

**North Bay-Mattawa Conservation Authority
Members Meeting for December 14, 2022
at 5:30pm IN PERSON
NBMCA's Natural Classroom, 15 Janey Avenue, North Bay, Ontario
AGENDA**

Procedural Matters

1. Acknowledgement of Indigenous Traditional and Treaty Lands
2. Approval of the Agenda
3. Declaration of Pecuniary Interest
4. Adoption of Previous Minutes from October 26, 2022
5. Correspondence

Written Reports

6. Section 28 Permits Report (**Appendix #1**)
7. Bill 23 and Conservation Authorities Act (**Appendix #2**)
8. Preliminary Capital Budget 2023 (**Appendix #3**)
9. Per diems Update Report (**Appendix #4**)
10. 2023 Board Meetings and Office Closures Dates (**Appendix #5**)
11. CAO's Report (**Appendix #6**)

Other Business

12. New Business
13. Adjournment

A light meal, some festive treats and refreshments will be served afterwards

NORTH BAY-MATTAWA CONSERVATION AUTHORITY
MINUTES
of the

ELEVENTH meeting of the North Bay-Mattawa Conservation Authority held as an in person meeting at 5:30p.m. on December 14, 2022 in the NBMCA’s Natural Classroom, 15 Janey Avenue, North Bay, Ontario.

MEMBERS PRESENT:

Bonfield, Township of	-	Steve Featherstone
Callander, Municipality of	-	Irene Smit
Calvin, Township of	-	Bill Moreton
Chisholm, Township of	-	Nunzio Scarfone
East Ferris, Municipality of	-	Rick Champagne
Mattawan, Municipality of	-	Michelle Lahaye
North Bay, City of	-	Peter Chirico
North Bay, City of	-	Justine Mallah
North Bay, City of	-	Lana Mitchell
Papineau–Cameron, Township of	-	Shelley Belanger
Powassan, Municipality of	-	Dave Britton (Chair)

MEMBERS ABSENT:

Mattawa, Town of	-	Loren Mick
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OTHERS PRESENT:

Adam Whyte, Supervisor, Maintenance
Amanda Savage, Inspector, On-Site Sewage Systems
Brianna Dumas, OSS Planning and Development Technician
Chitra Gowda, CAO, Secretary-Treasurer
David Ellingwood, Supervisor, Source Water Protection
Helen Cunningham, Manager, Finance & Human Resources
Layne Duquette, Lead Hand
Paula Scott, Director, Planning & Development/Deputy CAO
Rebecca Morrow, Administrative Coordinator
Sasha Fredette, Area Supervisor, On-Site Sewage Systems (North Bay)
Shawn Kozmick, GIS Specialist
Tara Michauville, Inspector, Mandatory Maintenance Inspections
Valerie Murphy, Regulations Officer

1. Acknowledgement of Indigenous Traditional and Treaty Lands

The Chair welcomed everyone to the meeting and called for introductions of members and staff. After introductions the meeting was called to order at 5:30pm. The Chair invited Rebecca Morrow to read the Acknowledgment for Indigenous and Treaty Lands.

2. Approval of the Agenda

Regrets were received on behalf of Loren Mick. The following resolution was presented:

Resolution No. 102-22, Lahaye-Smit

THAT the agenda be approved as presented.

Carried Unanimously

3. Declaration of Pecuniary Interest

None declared.

4. Adoption of Previous Minutes from October 26, 2022

After discussion, the following resolution was presented:

Resolution No. 103-22, Belanger-Lahaye

THAT the minutes from the meeting held on October 26, 2022 are adopted as presented.

Carried Unanimously

5. Correspondence

None received.

6. Section 28 Permits Report

Chitra Gowda invited Valerie Murphy to present her DIA written report. After discussion the members thanked Valerie, and the following resolution was presented:

Resolution No. 104-22, Champagne-Chirico

THAT the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Permits and Year-end Reporting on Timelines member's report is received and appended to the minutes of this meeting.

Carried Unanimously

7. Bill 23 and Conservation Authorities Act

Chitra Gowda, Valerie Murphy and Paula Scott presented on Bill 23 and the Conservation Authorities Act. Michelle Lahaye asked if a resolution could be sent to the Provincial Government regarding crown land. It was decided to bring this item forward to the January 2023 meeting. After further discussion, questions and answers the following resolution was presented:

Resolution No. 105-22, Chirico-Mitchell

THAT the members receive and accept the member's Report and that it be appended to the minutes of the meeting;

AND THAT the comments presented in the member's Report be revised as discussed at the members' meeting and submitted through the public consultation process.

Carried Unanimously

8. Preliminary Capital Budget 2023

Chitra Gowda presented on the preliminary capital budget 2023 including the rising large costs of maintaining the main office building and replacing/repairing CA owned ski hill assets. Irene Smit asked about timelines for the NBMCA budget 2023. Chitra explained that the Executive Committee (to be formed at the January 2023 meeting) would meet to review budget scenario information from staff, in time for the February 2023 meeting. The members directed staff to obtain a written agreement to reserve rental pumps for use at the Parks Creek backflood control structure.

Justine Mallah suggested that a letter or resolution regarding the homelessness encampment issue be sent to the federal and provincial governments. Chair Britton deferred this item to the January 2023 meeting, and asked staff to work with Justine on drafting the resolution to bring forward to the January 2023 meeting. After further discussion, the following resolutions was presented:

Resolution No. 106-22, Smit-Moreton

THAT the members receive and accept the member's Report and that it be appended to the minutes of the meeting;

AND THAT staff prepare a draft 2023 Budget for consideration by the Executive Committee and Board of Directors guided by the projections as outlined.

Carried Unanimously

9. Per diems Update Report

Chitra Gowda presented on per diems update. After discussion and clarification on past practice, the members directed staff to add the updated per diem and honorarium amounts in the Administrative By-Laws. Further, members directed staff to update the By-Laws for the timing of appointments, giving due consideration to recent changes to the Municipal Act affecting membership terms. Chitra noted that an updated Administrative By-law would be presented to members in January 2023. The Chair then appointed Shelley Belanger to act as Chair for the purpose of this resolution only, and the Chair abstained from voting. The following resolution was presented:

Resolution No. 107-22, Lahaye-Smit

THAT the members receive and accept the member's Report and that it be appended to the minutes of the meeting; AND

THAT the Board of Directors approve a per diem amount (for regularly scheduled board and for Executive Committee meetings) of \$40 for members and \$60 for the Chair effective January 1, 2023, with one per diem allowance per day and \$0.61/km; AND

THAT the Board of Directors approve an amount of \$100 for each special-circumstances meeting (capped at a total of \$1,500 per year) for the Chair effective January 1, 2023, and; AND

THAT the Board of Directors approve an honorarium of \$2,500 for the Chair for their work in 2022.

Carried

10. 2023 Board Meetings and Office Closure Dates

Chitra Gowda presented the report for the upcoming 2023 Members meetings and office closure schedule. After discussion, members decided that the NBMCA Board meeting time be 3:00pm, and the following resolution was presented:

Resolution No. 108-22, Smit-Moreton

THAT the NBMCA Members set the meeting schedule and office closure dates for 2023 as listed in this Report and that Staff are directed to make the necessary arrangements to schedule meetings for the recommended 3:00pm start time, dates and times; AND

THAT this Board Report is received and appended to the minutes of this meeting.

Carried Unanimously

11. CAO's Report

Chitra Gowda presented the CAO's report. After discussion, the members thanked Chitra for her report and the following resolution was presented:

Resolution No. 109-22, Chirico-Smit

THAT the members receive and accept the member's Report and that it be appended to the minutes of the meeting.

Carried Unanimously

12. New Business

There was no new business.

13. Adjournment (7:33 p.m.)

As there was new business, the following resolution was presented:

Resolution No. 110-22, Champagne-Chirico

THAT the meeting be adjourned, and the next meeting be held at 3:00 pm Wednesday January 25, 2023 in a format to be decided or at the call of the Chair.

Carried Unanimously



Dave Britton, Chair



Chitra Gowda,
Chief Administrative Officer, Secretary Treasurer

TO: The Chairperson and Members
of the Board of Directors,
North Bay-Mattawa Conservation Authority

**Appendix #1
12-14-2022**

ORIGIN: Valerie Murphy, Regulations Officer

DATE: November 28, 2022

SUBJECT: Report on Development, Interference with Wetlands and Alterations to Shorelines
and Watercourses Permits and Year-end Reporting on Timelines

Background:

Section 28 of the *Conservation Authorities Act*, and subsequently Ontario Regulation 97/04 empowers each Conservation Authority to establish their own regulation to prevent the loss of life and property due to flooding and erosion, and to conserve and enhance natural resources. On May 4, 2006, the North Bay-Mattawa Conservation Authority (NBMCA) received its regulation entitled the Development, Interference with Wetlands, and Alterations to Shorelines and Watercourse Regulation (Ontario Regulation 177/06). This regulation will continue to be used as the tool by which the NBMCA manages issues related to development in natural hazard areas including areas with floodplains, wetlands, and steep slopes. Within this regulation, a permit may be given by an Authority for development applications within the Authority's jurisdiction for:

28(1)(b) prohibiting, regulating or requiring permission of the authority for straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse, or for changing or interfering in any way with a wetland;

28(1)(c) prohibiting, regulating, or requiring the permission of the authority for development if, in the opinion of the authority, the control of flooding, erosion, dynamic beaches or pollution or the conservation of land may be affected by the development (Conservation Authorities Act, R.S.O. 1990, Chapter C.27).

On February 8, 2013, the amended Ontario Regulation 177/06 came into effect. These amendments were approved by the NBMCA Board of Directors on December 19, 2012. One of the amendments that was included, and which was approved by the NBMCA Board of Directors, included the delegation of approvals of permit applications to the following designated employees:

- Chief Administrative Officer, Secretary-Treasurer
- Director, Planning & Development

As such, this Board Report is being presented to the NBMCA Board of Directors for information purposes.

Analysis:

A. Report on Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Permits

Nine new permits have been issued by the Conservation Authority since the previously approved minutes as per the policies, procedures, and guidelines of the NBMCA under Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation. A **table** summarizing the details of these permits is attached to this report.

Of the newly issued permits, two have been issued for the site preparation and construction of new single-family dwellings and two for the construction of detached garages. One permit has been issued for each of the following activities: dredging a marina, construction of a new subdivision, installation of a new driveway culvert, construction of a new sportsplex and maintenance work to existing pipeline infrastructure.

B. Year-end Reporting on Timelines

In April 2019, Conservation Ontario (CO) endorsed the CO Client Service and Streamlining Initiative. This initiative identifies actions to be taken by CAs, in order to help the Province achieve its objective of increasing housing supply while protecting public health and safety, and the environment. These actions included increasing the speed of approvals.

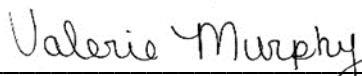
As a part of the commitment to improve client service and accountability and increase the speed of approvals CO has created the Client Service Standards for Conservation Authority Plan and Permit Review guideline. This guideline recommends new service standards for Section 28 approvals (DIA permits). CAs have been asked to report at least annually to the Board of Directors on the timelines of their approvals under Section 28 of the Conservation Authorities Act. A **table** summarizing the details of these timelines is attached to this report.

Recommendation:

THAT the members receive and approve the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Permits and Year-end Reporting on Timelines reports as presented.

Recommended Resolution:

THAT the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Permits and Year-end Reporting on Timelines member's report is received and appended to the minutes of this meeting.



Valerie Murphy, Regulations Officer

A. DEVELOPMENT, INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND WATERCOURSES

FOR NBMCA BOARD INFORMATION ON: November 28, 2022

PERMIT YEAR: 2022

File No.	Name of Applicant	Municipality	Legal Description/ Address	Name of Regulated Feature	Nature of Work	Date Complete Application Received	Development, Interference with Wetlands and Alterations to Shorelines and Watercourses
							Permit No./Date of Issuance
RNB-22-05	Mark Truchon	North Bay	264 Birchs Road	Jessups Creek and unevaluated wetland	To construct a garage	October 6, 2022	#110-22 October 12, 2022
RCALL-22-16	Stuart Murray	Callander	350 Greenwood Road	Callander Bay	Dredge marina	October 12, 2022	#111-22 October 14, 2022
REF-22-22	Braden Shuman	East Ferris	1376 Highway 94	Unevaluated wetland and slope	Construct new single-family dwelling	October 18, 2022	#112-22 October 21, 2022
REF-22-23	Robert Chaterpaul	East Ferris	16 Pargeter	Valley/slope of Lake Nosbonsing	To construct a detached garage	October 21, 2022	#113-22 October 26, 2022
RNB-22-55	Intrigo Holdings Ltd	North Bay	Bunting Ave	Unevaluated wetland	To grade, prepare site and construct new dwellings	October 20, 2022	#114-22 October 26, 2022

DEVELOPMENT, INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND WATERCOURSES

FOR NBMCA BOARD INFORMATION ON: November 28, 2022

PERMIT YEAR: 2022

RNB-22-56	Craig Propp	North Bay	24 Kenreta	Escarpment	To place fill, grade and construct new single-family dwelling	October 25, 2022	#115-22 October 26, 2022
RNB-22-58	Anne Thomas	North Bay	75 Hillside Lake Road	Unnamed watercourse	To place fill for driveway and install culvert	October 25, 2022	#116-22 November 2, 2022
RNB-22-59	Canadore College c/o Shawn Chorney	North Bay	60 Commerce Crescent	Johnson Creek	To construct a new sportsplex	October 31, 2022	#117-22 November 7, 2022
RNB-22-60	TransCanada PipeLines c/o Nathan Babichuk	North Bay	TCPL right-of-way off Highway 11 North	Unevaluated wetland	Routing maintenance for cathodic protection	November 15, 2022	#118-22 November 25, 2022

**B. North Bay-Mattawa Conservation Authority Annual Reporting on Timelines
Year-end Report January 1, 2022 to November 28, 2022**

The following is a summary of the permits issued in the 2022 permitting year from January 1 to November 28, 2022 and how they fit into the previous Policy and Procedure Timelines and the new Conservation Ontario (CO) Guideline Timelines for Conservation Authorities (CAs).

NBMCA considers projects under one of four categories of projects. The categories take into account the size, scope and impacts of the proposal on natural hazards and the landscape. They are: Major, Large, Standard and Small Projects.

Generally, Major and Large Projects involve significant staff involvement and require more complex technical reviews and supporting reports, such as engineering reports or environmental impact studies. This would fall under the Annual Reporting on Timelines - Major applications category.

NBMCA’s standard project category generally covers projects with a lower level of risk, not typically within the hazard but within the allowance and impacts to the hazard are small. This would fall under the Annual Reporting on Timelines - Minor applications category.

The Small Project category covers activities that are very minor in nature and would have limited impact on the hazard. This would fall under the Annual Reporting on Timelines - Routine category.

January 1 to November 28, 2022

Summary of all Section 28 Permits in Area of Jurisdiction of North Bay-Mattawa Conservation Authority

The following table summarizes all Section 28 permits issued since January 1, 2022 through to November 28, 2022.

Conservation Authority	Number of Permits Issued Within Policy and Procedure timeline		Number of Permits Issued Outside of Policy and Procedure Timeline		Reason for Variance from Policy and Procedure (Optional)				
	Major	Minor	Major	Minor	Major	Minor			
North Bay-Mattawa Conservation Authority	28	90	0	0					
Conservation Authority	Number of Permits Issued Within CO Guideline timeline			Number of Permits Issued Outside of CO Guideline timeline			Reasons for Variance from Guidelines (Optional)		
	Major	Minor	Routine	Major	Minor	Routine	Major	Minor	Routine
	22	26	66	1	0	3			

A total of 118 permits have been issued since January 1, 2022. The majority of the permits have been issued within the CO Guidelines. Four permits were not issued within the specified guidelines. Of those four permits, the three routine permits not meeting the guidelines were issued 1 day after the required timeline due to office scheduling during the Covid-19 pandemic or due to a prolonged absence from the office due to scheduled vacation. The major permit issued outside the specified timeline was due to the scale and scope of the project requiring additional time required to review supplemental application materials relating to development within a floodplain and bringing the permit for Board approval.

Recommended CO Timelines for High Growth CAs

Follow-up from pre-consultation meeting:

Major permit applications: within 14 days of pre-consultation meeting.

Minor permit applications: within 7 days of the pre-consultation meeting.

This will include confirmation of whether the application is considered major or minor, if the application is complete.

Confirmation that the application has been received and deemed complete or incomplete:

Major permit applications: within 21 days of the application being received.

Minor permit applications: within 14 days of the application being received.

Routine permit applications: within 10 days of the application being received.

Completed review and issuance of DIA permit:

Major permit applications: within 28 days of receiving completed application.

Minor permit applications: within 21 days of receiving completed application.

Routine permit applications: within 14 days of receiving completed application.

TO: The Chairperson and Members
of the Board of Directors,
North Bay-Mattawa Conservation Authority

ORIGIN: Chitra Gowda, Chief Administrative Officer, Secretary Treasurer

DATE: December 14, 2022

SUBJECT: Bill 23 and Conservation Authorities Act

Background:

On October 25, 2022 the Province introduced Bill 23: “More Homes Built Faster Act, 2022” with the intent to support increasing housing supply, affordability, and improvements to process to facilitate timely approvals. A slide deck providing an overview of the proposed changes was developed by the CAO and sent to members on October 30, 2022 for their information. Staff participated in information webinars hosted by Conservation Ontario and provincial government.

Public consultation materials were posted by the province on their online Environmental Registry of Ontario and other consultation websites. Staff prepared draft comments for the review of the board at its November 23, 2022 meeting. However, that meeting was cancelled due to the timing of appointments of members to the NBMCA Board of Directors. Comments on Bill 23 that were due on or before the Board’s December 14, 2022 meeting date were therefore not submitted.

On November 28, 2022, Bill 23 received Royal Assent. The result is legislative and regulatory changes to a number of Acts, including the **Conservation Authorities Act and Planning Act**. The purpose of this report is to highlight the changes and resulting impacts to NBMCA programs and services. The report also presents draft comments for review by Board Members prior to submission to the province.

Analysis:

The North Bay-Mattawa Conservation Authority (NBMCA) staff support the goal of increasing affordable housing supply. Our programs and services support safe development alongside watershed management and economic growth by taking a coordinated, collaborative and balanced approach. NBMCA will continue our positive working relationship with the province.

Staff reviewed the changes as follows. There are four key areas of amendments as a result of Bill 23:

- Section 28 Permits
- CA Role in Plan Input and Review
- Freezing of CA Fees
- Conservation Lands.

Other relevant changes include those made to the Ontario Wetland Evaluation System.

The changes to the CA Act come into effect on:

- the day of Royal Assent of Bill 23, i.e. November 28, 2022; or
- January 1, 2023; or
- a day to be named by proclamation of the Lieutenant Governor.

The timelines for key changes are summarized in the table below. Note that the table is not an exhaustive list of the changes.

Bill 23 and CA Act Section Change	Date of Effect	Description of Change
Definitions		
Definition of Minister (Bill 23 Schedule 2, s. 1) CA Act s.1	November 28, 2022	“Minister” means the Minister of Natural Resources and Forestry, or such other member of the Executive Council as may be assigned the administration of this Act under the Executive Council Act.
Ontario Regulation 177/06		
A single regulation for all 36 Authorities in the province for the regulation of development, interference with wetlands and alterations to shorelines and watercourses	On a day to be named by proclamation of the Lieutenant Governor	One consolidated regulation for all 36 CAs. <i>Background:</i> O. Reg. 177/06 is for NBMCA. The current flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the NBMCA jurisdiction are the Timmins Flood Event Standard, the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1 of O. Reg. 177/06.
Section 28 Related		
“Regulation of Areas over which Authorities have Jurisdiction” CA Act s. 28	On a day to be named by proclamation of the Lieutenant Governor	Multiple changes (slide deck to be presented at Dec. 14, 2022 NBMCA Board meeting)
Minister’s Zoning Order (MZO) and Community Infrastructure and Housing Accelerator (CIHA) CA Act s. 28.0.1 (Bill 23 Schedule 2, s. 8)	November 28, 2022	CAs are required to issue permit for Community Infrastructure and Housing Accelerator (CIHA) orders under the Planning Act, in the same manner as Minister’s Zoning Orders (MZOs).
Exceptions related to Planning Act (certain development activities and areas of municipalities) CA Act s. 28 (4.1) and (4.3) (Bill 23 Schedule 7 s.2 (4.1))	On a day to be named by proclamation of the Lieutenant Governor	S. 28 permits may not be required (where Planning Act related approvals are given) for certain developmental activities in certain municipalities.
Plan Input and Review		
Prohibition on municipal services related to reviewing and commenting under prescribed acts CA Act s. 21.1.1 (1.1) [Bill 23 Schedule 2, s. 3, 4, 14 (3)]	January 1, 2023. Minister’s Regulation required for Prescribed Acts at a later date	Scope conservation authorities’ review and commenting role to focus on natural hazards, with respect to development applications and land use planning policies under prescribed Acts

Bill 23 and CA Act Section Change	Date of Effect	Description of Change
Limit CA appeals as a public body Planning Act – Section 1 (Bill 23 Schedule 9 s. 4)	On a day to be named by proclamation of the Lieutenant Governor	
Disposition and leasing of CA lands		
Process changes for disposition and leasing of CA lands CA Act s. 21 (1) (c) 21.1.1 (1) 21.1.2 (1) (Bill 23 Schedule 2, s.2-4)	January 1, 2023	Streamlines the process for a CA to sever and dispose of land; also simplifies the disposition process for lands acquired through provincial grants per S. 39 of the CA Act.
Freezing of Fees		
Minister’s direction to freeze fees CA Act s. 21.3 (1) (Bill 23 Schedule 2, s. 5)	This clause takes effect once there is a Minister’s Direction issued. The timeline is unknown.	Minister can direct CAs not to change fee amounts for a specified period, i.e. “freezing” of CA fees. NBMCA may not be able to recover costs of administering and delivering Programs including Section 28 Permits. We won’t be able to implement the Board’s direction to annually increase the Programs fees at a rate of inflation based on the Consumer Price Index.
Section 24 (Section 39 grant-funded projects)		
Minister’s power to impose terms and conditions on “project of authority” under s. 24 of the CA Act CA Act s. 24 (Bill 23 Schedule 2, ss. 6(1))	January 1, 2023	The Minister may impose terms and conditions on an approval of a project funded by a CA Act S. 39 grant. <i>Background:</i> Per CA Act S. 39, grants may be provided by the provincial government to the CA (typically for flood forecasting and warning etc.). CA Act S. 24 indicates that CAs should file plans and a description with the Minister and obtain their approval in writing, before proceeding with a project funded by a S. 39 grant.

The **attachment** to this report provides staff’s draft comments for submission to the provincial government, after discussion by the NBMCA Board of Directors at their December 14, 2022 meeting.

Recommendation:

That the staff’s proposed comments be reviewed and revised if necessary based on discussions of the members, and then submitted through the public consultation process.

Recommended Resolution:

THAT the members receive and accept the member’s Report and that it be appended to the minutes of the meeting;

AND THAT the comments presented in the member’s Report be revised as discussed at the members’ meeting and submitted through the public consultation process.

Chitra Gowda

Chitra Gowda

Chief Administrative Officer, Secretary Treasurer

Paula Scott

Paula Scott

Director, Planning & Development/Deputy CAO

Valerie Murphy

Valerie Murphy

Regulations Officer

**North Bay-Mattawa Conservation Authority (NBMCA) Draft Comments
On Environmental Registry of Ontario Posting 019-2927**

“Proposed updates to the regulation of development for the protection of people and property from natural hazards in Ontario” <https://ero.ontario.ca/notice/019-2927> (Deadline for comments: Dec. 30, 2022)

The following Draft Comments are in response to the proposed updates to the regulation of development for the protection of people and property from natural hazards in Ontario. As a part of the Housing Supply Action Plan, the government is proposing to streamline approvals under the Conservation Authorities Act to focus on natural hazards and help meet Ontario’s housing supply needs. The proposed regulation would focus permitting decisions on matters related to the control of flooding and other natural hazards and the protection of people and property.

General draft comment: We recommend that Conservation Authorities Working Group (CAWG) continue to work with the province and other stakeholders. NBMCA participated as a member on the CAWG. NBMCA looks forward to working positively with the province.

1. Proposal: Consolidate the various natural hazard regulations across all 36 conservation authorities (CAs) into one regulation.

Information/Analysis:

- Each CA has unique characteristics and standards that will need to be addressed and accounted for in the consolidated Regulation.

Draft Comment:

- We recognize this may help provide a more consistent approach across all 36 CAs in regulating natural hazards. However, the consolidated Regulation should be flexible so as to consider and incorporate local watershed conditions, such as differing regulatory flood standards. Within the NBMCA jurisdiction, the current flood event standards used to determine the maximum susceptibility to flooding of lands or areas are the Timmins Flood Event Standard, the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush (described in Schedule 1 of O. Reg. 177/06).

2. Proposal: Update definition of “watercourse” from “an identifiable depression in the ground in which a flow of water regularly or continuously occurs” to “a defined channel having a bed and banks and sides, in which a flow of water regularly or continuously flows”.

Information/Analysis:

- New definition leaves room for interpretation as to what a bed and bank are defined as.
- Mapping to be updated to reflect the change in the watercourses that may or may not be regulated.
- Staff time will be spent assessing a site to determine if a watercourse meets the updated definition. This time spent will not be compensated if watercourse no longer meets the definition.
- Areas of seasonal flow may cause drainage impacts on upstream properties.

Draft Comment:

- Clarity and guidance on the definition of bed and bank should be provided to ensure consistency across all CAs.
- Allow for CAs to create Best Management Practices factsheet to share with property owners and contractors when dealing with drainage.

3. Proposal: Update the regulated buffer around wetlands to 30 metres for all wetlands, now 120 m for Provincially Significant Wetlands.

Information/Analysis:

- Update to mapping to accurately reflect extent of regulated area will take time.

Draft Comment:

- Adequate time should be provided for map updates.

4. Proposal: Streamline approvals for low-risk activities, which may include exempting some activities from requiring permits if certain requirements or conditions can be met (i.e. register activity with CA).

Information/Analysis:

- The need for CAs to continue to play a role in the review and verification that a proposed development meets the criteria for low-risk activities will remain. This review may confirm a project does not require authorization, while work performed by CA staff will not be compensated.
- There remains to be areas on the landscape where hazards have not been mapped and/or identified. CA staff will still play a prominent role in these instances.
- Will terms and conditions of registration be set across all CAs or will CAs create their own?
- Work load associated with creating a registry, who is responsible?
- There will still be a level of follow-up on registered activities, for example if CA receives concerns or if concern related to registration conditions being met.

Draft Comment:

- Explore the option for a streamlined authorization within the CA where staff can complete a streamlined review based on the eligible activities (for example, where a desktop review can be completed and staff can sign-off on authorization).
- Reduced review timelines can be applied.

5. Proposal: Limit site-specific conditions that a CA may attach to a permit to matters dealing with natural hazards and public safety only.

Information/Analysis:

- This may limit a CA's ability to attach conditions related to sediment and erosion controls on a permit. CA is the first line of defence against the release of sediment into water features. Other regulatory agencies may not always be involved if work is not directly in the water. If a CA is unable to include conditions to address the release of sediment, other regulatory agencies will only become involved after a release has taken place and impact has occurred.

Draft Comment:

- Maintain the ability for CAs to include conditions on permits to address the risk of erosion and sedimentation into water features.

6. Proposal: Provide flexibility for a CA to Information/Analysis permits up to 60 months and Information/Analysis extensions as necessary.

Information/Analysis: none.

Draft Comment: This proposed change is supported.

7. Proposal: Require CAs to have service delivery standards.

Information/Analysis:

- Changes in some processes, however most CAs have already implemented or have been working on implementing these standards.

Draft Comment:

- None - NBMCA has developed delivery standards and can update as required.

**North Bay-Mattawa Conservation Authority (NBMCA) Draft Comments
On Environmental Registry of Ontario Posting 019-6141**

“Legislative and regulatory proposals affecting conservation authorities to support the Housing Supply Action Plan 3.0” <https://ero.ontario.ca/notice/019-6141> (Deadline for comments: Dec. 9, 2022)

General draft comment: We recommend that Conservation Authorities Working Group (CAWG) continue to work with the province and other stakeholders. NBMCA participated as a member on the CAWG. NBMCA looks forward to working positively with the province.

Part A: Proposed legislative changes for the protection of people and property from natural hazards:

1. Proposal: Enable the exemption of development authorized under the Planning Act from requiring a permit under the Conservation Authorities Act in municipalities set out in regulation, where certain conditions are met as set out in regulation.

Information/Analysis:

A new regulation-making ability has been introduced in the Conservation Authorities Act to enable exemptions from natural hazard permits where Planning Act approvals are in place in select municipalities. In these cases, the province proposes to transfer some or all of conservation authority regulatory responsibilities to municipalities. This change would place new responsibilities on municipalities for natural hazards and natural resources that may lead to inefficiencies, uncertainties and delays in the development review process.

Draft Comment:

Development subject to Planning Act authorizations should not be exempt from requiring a conservation authority permit. CA regulations should not be delegated to municipalities, as good working relationships exist with CA staff providing local knowledge and expertise to member municipalities.

2. Proposal: Remove the terms "conservation of land" and "pollution" and add the term "unstable soils and bedrock" while also maintaining "flooding", "erosion", and "dynamic beaches" to the matters considered in permitting and related decisions.

Information/Analysis:

- Pollution test is used to manage/control sedimentation that results from development.
- Conservation of Land and Pollution do not have legal definitions in Act or regulation.
- Conservation of Land unofficial definition – the protection, management, or restoration of lands within the watershed ecosystem for the purpose of maintaining or enhancing the natural features and hydrologic and ecological functions within the watershed.

- NBMCA uses them as secondary tests and would not deny a permit solely based on those two tests, due to lack of legal definitions.
- The removal of these tests appears to be a tool to limit any natural heritage review/protection to occur through the CA permitting process.

Draft Comment:

The ability to control sedimentation from development in waterbodies should be retained in the permitting process, even if the proposal to remove the pollution test is finalized.

3. Proposal: Require CAs to issue permits for projects subject to a Community Infrastructure and Housing Accelerator (CIHA) order requested by a municipality under section 34.1 of the Planning Act and allow the Minister to review/amend any conditions to those permits or the Minister may limit the conditions a CA may include in permits for areas subject to a CIHA order.

Information/Analysis:

CAs may be required to issue permits regardless of impacts/risks from natural hazards, similar to requirements of Minister's Zoning Orders (MZOs). Could lead to increased liability for CAs as they are forced to issue a permit for development that may put people and property at risk from natural hazards.

Draft Comment:

CAs should be allowed to review and issue permits to appropriately address natural hazards for the protection of people and property.

4. Proposal: With regards to permits issued where a zoning order has been made under the Planning Act (under section 34.1 or 47):
 - extend the existing regulation making authority of the Minister to prescribe conditions on a permit issued by a conservation authority where there is a Minister's Zoning Order, to enable the Minister to also prescribe limits on what conditions a conservation authority may include,
 - specify that where the Minister has made a regulation allowing development to begin prior to an ecological compensation agreement being signed and has set a date by which it must be signed, the development may not continue if the agreement has not been reached within the time period outlined in regulation.

Information/Analysis:

NBMCA has not yet had Minister's Zoning Orders issued in our area of jurisdiction.

Draft Comment: None.

5. Proposal: Minor corrections and clarifications to ensure the Act is clearly written (removing "proposed" from provisions referring to permits that have already been issued; clarifying the definition of "development project")

Information/Analysis:

No concerns with minor corrections and clarification.

Draft Comment: None.

Part B: Focusing role in review of development proposals and applications (Draft Comments, appeals):

1. Proposal: Scope CA review/Draft Commenting role with respect to development applications and land use planning policies under prescribed Acts to matters set out in the Mandatory Programs and Services regulation (O. Reg. 686/21). Prescribe the following Acts under which a CA could not perform this review and Draft Commenting role as a "municipal" (Category 2) or "other" (Category 3) program or service:
 - The Aggregate Resources Act
 - The Condominium Act, 1998
 - The Drainage Act
 - The Endangered Species Act, 2007
 - The Environmental Assessment Act
 - The Environmental Protection Act
 - The Niagara Escarpment Planning and Development Act
 - The Ontario Heritage Act
 - The Ontario Water Resources Act
 - The Planning Act.

Information/Analysis:

This proposal would bar municipalities from entering into voluntary agreements with CAs for review and draft comment on development applications such as natural heritage and water resources plan review. This is an important existing role for many CAs, on behalf of municipalities, across the province.

- Limits municipalities' choice about who they hire, while the work still needs to be done.
- CAs have local knowledge and strong working relationships with municipalities.
- Municipalities that share services will now be required to each hire their own staff and/or separate consultants. Will result in more costs for same work and delays.
- Do consultants have the expertise and capacity to provide these services?
- Has the potential to reduce natural heritage protection on a broad scale.

Draft Comment:

Allow municipalities to enter into agreements with the CA, for continuity in our service in review and draft comment on development applications such as natural heritage and water resources plan review.

2. Proposal: Limit Conservation Authority appeals under the Planning Act

Information/Analysis:

The proposal limits CA appeals when acting as a public body, other than when acting as an applicant, of land use planning decisions under the Planning Act to matters related to natural hazards policies in provincial policy statements issued under the Planning Act. NBMCA has never appealed a planning act proposal. We would participate on behalf of a municipality.

Draft Comments: Allow for the CA to participate in the appeals process as needed.

3. **Enabling the Minister to freeze fees charged by CAs**

Information/Analysis:

The proposal allows the Minister to temporarily direct a CA to maintain fees charged for the programs and services it provides at current levels, including fees for reviewing and draft commenting on planning and development proposals, and for permits. This proposal could freeze CA development fees as early as

January 1, 2023. Currently, CA development fees are based on cost recovery. A freeze on fees will create a deficit.

Draft Comment:

CA development fees should not be frozen since they are based on cost recovery.

4. Identifying CA lands suitable for housing; and streamlining severance and disposition processes to help facilitate faster development

Information/Analysis:

This proposal directs CAs to identify potential conservation lands that could support housing development in the inventory of conservation lands they are required to create under the CA Act. Most of CA lands are related to significant Natural Hazard or Natural Heritage features that have been acquired to protect people and property. Some lands, however, are donated to CAs for the purpose of protection. The proposal may influence some future donors to not donate land in the future to CAs. It could result in the loss of some Conservation Areas. NBMCA has 692 hectares (ha) of lands, of which approximately 513 ha are forests, 91 ha are wetlands and 345 ha support recreational activities of our communities.

Draft Comment:

Careful consideration is required when identifying CA lands to support housing development. Factors for consideration include natural hazard or natural heritage features, support of community well being and protection of drinking water sources.

**North Bay-Mattawa Conservation Authority (NBMCA) Draft Comments
On Environmental Registry of Ontario Posting 019-6160**

**“Proposed Updates to the Ontario Wetland Evaluation System” <https://ero.ontario.ca/notice/019-6160>
(Deadline for comments was: Nov. 24, 2022)**

1. Proposal was: add new guidance related to re-evaluation of wetlands and updates to mapping of evaluated wetland boundaries

Information/Analysis:

- Wetland units that are part of a Provincially Significant Wetland (PSW) wetland complex can be re-evaluated individually. Those units can be removed from the PSW.
- Wetland boundaries can be remapped without having to re-evaluate the entire wetland.
- New evaluations cannot consist of wetland complexes (i.e. can only be contiguous wetland).
- Endangered and threatened species are no longer scored.
- May lead to the removal of small pieces of wetlands, that may lead to cumulative effects long term.
- Could limit wetlands being designated as PSW in the future.
- NBMCA has over 30,000 ha of wetlands, of which close to 2,500 ha are PSW.

Draft Comment: Allow for consideration of wetland functions including natural hazard mitigation (e.g.: flood mitigation) and climate change resiliency. NBMCA looks forward to working positively with the province.

TO: The Chairperson and Members
of the Board of Directors,
North Bay-Mattawa Conservation Authority

**APPENDIX # 3
12-14-2022**

ORIGIN: Chitra Gowda, Chief Administrative Officer, Secretary Treasurer and
Helen Cunningham, Manager, Finance and Human Resources

DATE: December 14, 2022

SUBJECT: Preliminary 2023 Capital Budget Overview and
Ten Year Capital Forecast

Background:

Each year after the third quarter financial reporting is complete, the North Bay-Mattawa Conservation Authority (NBMCA) staff focus on firming up the next year's work programs and the costs associated with implementation. This effort includes looking for program efficiencies and improvements, and evaluates for potential sources of revenue. The result has been a fairly solid estimate of the year over year change in budget expenses for the Board of Directors and the member municipalities. Note that the significant rise in costs, approximately since the COVID-19 pandemic began, must be considered.

If approved by the Board Members, this estimate guides staff in preparing the draft budget for the Executive Committee to review at the start of the new year. Typically, after review and comment the Executive Committee will make a recommendation to the Board of Directors to consider at its February meeting.

This Report provides a preliminary overview of the ten-year capital budget forecast (2023– 2032) and the 2023 capital budget estimated costs in a similar format provided in 2022. Note that the recent changes to the Conservation Authorities Act result in a categorization of programs and services into:

- Category 1: Mandatory programs and services
- Category 2: Municipal programs and services (i.e. CA provides on behalf of the municipality)
- Category 3: Other programs and services

For the 2024 year, the development of the annual budget and apportionment will follow O. Reg. 402/22 (which comes into force on July 1, 2023) under the Conservation Authorities Act.

Analysis:

A: Capital and Special Projects Budget – Projections and Estimates

The Capital and Special Projects Budget provides funding support to complete capital infrastructure, comprehensive planning and technical products core to the NBMCA's mandate. This budget has been guided annually by a ten-year capital projections including the budget year's projections. Note the following important points.

- **2022 Review:** For the 2022 budget, the ten-year capital budget projection (2022 to 2031) was approved by the Board of Directors in February 2022. This ten-year projection did not factor in the significant increase in relevant costs such as materials and labour since the start of the COVID-19 pandemic. For example in 2022, the main office’s tower deck repair was initially projected to be around \$200,000; however actual expenditures are in the \$300,000 range which necessitated the use of another line item in the budget to make up the shortfall. The capital budget levies for 2022 totalled to \$1,006,950. The 2022 ski hill fixed asset budget request/“ask” (not a levy) was \$65,000.
- **2023 View:** For the draft 2023 budget, the ten-year capital budget projection (2023– 2032) table is attached. As indicated above, the ten-year capital projections in 2022 and prior years are based on pre-pandemic costs and this must be corrected to reflect the significant rise in costs, which are anticipated to continue through 2023. Without the correction, the ten-year projection will cease to be reasonable. Per Statistics Canada, the Consumer Price Index (CPI) rose 3.4% on an annual average basis in 2021, the fastest pace since 1991 (+5.6%). Ontario (+3.5%) experienced price growth in 2021 above the national average. While the annual average for 2022 has yet to be released, the CPI rose 6.9% year over year in October. Based on Statistics Canada information and staff’s experience with increased costs post-pandemic, it is recommended that a projected annual increase of at least 3% be applied (rather than 1-2%). The projections can be revisited each year. Note that the 3% increase is not applied to ski hill assets capital costs, which is explained further below.
- **Asset Management Plan (AMP):** An AMP provides an estimate of when assets need repairs and replacements, and therefore forms a building block of sound financial planning. NBMCA is in critical need of an AMP for its assets including those ski hill assets owned by NBMCA.
- **Conservation Authorities Act deliverables:** Special projects are required under the updated CA Act. These are multi-year projects, some of which must include a public consultation process. The legislated deadline for these deliverables is December 31, 2024.

An overview of planned capital initiatives for 2023 and important notes about necessary large capital expenditures for the main office building and ski hill assets are provided below.

1. Conservation Authority Lands and Properties including the Ski Hill:

This NBMCA program is comprised of category 1 (mandatory) programs and services, with the exception of the ski hill. The Board of Directors has established through its budgeting process an ongoing capital replacement and upkeep program to keep facilities at NBMCA buildings, conservation area and trails to a safe and functional standard for staff and visitors to enjoy. This initiative remains critical to continue to meet capital asset challenges. Infrastructure/buildings include the Interpretive Centre (North Bay admin. office), bridges, trails, and ski hill assets.

- CA/Trails Infrastructure, Repair and Rehabilitation
- Asset Management Plan
- Forest Management
- Equipment Purchase
- Land Acquisition
- Fixed Ski Hill Assets.

The estimated total capital expense for CA lands and properties for 2023 is \$457,000 (this excludes ski hill assets needs, described further below). Like 2022, this estimated 2023 expense is higher than the projected 2023 capital levy budget of \$280,933 (benefitting: \$149,350 and non-benefitting: \$131,583). The use of deferred revenue and reserve amounts to make up the difference will be part of the discussions with the Executive Committee of the Board.

Interpretive Centre

The larger but necessary expenses of approximately \$140,000 in 2023 include critical, priority repairs on the Interpretive Centre (main office building in North Bay):

- Tower roof shingle replacement (approximately \$22,500)
- Boiler unit replacement: one unit in 2023 (approximately \$57,000); the other unit in 2024.
- HVAC unit replacements: 2 units to be replaced by crane (approximately \$60,000).

The building is around 20 years old. Large scale repair and maintenance costs are becoming more frequent, besides moderate costs associated with routine upkeep of the building. Priority large scale repairs planned for 2024 include: replacement of the main circulation pump for the boiler units (approximately \$15,000), the replacement of the roof membrane (approximately \$70,000), HVAC operating system panel upgrade (approximately \$50,000), accessible door to the NBMCA office on the second floor, and other repairs.

CA Parks and Trails

Other projects planned for 2023 include:

- Hazard tree removal, brush removal and other trail maintenance for public safety
- Kinsmen Bridge repair in North Bay
- Culvert repair/replacement at Kinsman/Kate Pace Way
- Signage and brochures for areas and parks including Eau Claire, La Vase, Laurier Woods, Corbeil, Elks, Mattawa, Chippewa Creek at Ecopath and Oak Street
- Land acquisition to support Shields McClaren conservation area (13 acres previously purchased; \$4,000 per year being paid back to the account); and Kate Pace Way portion (\$10,000 per year goes to the land acquisition reserve to purchase approximately 900m of trail owned by Osprey Links golf course).

Conservation Authorities Act Legislated Deliverables

Special projects required under the updated Conservation Authorities Act include the following. These are multi-year projects with a legislated deadline of December 31, 2024.

- Conservation Area Strategy: initiate in 2023
- Conservation Lands Inventory: initiate in 2023
- Natural Hazard Asset Management Plan: initiate in 2023
- Natural Hazard Infrastructure Operational Management Plan: update planned in 2024
- Ice Management Plan: update planned in 2024.

Ski Hill Assets

The ski hill is operated separately by the Laurentian Ski Hill and Snowboarding Club Board of Directors. NBMCA staff liaise frequently with ski hill staff on operational matters, per an

agreement between NBMCA and the ski hill. Delegations are made to the NBMCA Board as needed. In 2023-24, the following large expenditures are anticipated:

- Ski hill lift replacement (cost to be determined)
- Lower lodge building replacement (estimated at \$3 million)
- TSSA Audit (cost to be determined).

A non-levy amount called the Ski Hill Request/Ask is budgeted for each year by NBMCA. At \$65,000 per year, it is inadequate to support actual needs. NBMCA staff will work with ski hill staff to determine and add the amounts to the capital budget 2023, anticipating that some are multi-year projects. Through the development of an NBMCA asset management plan, the ski hill capital asset costs (repairs, replacements, etc.) can be determined and planned for.

2. Watershed and Erosion Control Infrastructure (WECI):

This is a category 1 (mandatory) program. The completed Chippewa Creek Erosion Control Study and Inventory lays out a series of remediation projects along the channel length for the next ten years. This capital fund will further planning, design and construction works for Chippewa Creek and other water and erosion control sites in the City of North Bay, in discussion with City staff. Further, in 2023, it is proposed to retain a consultant to initiate a feasibility study that reviews the current and projected pump capacity of the Parks Creek Backflood Control Structure, incorporate new flooding/flow models, innovative weather monitoring predictions. See the attached **memo**. The estimated benefitting levy cost is \$175,000. There is no non-benefitting (watershed-wide) levy cost, same as in previous years.

3. Central Services

This is a category 1 (mandatory) program. The Central Services project program includes requirements for commonly used buildings, equipment, and services that cannot be funded through operations. It includes items such as IT services, software, computers and furniture replacement. The estimated non-benefitting (watershed-wide) levy cost is \$60,000. There is no benefitting levy cost, same as in previous years. Vehicles are funded through operations using surpluses or the operating line to fund the initial purchases. Repayment is made through an internal lease back to operating programs.

4. Integrated Watershed Management (IWM) and Studies

This NBMCA program is comprised of mostly category 1 (mandatory) programs and services. Identified as a major strategic priority, the NBMCA has been engaged in designing a program to implement watershed-wide monitoring, data collection, studies and plans. In 2023, these planned IWM initiatives will be initiated or are ongoing:

- Update of Floodplain Mapping and Policies and Consultation for the Chippewa Creek, Parks/Jessups Creek (multi-year, completion in 2023) and the La Vase River (multi-year)
- Special projects required under the updated Conservation Authorities Act: Watershed Based Resource Management Strategy (initiate in 2023, multi-year; legislated deadline: Dec. 31, 2024)
- Mattawa Natural Hazard Risk Management Study Terms of Reference (initiate in 2023)
- Watershed Monitoring Program Review (ongoing).

The estimated total levy cost is \$342,000. Of this, the estimated non-benefitting (watershed-wide) levy cost is \$43,000. The estimated benefitting levy cost is \$299,000.

5. Section 28 Technical

On November 27, 2013 the Board of Directors approved the NBMCA “Building on the Past – Preparing for the Future” strategic plan supporting the need for ongoing capital funding for work related to the Section 28 program. The Section 28 Technical project program is multifaceted and involves the Planning and Development, IWM and support staff to undertake at a minimum the following for NBMCA.

- A comprehensive review of our existing technical data related to natural hazards and the watershed planning programs resulting in the implementation of the work plan for Integrated Watershed Management, including:
 - Large scale hydrology delineation (multi-year)
 - Improvements to the approximate regulated area for Callander (currently have GIS data; need analysis of natural hazards including steep slopes).
- Update of Section 28 NBMCA policies and mapping in accordance with recent changes to the Conservation Authorities Act.

The estimated non-benefitting (watershed-wide) levy cost is \$181,000. There is no benefitting levy cost, same as in previous years.

B: Other Considerations: Operating Costs

i) Parks Creek Backflood Control Structure

The Backflood Control Structure at Parks Creek in North Bay is operated by NBMCA to help prevent flooding of approximately 500 homes. In order to ensure that the structure can keep up with precipitation and flow conditions, staff developed the **attached Memo** in November 2022 for review by the CAO. In turn, this is being presented to the Board as a priority budget consideration for 2023 (benefitting levy and potentially WECl provincial funds). In summary, the estimated cost of operation of the flood control structure in 2023 if needed, is \$110,000.

ii) Homeless encampments

Per the staff report Appendix #5 (09-28-2022) “Encampments on NBMCA Properties”, a notable increase in homeless persons related encampment activity on North Bay-Mattawa Conservation Authority (NBMCA) owned properties has raised concerns for NBMCA staff, trails visitors, and our partners. Encampments are being set up on NBMCA properties mainly within the City of North Bay. To keep NBMCA properties free of this increasing activity, there is an additional strain to NBMCA resources and an increased cost of maintaining properties, estimated at \$70,000 per year. Per the Board’s resolution, NBMCA staff began discussions with City staff with respect to a benefitting levy in the 2023 budget, to address encampments on NBMCA properties within the City of North Bay.

Recommendation:

It is recommended that staff prepare a draft 2023 Budget for consideration by the Executive Committee and Board of Directors guided by the projections as outlined.

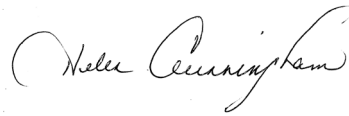
Recommended Resolution:

THAT the members receive and accept the member's Report and that it be appended to the minutes of the meeting;

AND THAT staff prepare a draft 2023 Budget for consideration by the Executive Committee and Board of Directors guided by the projections as outlined.



Chitra Gowda
Chief Administrative Officer, Secretary Treasurer



Helen Cunningham
Manager, Finance and Human Resources

**NBMCA Capital
Levy Forecast
For the Ten Year Period of 2023 to 2032
For Member Municipalities**

CAPITAL PROGRAM & SERVICE AREA

Years	CA Lands/Trails		WECI		Central Services		IWM		Section 28 Technical		Sub-Total	Sub-Total	Ski Hill Assets	Total
	Benefitting	Non-Benefitting (Watershed-Wide)	Benefitting	Non-Benefitting (Watershed-Wide)	Benefitting	Non-Benefitting (Watershed-Wide)	Benefitting	Non-Benefitting (Watershed-Wide)	Benefitting	Non-Benefitting (Watershed-Wide)	Benefitting	Non-Benefitting (Watershed-Wide)	Request (Not a Levy)	
2022	145000	127750	170000	0	0	57250	290000	41500	0	175450	605000	401950	65000	1,071,950
2023	149350	131583	175100	0	0	58968	298700	42745	0	180714	623150	414009	65000	1,102,159
2024	153831	135530	180353	0	0	60737	307661	44027	0	186135	641845	426429	65000	1,133,273
2025	158445	139596	185764	0	0	62559	316891	45348	0	191719	661100	439222	65000	1,165,321
2026	163199	143784	191336	0	0	64435	326398	46709	0	197471	680933	452398	65000	1,198,331
2027	168095	148097	197077	0	0	66368	336189	48110	0	203395	701361	465970	65000	1,232,331
2028	173138	152540	202989	0	0	68359	346275	49553	0	209496	722402	479949	65000	1,267,351
2029	178332	157116	209079	0	0	70410	356663	51040	0	215781	744074	494348	65000	1,303,421
2030	183682	161830	215351	0	0	72523	367363	52571	0	222255	766396	509178	65000	1,340,574
2031	189192	166685	221811	0	0	74698	378384	54148	0	228922	789388	524454	65000	1,378,841
2032	194868	171685	228466	0	0	76939	389736	55773	0	235790	813069	540187	65000	1,418,257
Total Levy 2023	280,933		175,100		58,968		341,445		180,714		1,037,159			

Last Year - 2022

Current Year - 2023

Descriptions:

Benefitting: For activities specific to one or more member municipalities but not all.

Non-benefitting: Watershed-wide activities.

CA Lands/Trails Activities in support of safe public access and use of CA owned properties including such things as trails, boardwalks, bridges, picnic tables, buildings, washrooms, signage, parking lots, roads and land acquisition.

WECI Activities to support major maintenance and capital improvements or repair to water and erosion control structures. This may include studies related to these works. In 2023, it is planned to carry out a feasibility/needs study for the Parks Creek backflood infrastructure.

Central Services Capital or major maintenance in support of workshops, buildings and other types of infrastructure or equipment required as part the overall CA program

Integrated Watershed Management Multi-year implementation of the Integrated Watershed Management Strategy and new CA Act deliverables (watershed-based strategy). Includes ongoing LaVase floodplain mapping, consultation for Chippewa Creek, Jessup/Parks Creek projects. In 2023 work will be initiated for the Town of Mattawa Flood Hazard Risk Assessment.

Section 28 Regulations Expenses related to the implementation of the DIA regulations of the conservation authority, mapping for regulated areas.

Ski Hill Assets For Improvement, Major Repair or Replacement of CA Owned Ski Hill Assets - not a levy

MEMO

TO: CAO, Secretary Treasurer
North Bay-Mattawa Conservation Authority

FROM: Troy Storms, Manager Lands and Stewardship

DATE: November 9, 2022

SUBJECT: Parks Creek Backflood Control Structure Water Pumping Capacity Review

Background: The Parks Creek Backflood Control Structure is owned and operated by North Bay-Mattawa Conservation Authority and is located at the mouth of Parks creek on lake Nipissing near Lakeshore Drive in North Bay Ontario. The Structure was designed by a consultant firm, Totten Sims Hubicki (TSH) and constructed in the fall and winter of 1994/95. The layout of the dam entails three (3) bays spanning the creek bed with manually installable/removable operated steel stop logs. This structure is made of concrete bank abutments on either side of the creek with two intermediate concrete piers for the stop log placement. There is a pump chamber with two large electrical pumps to transfer water from the creek bed to the downstream side of the structure into Lake Nipissing (Photo 1, below).



The Parks Creek Backflood Control Structure was implemented as a result of the recommendation in the 1992 TSH “Environmental Study Report- Parks Creek Watershed Flood Damage Reduction Study”.

Operation of the flood control structure is to prevent high water from Lake Nipissing from backing up into the Parks Creek and flooding its surrounding lowlands causing basement flooding and overreaching the municipal storm sewer system, specifically West Ferris subdivision. High Creek flows can also create downstream overbank conditions due to the flat gradient and low flow velocities.

High Lake Nipissing levels, although infrequent can persist for extended periods of time, NBMCA as operated this dam two times since 2004, for approximately 30 days.

The flood control structure is necessary to effectively keep the Park’s Creek flood plane from flooding approximately 500 homes in the City of North Bay. It is estimated that over twenty million dollars in damage to the local community is avoided each time the NBMCA operates the backflood control structure at Parks Creek.

However, localized development, climate change, lack of channel slope, accumulation of sediment within creek channel, inadequate channel width and backwater effects from Lake Nipissing are all factors that increase flows over time and have increased the volume of water that the current dam design does not handle. When the dam cannot keep up with flows and or when weather events like rain pose a threat, the current design and pumping operating of the dam requires review and update.

Analysis:

In 2019 NBMCA staff recognized that the existing two large pumps that are from the original design of the structure do not keep up with current creek flows. NBMCA requires two additional and one stand by pumping units to be incorporated on site into the pumping and operations. Therefore each year NBMCA places a “hold” on additional equipment (two large rental pumps) with a supplier. Note that this extra equipment places the site under constraints and poses risk to safety and operations.

Even with the renting of additional equipment, if an unforeseen weather event or power outage was to happen, NBMCA may not be able to keep up the flood control operation. Flooding may occur. Therefore, an anticipated increase (compared to 2019) in resources to maintain operations during a flood are as follows:

Year	2019 actual	2023 forecast
Overall estimated cost to operate the Backflood Control Structure at Parks Creek. May through April.	\$70,000.00 Included two (2) high-capacity pumps for rent, fuel, hydro, staff, site security, & supplies.	\$108,046.04 Includes three (3) high-capacity pumps for rent, fuel, hydro, staff, site security, & supplies.

NBMCA has secured pricing for spring 2023, and the supplier has confirmed that three large pumps will be available for spring 2023 if required.

Further to the above interim strategy to add on additional equipment compared to the 2019 rentals, NBMCA staff recommend retaining a consulting firm to conduct a feasibility study to review seasonal operating levels of Lake Nipissing, current Parks Creek watershed flood models and mapping, current and dam operating capacities and future projected operational needs given factors such as climate change and development in the watershed. Some of the next steps are listed below.

- a) 2023: if required and or Lake Nipissing rises to a level that the Parks Creek Backflood Control Structure is required to operate, NBMCA will provide additional pumping capabilities to the operations as flows persist.
- b) 2023: prepare to procure feasibility study that addresses the current pumping capacity of the Backflood Control Structure, incorporate new flooding/flow models, innovative weather monitoring predictions. The cost of this study is planned to be included in the draft 2023 operating budget.
- c) 2024: conduct an Environmental Assessment - to include public consultation, new design details.
- d) 2025: final design and construction to upgrade the Backflood Control Structure including electrical needs, etc.

Staff have reviewed the information from TSH in 1992-1994. An estimate of upgrade costs are \$1.8 million.

TO: The Chairperson and Members
of the Board of Directors,
North Bay-Mattawa Conservation Authority

**Appendix #4
12-14-2022**

ORIGIN: Chitra Gowda, Chief Administrative Officer, Secretary Treasurer

DATE: December 14, 2022

SUBJECT: Board of Directors Per Diems Update Report

Background:

The North Bay-Mattawa Conservation Authority (NBMCA) Board of Directors (Members) receive a per diem of \$20 per meeting. For comparison purposes, information was collected from other northern Ontario Conservation Authorities (CAs). This report summarizes the findings and recommends an update to the per diem amount and a separate amount for the chair for each special-circumstance meeting, and an honorarium to the Chair for 2022. The NBMCA Administrative By-Laws document is available at: https://www.nbmca.ca/media/1748/2021_01_27-approved-nbmca-admin-by-law-final.pdf

Analysis:

1. Per diem Update

The NBMCA Board of Directors currently receive a per diem of \$20 per meeting, in addition to a per kilometer rate for use of personal vehicle to attend meetings and functions on behalf of the NBMCA. Per diems at other CAs in northern Ontario range from around \$40 to \$80 for members, and from \$40 to \$88 for the Chair.

It is reasonable that the NBMCA per diem be increased to \$40 for members and to \$60 for the Chair for regularly scheduled board meetings (including Executive Committee meetings). It is also proposed that the Chair receive \$100 per special-circumstances meetings (capped to \$1500 per year) for their additional time at events and functions and extraordinary time on strategic/issues management/time-sensitive discussions. Extra time on the Chair's part is anticipated through 2024 due to significant changes to the Conservation Authorities Act and other related matters.

2. Annual Honorarium for 2022

Per the NBMCA Administrative By-Laws Section 13 (Remuneration of Members, page 9), the Board may approve an honorarium for the Chair and Vice-chair for their additional responsibilities. Honorariums for the Chair at other CAs in northern Ontario range from \$350 to \$4,050 per year.

It is recommended to provide an honorarium of \$2,500 to the Chair to acknowledge their additional responsibilities in 2022 - especially given significant changes to the Conservation Authorities Act, related Bills and public consultations, and onboarding the new CAO mid-year. A plaque is being prepared for the Vice-chair for their support during 2022.

Recommendation:

It is recommended that the Board of Directors approve the following:

- A per diem amount of \$40 for members and \$60 for the Chair for regularly scheduled board meetings (including Executive Committee meetings); and
- An amount of \$100 per special-circumstances meetings (capped to \$1500 per year) for the Chair; and
- An honorarium of \$2,500 for the Chair for their work in 2022.

Recommended Resolution:

THAT the members receive and accept the member's Report and that it be appended to the minutes of the meeting; AND

THAT the Board of Directors approve a per diem amount (for regularly scheduled board and for Executive Committee meetings) of \$40 for members and \$60 for the Chair effective January 1, 2023, with one per diem allowance per day; AND

THAT the Board of Directors approve an amount of \$100 for each special-circumstances meeting (capped at a total of \$1,500 per year) for the Chair effective January 1, 2023; AND

THAT the Board of Directors approve an honorarium of \$2,500 for the Chair for their work in 2022.



Chitra Gowda
Chief Administrative Officer, Secretary Treasurer

TO: The Chairperson and Members
of the Board of Directors,
North Bay-Mattawa Conservation Authority

**Appendix #5
12-14-2022**

ORIGIN: Rebecca Morrow, Administrative Coordinator
Chitra Gowda, Chief Administrative Officer, Secretary Treasurer

DATE: December 14, 2022

SUBJECT: **2023 Board of Directors Meeting and Office Closure Dates**

Background:

This report provides for a review and discussion on proposed 2023 North Bay Mattawa Conservation Authority (NBMCA) Board meeting schedule and office closure days.

Analysis:

1. Proposed 2023 NBMCA Board (Members) Meeting Schedule

On or before the first meeting of the year, NBMCA Board of Directors (Members) set the meeting dates and times for the upcoming year. The Chair may call additional meetings, change and/or cancel meetings dates and locations.

The North Bay Mattawa Source Protection Authority (NBMSPA) Members meet to fulfill requirements of the Clean Water Act, 2006. Their meetings are less frequent than the NBMCA meetings, around 3 to 4 times a year. For the Members' convenience, they are scheduled on NBMCA Members meeting dates.

The Members meeting are held on the fourth Wednesday of each month, with these exceptions: (1) July - no meeting; (2) August - the meeting is on the third Wednesday; and (3) December - the meeting is on the second/ third Wednesday to avoid overlap with Christmas holidays. For 2023 therefore the proposed meeting dates are as follows:

- Wednesday January 25, 2023 (NBMCA & NBMSPA)
- Wednesday February 22, 2023
- Wednesday March 22, 2023
- Wednesday April 26, 2023 (NBMCA & NBMSPA)
- Wednesday May 24, 2023
- Wednesday June 28, 2023 (NBMCA & NBMCA)
- Wednesday August 16, 2023
- Wednesday September 27, 2023
- Wednesday October 25, 2023 (NBMCA & NBMSPA)
- Wednesday November 22, 2023
- Wednesday December 13, 2023.

The start time has been 5:30pm for each meeting. However, it is proposed to change the **start time to 2pm** to allow for the meeting to end earlier in the day and support safe travel.

2. NBMCA Office Closure Dates in 2023

a) NBMCA Board approved Holidays (for information)

The NBMCA Board approved Personnel Policy sets paid holidays for employees. The NBMCA office is closed on those days. The corresponding 2023 dates are provided for your information in the table below. Note that the approved Personnel Policy specifies that holidays falling on a Saturday or Sunday shall be considered in accordance with the days designated by the Province of Ontario.

Holidays (previously approved by the NBMCA Board)	Corresponding Dates in 2023 (for information)
New Year's Day	Monday January 2, 2023 (January 1, 2023 falls on a Sunday)
Family Day	Monday February 20, 2023
Good Friday	Friday April 7, 2023
Easter Monday	Monday April 10, 2023
Victoria Day	Monday May 22, 2023
Canada Day	Monday July 3, 2023 (July 1, 2023 falls on a Saturday)
Civic Day	Monday August 7, 2023
Labour Day	Monday September 4, 2023
Thanksgiving Day	Monday October 9, 2023
Remembrance Day	Note that November 11, 2023 falls on a Sunday
Christmas Day	Monday December 25, 2023
Boxing Day	Tuesday December 26, 2023

b) Proposed for 2023

It is proposed that staff be allowed to take one paid day off in 2023 in place of the board approved Remembrance Day which happens to fall on a Sunday in 2023. It is also proposed that the office be closed for a paid holiday on October 2, 2023 (in place of September 30, 2023, which happens to fall on a Saturday) to recognize the National Day of Truth and Reconciliation. Staff will be provided information by the senior leadership team to encourage participation in meaningful activities locally, to remember and honour those affected by residential schools. As well, the NBMCA Office is closed between Christmas and New Year's. Staff are required to use their own vacation and/or overtime in order to take these days off: Friday December 22, 2023 (12:00 pm to 4:30 pm); and December 27 to 29, 2023.

Recommendation:

It is recommended that the Board of Directors approves the following:

- The Board of Directors meeting schedule provided in this report with a start time of 2pm or as discussed.
- Staff be allowed to take one paid day off in 2023 in place of the Board-approved Remembrance Day holiday, which falls on Sunday November 11, 2023.
- The office be closed on October 2, 2023 (in place of Saturday, September 30, 2023) for staff to observe the National Day of Truth and Reconciliation.
- The office be closed from noon (12pm) on Friday December 22, 2023 through Friday December 29, 2023 for the Christmas holidays.

RECOMMENDED RESOLUTION:

THAT the NBMCA Members set the meeting schedule and office closure dates for 2023 as listed in this Report and that Staff are directed to make the necessary arrangements to schedule meetings for the recommended dates and times; AND

THAT this Board Report is received and appended to the minutes of this meeting.



Rebecca Morrow
Administrative Coordinator



Chitra Gowda
Chief Administrative Officer, Secretary-Treasurer

TO: The Chairman and Members
 of the Board of Directors,
 North Bay-Mattawa Conservation Authority

**Appendix #6
 12-14-2022**

ORIGIN: Chitra Gowda, Chief Administrative Officer, Secretary Treasurer

DATE: December 14, 2022

SUBJECT: CAO’s Report

Background:

Below are information highlights from the desk of the Chief Administrative Officer (CAO).

Conservation Authorities Act

Since 2021, the Conservation Authorities Act (CA Act) has seen significant changes. Staff have been very busy tracking all of the changes and keeping the Board of Directors and municipal staff up to date through emails, slide decks, board reports. Bill 23, introduced late in October including changes to the CA Act, received Royal Assent in late November. See the related report Appendix #2 for staff’s analysis.

Governance

Following municipal elections in October 2022, the respective member municipalities are appointing members to the North Bay-Mattawa Conservation Authority (NBMCA) Board. Training is being scheduled by staff for appointed members. The inaugural meeting of the Board of Directors is on January 25, 2023 at which time an Executive Committee will be formed for budget, strategic planning and other governance matters. Requirements of the CA Act are being met.

Administration and Finance

- **Staffing update:** The contract positions of On-site Sewage System (OSS) Inspector at the Parry Sound office and OSS Planning & Regulations Technician at the North Bay office were successfully filled. Job ads for an Engineering Technologist and Assistant Finance Manager are being posted. The Supervisor (Source Water) is the project manager for the Integrated Watershed Management program.
- **Personnel policy:** The employee manual is being updated through 2023 Q1, using the services of HR Covered, and will be brought to the Board for its review. This includes the legislated Electronics Monitoring Policy.
- **Fee increase:** A fee increase for the on-site sewage systems (OSS) program in 2023 will help increase revenue and support cost recovery, especially given increased staff resourcing needs. To be discussed at the next meeting of the Board.

On-site Sewage System Program Fees Increase per Year					
2018	2019	2020	2021	2022	2023 (proposed)
1.90%	1.70%	1.90%	0%	0%	To be determined

- **OMERS pension plan:** The Ontario Municipal Employees Retirement System (OMERS) pension plan at NBMCA is expanding to non-full time employees effective January 1, 2023, such that all non-full-time employees may elect to join the plan at any time. This additional expense is included in the draft 2023 budget for NBMCA.
- **Insurance trends:** The NBMCA is currently part of the Conservation Ontario Insurance program. Conservation Ontario (the network organization of all of Ontario’s 36 CAs) liaises with Marsh Canada, our insurance broker, to understand the unique insurance needs of CAs and to obtain the best possible rates. Below is an illustration of the rate increases since 2018. Per previous discussions at the board, quotes are being sought by staff from other brokers.

Year	Insurance Cost \$	Increase from Previous Year %
2018	51,176.24	5%
2019	52,229.56	2%
2020	62,542.92	17%
2021	73,800.62	18%
2022	79,919.76	8%

Municipal Engagement

NBMCA’s CAO and staff are meeting with municipal CAOs, Mayors, Councillors and staff for friendly, introductory meet and greets through fall 2022-winter 2023. In-person introductions have taken place with the municipalities of East Ferris, Callander, Chisholm and North Bay. Discussions include CA Act updates, and NBMCA program activities such as watershed monitoring in member municipalities.

Programs and Projects - Key Updates

- **Integrated watershed management:**
 - Flood forecasting and warning and low water response programs continue as mandated.
 - Floodplain mapping projects are making progress: consultation is planned in early 2023 for the Chippewa Creek and Parks and Jessups Creek mapping. The La Vase River technical study is in progress.
 - Source water protection program updates include proposed changes to drinking water protection zones and policies, with consultation planned for winter 2023.
 - The Oak Street Bridge project in North Bay has seen some delays due to several sub surface finds (water main, foundation, etc.) upon digging. The placement of the bridge is revised accordingly, and the placement of fill at the site being examined.
 - Watershed-wide monitoring continues, with snow surveys in winter months. Staff are developing the NBMCA Watershed Report Card, slated to be released in spring 2023.
 - Staff participate on related committees. The CAO will join the Climate Risk Institute’s National Stewardship Committee which is a body of experts and leaders in climate change resilience, adaptation, infrastructure, professional development, credentialling.
- **Communications:** The Miskwaadesi (Painted Turtle) petroform project at the Eco Path location on Chippewa Creek (in North Bay) continues to make progress through a partnership with the North Bay Indigenous Friendship Centre and others, and with federal and other funding. Other

communications and outreach initiatives including the NBMCA 50th year anniversary celebrations continue for the benefit of watershed residents.

- **Lands and Stewardship:** Admin. building tower deck repairs began mid-September and will have a break over winter to be resumed in spring 2023. Benches were installed at Laurier Woods and Parks Creek, through the NBMCA bench donation program. A small trial re-route was accomplished at Shields McLaren area. Homeless encampments are addressed in an empathetic manner, maintaining public safety. The winter park closure process is completed.
- **Planning and development:** The number of applications received continues to be high compared to pre-pandemic levels. The year-end Section 28 permit report is Appendix #1.
 - **On-site Sewage System (OSS) Program:** This program is delivered by NBMCA under the Ontario Building Code Part 8. Staff have faced significantly large workloads through the pandemic and this trend continues. Upon a review of the NBMCA OSS program, the CAO has identified short and long range strategies including staff resource needs assessments, training, data analytics, quarterly projections and operational guidelines/policies. An overview of program data is provided below.

Table: On-site Sewage System (OSS) Program Data

NBMCA OSS Program Service	Data				
	2018	2019	2020	2021	2022 (to Nov. 30)
Issue Permits	661	662	848	1119	886
Address complaints and concerns	37	41	19	24	12
Respond to legal inquiries	262	248	223	355	415
Review files for expansions/renos	126	140	146	175	152
Maintenance inspections	89	105	0	202*	110
Related planning letters	23	10	19	43	51

*For both 2020 and 2021.

Recommendation:

That the members receive and accept the information report as presented.

Recommended Resolution:

THAT the members receive and accept the member’s Report and that it be appended to the minutes of the meeting.



Chitra Gowda
Chief Administrative Officer, Secretary Treasurer