Elgin. Specially, West Elgin is wholly within the Lower Thames Valley Conservation Authorities (LTVCA) jurisdiction. Through a memorandum of understanding the LTVCA provides West Elgin with comment on a variety of natural heritage items including, flooding, erosion, species at risk, wetlands, wooded areas and Areas of Natural and Scientific Interest. The protection of natural heritage has been a key part of Provincial Policy Statement, the County Official Plan and the West Elgin Official Plan.

Municipalities, particularly smaller municipalities, rely significantly on the CA's to provide guidance and comment on navigating natural heritage issues and ensuring that planning approvals have undertaken the proper reviews and implemented appropriate recommendations and requirements to safeguard the natural environment. This expertise is provided to municipalities as part of the

annual levy to the CA's and through minimal supplementary fees collected as part of Planning Act applications.

Bill 23, in addition to many other things, seeks to remove the commenting role that the Conservations Authorities currently undertake. This in turn would leave individual municipalities to seek input from other sources, such as consultants with the appropriate background and expertise to provide comment on development in the area of natural heritage.

The LTVCA along with its other sister CAs have provided a letter which outlines the specific concerns with the changes that Bill 23 will bring and is seeking support from Municipalities across Ontario for the Provincial Government to reconsider certain portions of the Bill to avoid unintended consequences.

Financial Implications:

At present the services that the LTVCA provides to the municipality is done so with minimal cost to ratepayers overall. The supplementary fees, which were just recently implemented in July of 2022, cover comment specific to a given Planning Act application but not at a level that could be considered full cost recovery. Should the changes in Bill 23 proceed as is West Elgin will no longer be able to rely on the LTVCA as a commenting resource and will have to secure outside consulting at a significantly greater expense. Planning Act applicants will also be responsible for the cost of outside consulting needed to address natural heritage issues specific to any given development.

In addition to the added cost is the uncertainty in the availability of qualified consulting staff to address municipal and applicant needs in a timely manner, something that may have the unintended opposite effect of the introduction of Bill 23.

Policies/Legislation:

While not the topic of this report it is important for Council to know that if Bill 23 does receive royal assent there will be changes required to West Elgin's Official Plan which is currently under review and actually nearing the final stages for presentation to Council and the public.

Prepared by:



Robert Brown, H. Ba, MCIP, RPP
Planner
Municipality of West Elgin

Report Approval Details

Document Title:	Bill 23 - Changes to the Role of The Conservation Authority - 2022-47-Planning.docx
Attachments:	
Final Approval Date:	Nov 22, 2022

This report and all of its attachments were approved and signed as outlined below:

No Signature - Task assigned to Jana Nethercott was completed by assistant Brittany Jessome

Jana Nethercott



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

Dear Premier Ford

RE: PROPOSED CHANGES IN BILL 23 REGARDING CONSERVATION AUTHORITIES

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.

West Elgin has one watershed within its geographic area (Lower Thames Valley Conservation Authority) and as we work in tandem with the Conservation Authority, there is concern with respect to 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, consideration should be given to:

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, including West Elgin, to reduce barriers to development and streamline processes for the best possible service to all. Together, we are: modernizing policies and procedures; streamlining approvals; reducing timelines and red tape; promoting pre-consultation; and reporting on service standards.

For example, in the last five years the LTVCA has met every planning deadline given to them by the Municipality of West Elgin.

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.

Based on the above, it is hereby requested that 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,



Mayor Duncan McPhail
Municipality of West Elgin

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

The Honourable Monte McNaughton, Minister of Labour, Immigration, Training and Skills Development / Area MPP

Lower Thames Valley Conservation Authority

November 22, 2022

The Hon. Doug Ford, Premier of Ontario
Legislative Building
1 Queen's Park
Toronto, ON
M7A 1A1

Via email: Premier@ontario.ca

Subject Line: Bill 23 More Homes Built Faster Act, 2022

Dear Premier Ford:

Please be advised that Council, at its Inaugural Meeting on Monday November 21, 2022 passed the following resolution:

2022- 312 Support of KCCA and AMO Bill 23 Letters

BE THAT IT RESOLVED The Council of the Corporation of the Township of Southwold hereby endorses the comments made in the attached letters from the Kettle Creek Conservation Authority and Association of Municipalities of Ontario; and

FURTHER a copy of this resolution be sent to the Honourable Doug Ford, Premier of Ontario, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, MPP Elgin- Middlesex- London Rob Flack, KCCA and AMO.

CARRIED

Yours truly,



Jeff Carswell
CAO/Clerk

cc: The Honourable Steve Clark, Minister of Municipal Affairs and Housing
(Steve.Clark@pc.ola.org)
Rob Flack, MPP Elgin-Middlesex-London (Rob.Flack@pc.ola.org)
KCCA
AMO

ATCH. (2)

Heartfelt and homegrown

tel 519-769-2010 email cao@southwold.ca
35663 Fingal Line, Fingal, Ontario, N0L 1K0

November 16, 2022

Rob Flack, MPP
750 Talbot St. Suite 201
St. Thomas, ON N5P 1E2
Rob.Flack@pc.ola.org

Re: Proposed Changes in Bill 23 Regarding Conservation Authorities

Dear Rob Flack, MPP:

Kettle Creek Conservation Authority (KCCA) is dedicated to its responsibility to protect people and property from flooding and erosion. The Authority's goal is not to prevent development but to ensure that development is not at risk from natural hazards.

KCCA continues to work with the provincial government to ensure that development proposals requiring plan input, review and/or permitting are completed in a transparent, accountable, and timely manner.

- Consistently, 100% of KCCA's permits are issued within 21 days of receipt of a complete application - far exceeding the provincial timeline targets.
- By the end of 2022, KCCA will have an online mapping application which will allow the public to quickly identify areas within the watershed that are affected by natural hazards and require follow-up with regulation staff.
- KCCA's service delivery focuses on fostering collaborative partnerships and open dialogue with our member municipalities and stakeholders.
- All plan input, review and permitting fees are solely based on cost recovery.

Much of this work has been facilitated by the Conservation Authorities Working Group. This group was initiated in 2020 to ensure that stakeholders had a strong voice at the table when implementing changes to the *Conservation Authorities Act* (CA Act). Comprised of representatives from conservation authorities, Association of Municipalities of Ontario, Conservation Ontario, and development and agricultural sectors the group has helped to guide the requested changes to the CA Act in a balanced manner without jeopardizing local decision-making.

KCCA's Board of Directors solicits your support in advocating that the Conservation Authorities Working Group remain in place to inform this next round of changes to the CA Act included in *Bill 23, More Homes Built Faster Act*. Their insight can ensure that the proposed changes can help to facilitate the province's goal to address the housing supply without unintentional consequences.

As illustrated above, KCCA is a willing partner in addressing housing concerns in the province. However, without further consultation, KCCA is concerned that the changes to the CA Act introduced in Bill 23 will have the unintended consequences of costing our member municipalities more money, will jeopardize

the ability to meet provincial natural hazards objectives and irreparably harm natural infrastructure that is integral to local efforts to combat the impacts of a changing climate including flooding and erosion.

KCCA is concerned that the proposed changes will lead to increased frustrations in the development community with a longer, more costly approval process – and ultimately not build more homes faster.

- 1. Request: Allow Municipalities to continue voluntary agreements for review and commenting with Conservation Authorities; remove the associated clauses in Bill 23 that prevent this from occurring.**

Currently, KCCA is in the middle of negotiating agreements with member municipalities to undertake services on their behalf that will help to continue to streamline planning and development review. This work is being guided by already approved regulations meant to ensure that services undertaken on behalf of a municipality are clearly outlined within service agreements and publicly available. Small, rural municipalities typically do not have the resources or expertise to undertake natural heritage review and/or other technical services. Establishing agreements with conservation authorities to undertake certain services is one way that small municipalities can pool resources and achieve cost efficiencies. In some instances, prohibiting this type of collaboration would actually cause delays in housing approvals and increase expenses to the applicant and the taxpayer as municipalities will be forced to dismantle working agreements or prevent the initiation of new agreements that can assist with streamlining processes and resources.

- 2. Request: Development subject to *Planning Act* authorizations should not be exempt from Conservation Authority permits; this means removal of the associated clauses in Bill 23 that allow this to occur.**

Assuming that all natural hazard concerns that a conservation authority normally regulates can be addressed within *Planning Act* authorizations may result in building permits being issued in hazardous lands without adequate mitigation design measures to address the hazard. Conservation authorities' success in mitigating floods is based on the watershed perspective not municipal boundaries. Not using a watershed approach or eliminating the requirement for site specific review puts life and property at risk to flooding and erosion.

- 3. Request: Conservation Authority fees should not be frozen.**

Development fees for conservation authorities' plan input and review are based on cost recovery. These expenses should be borne by the developer/applicant. "Growth should pay for growth". Conservation authorities work hard to ensure that current fees are only cost recovery. In some cases, fees are already being subsidized by municipal levy for this core program. Freezing fees would only transfer the shortfall for this program area to member municipalities in order to maintain required staffing levels and expedite required permits and reviews.

4. Request: Conservation Authorities should not be required to identify their landholdings for development

The proposed changes to allow a CA to dispose of lands acquired with provincial funds by providing written notice to the Minister rather than requesting an exception is sufficient to assist conservation authorities in disposing of surplus property. Requiring CAs to identify landholdings suitable for housing development goes too far. Conservation Authorities acquired lands that the public expects to be protected in perpetuity for its recreational, natural heritage or flood mitigation value. Careful consideration needs to be given to ensure that the public's trust in the preservation of our conservation lands is respected and maintained. Conservation lands are irreplaceable.

CAs are not barriers to growth. Since their inception by the progressive conservative government in 1946, CAs have constantly adapted and worked with all levels of government to ensure that development proceeds in a safe and sustainable manner. We again call upon you to advocate for the continuation of the Conservation Authorities Working Group to ensure a balanced and sustainable approach to development in-line with the long-standing priority to ensure life and property is protected from natural hazards.

Sincerely,



Alison Warwick
Warden, Middlesex County
Chair, Kettle Creek Conservation Authority



Grant Jones
Mayor of Southwold Township
KCCA, Board Member and Past Chair

cc:

The Honourable Doug Ford, Premier of Ontario

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

KCCA Board Members

KCCA Member Municipalities

Sent via email to: schicp@ola.org

November 16, 2022

Laurie Scott, MPP, Haliburton—Kawartha Lakes—Brock
Chair, Standing Committee on Heritage, Infrastructure and Cultural Policy
c/o Isaiah Thorning, Committee Clerk
Whitney Block, Room 1405
99 Wellesley Street W
Toronto, ON
M7A 1A2

Re: AMO Submission on Bill 23, *More Homes Built Faster Act, 2022*

Dear Committee Chair Scott and Members of the Committee,

Attached is AMO's submission to the Committee on Bill 23.

The submission reiterates the municipal commitment to working with the Government to increase the supply of housing and to improve housing affordability in Ontario. It acknowledges positive aspects of the Bill and plan. It also outlines serious concerns about the Bill, which will have the effect of undermining the financial capacity of municipalities to support growth and diminishing essential environmental protections.

Preliminary analysis of the Bill indicates the transfer of up to \$1 billion a year in costs from private sector developers to property taxpayers without any likelihood of improved housing affordability. Similarly, the bill's provisions designed to reduce environmental protection will benefit developers in the short term, with costs to the public and homeowners that cannot be calculated.

Members of the Committee and all Members of the Provincial Parliament will need to consider in whose interest they govern. Bill 23, as drafted, benefits private interests at the expense of public interests – at the expense of property taxpayers and Ontario's natural environment.

The submission recommends that certain provisions be removed or deferred pending focused consultation.

AMO's submission concludes with an appeal to the Government, noting that solutions to the housing crisis can be found in collaboration, cooperation, and innovation. It is time for Ontario to work with all of its housing partners toward advances in land use planning and an integrated approach to environmental, social and economic policy that allows Ontario to take its place ahead of competing jurisdictions.

Yours truly,



Colin Best
AMO President
Halton Regional Councillor

c. Ontario MPPs
AMO Board of Directors

Bill 23, More Homes Built Faster Act, 2022 and plan

AMO Submission to the Standing Committee on Heritage,
Infrastructure and Cultural Policy

November 16, 2022

Summary

The Association of Municipalities of Ontario (AMO) commends the government for recognizing it has a role to play in addressing the national housing crisis.

AMO and its member municipal governments have been sounding the alarm on housing affordability for years. That's why AMO released the "[Blueprint for Action: An Integrated Approach to Address the Ontario Housing Crisis](#)" in February 2022. It contains 55 recommendations for provincial action to address housing supply and housing affordability along with many other recommendations for the federal and municipal governments, and the development industry.

Municipalities are eager to increase the supply of housing, especially housing options that have been historically ignored by the development industry.

Bill 23 includes several important provisions that will advance provincial and municipal housing supply goals including gentle density and increased capacity at the Ontario Land Tribunal. AMO supports those elements of the Bill as they reflect current municipal planning practice innovations and ideas advanced by the municipal sector and others committed to improving housing supply and affordability.

AMO also supports elements of the Plan that address much needed provincial action to address the gaps in provincial services that limit growth, such as access to schools.

AMO looks forward to working with the government's new Housing Supply Action Plan Implementation Team on measures intended to improve housing supply and affordability.

Provisions of the bill that advance and modernize Ontario's land use planning framework are supported. Those that turn back the clock on planning, access to affordable housing, environmental protection, green building practices, and sustainable infrastructure financing are not supported and should be removed from the Bill or deferred pending focused consultation.

Current residents and businesses, the next generation of homeowners and renters, and the hundreds of thousands of newcomers who will make Ontario home will demand livable and safe communities with adequate amenities and a healthy and sustainable environment in which to thrive and prosper. That is not the future that Bill 23 will provide.

The province has offered no evidence that the radical elements of the bill will improve housing affordability. It is more likely that the bill will enhance the profitability of the development industry at the expense of taxpayers and the natural environment.

This submission outlines key areas of concern and recommends that a number of provisions should be removed, including those that shift the costs of growth to property taxpayers; those that undermine good planning practices and community livability; and those that increase risks to human and environmental health.

Key Areas of Concern

Many of the proposed changes under Bill 23 create more problems than they solve, and will negatively impact housing affordability across Ontario for three reasons:

1. The bill proposes changes to infrastructure financing that would shift costs from developers to municipalities based on a faulty assumption that savings will be passed on to new homeowners and renters, (i.e., that house prices are determined by the cost of inputs rather than market forces). Unless fully offset with a new source of municipal infrastructure funding, this departure from the principle that growth pays for growth will result in property tax increases and service reductions. Preliminary analysis indicates that Bill 23, if enacted, would reduce the municipal resources available to service new developments by more than \$5.1 billion over the next 9 years. This estimate includes a reduction of over \$400 million for community housing during the same period.
2. By making changes to municipal governance and municipal planning approvals, the legislative proposals strip municipalities of the tools required to manage growth deliberately and responsibly, with potentially negative impacts for the liveability of Ontario's communities.
3. The legislation will create serious risks to the environment and human health at a time when the impacts of climate change are evident and urgent. The proposed changes to how municipalities approve development and manage where and how growth occurs signal a move away from environmental protection when it is needed most.

1. Shifting the Cost Burden of Growth

DEVELOPMENT CHARGES

Development charges are designed to help municipalities pay for a portion of the capital infrastructure required to support new growth. Premised on the widely accepted principle that growth should pay for growth, development charges help to ensure that existing taxpayers are not required to subsidize costs of the infrastructure or services needed to support new residents and businesses.

Bill 23 proposes a suite of changes to the *Development Charges Act*, that will shift the cost of growth onto municipalities and property taxpayers including, but not limited to:

- Removing housing services from the list of eligible development charge services
- Excluding the cost of studies and cost to acquire land for specific services from eligible costs that can be recouped by development charges
- Reducing development charges on rental housing, based on the number of bedrooms
- Requiring a mandatory 5-year phase in of development charge rates for by-laws approved after June 1, 2022
- Exempting development charges for affordable housing, attainable residential units, non-profit housing developments and inclusionary zoning residential units
- Increasing the historic service level standard period from 10 to 15 years.

The Housing Supply Action Plan sets the ambitious target of building 1.5 million homes by 2031, with 1.23 million in Ontario's 29 largest communities. If Bill 23 passes, AMO estimates that development charges in these communities will drop by at least \$5.1 billion – or \$569 million per year in today's dollars. This includes revenue losses from the following sources:

- Ineligibility of the cost of studies: \$117 million
- Ineligibility of the cost of housing services: \$426 million
- Discounts for rental units: \$1,189 million
- Exemptions for affordable units: \$3,385 million

This preliminary estimate only partially accounts for the impact of Bill 23, as tight timelines have meant AMO is unable to estimate revenue losses resulting from significant elements such as the mandatory phase-in of development charges, the ineligibility of the value of land, or the extension of the service level standard period from 10 to 15 years. When taken together, these factors could put the cost of Bill 23 for municipal taxpayers at closer to \$1 billion annually.

While AMO supports the province's stated housing objectives, changes that shift the burden of cost from developers to taxpayers, including low-income taxpayers, cannot be supported. The proposed changes will significantly impact how municipal governments fund growth, resulting either in significant increases to property taxes or cuts to existing services and a loss of frontline workers.

Without evidence that the province will fully offset the cost of Bill 23 provisions that shift costs from the development industry to municipalities, these radical changes should be deleted from the Bill including the entirety of Schedule 3.

AMO has [called upon the province](#) to provide major infrastructure funding to support the government's housing supply goals as set out in Bill 23. If the government wants to increase the supply of housing in Ontario, it will need to make a major investment in municipal infrastructure and it has the means to do so.

PARKLAND DEDICATION

Parkland dedication levies exist to ensure that municipal park systems grow alongside other community developments. Increasing the supply and mix of housing is an important goal that we all share, however, sufficient access to parks and greenspace cannot be overlooked as we try to create meaningful alternatives to single-family dwellings.

Bill 23 proposes changes that will reduce a municipality's ability to provide for local parks, negatively impacting the function and enjoyment of our communities with a number of changes, including but not limited to:

- Capping the amount of land or equivalent value at 10% or 15% for sites under or over 5 ha, respectively
- Reducing the maximum alternative dedication rate (high density development) to 1 ha/600 units for land and 1 ha/1000 units for cash in lieu
- Allowing encumbered land and privately owned publicly accessible spaces to be eligible for parkland credits.

Bill 23, as proposed, will reduce the amount of quality, safe, accessible parkland available to these growing communities and cost municipalities even more money. These provisions should be removed from the bill.

IMPACT ON HOUSING SERVICES

Changes in Bill 23 also limit the tools available to municipalities to support homeless and underhoused people and families, some of the most vulnerable people in our communities. Currently, municipal governments can include housing services in their development charge fees, which are then used to improve and increase the community housing facilities municipalities operate.

According to provincial Financial Information Return data, from 2015 to 2019, municipalities collected nearly \$150 million for housing services. Should this Bill pass unamended, that funding will no longer be available to support housing services for vulnerable populations. Unless fully offset with new provincial funding, these provisions contradict the government's goal of improving housing and addressing homelessness.

2. Undermining Planning and Community Livability

Provincial statutes and policies are implemented locally through municipal official plans and land use control instruments. Lower and upper-tier municipalities collaborate extensively on managing local planning policy matters, with upper-tier municipalities often responsible for coordinating and managing infrastructure servicing and planning.

Bill 23 fundamentally alters the municipal role and responsibilities in planning by proposing a suite of changes to the *Municipal Act*, *Planning Act*, *Heritage Act*, *Ontario Land Tribunal Act*, and *Conservation Authorities Act* that limit municipalities' ability to manage growth in a holistic and efficient way that reflects local realities. These include, but are not limited to:

- Reducing or eliminating the planning roles of some upper-tier municipalities
- Limiting local powers regarding the demolition and conversion of residential rental properties
- Proposing new rules around heritage properties
- Limiting third-party appeals to the OLT of official plans and amendments, zoning by-laws and amendments, consents, and minor variances
- Changing existing zoning by-laws to allow up to 3 residential units per lot "as of right," with no local ability to regulate minimum dwelling size or parking requirements beyond 1 space/unit
- Exempting developments under 10 units from the site plan control process
- Repealing certain provisions respecting public meetings for draft plan of subdivision.

REGIONAL/COUNTY PLANNING

The significant restrictions to the roles of some upper-tier municipalities breaks the logical link between planning for development and servicing development. These changes may lead to uncoordinated and inefficient growth with the potential for higher infrastructure costs. It also risks building housing without access to coordinated services, amenities and essential infrastructure.

Supporting rapid growth efficiently requires a high degree of coordination. This coordination ensures that investments made today can leverage future growth and that assets can be managed for maximum performance. Upper-tier municipalities do this currently by coordinating local plan alignment and managing servicing for maximum effect. Breaking this link is counterintuitive and will lead to inefficiency, confusion and potential gaps in the infrastructure required to support local growth.

Bill 23 should be amended to restore the growth management planning function for the seven named upper-tier municipalities. Consideration must be given to how lower-tier municipalities will be able to pay for the costs and build capacity associated with bringing upper-tier municipality and conservation authority expertise in-house.

DEVELOPMENT APPROVALS PROCESS

The elimination of public meetings for approval of a draft plan of a subdivision and the exemption of site plan control requirements for projects with fewer than 10 residential units will impact the ability for municipalities and the public to bring up substantial issues with planning proposals. Small, rural and remote communities will be particularly impacted by the restrictions on projects with fewer than 10 residential units given the typical scale of development in these communities.

When considered in isolation, these changes may seem to improve the process, but the cumulative impact of less public consultation, limiting third-party appeal rights, and the steep reduction of regional coordination and service planning will significantly and negatively impact how municipal governments conduct land use planning. The government should refer these provisions of the Bill to its Housing Supply Action Plan Implementation Team before they are passed into law.

3. Exacerbating Risks to the Environment and Human Health

Across the province, municipalities work closely with 36 Conservation Authorities (CAs). Those that are covered by CAs rely on their expertise to undertake watershed-based programs to protect people and property from flooding and other natural hazards, and to conserve and protect natural resources for their economic, social, and environmental benefits.

Healthy, well-connected ecosystems serve as valuable green infrastructure that provide essential services to residents (e.g., stormwater retention) and can be difficult and costly to replicate with traditional built infrastructure. Ontario's natural environment does not recognize municipal boundaries and municipalities are not well suited to monitor and evaluate ecological functions. Municipalities do not have a watershed-scale perspective that spans political boundaries and considers the impacts of changes in land use and climate change on the natural environment. As our communities grow, the demand for parkland and connected natural spaces will grow as well.

The proposed changes to the *Conservation Authorities Act* and the *Planning Act* under Bill 23 severely impact the ability of Conservation Authorities to work with municipalities to understand and mitigate environmental, human health and natural heritage risks by:

- Exempting some development from permits under the *Planning Act* where certain conditions are met
- Requiring CAs to issue permits for projects subject to a Community Infrastructure and Housing Accelerator and allowing the Minister to review/amend any conditions attached to those permits
- Prohibiting CAs and municipalities from entering Memorandums of Understanding for any program or service outside of matters relating to Mandatory Programs and Services
- Imposing limits on CA appeals of land use planning decisions to only matters with respect to natural hazard policies in provincial policy statements
- Enabling the Minister to direct a CA to maintain its fees charged for programs and services at current levels
- Eliminating the ability for municipalities to integrate their environmental green standards through site plan control.

AMO shares the concerns expressed by Conservation Ontario that the changes proposed in Bill 23 will not meet the goals for increasing housing supply and will instead increase the risks to life and property for Ontario residents. The diminished role of CAs could also lead to more development being located in natural hazards, higher costs as a result of property damage due to flooding or other climate change events, increased burden on municipal partners, and the decline of the ecosystem approach currently applied through the established integrated watershed management lens.

Municipalities have successfully relied on the benefits of a long-standing conservation authority partnership which has used local watershed science to guide decision-making. Bill 23 places new responsibilities on municipalities related to natural hazards and natural resources that they are unprepared for and under-resourced to take on.

As proposed, Bill 23 removes the ability for municipalities to shape the amount, location and type of green space in their communities through site plan control. Combined with the prohibition for municipalities to enter into a Memorandum of Understanding for CAs to deliver Category 2 and 3 municipal programs and services on behalf of the municipality will adversely impact municipal budgets and could increase the potential for delay and poorer environmental outcomes. If so, this will undo the significant recent progress to improve how CAs and municipalities work together.

AMO recommends that Schedule 2 of this bill be removed and that the productive Ministry-led Conservation Authority Working Group be re-established to consider appropriate changes to support the Housing Supply Action Plan without sacrificing the environment.

Conclusion

The assertion that the nationwide housing affordability crisis is the product of Ontario's land use planning and environmental protection framework, and municipalities slow to approve planning applications is objectively false.

For decades, Ontario's housing supply in high growth regions has been determined by developers and land speculators managing supply to optimize price, and those who view housing units as solely an investment. No one anticipated the massive shift in demand resulting from COVID-19.

Ontario's goal of an additional 1.5 million homes is laudable and probably achievable. Schemes designed to incentivize developers at the expense of property taxpayers and the natural environment will not get the job done. Previous governments have downloaded costs to municipalities and cut environmental protections to disastrous effect. At some point the bill will come due, and there will be a heavy price to pay.

Instead, the solutions can be found in collaboration, cooperation, and innovation. It is time for Ontario to work with all of its housing partners toward advances in land use planning and an integrated approach to environmental, social and economic policy that allows Ontario to take its place ahead of competing jurisdictions and to allow Ontario to maintain its status as a favoured destination for people and investment.

This is an excerpt from a larger document that the City of London submitted to the Premiers Office in response to Bill 23.

Strategic Priorities and Policy Committee

To: Chair and Members
Strategic Priorities and Policy Committee

From: Anna Lisa Barbon, Deputy City Manager, Finance Supports
Barry Card, Deputy City Manager, Legal Services
Scott Mathers, Deputy City Manager, Planning and Economic
Development

Subject: Bill 23, *More Homes Built Faster Act, 2022*, Information Report

Date: November 22, 2022

Recommendation

That, on the recommendation of the Deputy City Manager, Finance Supports, Deputy City Manager, Legal Services and Deputy City Manager, Planning and Economic Development, the following actions be taken with respect to Bill 23, the More Homes Built Faster Act, 2022:

- (a) This report, entitled "Bill 23, More Homes Built Faster Act, 2022 Information Report" **BE RECEIVED** for information.
- (b) That Council **ENDORSE** the position of calling on the Province to refer the proposed legislation to the Ontario Housing Supply Action Plan Implementation Team (HSAPIT) to allow the necessary time for a fulsome review to mitigate the potential of unintended consequences and to find solutions to improving housing affordability across the province that meet local needs; and
- (c) This report **BE FORWARDED**, with a cover letter, to the Minister of Municipal Affairs and Housing, Minister of Finance, Premier of Ontario and local MPs and MPPs.

IT BEING NOTED that as of November 18, 2022, Bill 23 had passed Second Reading and was being considered by the applicable Standing Committee and **IT BEING FURTHER NOTED** that Staff will report back to Council with any further information on legislative changes arising from this Bill.

2.3 Changes to the Conservation Authorities Act

Also included in Bill 23 are proposed changes to the *Conservation Authorities Act* that would significantly impact the role of the City's three conservation authorities: Upper Thames River Conservation Authority, Lower Thames River Conservation Authority, and the Kettle Creek Conservation Authority. A summary of details is provided below:

- Consolidate the 26 conservation authority regulations into one provincial regulation.
- Limit what Conservation Authorities are permitted to comment on as part of planning applications to keep their focus on natural hazards and flooding.
- Allow the Province by regulation to exempt development authorized under the *Planning Act* from conservation authority permits.
- No longer have authority to withhold a permit on the basis that an activity is likely to affect pollution or the conservation of land.
- Temporarily freeze Conservation Authority fees for development permits.

Implications

While the scope of Conservation Authorities' role in the development process would narrow, this should have a minimal impact on London's planning processes. Following direction from Council in June of 2021, the City and Upper Thames Region Conservation Authority have been working on a Development Memorandum of Understanding (DMOU). The document is intended to align the review between the two organizations on ecological, natural heritage and flooding matters, and would be consistent with the proposed legislation. City and Authority staff are continuing to meet regularly to work through aligning definitions, legislative and/or regulation changes and resourcing challenges.

The proposed changes could result in the City needing to take on a larger role with respect to Conservation Authority regulations for planning matters. The degree of impact remains unclear as the Act proposes to leave it to future regulations to detail the specifics. On October 25th, 2022, the Ministry of Natural Resources and Forestry posted a permitting consultation guide to the Environmental Registry of Ontario (ERO). This notes that an exemption regulation has not been proposed, but the Ministry is requesting initial feedback on how the exemption tool may be used in the future including any requirements or conditions that a municipality should be subject to.

The AMO submission to the Standing Committee on November 16, 2022, attached as Appendix A, identifies concerns related to risks to the environment and human health of the proposed legislation.

Staff will continue to monitor the proposals related to Conservation Authorities and report back to Council with any impacts to the City once these are better understood.

11.4) Chiefs of Ontario and First Nations Oppose Bill 23: More Homes Built Faster Act

Chiefs of Ontario and First Nations Oppose Bill 23: More Homes Built Faster Act

November 23rd, 2022|Categories: [Communications](#)

(Toronto, ON – November 23, 2022) The Chiefs of Ontario express their full support for First Nations Leadership in their opposition to Bill 23: More Homes Built Faster Act due to its clear violation of First Nations constitutionally protected, inherent and Treaty rights and its inevitable adverse environmental impacts on First Nations ancestral and traditional territories.

“The Government of Ontario’s tabling of Bill 23 is a blatant violation of First Nations’ inherent, domestic, and international rights over their ancestral and traditional territories,” said Ontario Regional Chief Glen Hare. “Bill 23 will inevitably harm Ontario’s environmental heritage and weaken land and water environmental protection.”

Tabled on October 24, 2022, Bill 23: More Homes Built Faster Act is the Government of Ontario’s latest omnibus bill that, if passed, will have detrimental impacts on nine different development and environment-related acts under the guise of addressing Ontario’s housing crisis.

“First Nations have been given no opportunity, nor the adequate capacity to be consulted regarding the tabling of Bill 23 and its significant changes to Ontario’s legislative and policy landscapes. It is deeply concerning to the Chiefs of Ontario that the mandate of the Indigenous Affairs Ontario (IAO) office, which is to ensure collaboration amongst ministries engaging and consulting with First Nations on policy and legislative changes, continues to be unfulfilled.

Unilateral legislative and administrative changes within Bill 23 without consultation or engagement with First Nations are unacceptable and an abuse of power. The unprecedented steps taken by the Government of Ontario violate existing Treaties, and their will to systemically sell off resources will have dire consequences for First Nations and future generations.

First Nations are not stakeholders; we are sovereign Nations and are entitled to proper consultation based on the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and mutual respect.

The Government of Ontario can no longer avoid its duty to consult with First Nations by delegating responsibilities and obligations to municipalities, developers, and project proponents. The government’s requests for after-the-fact commentary from First Nations regarding the conception of Bill 23 do not discharge the Crown’s duty to consult. To move forward, First Nations require a clear commitment from the Government of Ontario to honour its duty to consult and to honour, respect, and uphold First Nations’ inherent rights and jurisdiction.

The Chiefs of Ontario support First Nations Leadership and echo their opposition to Bill 23. I look forward to meeting with Premier Doug Ford, Greg Rickford, Minister of Indigenous Affairs, and other relevant ministers to discuss the impacts of Bill 23 and the value of protecting Ontario’s natural ecosystems, lands, and waters from irreversible losses and damage for our future generations.”

Ontario Regional Chief Glen Hare

12. Other Business

13. Adjournment
