

Grey Sauble Conservation Authority
R.R. #4, 237897 Inglis Falls Road
Owen Sound, Ontario N4K 5N6 (519) 376-3076; ext. 221
v.coleman@greysauble.on.ca

The next regular meeting of the Grey Sauble Conservation Authority Board of Directors is scheduled for Wednesday, June 28th, 2023, at 1:15 p.m. The regular meeting will occur in a hybrid format, both in person at the GSCA Administrative Centre and via the Webex web-based application. Please notify Valerie Coleman if you are unable to attend.

Directors

Sue Carleton (Chair)
Greig, Scott (Vice Chair)
Bell, Tony
Day, Tobin
Dubyk, Nadia
Farmer, Jon
Kirkland, Jay
Mackey, Scott
Maxwell, Alex
Shaw, Jennifer
Uhrig, Robert

Honourary Members

Betty Adair

Oosting, Lara, MNRF Peterborough
Allison, Tracy, MNRF Owen Sound
Byers, Rick, MPP Bruce Grey Owen Sound
Ruff, Alex, MP Bruce Grey Owen Sound
Dowdall, Terry, MP Simcoe-Grey
Saunderson, Brian, MPP Simcoe-Grey

Member Municipalities

Municipality of Arran-Elderslie, Town of the Blue Mountains, Township of Chatsworth, Township of Georgian Bluffs, Municipality of Grey Highlands, Municipality of Meaford, City of Owen Sound, Town of South Bruce Peninsula

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https://www.youtube.com/channel/UCy_ie5dXG8aFYDYG8tV9Yg/videos

Please note that this is a Notice of Meeting only for your information.

The Sun Times
Bayshore Broadcasting
The Meaford Independent
The Bounce
The Wiarton Echo
The Advance
The Post
The Thornbury Paper
The Hub Owen Sound
Blue Mountains Review
South Grey News
Collingwood Today

Member Municipalities

Municipality of Arran-Elderslie, Town of the Blue Mountains, Township of Chatsworth, Township of Georgian Bluffs, Municipality of Grey Highlands, Municipality of Meaford, City of Owen Sound, Town of South Bruce Peninsula

AGENDA

Grey Sauble Conservation Authority
Full Authority Meeting
Wednesday, June 28, 2023, at 1:15 p.m.

1. Call to Order

We acknowledge with respect, the history, spirituality, and culture of the Anishinabek: The People of the Three Fires known as Ojibway, Odawa, and Pottawatomi Nation, who have inhabited this land from time immemorial. And further give thanks to the Chippewa of Saugeen, and the Chippewa of Nawash, now known as the Saugeen Ojibway Nation, as the traditional keepers of this land. We also recognize, the Metis whose ancestors shared this land and these waters. May we all, as Treaty People, live with respect on this land, and live-in peace and friendship with all its diverse peoples.

2. Disclosure of Pecuniary Interest

3. Call for Additional Agenda Items

4. Adoption of the Agenda

5. Approval of Minutes

- i. Full Authority – May 24, 2023 – Resolution – Attachment # 1

6. Business Out of Minutes – None at this time.

7. Consent Agenda

- i. Environmental Planning – Section 28 Permits and Planning Applications– May 2023 – Attachment # 2
- ii. Administration – Receipts & Expenses – May 2023 – Attachment # 3
- iii. Correspondence –
 - a. GSCA Transition Plan Quarterly Progress Report #5 to MNRF. – Attachment # 4
 - b. Baker Tilly Management Letter, Audit Reporting Letter, and Final Audited Financial Statements – Attachment # 5
- iv. Conservation Ontario – None at this time.
- v. Minutes – GSC Foundation AGM Minutes – June 08, 2022, and May 16, 2023 –Attachment # 6
- vi. Media – Attachment # 7

8. Presentation

- i. Environmental Planning – Board Orientation – Attachment # 8 (30 min)

9. Resolution to Move into Closed Session

“THAT the GSCA Board of Directors now move into ‘Closed Session’ to consider:

- i. Minutes of the Closed Session of the Regular Board of Directors meeting held on May 24, 2023; and,
- ii. To discuss a property item requiring the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose. (GSCA Administrative By-Law, Section 4(xvi)(f)).
- iii. To discuss an item in the Municipality of Meaford related to litigation or potential litigation including matters before administrative tribunals and/or receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose (GSCA Administrative By-Law, Section 4(xvi)(d,f)).

10. Declaration that the Board of Directors has resumed Open Session

11. Resolution Approving the Closed Session Minutes of May 24, 2023

12. Reporting out of Closed Session

13. Business Items

- i. Administration
 - a. Administration Office Renovation – Resolution – Attachment # 9 (30 min)
 - b. Conservation Authorities Act Changes – Information – Attachment # 10 (10 min)
 - c. Draft Category 3 Agreements – Information – Attachment # 11 (10 min)
- ii. Water Management
 - a. Dam Updates – Information – Attachment # 12 (15 min)
 - b. Berford Lake Operational Plan – Information - Attachment # 13(15 min)
 - c. In-Year WECI Funding Proposal – Resolution - Attachment # 14 (15 min)
- iii. Environmental Planning – Nothing at this time.
- iv. Operations – Nothing at this time.
- v. Conservation Lands
 - a. Arran Lake Boundary Adjustment – Resolution – Attachment # 15 (10 min)
- vi. Forestry – Nothing at this time
 - a. Wood Products Tendering Policy Exception – Resolution – Attachment # 16 (10 min)
- vii. Communication/Public Relations – Nothing at this time.
- viii. Education – Nothing at this time.
- ix. GIS/IT – Nothing at this time.
- x. DWSP/RMO Report – Nothing at this time.

14. CAO’s Report

15. Chair’s Report

16. Adjournment

Grey Sauble Authority Board of Directors

M O T I O N

DATE: June 28, 2023

MOTION #: FA-23-060

MOVED BY: _____

SECONDED BY: _____

THAT the Grey Sauble Conservation Authority Board of Directors approve the agenda of June 28, 2023.

**GREY SAUBLE CONSERVATION AUTHORITY
MINUTES**
Annual General Meeting & Full Authority Board of Directors
Wednesday, May 24, 2023, at 1:15 p.m.

The Grey Sauble Conservation Authority (GSCA) Board of Directors' meeting was held in a hybrid format of in-person at the Grey Sauble Conservation Authority Administrative Office and virtually via the meeting application, WebEx.

1. Call to Order

Chair Sue Carleton called the meeting to order at 1:18 p.m., welcomed all those present in person and virtually, and made a land acknowledgement declaration.

Directors Present In-Person: Chair Sue Carleton, Vice Chair Scott Greig, Scott Mackey, Robert Uhrig, Tobin Day, Nadia Dubyk, Jennifer Shaw, Jay Kirkland, Alex Maxwell, Tony Bell

Directors Present Virtually: Jon Farmer (1:25 pm)

Regrets: N/A

Guest: Sue Bragg, Baker Tilly

Staff Present: CAO, Tim Lanthier; Administrative Assistant, Valerie Coleman; Manager of Information Services, Gloria Dangerfield; Manager of Financial and Human Resources Services, Alison Armstrong; Manager of Environmental Planning, MacLean Plewes; Manager of Conservation Lands, Rebecca Anthony, Stewardship Technician, Keith Reid

2. Disclosure of Pecuniary Interest

The Directors were reminded to disclose any pecuniary interest that may arise during the course of the meeting. No disclosures of pecuniary interest were expressed at the time.

3. Call for Additional Agenda Items

Nothing at this time.

4. Adoption of Agenda

Motion No.:
FA-23-051

Moved By: Scott Mackey
Seconded By: Jennifer Shaw

THAT the Grey Sauble Conservation Authority Board of Directors approve the agenda of May 24, 2023.

Carried

5. Approval of Minutes

**Motion No.:
FA-23-052**

**Moved By: Scott Greig
Seconded By: Tobin Day**

THAT the Grey Sauble Conservation Authority Board of Directors approve the Full Authority minutes of April 26, 2023.

Carried

Member Jon Farmer joined the meeting at 1:25 p.m.

6. Business Out of Minutes

Nothing at this time.

7. Consent Agenda

**Motion No.:
FA-23-053**

**Moved By: Jennifer Shaw
Seconded By: Robert Uhrig**

THAT in consideration of the Consent Agenda Items listed on the May 24, 2023, agenda, the Grey Sauble Conservation Authority Board of Directors receives the following items: (i) Environmental Planning – Section 28 Permits – April 2023; (v) Minutes – GSC Foundation – March 23, 2023; (vi) Recent Media Articles

Carried

A Member had a question related to the Receipts and Expenses item. This item was pulled for discussion.

A Member asked why there were municipal tax payments for some municipalities listed but not others. It was explained that Municipal tax due dates vary from one another.

A Member asked if staff have given Member's a point of reference with regard to the receipts and expenses to compare monthly expenses and receipts from one year to another. The CAO, Tim Lanthier, explained that it would not necessarily be helpful to compare the same month from one year to the next as there are too many variances, however; staff prepare and present quarterly reports.

A Member asked with regard to specific property tax amounts. A Member commented that it would be onerous to ask staff to parse out that level of detail for all of the various properties.

**Motion No.:
FA-23-054**

**Moved By: Scott Greig
Seconded By: Tobin Day**

THAT in consideration of the Consent Agenda Items listed on the May 24, 2023, agenda, the Grey Sauble Conservation Authority Board of Directors receives the following item: (ii) Administration - Receipts and Expenses – April 2023

Carried

8. Presentation

i. Sue Bragg – Baker Tilly

Manager of Financial and Human Resources Service, Alison Armstrong introduced Sue Bragg of Baker Tilly. Ms. Bragg joined the meeting virtually to discuss GSCA's 2022 Financial Statements. Ms. Bragg reviewed the results of GSCA's financial audit and explained the notes included in the report.

GSCA received a clean auditor's opinion.

It was noted that grant revenues increased significantly from the budgeted amount. This was attributed to grants in the Stewardship and Water Resources departments.

A Member asked with regard to OMERS pension plan deficit and potential risk to GSCA. Ms. Bragg answered that the risk to GSCA as an employer is very low.

A Member asked with regard to reserve funds and specifically the land reserve. Ms. Armstrong explained that it originated with excess parking fees at Inglis Falls and has grown to include several other properties. Mr. Lanthier added that its intent is to contribute to all property related costs, including capital improvements and wages for the Park Ambassadors.

Motion No.:
FA-23-055

Moved By: Scott Mackey
Seconded By: Jay Kirkland

WHEREAS Section 38 (1) of the Conservation Authorities Act states that, “every authority shall cause its accounts and transactions to be audited annually by a person licensed under the Public Accounting Act, 2004 and shall ensure that the annual audit is prepared in accordance with generally accepted accounting principles for local governments recommended by the Public Sector Accounting Board of the Chartered Professional Accountants of Canada, as they exist from time to time”.

THAT the Grey Sauble Conservation Authority Board of Directors accept and receive the draft financial report for 2022 as prepared by Baker Tilly, Licensed Public Accounts

Carried

9. Business Items

i. Administration

a. Q1 Budget Update

Manager of Financial and Human Resource Services, Alison Armstrong, spoke to the Q1 Budget report update. Ms. Armstrong made note of few items that deviated from the budgeted amounts. Wages in flood control were higher, however; there was an influx of funds from the Water and Erosion Control Infrastructure (WECl) grant. There were deferred revenues in Stewardship. In Planning, revenues were lower than anticipated, however wages were also lower.

A Member asked with regard to Clendenen Dam expenses in relation to the value that the community realizes. Ms. Armstrong explained that the dam updates have been conducted in phases with phase 1 being the replacement of the winches and phase 2 being the building and replacement of the logs.

Both phases received WECl grant funding to cover half of the incurred expenses. Mr. Lanthier added that there have been capital dollars spent on the dam over the past three years but added that the value of the dam to the Town of the Blue Mountains is much higher than the dollars being spent.

A Member suggested that staff make note of the value of CA properties to each municipality as a means of demonstrating the value-for-investment that residents get from the CA.

Mr. Lanthier added that apportionment (levy) is calculated at the same rate across the watershed, but the actual dollar amount depends on the assessed value of property within each municipality. As a result, some municipalities have a larger percentage of the apportionment than others. It was noted that this is similar to the fact that different properties within a municipality may have the same tax rate (eg: residential), however the actual taxes paid vary according to assessed value of the property.

Motion No.:
FA-23-056

Moved By: Jon Farmer
Seconded By: Alex Maxwell

WHEREAS the Board of Directors approved the GSCA 2023 Operating and Capital Budget on February 22, 2023, by motion FA-23-018,

THAT, the Board of Directors receive the 2023 Q1 Budget Report Back as information.

Carried

ii. Water Management
Nothing at this time.

iii. Environmental Planning
Nothing at this time.

iv. Operations
Nothing at this time.

v. Conservation Lands

a. Land Severance at Oxenden Creek Conservation Area

Manager of Conservation Lands, Rebecca Anthony, gave a brief overview of the situation at the Oxenden Creek CA. After speaking with GSCA legal counsel and the property owners, staff negotiated with the landowner to transfer the land in question in exchange for all GSCA legal, professional and transfer fees and a payment of \$5,120.29.

Motion No.:
FA-23-057

Moved By: Scott Mackey
Seconded By: Jennifer Shaw

WHEREAS, the Grey Sauble Conservation Authority (GSCA) under Section 21(c) has the power to acquire by purchase, lease or otherwise any land that it may require, and, subject to subsection (2), to sell, lease or otherwise dispose of land so acquired;

THAT the GSCA Board of Directors approve GSCA staff moving forward with a land severance of 0.1 ha (0.25 acres) at Oxenden Creek Conservation Area. This disposition will

vi. Forestry

a. GSCA Agricultural Advisory Committee – Review and Approve Stewardship Projects and Grants

Stewardship Technician, Keith Reid spoke to the GSCA Agricultural Advisory Committee and a request from Staff to have the Agricultural Advisory Committee act as a review committee for applications for the allocation of grant dollars to various stewardship projects on private lands. It was noted that this would mitigate any real or perceived conflicts of interest associated with Staff making this decision in isolation.

Motion No.:
FA-23-058

Moved By: Robert Uhrig
Seconded By: Nadia Dubyk

WHEREAS GSCA maintains an Agricultural Advisory Committee comprised of members of GSCA Board of Directors and local Agricultural community members;

AND WHEREAS GSCA Stewardship staff have successfully applied for grant funding intended to offset landowner costs to implement on the ground projects;

THAT, the GSCA Board of Directors delegate authority to the GSCA Agricultural Advisory Committee to review and approve landowner grant applications.

Carried

vii. Communications/Public Relations
Nothing at this time.

viii. Education
Nothing at this time.

ix. GIS/IT
Nothing at this time.

x. DWSP
Nothing at this time.

10. New Business

Nothing at this time.

11. CAO's Report

The CAO, Tim Lanthier, gave a review of news and activities from the past month.

GSCA has successfully filled the Water Resources Engineer position. It was noted that this has been a need for the organization for many years. This new position will oversee a new Engineering Department. This position will provide technical support to the Environmental Planning Department and will also provide assistance to the Water Management Department. Ian Erikson, P.Eng, has been hired to fill the position and will be starting in mid-July.

Mr. Lanthier informed the Board that, in addition to permit applications, starting next month the consent agenda will also include a list of planning applications to further highlight the volume of work that the planning department is handling.

A Member asked if Mr. Lanthier believes that member municipalities over use GSCA staff time to conduct site visits that end up being unnecessary. Mr. Lanthier answered that staff screen applications to determine if GSCA comments are required.

A Member asked if Environmental Planning staff assist potential land purchasers or their representatives in determining a property's building envelope or suitability to build. Mr. Lanthier responded that the Department provides two service options in these circumstances; a desktop review that provides a Regulation Letter and a more in-depth site visit and Regulation Letter. The Manager of Environmental Planning, MacLean Plewes, clarified the services that staff provide and noted that staff focus on directing landowners (or potential landowners) away from areas deemed natural hazards and rely on municipalities to determine other zoning setbacks.

Mr. Lanthier noted that GSCA staff continue to foster a relationship and partnership with M'Wikwedong. M'Wikwedong and GSCA will be hosting a sharing circle at Hibou Conservation Area on June 2 at 10:00 am. Additionally, staff are negotiating an agreement with M'Wikwedong that will allow for a sweat lodge to be installed within the Arboretum property.

A Member asked if Board approval is required to move forward with the installation of the sweat lodge. Mr. Lanthier answered that this agreement is being carried out at a staff level.

The GSCA Indigenous Relationships Committee met on May 4th, minutes from the meeting will be shared following approval of those minutes at the next Indigenous Relationships Committee meeting in July.

The Administration Building Ad Hoc committee met on May 24th immediately preceding the Board meeting to review the existing concept designs, staff comments, and architect's cost proposal of the next stage. The architect's cost proposal will be brought forward to the next Board meeting.

Staff are moving forward on the review and refreshment of GSCA's strategic plan. Staff will be meeting to discuss on May 25th and a meeting will be scheduled with the Board in June. Mr. Lanthier would like to schedule this separately from a formal Board meeting.

A Member asked if the strategic plan will be presented to municipalities? Mr. Lanthier answered that councillors will be invited to an information and input session, rather than staff delegating at council meetings.

Upcoming Events:

- Giiwe Sharing Circle – Hibou CA on June 2nd from 10:00 am to 12:00 pm
- Memorial Tree Ceremony – Arboretum on June 11th from 2:00 pm to 4:00 pm
- IFAA Arboretum Sign Unveiling – Arboretum on June 19th at 1:30 pm
- GSC Foundation AGM – GSCA Office on June 20th at 1:00 pm
- Friends of Hibou 50th Anniversary Celebration – Hibou CA on June 24th from 4:00 pm to 10:00 pm

12. Chair's Report

Chair Sue Carleton reported on the IFAA trees of the world day and the school groups that participated. Chair Carleton expressed her pleasure at seeing the enthusiasm and excitement of the students.

13. Other Business

Nothing at this time.

The Board recessed session at 2:27 pm.

The Board resumed session at 2:39 pm

14. Resolution to Move into Closed Session

**Motion No.:
FA-23-058**

**Moved By: Jon Farmer
Seconded By: Nadia Dubyk**

THAT the Grey Sauble Conservation Authority Board of Directors proceed into closed session at 2:39 pm to discuss matters related to the following:

- i. Minutes of the Closed Session of the Regular Board of Directors meeting held on March 22, 2023; and,**
- ii. To discuss a property item requiring the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose. (GSCA Administrative By-Law, Section 4(xvi)(f)); and,**
- iii. To discuss items related to litigation or potential litigation including matters before administrative tribunals (GSCA Administrative By-Law, Section 4(xvi)(d)).**

AND FURTHER THAT CAO, Tim Lanthier and Administrative Assistant, Valerie Coleman, Manager of Conservation Lands, Rebecca Anthony, and Manager of Environmental Planning, MacLean Plewes will be present, and John Middlebro' will be present for item ii only.

Carried

15. Resolution Approving the Closed Session Minutes of March 22, 2023

**Motion No.:
FA-23-059**

**Moved By: Scott Greig
Seconded By: Scott Mackey**

THAT the Grey Sauble Conservation Authority Board of Directors approve the March 22, 2023, Closed Session minutes as presented in the closed session agenda.

Carried

16. Reporting out of Closed Session

Nothing at this time.

17. Next Full Authority Meeting

Wednesday June 28, 2023

18. Adjournment

The meeting was adjourned at 4:23 p.m.

Sue Carleton, Chair

Valerie Coleman
Administrative Assistant



Grey Sauble Authority Board of Directors

M O T I O N

DATE: June 28, 2023

MOTION #: FA-23-061

MOVED BY: _____

SECONDED BY: _____

THAT the Grey Sauble Conservation Authority Board of Directors approve the Full Authority minutes of May 24, 2023.

Permits Issued from May 1, 2023 to May 31, 2023

ATTACHMENT # 2

Permit #:	Date Applied:	Date Issued:	Lot:	Conc:	Municipality:	Former Municipality:
GS23-046	03-Mar-23	01-May-23	1540		Municipality of Meaford	St Vincent Township
Approved works:		Phase 2 and 3 of rehabilitation of shoreline protection rockery		Project Location: 207 Bayfield St		
				<input type="checkbox"/> construct <input checked="" type="checkbox"/> alter watercourse <input checked="" type="checkbox"/> shoreline Reviewed by:		
				<input type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input type="checkbox"/> fill Olivia Sroka		
GS23-111	13-Apr-23	01-May-23			Town of South Bruce Peninsula	Albemarle Township
Approved works:		Placement of armourstone to support walkway		Project Location: 5 Kathleen Avenue		
				<input type="checkbox"/> construct <input type="checkbox"/> alter watercourse <input checked="" type="checkbox"/> shoreline Reviewed by:		
				<input type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input checked="" type="checkbox"/> fill Jake Bousfield-Baste		
GS23-113	25-Apr-23	01-May-23			Town of South Bruce Peninsula	Amabel Township
Approved works:		Excavation of previously filled in swimming pool, installation of new in-ground pool		Project Location: 7 Crescent Street		
				<input type="checkbox"/> construct <input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by:		
				<input checked="" type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input checked="" type="checkbox"/> fill Jake Bousfield-Baste		
GS23-116	27-Apr-23	10-May-23			Township of Georgian Bluffs	Keppel Township
Approved works:		Replace existing deck		Project Location: 140 Cruickshank St		
				<input type="checkbox"/> construct <input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by:		
				<input type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input type="checkbox"/> fill Olivia Sroka		
GS23-118	27-Apr-23	10-May-23	20	BF	Municipality of Meaford	Town of Meaford
Approved works:		Residential		Project Location: 112 Ashgrove Lane		
				<input checked="" type="checkbox"/> construct <input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by:		
				<input type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input checked="" type="checkbox"/> fill Olivia Sroka		
GS23-101	31-Mar-23	10-May-23			Municipality of Meaford	Sydenham Township
Approved works:		Culvert installation to re-establish channel crossings for farm work		Project Location: 558519 Irish Block Road		
				<input type="checkbox"/> construct <input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by:		
				<input type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input type="checkbox"/> fill Olivia Sroka		

Permit #:	Date Applied:	Date Issued:	Lot:	Conc:	Municipality:	Former Municipality:
GS23-102	04-Apr-23	10-May-23	13		Township of Georgian Bluffs	Keppel Township
Approved works:			Garage/Loft Apartment		Project Location: 505291 Grey Rd1 <input checked="" type="checkbox"/> construct <input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by: <input type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input checked="" type="checkbox"/> fill Olivia Sroka	
GS23-107	14-Apr-23	10-May-23			Township of Chatsworth	Holland Township
Approved works:			Construction of a Hobby Shop		Project Location: 636650 Euphrasia-Holland Townline <input type="checkbox"/> construct <input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by: <input checked="" type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input checked="" type="checkbox"/> fill Olivia Sroka	
GS23-065	08-Mar-23	10-May-23	32		Town of the Blue Mountains	Collingwood Township
Approved works:			Residential - Single Family Dwelling		Project Location: 119 Pioneer Lane <input checked="" type="checkbox"/> construct <input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by: <input type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input type="checkbox"/> fill Chris Scholz	
GS23-100	04-Apr-23	11-May-23	37		Municipality of Grey Highlands	Artemesia Township
Approved works:			Construction of a garage.		Project Location: 203 MacDonalds Road <input checked="" type="checkbox"/> construct <input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by: <input type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input type="checkbox"/> fill Chris Scholz	
GS23-121	21-Apr-23	11-May-23			Town of South Bruce Peninsula	Amabel Township
Approved works:			Replacement of Culvert, Bridge and Road Resurfacing		Project Location: Silver Lake Road between Allenford Road and Bruce Road <input type="checkbox"/> construct <input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by: <input type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input checked="" type="checkbox"/> fill Jake Bousfield-Baste	
GS23-106	20-Apr-23	12-May-23			Town of the Blue Mountains	Collingwood Township
Approved works:			Replacement of a dwelling and reconstruction of a boulder revetment and rip-rap boat ramp.		Project Location: 113 Fraser Crescent <input checked="" type="checkbox"/> construct <input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by: <input type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input checked="" type="checkbox"/> fill Chris Scholz	

Permit #:	Date Applied:	Date Issued:	Lot:	Conc:	Municipality:	Former Municipality:
GS23-099	05-Apr-23	12-May-23	Lot 3		Town of the Blue Mountains	Collingwood Township
Approved works:		Construction of a pool house and dwelling addition.		Project Location: 215 Russel Street East <input checked="" type="checkbox"/> construct <input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by: <input type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input checked="" type="checkbox"/> fill Chris Scholz		
23015	10-Jan-23	12-May-23			Municipality of Meaford	Sydenham Township
Approved works:		Remove and replace road crossing culverts, and raise road profile within the Bognor Marsh		Project Location: Grey Road 18 from Grey Road 11 to Grey Road 29 <input checked="" type="checkbox"/> construct <input checked="" type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by: <input type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input type="checkbox"/> fill Olivia Sroka		
GS23-032	04-Feb-23	12-May-23	38	2 EGR	Township of Chatsworth	Holland Township
Approved works:		Excavation and fill for bed-level crossing		Project Location: 396126 Concession 2 <input type="checkbox"/> construct <input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by: <input type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input checked="" type="checkbox"/> fill Jake Bousfield-Baste		
GS23-084	19-Mar-23	12-May-23	51	12	Town of Collingwood	Town of Collingwood
Approved works:		Construction of single-family residential dwelling.		Project Location: 12 Lindsay Lane <input checked="" type="checkbox"/> construct <input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by: <input type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input type="checkbox"/> fill Chris Scholz		
GS23-089	28-Mar-23	15-May-23	21	10	Municipality of Meaford	Sydenham Township
Approved works:		Repair of Culvert Structure Conveying Bothwell's Creek under Sideroad 21		Project Location: Municipal Right-of-Way, Municipal Culvert Conveying Bot <input checked="" type="checkbox"/> construct <input checked="" type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by: <input type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input checked="" type="checkbox"/> fill Olivia Sroka		
GS23-038	03-Nov-22	16-May-23	2		Town of South Bruce Peninsula	Amabel Township
Approved works:		New dwelling, attached deck, septic and associated site alterations		Project Location: 422 Bay Street <input checked="" type="checkbox"/> construct <input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by: <input type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input type="checkbox"/> fill Jake Bousfield-Baste		

Permit #:	Date Applied:	Date Issued:	Lot:	Conc:	Municipality:	Former Municipality:
GS23-127	15-May-23	16-May-23			Town of South Bruce Peninsula	Albemarle Township
Approved works:		Removal of existing foundation and placement of new slab foundation		Project Location: 31 Waterview Road, South Bruce Peninsula, N0H 2T0 <input type="checkbox"/> construct <input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by: <input checked="" type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input type="checkbox"/> fill Jake Bousfield-Baste		
GS23-115	15-May-23	17-May-23			Town of Collingwood	Town of Collingwood
Approved works:		Removal of material, site grading, and alteration to a watercourse for the installation of residential servicing		Project Location: 80 Madeline Drive <input type="checkbox"/> construct <input checked="" type="checkbox"/> alter watercourse <input checked="" type="checkbox"/> shoreline Reviewed by: <input type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input checked="" type="checkbox"/> fill Mac Plewes		
GS23-067	09-Mar-23	17-May-23	Block 32	camperdown	Town of the Blue Mountains	Collingwood Township
Approved works:		Temporary sales office.		Project Location: 140 George McRae Road <input checked="" type="checkbox"/> construct <input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by: <input type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input type="checkbox"/> fill Chris Scholz		
GS23-073	21-Mar-23	18-May-23	1 (B3), 23	5 (B3), 14 (B4)	Municipality of Grey Highlands	Euphrasia Township
Approved works:		Strengthen 2 existing bridges by adding steel supports and concrete repair.		Project Location: Bridge 3 - 44d 21m 34s N, 80d, 32m, 36s W & Bridge 4 - 4 <input type="checkbox"/> construct <input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by: <input checked="" type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input type="checkbox"/> fill Chris Scholz		
GS23-122	04-May-23	18-May-23			Town of the Blue Mountains	Collingwood Township
Approved works:		Re-establish erosion protection downstream of an existing culvert		Project Location: 242 Arrowhead Road <input type="checkbox"/> construct <input checked="" type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by: <input type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input checked="" type="checkbox"/> fill Mac Plewes		
GS23-097	05-Apr-23	19-May-23	6		Town of the Blue Mountains	Collingwood Township
Approved works:		Single family residential dwelling, pool, and accessory structure.		Project Location: 104 Deer Lane <input checked="" type="checkbox"/> construct <input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by: <input type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input checked="" type="checkbox"/> fill Chris Scholz		

Permit #:	Date Applied:	Date Issued:	Lot:	Conc:	Municipality:	Former Municipality:
GS23-139	06-Apr-23	24-May-23			Town of South Bruce Peninsula	Albemarle Township
Approved works:			Replacement of deck structures		Project Location: 117 Mallory Beach Road <input type="checkbox"/> construct <input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by: <input checked="" type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input type="checkbox"/> fill Olivia Sroka	
21321	15-Jul-21	24-May-23	15		Municipality of Grey Highlands	Artemesia Township
Approved works:			Multi-level porch addition to dwelling and garage.		Project Location: 136 Peters Crescent <input type="checkbox"/> construct <input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by: <input checked="" type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input checked="" type="checkbox"/> fill Chris Scholz	
22213	19-May-22	25-May-23	Part Lot		Municipality of Meaford	St Vincent Township
Approved works:			Demolition of existing dwelling, construction of new dwelling and septic		Project Location: 159 Lakeshore Rd S, Meaford ON N4L 1K3 <input checked="" type="checkbox"/> construct <input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by: <input type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input type="checkbox"/> fill Jake Bousfield-Baste	
GS23-056	23-Feb-23	25-May-23			Town of the Blue Mountains	Collingwood Township
Approved works:			Pool, landscaping, and associated site alterations.		Project Location: 827416 Grey Road 40 <input checked="" type="checkbox"/> construct <input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by: <input type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input checked="" type="checkbox"/> fill Chris Scholz	
GS23-060	06-Mar-23	26-May-23	PLAN 330		Town of South Bruce Peninsula	Amabel Township
Approved works:			Demolition of existing sunroom and replacement with second storey addition		Project Location: 14 Thomas Crt. <input checked="" type="checkbox"/> construct <input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by: <input type="checkbox"/> alter structure <input checked="" type="checkbox"/> alter wetland <input type="checkbox"/> fill Jake Bousfield-Baste	
22164	16-May-22	26-May-23			Town of South Bruce Peninsula	Amabel Township
Approved works:			Single-family dwelling and septic system.		Project Location: 32 William Court <input checked="" type="checkbox"/> construct <input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by: <input type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input checked="" type="checkbox"/> fill Chris Scholz	

Permit #:	Date Applied:	Date Issued:	Lot:	Conc:	Municipality:	Former Municipality:
GS23-074	23-Mar-23	26-May-23	28/29		Town of the Blue Mountains	Collingwood Township
Approved works:			In-ground pool and patio.		Project Location:	171 Grand Cypres Lane
					<input checked="" type="checkbox"/> construct	<input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline
					<input type="checkbox"/> alter structure	<input type="checkbox"/> alter wetland <input checked="" type="checkbox"/> fill
					Reviewed by:	
					Chris Scholz	
GS23-091	27-Mar-23	29-May-23	PLAN M6		Town of South Bruce Peninsula	Amabel Township
Approved works:			Two storey addition to existing dwelling		Project Location:	66 Kimberley Lane
					<input checked="" type="checkbox"/> construct	<input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline
					<input type="checkbox"/> alter structure	<input type="checkbox"/> alter wetland <input checked="" type="checkbox"/> fill
					Reviewed by:	
					Jake Bousfield-Baste	
GS23-063	08-Mar-23	29-May-23		11	Municipality of Meaford	St Vincent Township
Approved works:			Construction watercourse crossing for farm equipment		Project Location:	077260 11TH LINE
					<input type="checkbox"/> construct	<input checked="" type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline
					<input type="checkbox"/> alter structure	<input type="checkbox"/> alter wetland <input type="checkbox"/> fill
					Reviewed by:	
					Olivia Sroka	
GS23-126	03-May-23	29-May-23			Municipality of Meaford	St Vincent Township
Approved works:			Construction of residential dwelling and associated site alterations		Project Location:	No assigned civic address
					<input checked="" type="checkbox"/> construct	<input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline
					<input type="checkbox"/> alter structure	<input type="checkbox"/> alter wetland <input type="checkbox"/> fill
					Reviewed by:	
					Olivia Sroka	
GS23-104	05-Apr-23	29-May-23			Municipality of Meaford	Sydenham Township
Approved works:			rebuilding a cottage on site		Project Location:	137 Kiowana Beach Road
					<input checked="" type="checkbox"/> construct	<input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline
					<input type="checkbox"/> alter structure	<input type="checkbox"/> alter wetland <input checked="" type="checkbox"/> fill
					Reviewed by:	
					Olivia Sroka	
GS23-110	19-Apr-23	29-May-23			Town of the Blue Mountains	Collingwood Township
Approved works:			Deck extension.		Project Location:	102 Springside Cres
					<input checked="" type="checkbox"/> construct	<input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline
					<input type="checkbox"/> alter structure	<input type="checkbox"/> alter wetland <input type="checkbox"/> fill
					Reviewed by:	
					Chris Scholz	

Permit #:	Date Applied:	Date Issued:	Lot:	Conc:	Municipality:	Former Municipality:
GS23-120	02-May-23	30-May-23			Town of the Blue Mountains	Collingwood Township
Approved works:		Residential dwelling addition and septic system.			Project Location: 109 Hope Street <input checked="" type="checkbox"/> construct <input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by: <input type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input type="checkbox"/> fill Chris Scholz	
23002	22-Dec-22	30-May-23	23	6	Municipality of Grey Highlands	Euphrasia Township
Approved works:		Replace existing terminal buildings, towers, and lift huts.			Project Location: 100 Pioneer Drive R.R. #4 <input checked="" type="checkbox"/> construct <input type="checkbox"/> alter watercourse <input type="checkbox"/> shoreline Reviewed by: <input type="checkbox"/> alter structure <input type="checkbox"/> alter wetland <input type="checkbox"/> fill Mac Plewes	

GSCA completed comments on Municipal Planning Act Applications From May 1, 2023 to May 31, 2023

Municipality	Grey Highlands	App. ID	P11.2023	GSCA Planfile I	23125
Comment Date	2023-05-01	Application Typ	Removal of Holding Provision		
Municipality	Meaford	App. ID	OPA35	GSCA Planfile I	23148
Comment Date	2023-05-08	Application Typ	Official Plan Amendment		
Municipality	Meaford	App. ID	Z10-2022	GSCA Planfile I	23148
Comment Date	2023-05-08	Application Typ	Zoning By-law Amendment		
Municipality	Georgian Bluffs	App. ID	A-02-23	GSCA Planfile I	23150
Comment Date	2023-05-01	Application Typ	Minor Variance		
Municipality	City of Owen Sound	App. ID	ZBA No. 46	GSCA Planfile I	23152
Comment Date	2023-05-01	Application Typ	Zoning By-law Amendment		
Municipality	City of Owen Sound	App. ID	ZBA 47	GSCA Planfile I	23153
Comment Date	2023-05-01	Application Typ	Zoning By-law Amendment		
Municipality	South Bruce Peninsula	App. ID	A-2023-011	GSCA Planfile I	23154
Comment Date	2023-05-15	Application Typ	Minor Variance		
Municipality	Georgian Bluffs	App. ID	B05/23 & B06/23	GSCA Planfile I	23165
Comment Date	2023-05-08	Application Typ	Application for Consent (Severance)		
Municipality	City of Owen Sound	App. ID	A05-2023	GSCA Planfile I	23170

Comment Date	2023-05-12	Application Typ	Minor Variance	
Municipality	Meaford	App. ID	A08-2023	GSCA Planfile I 23175
Comment Date	2023-05-16	Application Typ	Minor Variance	
Municipality	Grey Highlands	App. ID	B07.2023	GSCA Planfile I 23128
Comment Date	2023-05-23	Application Typ	Application for Consent (Severance)	
Municipality	Grey Highlands	App. ID	A09.2023	GSCA Planfile I 23126
Comment Date	2023-05-23	Application Typ	Minor Variance	
Municipality	Grey Highlands	App. ID	A08.2023	GSCA Planfile I 23125
Comment Date	2023-05-23	Application Typ	Minor Variance	

**Grey Sauble Conservation Authority
Receipt Report
May 1st - 31st, 2023**

Regulation Permits	\$	28,435.00	
Planning	\$	43,978.00	
Land Leases	\$	12,543.00	
Season Passes	\$	280.00	Sold in Office
Self-Serve Parking Fees	\$	31,630.00	
Forestry	\$	1,807.20	
Pre-Order Tree Sales	\$	30,173.17	
Annual Tree Sale	\$	12,656.05	
County of Grey	\$	48,598.45	
Levy - Installment 2	\$	289,098.60	Grey Highlands, Meaford, Arran-Elderslie, TOBM, OS
Summer Camp	\$	3,053.17	
Stewardship	\$	22,000.00	
Funds Due to Foundation	\$	75.00	
General Donations	\$	4.83	
Arboretum Alliance	\$	104.50	
Friends of Hibou	\$	336.00	
Miscellaneous Revenue	\$	3,109.62	Truck Sale

Total Monthly Receipts	\$	527,882.59
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Grey Sauble Conservation Authority
Expense Report
May 1st to 31st, 2023

12155	Bruce Telecom	\$	16.16	Monthly Phone Service
12156	ULINE	\$	423.39	Backpack Sprayer
12157	Bell Canada	\$	174.27	Tara Stream Gauge Service
12158	Town of The Blue Mountains	\$	806.00	Property Tax
12159	Staples Advantage	\$	260.02	Office Supplies
12160	Kilsyth Auto Service Ltd.	\$	69.83	Vehicle Repair and Maintenance
12161	MacDonnell Fuels	\$	1,654.89	Furnace and Vehicle Fuel
12162	Nancy Brown	\$	38.96	IFAA Expenses
12163	Riddell Contracting Ltd.	\$	232.37	Tree Cooler Service
12164	Rogers Wireless	\$	212.34	Monthly Cell Phone Service
12165	Sprucedale Agromart Limited	\$	2,212.00	Simazine and Roundup
12166	Timm Enterprises Limited	\$	3,939.69	Cocodiscs
12167	Town of South Bruce Peninsula	\$	2,717.00	Property Tax
12168	Trophies Two	\$	366.52	Board Name Plates
12169	Sonya Mount	\$	56.50	Tree Refund
12170	Bayshore Broadcasting Corp.	\$	101.70	Summer Job Ads
12171	Bell Canada	\$	26.41	Monthly Phone Service
12172	Directdial	\$	455.39	Network Hardware
12173	Georgian Bay Chemical	\$	26.81	Shop Supplies
12174	Georgian Tree Service	\$	565.00	Tree Removal
12175	Greenland International Consulting Ltd	\$	2,501.54	NDMP Grey County
12176	Harold Sutherland Construction Ltd	\$	59.36	Crushed Gravel
12177	Kilsyth Auto Service Ltd.	\$	380.23	Vehicle Repair and Maintenance
12178	MacDonnell Fuels	\$	1,501.09	Vehicle Fuel
12179	Pineneedle Farms Inc	\$	14,466.83	Tree Order
12180	QLab Systems Ltd.	\$	898.35	Payroll Software Renewal
12181	Robert's Farm Equipment	\$	620.98	Equipment Repair and Maintenance
12182	Rogers Wireless	\$	239.31	Monthly Cell Phone Service
12183	Saugeen Conservation	\$	1,038.70	IFAA Expenses
12184	Sign Street	\$	1,330.68	IFAA - Signs for TD FEF Project
	Mastercard Payments	\$	14,557.37	See Summary Below
	Amilia	\$	731.25	
	HST Return	\$	10,372.88	
	O-KAY Cleaning	\$	1,977.50	Office Cleaning
	Pickfield Law Professional Corp.	\$	1,949.25	Legal Fees
	Miller Waste Systems Inc.	\$	242.41	Garbage Bin Rental/Tipping Fees
	Square Fees	\$	1,756.64	
	Hydro, Reliance	\$	2,373.54	

Receiver General, EHT, WSIB	\$ 55,258.54
Group Health Benefits	\$ 11,946.96
OMERS	\$ 29,846.72
Monthly Payroll	\$ 108,516.77

Total Monthly Expenses	\$ 276,922.15
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Mastercard Summary

Building Services	\$ 1,119.70
Administrative Expenses	\$ 591.76
IT Expenses	\$ 192.10
Computer Equipment	\$ 6,819.34
Flood Forecasting	\$ 744.67
Watershed Monitoring	\$ 321.05
Shop Supplies	\$ 778.44
Communications	\$ 438.03
Forestry	\$ 273.31
Fleet Maintenance and Repairs	\$ 1,330.54
Grey County	\$ 1,148.43
Staff Training	\$ 800.00
Monthly Mastercard Payments	\$ 14,557.37



Grey Sauble Conservation Authority Transition Plan

Conservation Authority Act Amendments
Mandatory and Non-Mandatory Programs and
Services and Functional Workplan

Progress Report - 05

June 30, 2023



PROTECT. RESPECT. CONNECT.

237897 Inglis Falls Road, Owen Sound ON, N4K 5N6

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Overview of Transition Plan

Table 1: High-level Timeline from Transition Plan

Prescribed Dates	Key Deliverables	Status
December 31, 2021	Transition Plan	Complete
February 28, 2022	Inventory of Programs and Services	Complete
July 1, 2022 - October 1, 2023	Quarterly Progress Reports: Status of Inventory and Agreement Negotiations	Fifth Report Complete
October 1, 2023	Request for Extension Deadline	Medium Potential
January 1, 2024	Transition Date: All required MOU's/Agreements to be implemented	
January 31, 2024	Final Report: Final Inventory and Statement of Compliance Re: Agreements	
December 31, 2024	Mandatory Programs and Services Deliverables to be completed	

Introduction

As outlined in Ontario Regulation 687/21: Transition Plans and Agreements for Programs and Services Under Section 21.1.2 of the Act, the Transition Plan is to include a work plan and timeline outlining the steps a conservation authority plans to take to develop and enter into agreements with its participating municipalities. The Transition Plan is to include the consultation process with participating municipalities on the inventory of all the Authority's programs and services and the steps to be taken to enter into agreements where municipal levy is required to fund non-mandatory programs and services.

The workplan/timeline and inventory of programs and services will support 2024 budget discussions including the newly proposed categorization of CA programs and services as Categories 1, 2, or 3 and with specification of the funding mechanism as per Figure 2. It should be recognized that some municipal partners may have an overlap of more than one conservation authority's jurisdiction within their municipal boundaries and the specific process between authorities may not align perfectly. GSCA has created its programs and service inventory to align with its annual budget documents.

This Progress Report is being prepared to address sections 7(1)(c) and 7(2) of Ontario Regulation 687/21.

Changes and Updates

Grey Sauble Conservation Authority (GSCA) has been working towards accomplishing the outcomes detailed in Ontario Regulation 687/21 and further detailed in GSCA's Transition Plan timeline (Tables 2, 3 and 4). GSCA's progress on this work is detailed in Tables 2, 3 and 4 to this report.

GSCA updated its Inventory of Programs and Services at the beginning of 2023 to align with our 2023 approved budget. This updated Inventory of Programs and Services is the document that was used to consult with participating municipalities in regard to negotiating agreements for Category 3 programs and services that are funded wholly or in part by municipal levy. Municipalities have been made aware the GSCA is using the 2023 budget numbers as a starting point for ongoing operating costs and have been informed why these are being used. All changes to the Inventory of Programs and Services were presented in the March 31, 2023, progress report. The Inventory of Programs and Services (Appendix 1) has not been altered as a result of any municipal consultations.

The Gantt Chart timeline is amended periodically throughout the process to reflect ebbs and flows in achieving the goals therein. The most recent version of this timeline is included in Tables 2, 3 and 4 below.

Table 5 details GSCA's consultation on the Transition Plan, circulation of the Transition Plan, circulation of the Inventory of Programs and Services, consultation on the Inventory of Programs and Services, consultation on the Category 3 agreements and the status of those agreements. Cells highlighted in yellow are those items that are schedule to occur but have not yet happened.

The biggest challenge that we foresee affecting the ability to implement the necessary agreements by the transition date is the continually changing legislative landscape that is affecting our municipal partners, including the passage of Bill 23 – More Homes Built Faster Act. This Act has affected and continues to affect our municipal partners' operations and processes which may impact their available time to address these agreements. The repercussions of ongoing legislative changes may affect GSCA's ability to complete the agreements within the required timeframe.

Revised Gantt Chart and Timeline Progress Update – As of December 2022

Grey Sauble Conservation Authority has prepared a Gantt Chart to outline the proposed timelines associated with Phases 1 and 2 of the Transition Period. These are shown below in Tables 2, 3 and 4.

Table 2: 2021 Workplan Timeline

Year	Status	Task	January	February	March	April	May	June	July	August	September	October	November	December
Phase 1: 2021	X	Arrange Preliminary Visits to municipal councils												
	X	Attend municipal councils to discuss timelines from Consultation Guide												
	X	Develop Transition Plan Timeline												
	X	Draft Inventory Programs and Services												
	X	Assign FTE's to Programs and Services (Internal)												
	X	Establish/Confirm municipal staff leads/contacts												
	X	Determine anticipated funding sources for each P&S												
	X	Provide GSCA Board with list of P&S and Gantt Chart for circulation approval												
	X	Circulate workplan, Gantt Chart and draft inventory to municipal partners												
	X	Meetings with municipal staff leads/contacts												
	X	Follow up meetings with municipal staff (if necessary)												
	X	Follow up meetings with municipal councils (if requested)												
	X	Deadline for receiving comments on workplan, timeline and/or P&S inventory												
	X	Final Transition Plan timeline approved by GSCA Board of Directors												
	X	Submit Transition Plan timeline to MECP												
	X	Transition Plan timeline made available to the public												

Table 3: 2022 Workplan Timeline

Year	Status	Task	January	February	March	April	May	June	July	August	September	October	November	December
Phase 1: 2022	X	Prepare a revised draft Programs and Services Inventory												
	X	Classify Programs and Services as Category 1, 2 or 3												
	X	Assign costs to Programs and Services												
	X	Consult with Board of Directors on Programs and Services Inventory												
	X	Circulate Programs and Services Inventory to Municipalities												
	X	Seek final approval of Programs and Services Inventory from Board of Directors												
	X	Submit Inventory of Programs and Services to MECP												
Phase 2: 2022	X	Consult with municipal staff on programs and services inventory												
	Deferred	Support municipal staff at municipal council meetings to discuss programs and services												
	Deferred	Update programs and services inventory as necessary based on consultation												
	Deferred	Review and prepare amendments to existing 'Category 2' agreements as necessary												
	Deferred	Prepare internal drafts of MOUs/Agreements for 'Category 3' programs and services												
	Deferred	Bring final draft of programs and services back to Board of Directors												
	Deferred	Update programs and services inventory as necessary based on Board feedback												
	X	Submit first quarterly report to MECP												
	Deferred	Consult with municipal staff on draft agreements												
	Deferred	Bring first draft agreements to GSCA Board of Directors for initial review and comment												
	X	Submit second quarterly report to MECP												
	Deferred	Update draft agreements as necessary based on Board feedback												
	X	Submit third quarterly report to MECP												

Table 4: 2023 Workplan Timeline

Year	Status	Task	January	February	March	April	May	June	July	August	September	October	November	December
Phase 2: 2023	✕	Support municipal staff at municipal council meetings to discuss programs and services												
	✕	Update programs and services inventory as necessary based on consultation												
	✕	Prepare internal drafts of MOUs/Agreements for 'Category 3' programs and services												
	✕	Consult with municipal staff on draft agreements												
	✕	Bring final draft of programs and services back to Board of Directors												
	✕	Update programs and services inventory as necessary based on Board feedback												
	✕	Bring draft agreements to Board for discussion and update as necessary based on feedback												
	✕	Support municipal staff at municipal council meetings to discuss draft agreements												
	✕	Submit fourth quarterly report to MECP												
		Finalize agreements for Board of Directors' approval												
	✕	Submit fifth quarterly report to MECP												
		GSCA Board of Directors' resolution to execute agreements												
		Execute final MOUs/Agreements												
		Submit sixth quarterly report to MECP												
		Consult with municipal staff on draft 2024 budget												
		Deadline to request an extension to timeline												
		Consult with Board of Directors on draft 2024 budget based on municipal discussions												
		Finalize draft budget for Board of Directors' approval to circulate												
		Circulate draft budget to municipal partners												
		Attend municipal Council meetings as requested to discuss the draft budget												
		GSCA Board of Directors' resolution to approve the 2024 budget												
		Submit Inventory of Programs and services and copies of signed MOUs/Agreements to participating municipalities												
		Submit Inventory of Programs and services and copies of signed MOUs/Agreements to MECP												
		Posting of final MOUs/Agreements on GSCA website												

Note: Red lines within the Tables 1, 2 and 3 represent the deadlines identified in Table 1.
Medium green shading represents original timeline projections.
Medium green hatching (Table 3) represents original timeline projections that have moved to the next year (Table 4).
Dark green shading represents revised timeline projections.

Table 5: Grey Sauble Conservation Authority Consultation Record

Status	Municipality	Transition Plan Pre-Consultation	Circulation of Transition Plan*	Circulation of Inventory*	Consultation on Inventory with Senior Staff	Consultation on Inventory with Council	Draft Agreement sent to Senior Staff	Discussion of Agreement with Senior Staff	Council Motion to Authorize Agreement
Participating Municipalities	Arran-Elderslie	October 19, 2021 at 1:00pm	December 22, 2021	January 28, 2022	June 21, 2022	September 12, 2022 March 27, 2023	May 2, 2023		
	Blue Mountains	October 15, 2021 at 1:00pm	December 22, 2021	January 28, 2022	May 16, 2022	March 14, 2023	May 2, 2023		
	Chatsworth	October 21, 2021 at 1:30pm	December 22, 2021	January 28, 2022	n/a	March 1, 2023	May 2, 2023		
	Georgian Bluffs	October 19, 2021 at 9:30am	December 22, 2021	January 28, 2022	May 17, 2022	April 5, 2023	May 2, 2023		
	Grey Highlands	October 14, 2021 at 11:00am	December 22, 2021	January 28, 2022	May 30, 2022	March 15, 2023	May 2, 2023	June 22, 2023	
	Meaford	October 28, 2021 at 1:30pm	December 22, 2021	January 28, 2022	June 10, 2022	Request to bring forward with agreement	May 2, 2023	June 15, 2023	June 26, 2023
	Owen Sound	October 29, 2021 at 9:00am	December 22, 2021	January 28, 2022	May 17, 2022	March 15, 2023	May 2, 2023	May 18, 2023	July
	South Bruce Peninsula	October 15, 2021 at 9:30am	December 22, 2021	January 28, 2022	April 29, 2022	March 7, 2023	May 2, 2023	June 7, 2023	July 4, 2023
Upper Tier	Grey County	November 18, 2021 at 9:00am	December 22, 2021	January 28, 2022	n/a	n/a	n/a	n/a	n/a
	Bruce County	n/a	December 22, 2021	January 28, 2022	n/a	n/a	n/a	n/a	n/a
SPC Municipalities	Brockton	n/a	n/a	January 28, 2022	n/a	n/a	n/a	n/a	n/a
	Hanover	n/a	n/a	January 28, 2022	n/a	n/a	n/a	n/a	n/a
	Howick	n/a	n/a	January 28, 2022	n/a	n/a	n/a	n/a	n/a
	Huron-Kinloss	n/a	n/a	January 28, 2022	n/a	n/a	n/a	n/a	n/a
	Kincardine	n/a	n/a	January 28, 2022	n/a	n/a	n/a	n/a	n/a
	Minto	n/a	n/a	January 28, 2022	n/a	n/a	n/a	n/a	n/a
	Morris-Turnberry	n/a	n/a	January 28, 2022	n/a	n/a	n/a	n/a	n/a
	Northern Bruce Peninsula	n/a	n/a	January 28, 2022	n/a	n/a	n/a	n/a	n/a
	Saugeen Shores	n/a	n/a	January 28, 2022	n/a	n/a	n/a	n/a	n/a
	South Bruce	n/a	n/a	January 28, 2022	n/a	n/a	n/a	n/a	n/a
	Southgate	n/a	n/a	January 28, 2022	n/a	n/a	n/a	n/a	n/a
	Wellington-North	n/a	n/a	January 28, 2022	n/a	n/a	n/a	n/a	n/a
	West Grey	n/a	n/a	January 28, 2022	n/a	n/a	n/a	n/a	n/a
	MECP	n/a	December 22, 2021	January 28, 2022	n/a	n/a	n/a	n/a	n/a

Notes:

- 1. * Transition Plan and Inventory of Programs and Services circulated to the CAO and/or Clerk fo each municipality on the date(s) specified.
- 2. Transition Plan posted to GCSA public website on December 22, 2021
- 3. Inventory of Programs and Services posted to GSCA public website on February 4, 2022
- 4. Consultation meetings have been arranged with GSCA's participating municipalities on the dates noted. For those cells that are blank, meeting times have not yet been arranged

Appendix 1: Inventory of Programs and Services

Appendix 2: List of Existing Category 2 Agreements

Grey Sauble Conservation Authority: Programs and Services Inventory (Version 2.0)

Prepared: January 2022

Amended: January 2023

Program Area	Program / Service Provision	Program / Service Description	Legislative Reference	Category (1) Mandatory; (2) Municipal; (3) Other	Annual Operating Funding Amount (2023)*	Funding Mechanisms and Percentage of Funding Source (Operating Costs)	Annual Capital Funding Amount (5-Year Average)**	Funding Mechanisms and Percentage of Funding Source (Capital Costs)	Approximate Annual Funding Needs	Agreement Requirements	Comments
Administration, Finance, HR	Corporate Services	Administrative, human resources, employee health and safety, operating and capital costs which are not directly related to the delivery of any specific program or service, but are the overhead and support costs of a conservation authority.	General Operating Expense - O.Reg 402/22 s.11	1	\$652,710	1. Municipal Levy (82.1%) 2. Self-Generated (17.4%) 3. Provincial Transfer Payments (0.3%) 4. Grants (variable) 5. Donations (variable)	\$74,400	1. Municipal Levy (18.5%) 2. Self-Generated (81.5%)		No	Collectively, these are general operating costs that are required to run the organization.
	Financial Services	Accounting and payroll								No	
	Legal Expenses	Costs related to agreements/contracts, administrative by-law updates or other similar legal expenses								No	
	Governance	Supporting CA Boards, Advisory Committees and the Office of the CAO								No	
	Asset Management	Asset management planning, facilities, fleet and property management								No	
Communications	Natural Hazards Communications, Outreach and Education	Promoting public awareness of natural hazards including flooding, drought, and erosion. Public events, materials. Social media services. Media relations.	Reg. 686/21 s.1(2) Reg. 686/21 s.1(3)3,4	1	\$91,826	1. Municipal Levy (81.2%) 2. Self-Generated (18.8%)	\$1,400	1. Self-Generated (85.7%) 2. Donations (14.3%)	\$93,226	No	These program/service areas represent general communication efforts to support the Mandatory Program and Service areas of the Authority
	Communications and Marketing	General communications and marketing support for the organization	General Operating Expense - O.Reg 402/22 s.11	1						No	
	Education and Community Events	Community event development, execution and support	Reg. 686/21 s.1(2) & s.1(3)3,4	1						No	
	Partnership Building and Support	Management and enhancement of mutually beneficial community partnerships with partners, stakeholders, committees and "friends of" groups. These vital partnerships allow GSCA to provide substantial value in the delivery of programs and services.	CAA s.21(1)(n)	3	\$5,150	1. Municipal Levy (100%)	\$0	n/a	\$5,150	Yes	Partners and volunteers are vital to the success of GSCA. These vital partnerships pay dividends on the Staff time investment required.
	Public awareness and Communications	General communications, marketing and awareness campaigns for non-mandatory programs and services (support for private forestry/planting, day camp, stewardship)	CAA s.21(1)(q)	3	\$6,025	1. Municipal Levy (100%)	\$0	n/a	\$6,025	Yes	This represents the communication efforts for Category 3 programming
Conservation Lands	Section 29 Minister's regulation for Conservation Areas	Conservation areas enforcement/compliance	Reg. 686/21 s.9(1)4	1	\$528,699	1. Municipal Levy (58.7%) 2. Self-Generated (41.3%)* *any surplus self-generated revenue is transferred to reserves.	\$73,713	1. Municipal Levy (12.6%) 2. Self-Generated (69.4%) 3. Grants (4.0%) 4. Donations (14.0%)	\$602,412	No	The total cost of operating these mandatory programs and services is heavily offset by self-generated revenue.
	Strategy for CA owned or controlled lands and management plans	Guiding principles, objectives, including for an authority's land acquisition and disposition strategy, land use categories on conservation authority owned land, recommended management principles for different land categories, etc.	Reg. 686/21 s.9(1)1	1						No	
	Development and Maintenance of a Land Inventory	Development and maintenance of an inventory of every parcel of land that the Authority owns or controls including, location, surveys, site plans, maps, acquisition date, and how the parcel was acquired.	Reg. 686/21 s.9(1)3	1							
	Management, operation and Maintenance of CA owned lands	Management and Maintenance of CA owned lands including stewardship, restoration, and ecological monitoring	Reg. 686/21 s.9(1)2	1							
	Passive Recreation Use, Infrastructure and Management Planning	Management and maintenance of CA owned recreational assets including trails, parking, washroom facilities, pavilions and other capital assets.	Reg. 686/21 s.9(1)1	1							
	Land Acquisition and Disposition Policy	The development of one or more policies governing land acquisitions and land dispositions	Reg. 686/21 s.9(1)1	1							
	Forestry – Hazard Tree and Biodiversity Management	Management of hazard/diseased trees and the management of biodiversity and invasive species on Conservation Authority owned lands	Reg. 686/21 s.9(1)2	1							
	Land Acquisition and Disposition	Acquisition and management of lands containing important natural heritage features or strategically aligned with existing GSCA land holdings. Disposition of lands considered surplus to the vision, mandate and strategic goals of GSCA.	CAA s.21(1)(c)	3	\$10,000	1. Self-Generated (100%)	\$0	n/a	\$10,000	No	In 2021, approximately \$10,000 in staff time and legal service fees went into the acquisition of donated properties. ROI was 800%
	Partnership Building and Support	Management and enhancement of mutually beneficial community partnerships with partners, stakeholders, committees and "friends of" groups. These vital partnerships allow GSCA to provide substantial value in the delivery of programs and services.	CAA s.21(1)(n)	3	\$15,000	1. Self-Generated (100%)	\$0	n/a	\$15,000	No	Partnership building is the key to not-for-profit success. We are able to leverage these partnerships into volunteer time, donations, and general good-will.
	Land Lease and Agreement Management	Management of current and future land leases and property agreements. These leases and agreements help drive land based revenues to offset the costs associated with management and maintenance of GSCA's land holdings.	CAA s.21(1)(c)&(d)	3	\$10,000	1. Self-Generated (100%)	\$0	n/a	\$10,000	No	This portion of the program is self-sustaining, bringing in over \$60,000 in annual revenues which help to offset other in-program costs.
	Paid Parking Management	Management of the Authority's paid parking program, including staff time and all associated fees and expenses.	CAA s.21(1)(m)	3	\$71,000	1. Self-Generated (100%)	\$0	n/a	\$71,000	No	This portion of the program is self-sustaining, bringing in over \$250,000 in annual revenues which help to offset other in-program and capital costs.
	Grey County Property Management	Service contract with the County of Grey for GSCA to manage all County Forests, forest trails and the CP Rail Trail	CAA s.21(1)(n)	2	\$126,322	1. Service Agreement(s)(100%)	Yes \$0	n/a	\$204,714		Provided for the Corporation of the County of Grey: Agreement Date : December 31, 2019
	Grey County By-Law Management	Service contract with the County of Grey for GSCA to oversee the Grey County Forest Management By-Law	CAA s.21(1)(n)	2	\$78,392		Yes				
Core Watershed-based Resource Management Strategy	Strategy Development	Collate/compile existing resource management plans, watershed plans, studies and data. Strategy development. Implementation and annual reporting	Reg. 686/21 s.8 Reg. 686/21 s.12(1)3 Reg. 686/21 s.12(4)	1	\$0	All	\$0	n/a	\$0	No	This is a new program/service area that is mandated by the Province that will draw staff time from all other program areas. No specific dollar amount is being allocated at this time.
Drinking Water Source Protection	Source protection authority role as set out in the Clean Water Act.	Source Protection Area/Region, tech support, SPC support, SPA reports and meetings, activities required by the Clean Water Act and regulations.	Reg. 686/21 s.13	1	\$211,407	Provincial Transfer Payment (100%)	\$0	n/a	\$211,407	No	
Drinking Water Risk Management	Drinking Water Source Protection Risk Management Official Services	Provision of Risk Management Services to 14 municipalities throughout the Source Protection Region on a fee-for-service basis.	Clean Water Act s.47(1) & s.48(1) CAA s.21(1)(a)&(n)	2	\$69,905	Service Agreements (100%)	\$0	n/a	\$69,905	Yes	See Appendix for Municipalities and Agreement Dates
Environmental Education	Curriculum delivery	Program development & delivery (future opportunity)	CAA s.21(1)(a)&(q)	3	\$0	1. Service Agreement(s)(100%)	\$0	n/a	\$0	No	May want to consider agreements for this in the future
	Day Camp Programming	Program development and execution for GSCA's summer day camp program	CAA s.21(1)(a)&(q)	3	\$49,280	1. Self-Generated (100%)* *Any surplus transferred to reserves 2. Grants - variable	\$0	n/a	\$49,280	No	This program is designed to be self-sufficient through user fees. Expansion of this program at the request of one or more municipalities may necessitate additional funding and service agreements.

Note: **Category 1 (White)**
Category 2 (Blue)
Category 3 (Green)
New Programming (Yellow)

* 2023 Budget data was used to develop this spreadsheet as it is the most relevant information for future planning.
** Capital expense needs utilized in this spreadsheet are based on a 5-year average, as per O.Reg. 687/21, to provide a rough estimation of capital needs. However, GSCA's Capital Asset Management Plan better defines the needs of the organization and will be utilized to define annual capital needs.



Program Area	Program / Service Provision	Program / Service Description	Legislative Reference	Category (1) Mandatory; (2) Municipal; (3) Other	Annual Operating Funding Amount (2023)*	Funding Mechanisms and Percentage of Funding Source (Operating Costs)	Annual Capital Funding Amount (5-Year Average)**	Funding Mechanisms and Percentage of Funding Source (Capital Costs)	Approximate Annual Funding Needs	Agreement Requirements	Comments
Environmental Planning	Section 28.1 Permit Administration and Compliance activities	Reviewing and processing permit applications, associated technical reports, site inspections, communication with applicants, agents, and consultants. This program also involves the investigation and enforcement of regulatory compliance.	Reg. 686/21 s.8	1	\$694,430	1. Self-Generated (91.0%) No 2. Municipal Levy (8.6%) 3. Provincial Transfer Payment (0.4%) No	\$0	n/a	\$694,430	No	Funding for the Environmental Planning Department is set up as a user pays system, consistent with the Minister's Policy on Fees. However, users fees cannot offset the whole cost due to work required that is either specifically for a municipality or cannot be tied to an application (ie: phone calls, broader policy review, violations, etc.)
	Review under Other Legislation	Input to the review and approval processes under other applicable law, with comments principally related to natural hazards, wetlands, watercourses and Sec 28 permit requirements.	Reg. 686/21 s.6	1							
	Municipal Plan Input and Review	Technical information and advice to municipalities on circulated municipal land use planning applications (Official Plan and Zoning By-law Amendments, Subdivisions, Condominium, Site Plan Approvals, Consents, Minor Variances, etc.) and Input to municipal land-use planning documents (OP, Comprehensive ZB, Secondary plans) related to natural hazards, on behalf of MNRF (delegated to CAs in 1983)	Reg. 686/21 s.7	1							
	Natural Hazards Technical Studies and Information Management	Data collection and study of designs to mitigate natural hazards. Development and use of systems to collect and store data and to provide spatial geographical representations of data.	Reg. 686/21 s.1							No	
Fleet and Equipment	Fleet and Equipment	Management and maintenance of the Authority's fleet and equipment assets.	General Operating Expense - O.Reg 402/22 s.11	1	\$82,650	1. Self-Generated (100%)	\$45,800	1. Self-Generated (100%)	\$128,450	No	Fleet and Equipment is an general operating cost that is funded through chargebacks to individual program areas.
Forestry	Forestry – Forest Management Operations on GSCA lands	Forestry services, planting and/or woodlot management on Conservation Authority land	Reg. 686/21 s.9(1)2	1	\$130,278	1. Municipal Levy (59.4%) 2. Self-Generated (38.8%) 3. Donations (1.8% - variable)	\$0	1. Self-Generated (100%)	\$130,278	No	GSCA manages over 28,000 acres of land. Much of this land is forested and needs to be tended to by forestry professionals. Our professional experienced staff manage the health of the forests, as well as ensure that no adverse uses are occurring on GSCA lands.
	Property maintenance on GSCA Forested Lands	Trail / Road and Gate Maintenance	Reg. 686/21 s.9(1)2	1						No	
	Property Inspections on GSCA Forested Lands	Property Inspections, boundary inspections and property marking.	Reg. 686/21 s.9(1)2	1						No	
	Woodlot Management	Timber Operations for Woodland Management for natural heritage benefit	Reg. 686/21 s.9(1)2 CAA s.21(1)(f),0(g)	3	\$38,000	1. Self-Generated (100%)	\$0	1. Self-Generated (100%)	\$38,000	No	Technically this program qualifies as Category 1.
	Forestry – Reforestation of private land, tree sales, and forestry services (MFTIP, Advice, Marking, etc.)	Forestry services, planting and/or woodlot management for private landowners	CAA s.21(1)(g)&(o)	3	\$221,546	1. Self-Generated (56.5%) 2. Grants (43.5% - variable)	\$0	1. Self-Generated (100%)	\$221,546	No	GSCA receives a substantial amount of grant money from various partners to assist with this programming.
GIS/IT/IM	Information Technology Management/ GIS	Data management, records retention. Development and use of systems to collect and store data and to provide spatial geographical representations of data.	Reg. 686/21 s.1(3)	1	\$281,148	1. Municipal Levy (86.6%) 2. Self-Generated (13.4 %)	\$15,900	1. Municipal Levy (65.4%) 2. Self-Generated (32.1%) 3. Grant (2.5%)	\$297,048	No	This is general operating program/service that allows for the efficient and effective function of all other program areas.
	Natural Hazards Technical Studies and Information Management	Data collection and study of designs to mitigate natural hazards. Development and use of systems to collect and store data and to provide spatial geographical representations of data.	Reg. 686/21 s.5(1)1 Reg. 686/21 s.9(1)2	1							
Stewardship	Watershed Stewardship and Restoration	Apply for and manage external funding, promote private land stewardship, outreach, provide advice and design assistance to property owners.	CAA s.21(1)(g)&(o)	3	\$72,027	1. Municipal Levy (51.4%) - variable 2. Grants (48.6%) - variable This is base funding for this Program. Grants supply the extra money that pays for on the ground projects.	\$0	n/a	\$72,027	Yes	GSCA receives a substantial amount of grant money from various partners to assist with this programming.
Water Management	Flood Forecasting and Warning	Daily data collection and monitoring of weather forecasts, provincial & local water level forecasts and watershed conditions. Flood event forecasting. Flood warning and communications. Maintenance of equipment.	Reg. 686/21 s.2	1	\$154,830	No 1. Municipal Levy (80.9%) No 2. Provincial Transfer Payment (19.1%)	\$0	1. Municipal Levy (100%)	\$154,830		GSCA works closely with municipal partners to ensure that these partners are kept apprised of impending flood risk situations.
	Low water response	Conditions monitoring/analysis. Technical & administrative support to the Water Response Team representing major water users and decision makers, who recommend drought response actions.	Reg. 686/21 s.3	1							
	Natural Hazards Technical Studies and Information Management	Data collection and study of designs to mitigate natural hazards. Development and use of systems to collect and store data and to provide spatial geographical representations of data.	Reg. 686/21 s.5(1)1 Reg. 686/21 s.9(1)2	1						No	
	Ice Management Plans	The development and updating of ice management plans, in concert with municipal partners, for areas of the watershed with known ice jamming issues.	Reg. 686/21 s.4	1	\$0	1. Municipal Levy (100%)	\$0	n/a	\$0	No	Following the Provincial Transfer payment cuts in 2018, GSCA stopped providing budget dollars to ice management
	Flood and Erosion Control Infrastructure Operation and Management	Water & erosion control infrastructure and low flow augmentation.	Reg. 686/21 s.5	1	\$14,350	1. Municipal Levy (82.6%) 2. Provincial Transfer Payment (17.4%)	\$28,400	1. Municipal Levy (70.4%) 2. Provincial Grant (15.5%) 3. Self-Generated (14.1%)	\$60,350	No	
	Other Dams	Maintenance of other dam infrastructure for flow augmentation, liability management and management of natural heritage features	Reg. 686/21 s.5(1)1 Reg. 686/21 s.9(1)2	1	\$17,600	1. Municipal Levy (100%)		1. Municipal Levy (50%) 2. Self-Generated (50%)		No	
Watershed Monitoring	Provincial Water Quality Monitoring Network (PWQMN)	A long-standing (50+ year) CA/MECP partnership for stream water quality monitoring. CA takes water samples; MECP does lab analysis and data management	Reg. 686/21 s.12(1)2 Reg. 686/21 s.12(3)	1	\$8,406	1. Municipal Levy (100%)	\$0	1. Provincial Grant (100%)	\$8,406	No	These mandatory program areas are carried out in partnership with MECP.
	Provincial Groundwater Monitoring Network (PGMN)	A long-standing (20+ year) CA/MECP partnership for groundwater level and quality monitoring. CA maintains equipment, data transfer to MECP, water sampling. MECP provides equipment, standards, data management.	Reg. 686/21 s.12(1)1 Reg. 686/21 s.12(2)	1						No	
	GSCA Water Quality Monitoring Network – Chemistry	Surface water quality sampling at 25 additional sites at key locations to better understand the watershed conditions and to support Watershed Report Card Evaluations and Watershed Health Checks.	CAA s.21(1)(a)	3	\$31,649	Yes	\$0	1. Municipal Levy 2. Grant 3. Donation	\$31,649		These Category 3 program areas expand on the mandatory programming noted above to provide a more wholistic view of the watershed conditions. This information is reported by to partners, stakeholders and the community through the use of communication tools such as Watershed Health Checks and Watershed Report Cards. Additionally, the data is available for use.
	GSCA Water Quality Monitoring Network - Benthic	Benthic/Biological Monitoring and Assessment Program (BioMAP) – samples collected annually and processed/identified by GSCA staff. This process evaluates surface water quality using macro-invertebrates (insect larvae, etc.) living in streams and supports Watershed Report Card Evaluations and Watershed Health Checks	CAA s.21(1)(a)	3		Yes					
	Documentation of stream crossings type and size, baseflow, water temperature and fish presence	Program is undertaken using summer technician staff and supports long-term review of planning and permit applications	CAA s.21(1)(a)	3		Yes					
	Thermal Stream Classification	Use of data loggers to classify fish communities as cold-water, cool water or warmwater. This information supports long-term review of natural heritage information and watershed health.	CAA s.21(1)(a)	3		Yes					
	Watershed Report Cards and Watershed Health Checks	Report backs to the community on the current state of the watershed(s) based on water quality, forest cover and wetland cover. Watershed report cards provide an overview of the entire GSCA area. Watershed health checks focus on smaller watershed or sub-watershed areas.	CAA s.21(1)(a)	3		Yes					
Note: <div>Category 1 (White)</div> <div>Category 2 (Blue)</div> <div>Category 3 (Green)</div> <div>New Programming (Yellow)</div>					Annual Operating Costs (2023)		Five -Year Average Capital Costs**		Approximately Total Annual Costs		
					Dollar Amount	Percentage of Operating Cost	Dollar Amount	Percentage of Capital Costs	Dollar Amount	Percentage of Total	
Total Funding Cost:					\$3,672,630	100.0%	\$239,613	100.0%	\$3,912,243		
Category 1 Portion:					\$2,868,334	78.1%	\$239,613	100.0%	\$3,107,947	79.4%	
Category 2 Portion:					\$274,619	7.5%	\$0	0.0%	\$274,619	7.0%	
Non-Levy-Based Category 3 Portion:					\$451,129	12.3%	\$0	0.0%	\$451,129	11.5%	
Levy-Based Category 3 Portion:					\$78,548	2.1%	\$0	0.0%	\$78,548	2.0%	

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** Capital expense needs utilized in this spreadsheet are based on a 5-year average, as per O.Reg. 687/21, to provide a rough estimation of capital needs. However, GSCA's Capital Asset Management Plan better defines the needs of the organization and will be utilized to define annual capital needs.



Listing of Existing Category 2 Service Agreements

APPENDIX 2

Municipality	Planning Agreement in Place (Y/N)	Agreement Date	Risk Management Agreement in Place (Y/N)	Agreement Date	Participating Municipality (Y/N)
Arran-Elderslie	Y*	September 5, 2019	Y	January 1, 2021	Y
Blue Mountains	Y	June 22, 2007	Y	September 13, 2021	Y
Brockton	N	n/a	Y	January 1, 2021	N
Chatsworth	Y	July 24, 2007	Y	November 10, 2020	Y
Georgian Bluffs	Y	January 8, 2020	Y	November 25, 2020	Y
Grey Highlands	Y	June 22, 2007	Y	January 20, 2021	Y
Kincardine	N	n/a	Y	October 14, 2020	N
Meaford	Y	March 26, 2007	Y	January 1, 2021	Y
Northern Bruce Peninsula	Y*	September 5, 2019	Y	August 9, 2021	N
Owen Sound	Y	June 15, 2020	Y	March 20, 2017	Y
Saugeen Shores	N	n/a	Y	January 1, 2021	N
South Bruce	N	n/a	Y	November 10, 2020	N
South Bruce Peninsula	Y*	September 5, 2019	Y	January 1, 2021	Y
West Grey	N	n/a	Y	April 5, 2021	N

*Planning agreements in Bruce County are with the County of Bruce acting on behalf of the lower tier municipalities





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June 7, 2023

Grey Sauble Conservation Authority
237897 Inglis Falls Road, RR 4
Owen Sound, Ontario, N4K 5N6

Attention: Board of Directors

Dear Sirs and Mesdames:

Re: Audit of December 31, 2022 Financial Statements

The objective of our audit was to obtain reasonable assurance that the financial statements were free of material misstatement; our audit was not designed for the purpose of identifying matters to communicate. Accordingly, our audit would not usually identify all such matters that may be of interest to management and it is inappropriate to conclude that no such matters exist.

During the course of our audit of The Grey Sauble Conservation Authority ("the authority") for the year ended December 31, 2022 we did not identify any significant deficiencies in internal control.

We have identified the following other matters that we wish to bring to the attention of management:

Invoice approvals

Observation and implication

It was noted during our testing that some invoices, although approved verbally in person or over the phone, do not have any documentation showing that they have been approved. This could potentially result in purchases being made that have not been approved.

Recommendation

We recommend that all invoices are formally approved or approved at minimum via email. In the rare circumstance where this is not possible, it should be documented on the invoice that approval was obtained verbally or via telephone.

It is important to note that management is responsible for ensuring that the authority has adequate internal controls and uses sound business practices as part of its overall responsibility for the ongoing activities. The authority's policies and procedures are present to:

- safeguard its assets, and
- provide reasonable assurance that errors, irregularities or illegal acts are promptly identified.

Further, these policies and procedures should be properly monitored to ensure that all staff comply with the guidelines provided.

This letter is intended solely for the use of the authority's board of directors and management, and should not be used for any other purpose, including distribution to third parties.

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In closing, we appreciate the co-operation from you and your staff during our audit visit. If you have any questions, please do not hesitate to contact us. It is a pleasure for us to be of service and we look forward to many more years of association with you.

Yours truly,

Baker Tilly SGB LLP

A handwritten signature in dark ink, appearing to read "Sue Bragg".

Sue Bragg, CPA, CA
Partner
sbragg@bakertilly.ca

cc- Tim Lanthier, Chief Administrative Officer
cc- Alison Armstrong, Manager of Financial & HR Services

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June 7, 2023

Members of the Board of Directors
Grey Sauble Conservation Authority
237897 Inglis Falls Road, RR 4
Owen Sound, Ontario, N4K 5N6

Re: Audit of the Financial Statements of The Grey Sauble Conservation Authority

We have been engaged to express an audit opinion on the financial statements of The Grey Sauble Conservation Authority ("the authority") for the year ended December 31, 2022. We have completed our audit and are pleased to report on the following items.

The purpose of this report is to summarize certain aspects of the audit that we believe to be of interest to the Board of Directors. This report should be read in conjunction with the final financial statements and our report thereon.

Auditor Independence

Through our planning process, we identify any potential independence threats and communicate any concerns we identify. The authority, management and the Board of Directors have a proactive role in this process, and are responsible for understanding the independence requirements applicable to the authority and its auditor. You must bring to our attention any concerns you may have, or any knowledge of situations or relationships between the authority, management, personnel (acting in an oversight or financial reporting role) and our Firm, its partners/principals and audit team personnel that may reasonably be thought to bear on our independence.

In determining which relationships to report, these standards require us to consider relevant rules and related interpretations prescribed by the Chartered Professional Accountants of Ontario and applicable legislation, covering such matters as:

- (a) Holding a financial interest, either directly or indirectly, in a client;
- (b) Holding a position, either directly or indirectly, that gives the right or responsibility to exert significant influence over the financial or accounting policies of a client;
- (c) Personal or business relationships of immediate family, close relatives, partners or retired partners, either directly or indirectly, with a client;
- (d) Economic dependence on a client; and
- (e) Provision of services in addition to the audit engagement.

In accordance with our professional requirements, we advise you that we are not aware of any relationships between the authority and our Firm that, in our professional judgement, may reasonably be thought to bear on our independence.

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Accordingly, we hereby confirm that our audit engagement team, our Firm and the other Baker Tilly Canada offices are independent with respect to the authority within the meaning of the Code of Professional Conduct Rule 204 of the Chartered Professional Accountants of Ontario.

Our Responsibilities as Auditor

As stated in the engagement letter, our responsibility as auditor of your authority is to express an opinion on whether the financial statements present fairly, in all material respects, the financial position, results of operations and cash flows of the authority in accordance with Canadian Public Sector Accounting Standards.

An audit is performed to obtain reasonable but not absolute assurance as to whether the financial statements are free of material misstatement. Due to the inherent limitations of an audit, there is an unavoidable risk that some misstatements of the financial statements will not be detected (particularly intentional misstatements concealed through collusion), even though the audit is properly planned and performed.

Our audit includes:

- Assessing the risk that the financial statements may contain material misstatements that, individually or in the aggregate, are material to the financial statements taken as a whole;
- Examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements;
- Assessing the accounting principles used, and their application;
- Assessing the significant estimates made by management;
- Concluding on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the authority's ability to continue as a going concern; and
- Evaluating the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

As part of our audit, we obtained a sufficient understanding of the business and internal control structure of the authority to plan the audit. This included management's assessment of:

- The risk that the financial statements may be materially misstated as a result of fraud and error; and
- The internal controls put in place by management to address such risks.

The engagement team undertook a documented planning process prior to commencement of the audit to identify concerns, address independence considerations, assess the engagement team requirements, and plan the audit work and timing.

An audit does not relieve management or those responsible for governance of their responsibilities for the preparation of the authority's financial statements.

Board of Directors' Responsibilities

The Board of Directors' role is to act in an objective, independent capacity as a liaison between the auditor and management to ensure the auditor has a facility to consider and discuss governance and audit issues with parties not directly responsible for operations.

The Board of Directors' responsibilities include:

- Being available to assist and provide direction in the audit planning process when and where appropriate;
- Meeting with the auditor as necessary and prior to release and approval of financial statements to review audit, disclosure and compliance issues;

- Where necessary, reviewing matters raised by the auditor with appropriate levels of management, and reporting back to the auditor their findings;
- Making known to the auditor any issues of disclosure, corporate governance, fraud or illegal acts, non-compliance with laws or regulatory requirements that are known to them, where such matters may impact the financial statements or Independent Auditor's Report;
- Providing guidance and direction to the auditor on any additional work the auditor feels should be undertaken in response to issues raised or concerns expressed;
- Making such enquiries as appropriate into the findings of the auditor with respect to corporate governance, management conduct, cooperation, information flow and systems of internal controls; and
- Reviewing the draft financial statements prepared by management, including the presentation, disclosures and supporting notes and schedules, for accuracy, completeness and appropriateness, and approving same to be passed to directors for approval.

Audit Approach

Outlined below are certain aspects of our audit approach which are intended to help you in discharging your oversight responsibilities. Our general approach to the audit of The Grey Sauble Conservation Authority was to assess the risks of material misstatement in the financial statements and then respond by designing audit procedures.

Independent Auditor's Report

We anticipate that our Independent Auditor's Report will be issued without modification.

Our Independent Auditor's Report will be dated no earlier than the date on which we have obtained sufficient appropriate audit evidence on which to base our audit opinion on the financial statements, including evidence that all the statements and disclosures that comprise the financial statements have been prepared and the Board of Directors has approved the financial statements.

Illegal Acts, Fraud, Intentional Misstatements and Errors

Our auditing procedures, including tests of your accounting records, were limited to those considered necessary in the circumstances and will not necessarily disclose all illegal acts should any exist. Under CAS, we consider the authority's control environment, governance structure, circumstances encountered during the audit and the potential likelihood of fraud and illegal acts occurring.

These procedures are not designed to test for fraudulent or illegal acts, nor will they necessarily detect such acts or recognize them as such, even if the effect on the financial statements is material. However, should we become aware that an illegal or possibly illegal act or act of fraud may have occurred, other than one considered clearly inconsequential, we will communicate directly to the Board of Directors.

It is management's responsibility to detect and prevent illegal action. If such acts are discovered or the Board of Directors members become aware of circumstances under which the authority may have been involved in fraudulent, illegal or regulatory non-compliance situations, such circumstances must be disclosed to us.

Testing during our audit did not reveal any illegal, improper or questionable payments or acts, nor any acts committed with the intent to deceive, involving either misappropriation of assets or misrepresentation of assets or misrepresentation of financial information.

Related Party Transactions

During our audit, we conduct various tests and procedures to identify transactions considered to involve related parties. Related parties exist when one party has the ability to exercise, directly or indirectly, control, joint control or significant influence over the other. Two or more parties are related when they are subject to common control, joint control or common significant influence. Related parties also include management, directors and their immediate family members and companies with which these individuals have an economic interest.

All related party transactions that were identified during the audit have been represented by management to have been disclosed in the notes to financial statements, recorded in accordance with Canadian Public Sector Accounting Standards, and have been reviewed with you.

Management has advised that no other related party transactions have occurred that have not been disclosed to us. The Board of Directors is required to advise us if it is aware of or suspects any other related party transactions have occurred, which have not been disclosed in the financial statements.

Significant Accounting Principles and Policies

Management is responsible for the appropriate selection and application of accounting policies. Our role is to review the appropriateness and application as part of our audit. The significant accounting principles and policies are disclosed in the notes to the financial statements.

The accounting policies adopted may be acceptable policies under Canadian Public Sector Accounting Standards; however, alternative policies may also be acceptable under Canadian Public Sector Accounting Standards. The authority and the Board of Directors have a responsibility to not adopt extreme or inappropriate interpretations of Canadian Public Sector Accounting Standards that may have inappropriate or misleading results. Alternative policies, if adopted, may produce significant changes in the reported results of the operations, financial position and disclosures of the authority.

The Board of Directors has a responsibility to review the accounting policies adopted by the authority, and where alternative policies are available, make determinations as to the most appropriate policies to be adopted in the circumstances. If members of the Board of Directors believe that the adoption or change in accounting policy may produce an inappropriate or misleading result in financial reporting or disclosure, this concern must be discussed with management and us.

There were no new accounting policies adopted or changes to the application of accounting policies of the authority during the year.

Accounting Estimates

Management is responsible for the accounting estimates included in the financial statements. Estimates and the related judgements and assumptions are based on management's knowledge of the business and past experience about current and future events.

Our responsibility as auditor is to obtain sufficient appropriate evidence to provide reasonable assurance that management's accounting estimates are reasonable within the context of the financial statements as a whole. An audit includes performing appropriate procedures to verify the:

- Calculation of accounting estimates;
- Analyzing of key factors such as underlying management assumptions;
- Materiality of estimates individually and in the aggregate in relation to the financial statements as a whole;
- Estimate's sensitivity to variation and deviation from historical patterns;
- Estimate's consistency with the entity's business plans; and
- Other audit evidence.

Risk-based

Our risk-based approach focuses on obtaining sufficient appropriate audit evidence to reduce the risk of material misstatement in the financial statements to an appropriately low level. This means that we focus our audit work on areas that have a higher risk of being materially misstated.

Materiality

Materiality is used throughout the audit and in particular when:

- a) Identifying and assessing risk of material misstatement;
- b) Determining the nature, timing and extent of further audit procedures; and
- c) Evaluating the effect of uncorrected misstatements, if any, on the financial statements and in forming an opinion on the Auditor's Report.

Materiality is defined as:

Materiality is the term used to describe the significance of financial statement information to decision makers. An item of information, or an aggregate of items, is material if it is probable that its omission or misstatement would influence or change a decision. Materiality is a matter of professional judgement in the particular circumstances.

We used an overall materiality of \$68,000 and a performance materiality of \$51,000.

Audit Procedures

The objective of the tests of controls is to evaluate whether certain controls operated effectively. The objective of the tests of details is to detect material misstatements in the account balances and transaction streams. Substantive analytical procedures are used to identify differences between recorded amounts and predictable expectations in larger volumes of transactions over time.

In response to our risk assessment and based on our understanding of internal controls, we adopted a substantive approach for the audit.

Evaluation of Internal Controls

Audits include a review and evaluation of the system of internal controls to assist in determining the level of reliance that may or should be placed on the system in assessing the nature and extent of audit procedures to be undertaken.

There are no internal control matters that we wish to bring to your attention.

Significant Misstatements

In the course of our audit, we have not found any material misstatements or unadjusted items that, in aggregate, exceed materiality thresholds established for the audit, nor have we found significant misstatements that would likely cause future financial statements to be materially misstated.

Uncorrected Misstatements

In the course of our audit, we have aggregated uncorrected financial statement misstatements which are summarized in the accompanying schedule. Management has deemed the effects of these misstatements to be immaterial, both individually and in the aggregate, to the financial statements taken as a whole. Management has agreed to correct these misstatements.

Significant Unusual Transactions

We are not aware of any significant transactions entered into by the authority that you should be informed about.

Disagreements with Management

We are required to communicate any disagreements with management, whether or not resolved, about matters that are individually or in aggregate significant to the authority's financial statements or Auditor's Report. Disagreements may arise over:

- Selection or application of accounting principles;
- Assumptions and related judgements for accounting estimates;
- Financial statement disclosures;
- Scope of the audit; or
- Wording of the Auditor's Report.

In the course of our audit, we did not have any significant disagreements with management, nor were we under any significant time pressures or poor working conditions. We are not aware of any cause for concern as to management's attitude, competence or credibility with respect to matters affecting the financial statements.

Difficulties Encountered During the Audit

We encountered no significant difficulties during our audit that should be brought to the attention of the Board of Directors.

Management Letter

We have submitted to management a letter on internal controls and any other matters that we feel should be brought to the attention of management.

New Accounting Pronouncements Not Yet Effective

We wish to bring to your attention the following accounting pronouncements that have been issued but are not yet effective that may affect your financial reporting in future periods:

Section PS 3280, Asset Retirement Obligations - effective for fiscal years beginning on or after April 1, 2022 with earlier application permitted. This is a new accounting standard that addresses the reporting of legal obligations associated with the retirement of tangible capital assets. Specifically, it:

- (a) defines which activities would be included in a liability for retirement of a tangible capital asset;
- (b) establishes when to recognize and how to measure a liability for an asset retirement obligation; and
- (c) provides the related financial statement presentation and disclosure requirements.

Section PS 1201, Financial Statement Presentation - adopted when PS 2601 and PS 3450 are adopted. This section includes the components of the financial statements, including remeasurement gains and losses. Accumulated remeasurement gains and losses are reported at the beginning and end of the period.

Section PS 2601, Foreign Currency Translation - effective for fiscal years beginning on or after April 1, 2022 with earlier adoption is permitted when adopting Sections PS 1201 and PS 3450. This section establishes standards on how to account for and report transactions that are denominated in a foreign currency in government financial statements, including remeasurement gains and losses.

Section PS 3041, Portfolio Investments - adopted when PS 1201, PS 2601 and PS 3450 are adopted. This section applies to equity instruments or debt instruments issued by the investee and must contain significant concessionary terms.

Section PS 3450, Financial Instruments - effective for fiscal years beginning on or after April 1, 2022 with earlier adoption is permitted when adopting Sections PS 1201 and PS 2601.

Conclusion

We wish to express our appreciation for the co-operation we received during the audit from the authority's management.

Should any member of the Board of Directors wish to discuss or review any matter addressed in this letter or any other matters related to financial reporting, please do not hesitate to contact us at any time.

Yours very truly,

Baker Tilly SGB LLP



Sue Bragg, CPA, CA
Partner
sbragg@bakertilly.ca

Schedule of Uncorrected Misstatements

Description of Misstatement	Proposed Adjustments Dr (Cr)				
	Statement of Operations		Statement of Financial Position		
	Identified Misstatements	Likely Aggregate Misstatements	Assets	Liabilities	Accumulated Surplus
Under accrued audit fees	-	5,200	-	(5,200)	-
a) Totals		5,200	-	(5,200)	-
b) Misstatements corrected by management	-	-	-	-	-
c) Likely aggregate misstatements net of corrections (a - b)		5,200	-	(5,200)	-
d) Effect of unadjusted misstatements from previous year's errors		3,319	-	-	(3,319)
e) Aggregate likely misstatements (c + d)		8,519	-	(5,200)	(3,319)
f) Final overall materiality		68,000	68,000	68,000	68,000
g) Amount remaining for further possible misstatement (f - e)		59,481	68,000	62,800	64,681

**GREY SAUBLE
CONSERVATION AUTHORITY**

FINANCIAL REPORT

DECEMBER 31, 2022

GREY SAUBLE CONSERVATION AUTHORITY

DECEMBER 31, 2022

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GREY SAUBLE CONSERVATION AUTHORITY

MANAGEMENT'S RESPONSIBILITY FOR THE FINANCIAL REPORT

The accompanying financial statements of the Grey Sauble Conservation Authority ("the Authority") are the responsibility of the Authority's management and have been prepared in accordance with Canadian public sector accounting standards, established by the Public Sector Accounting Board of the Chartered Professional Accountants of Canada, as described in Note 1 to the financial statements.

The preparation of financial statements necessarily involves the use of estimates based on management's judgment, particularly when transactions affecting the current accounting period cannot be finalized with certainty until future periods.

The Authority's management maintains a system of internal control designed to provide reasonable assurance that assets are safeguarded, transactions are properly authorized and recorded, reliable financial information is available on a timely basis for preparation of the financial statements. These systems are monitored and evaluated by management. The Board of Directors meet with management and the external auditor to review the financial statements and discuss any significant financial reporting or internal control matters prior to their approval of the financial statements.

The financial statements have been audited by Baker Tilly SGB LLP, the independent external auditor appointed by the Authority. The accompanying Independent Auditor's Report outlines their responsibilities, the scope of their examination and their opinion on the Authority's financial statements.

Tim Lanthier

Chief Administrative Officer
May 24, 2023

Alison Armstrong

Finance Coordinator
May 24, 2023

INDEPENDENT AUDITOR'S REPORT

To the Board of Directors of Grey Sauble Conservation Authority:

Opinion

We have audited the financial statements of the Grey Sauble Conservation Authority ("the Authority"), which comprise the statement of financial position as at December 31, 2022, and the statements of operations, change in net financial assets and cash flow for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Authority as at December 31, 2022, and its results of operations and cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of our report. We are independent of the Authority in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Authority's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless management either intends to liquidate the Authority or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Authority's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Authority's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Authority to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Baker Tilly SGB LLP

Baker Tilly SGB LLP

Chartered Professional Accountants
Licensed Public Accountants
Collingwood, Ontario
May 24, 2023

GREY SAUBLE CONSERVATION AUTHORITY

STATEMENT OF FINANCIAL POSITION AS AT DECEMBER 31

	2022	2021
	\$	\$
Financial assets		
Cash - Operating fund (Note 2)	648,704	763,964
Cash - Reserve funds (Note 2)	590,105	549,203
Accounts receivable (Note 12)	171,877	165,430
Investment portfolio - Reserve funds (Note 3)	1,504,011	1,494,204
	2,914,697	2,972,801
Liabilities		
Accounts payable and accrued liabilities	273,326	189,196
Other payables (Note 5)	62,785	75,114
Government remittances payable	63,370	53,314
Deferred revenue (Note 6)	207,329	254,397
	606,810	572,021
Net financial assets	2,307,887	2,400,780
Non-financial assets		
Prepaid expenses	34,628	30,323
Tangible capital assets (Note 8)	7,734,408	7,759,192
	7,769,036	7,789,515
Accumulated surplus (Note 9)	10,076,923	10,190,295

Approved S. Carleton Director

A. Greg Director

The accompanying notes are an integral part of
these financial statements

GREY SAUBLE CONSERVATION AUTHORITY

STATEMENT OF OPERATIONS FOR THE YEAR ENDED DECEMBER 31

	Budget 2022 \$ (Note 11)	Actual 2022 \$	Actual 2021 \$
Revenue			
Municipal levies	1,557,630	1,557,630	1,474,436
Government grants - operating	37,056	110,040	90,957
Rebates	-	24,297	7,174
Risk assessment of flood hazards	-	14,151	4,899
Grey Sauble Forestry/Ontario Trees	245,625	197,820	302,366
Grey County Forest Management	200,895	192,501	182,255
Timber and wood sales	25,000	77,532	43,600
User fees	589,350	742,294	675,931
Sourcewater protection	188,660	195,639	182,322
Rental recoveries (net of \$72,695 expense; 2021 - \$80,155)	19,996	792	(6,514)
Donations (Note 12)	1,600	14,937	83,344
Risk management	50,200	45,180	43,650
Miscellaneous (Note 12)	39,959	62,768	49,409
Interest earned (Note 12)	2,000	23,836	9,624
Income on reserve accounts (Note 3)	-	37,892	127,301
	2,957,971	3,297,309	3,270,754
Expenses			
Water management	175,727	160,710	134,803
Environmental planning	514,002	629,909	519,181
Forestry			
-Operations on Authority land	141,959	149,760	134,287
-Grey Sauble Forestry/Ontario Trees	249,602	184,827	239,726
Grey County Forest Management	200,895	191,440	180,897
Conservation lands policy and procedure	234,903	235,188	189,432
Conservation lands operations	328,844	362,676	319,431
Conservation information and education	163,434	147,687	91,348
Administrative support	598,750	631,348	597,066
Major projects	-	1,579	23,768
Miscellaneous	-	25,649	18,643
Source water risk management	67,460	67,225	61,449
Sourcewater protection	188,660	195,639	182,322
GIS/IT department	277,494	285,807	234,416
Risk assessment of flood hazards	-	21,152	-
Loss on disposal of tangible capital assets	-	620	6,870
Amortization of tangible capital assets	-	119,465	122,583
	3,141,730	3,410,681	3,056,222
Annual (deficit) surplus (Note 11)	(183,759)	(113,372)	214,532
Accumulated surplus, beginning of year	10,190,295	10,190,295	9,975,763
Accumulated surplus, end of the year (Note 9)	10,006,536	10,076,923	10,190,295

The accompanying notes are an integral part of
these financial statements

GREY SAUBLE CONSERVATION AUTHORITY

STATEMENT OF CHANGE IN NET FINANCIAL ASSETS FOR THE YEAR ENDED DECEMBER 31

	Budget 2022	Actual 2022	Actual 2021
	\$	\$	\$
	(Note 11)		
Annual (deficit) surplus	(183,759)	(113,372)	214,532
Acquisition of tangible capital assets	(182,800)	(95,301)	(176,472)
Amortization of tangible capital assets	-	119,465	122,583
Loss on disposal of tangible capital assets	-	620	6,870
Proceeds on disposal of tangible capital assets	-	-	2,170
Change in prepaid expenses	-	(4,305)	(5,740)
Change in net financial assets	(366,559)	(92,893)	163,943
Net financial assets, beginning of year	2,400,780	2,400,780	2,236,837
Net financial assets, end of year	2,034,221	2,307,887	2,400,780

The accompanying notes are an integral part of
these financial statements

GREY SAUBLE CONSERVATION AUTHORITY

STATEMENT OF CASH FLOW FOR THE YEAR ENDED DECEMBER 31

	2022	2021
	\$	\$
Cash flows from (for):		
Operating activities		
Annual (deficit) surplus	(113,372)	214,532
Non-cash items:		
Amortization of tangible capital assets	119,465	122,583
Loss on disposal of tangible capital assets	620	6,870
	6,713	343,985
Changes in:		
Accounts receivable	(6,447)	55,659
Accounts receivable - government partnership	-	96,851
Accounts payable and accrued liabilities	84,130	(33,887)
Other payables	(12,329)	6,755
Government remittances payable	10,056	4,175
Deferred revenue	(47,068)	138,084
Prepaid expenses	(4,305)	(5,740)
	30,750	605,882
Investing activities		
Increase in investment portfolio	(9,807)	(308,891)
Capital activities		
Acquisition of tangible capital assets	(95,301)	(176,472)
Proceeds on disposal of tangible capital assets	-	2,170
	(95,301)	(174,302)
Net change in cash position	(74,358)	122,689
Cash, beginning of year	1,313,167	1,190,478
Cash, end of year	1,238,809	1,313,167
Comprised of:		
Cash - Operating fund	648,704	763,964
Cash - Reserve funds	590,105	549,203
	1,238,809	1,313,167

The accompanying notes are an integral part of
these financial statements

GREY SAUBLE CONSERVATION AUTHORITY

NOTES TO THE FINANCIAL STATEMENTS AS AT DECEMBER 31, 2022

Nature of Operations

The Grey Sauble Conservation Authority ("the Authority") is established under the Conservation Authorities Act of Ontario to further the conservation, restoration, development and management of natural resources, other than gas, oil, coal and minerals, for the watersheds within its area of jurisdiction. The watersheds include areas in the Municipalities of Arran-Elderslie, Grey Highlands and Meaford, the Town of The Blue Mountains and the Town of South Bruce Peninsula, the Townships of Chatsworth and Georgian Bluffs and the City of Owen Sound.

The Authority's mission is:

"In partnership with the stakeholders of the watershed, to promote and undertake sustainable management of renewable natural resources and provide responsible leadership to enhance bio-diversity and environmental awareness."

The Authority is a registered charity and is exempt from income taxes.

1. Summary of Significant Accounting Policies

The financial statements are the representation of management prepared in accordance with Canadian generally accepted accounting principles for organizations operating in the local government sector as recommended by the Public Sector Accounting Board of The Chartered Professional Accountants of Canada. Significant aspects of the accounting policies adopted by the Authority are as follows:

(a) Basis of Accounting

Sources of revenue and expenses are reported on the accrual basis of accounting. The accrual basis of accounting recognizes revenues as they become available and measurable. Expenses are recognized as they are incurred and measurable as a result of receipt of goods or services and the creation of a legal obligation to pay.

(b) Cash and Cash Equivalents

Cash and cash equivalents include cash on deposit and short-term deposits with a maturity of less than three months at acquisition.

(c) Investment Portfolio

The investment portfolio is recorded at cost, which approximates amortized cost.

Gains and losses on sale of investments are recognized when the assets are sold. All other distributions from the portfolio investments are recognized when they are received or become receivable.

GREY SAUBLE CONSERVATION AUTHORITY

NOTES TO THE FINANCIAL STATEMENTS AS AT DECEMBER 31, 2022

1. Summary of Significant Accounting Policies (continued)

(d) Revenue Recognition

Government grants are recognized in the financial statements in the period in which events giving rise to the transfer occur, providing the transfers are authorized, any eligibility criteria have been met and reasonable estimates of the amount can be made.

General and special municipal levies are recognized as revenue when the amounts are levied on the municipalities.

Authority-generated revenue is recognized when the price is fixed or determinable, collectability is reasonably assured and services are provided to customers. Types of services include tree planting, site inspections, forest maintenance, property access fees, rentals and planning.

All other revenues are recognized on an accrual basis.

(e) Deferred Revenue

Revenue restricted by legislation, regulation or agreement, and not available for general purposes, is reported as deferred revenue on the statement of financial position. The revenue is reported on the statement of operations in the year in which it is used for the specified purpose.

(f) Tangible Capital Assets

Tangible capital assets are recorded at cost, which includes all amounts that are directly attributable to acquisition, construction, development or betterment of the asset. Cost includes overheads directly attributable to construction and development.

Amortization is reflected on a straight-line basis over the estimated useful life of the assets. The useful life of the assets is based on estimates made by management. The following rates are used:

Bridges and trails	6 - 30 years
Buildings	40 years
Dams and weirs	50 years
Equipment	15 years
Flood forecast equipment	10 - 20 years
Information technology infrastructure	3 - 15 years
Office furniture	20 years
Vehicles	10 years

Contributed tangible capital assets are recognized as assets and revenue at fair value at the time they are received.

GREY SAUBLE CONSERVATION AUTHORITY

NOTES TO THE FINANCIAL STATEMENTS AS AT DECEMBER 31, 2022

1. Summary of Significant Accounting Policies (continued)

(g) Vehicles

The Authority operates a pool of vehicles. Internal charges for the use of vehicles are made to the various projects of the Authority based on an hourly or distance travelled rate, which is designed to recover all costs of operating the pool including replacement.

These internal charges are included in the appropriate expense classifications. Expenditures incurred by the motor pool for operating costs are netted against the internal charges and are reported in the statement of operations.

(h) Pension Plan

The Authority offers a pension plan for its full-time employees through the Ontario Municipal Employee Retirement System ("OMERS"). OMERS is a multi-employer, contributory, public sector pension fund established for employees of municipalities, local boards and school boards in Ontario. Participating employers and employees are required to make plan contributions based on participating employees' contributory earnings. The Authority accounts for its participation in OMERS as a defined contribution plan and recognizes the expense related to this plan as contributions are made, even though OMERS is itself a defined benefit plan.

(i) Use of Estimates

The preparation of financial statements in accordance with Canadian generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the reporting period. The principle estimates used in the preparation of these financial statements are the determination of the estimated useful life of tangible capital assets and valuation of tangible capital assets when testing for possible impairment. Actual results could differ from management's best estimates as additional information becomes available in the future.

2. Cash

On December 31, 2022 the Authority had cash of \$1,238,809 (2021 - \$1,313,167) at one chartered bank. The Canada Deposit Insurance Corporation (CDIC) insures up to a maximum of \$100,000 per depositor at a CDIC member institution. Included in operating cash is \$207,329 (2021 - \$254,397) of funds restricted for the purposes as described in Note 6.

3. Investment Portfolio

The investment portfolio includes Canadian, U.S. and International equities, as well as bonds and cash. The fair market value of the investments at year end was \$1,438,446 (2021 - \$1,590,203). During the year, the investment portfolio generated investment revenue of \$34,433 (2021 - \$45,326), realized capital loss of \$9,172 (2021 - capital gain of \$78,963) and incurred management fees in the amount of \$13,916 (2021 - \$13,866). Income on reserve accounts, as reported on the statement of operations, includes all income and losses generated by the portfolio in addition to interest earned from reserve cash accounts.

GREY SAUBLE CONSERVATION AUTHORITY

NOTES TO THE FINANCIAL STATEMENTS AS AT DECEMBER 31, 2022

4. Pension Plan

The employees of the Authority participate in the Ontario Municipal Employees Retirement System ("OMERS"). Although the plan has a defined retirement benefit for employees, the related obligation of the Municipality cannot be identified. The Authority has applied defined contribution plan accounting as it has insufficient information to apply defined benefit plan accounting. The OMERS plan has several unrelated participating municipalities and costs are not specifically attributed to each participant. Amounts paid to OMERS for 2022 were \$160,611 (2021 - \$153,237) for current service.

OMERS is a multi-employer plan, therefore any pension plan surpluses or deficits are a joint responsibility of Ontario municipal organizations and their employees. The most recent actuarial valuation of the Plan was conducted at December 31, 2022. The results of this valuation disclosed total actuarial liabilities of \$130.3 (2021 - \$120.8) billion in respect of benefits accrued for service with actuarial assets at that date of \$123.6 (2021 - \$117.7) billion, indicating a going concern actuarial deficit of \$6.7 (2021 - \$3.1) billion.

5. Other Payables

The Authority holds monies collected by the Beaver River Water Initiative ("BRWI"), Friends of Hibou, Fishing Islands Phragmites group, Conservation Authority Collaborative Information Sessions ("CACIS") and the Arboretum Alliance. These funds are distributed when these organizations require payment for expenses which they have incurred. As at December 31, 2022 the Authority held \$8,901 (2021 - \$15,366) on behalf of the BRWI, \$6,639 (2021 - \$3,725) on behalf of Friends of Hibou, \$7,936 (2021 - \$15,956) on behalf of Fishing Islands Phragmites group, \$10,381 (2021 - \$11,881) on behalf of CACIS and \$28,927 (2021 - \$28,207) on behalf of the Arboretum Alliance.

6. Deferred Revenue

Deferred revenue consists of the following:

	2022	2021
	\$	\$
Forestry donation	10,000	10,000
Source water	23,832	82,801
Risk management legal contingency	78,338	73,318
Stewardship grants	69,675	62,373
Outstanding planning permits	13,530	13,510
Miscellaneous other deferrals	11,954	12,395
	207,329	254,397

7. Contingent Liabilities

In the ordinary course of operations, various actions and legal proceedings can arise involving the Authority. The amount and likelihood of loss resulting from such actions is unknown at this time. Any payment made by the Authority will be expensed in the year of settlement.

GREY SAUBLE CONSERVATION AUTHORITY

NOTES TO THE FINANCIAL STATEMENTS AS AT DECEMBER 31, 2022

8. Tangible Capital Assets

Tangible capital assets consists of the following:

	Balance 2021	Additions	Disposals	Balance 2022
Cost	\$	\$	\$	\$
Land	6,270,222	-	-	6,270,222
Bridges and Trails	440,851	-	-	440,851
Buildings	1,047,587	17,668	(4,957)	1,060,298
Dams and Weirs	2,116,930	-	-	2,116,930
Equipment	290,355	11,670	-	302,025
Flood Forecast Equipment	66,943	-	-	66,943
Information Technology Infrastructure	171,807	11,014	(7,048)	175,773
Office Furniture	55,807	3,773	-	59,580
Vehicles	320,240	28,076	-	348,316
Work in Progress	-	23,100	-	23,100
	10,780,742	95,301	(12,005)	10,864,038
Accumulated Amortization				
Bridges and Trails	207,205	13,894	-	221,099
Buildings	809,672	12,006	(4,337)	817,341
Dams and Weirs	1,406,043	41,294	-	1,447,337
Equipment	173,334	15,300	-	188,634
Flood Forecast Equipment	42,896	3,824	-	46,720
Information Technology Infrastructure	126,738	13,672	(7,048)	133,362
Office Furniture	43,145	2,075	-	45,220
Vehicles	212,517	17,400	-	229,917
	3,021,550	119,465	(11,385)	3,129,630
Net Book Value				
Land	6,270,222			6,270,222
Bridges and Trails	233,646			219,752
Buildings	237,915			242,957
Dams and Weirs	710,887			669,593
Equipment	117,021			113,391
Flood Forecast Equipment	24,047			20,223
Information Technology Infrastructure	45,069			42,411
Office Furniture	12,662			14,360
Vehicles	107,723			118,399
Work in Progress	-			23,100
	7,759,192			7,734,408

GREY SAUBLE CONSERVATION AUTHORITY

NOTES TO THE FINANCIAL STATEMENTS AS AT DECEMBER 31, 2022

9. Accumulated Surplus

Accumulated surplus consists of individual fund surplus and reserves as follows:

	2022	2021
	\$	\$
Invested in tangible capital assets	7,734,408	7,759,192
Operating surplus (Note 11)	234,400	283,945
Reserve funds (Note 10)	2,048,115	2,087,159
Working capital reserve	60,000	60,000
	10,076,923	10,190,296

10. Reserve Funds Set Aside for Specific Purpose

	2022	2021
	\$	\$
Lands reserve	564,516	468,353
Computer replacement and special projects	34,252	36,194
Major dam maintenance	266,170	247,815
Vehicle replacement	149,924	176,119
Risk management	160,353	180,458
Administration	426,432	480,937
Forest management	415,261	471,143
Youth	31,207	26,140
	2,048,115	2,087,159

11. Budget

Under Canadian public sector accounting principles, budget amounts are to be reported on the statement of operations and changes in net financial assets for comparative purposes. The 2022 budget amounts for Grey Sauble Conservation Authority approved by the Board have been reclassified to conform to the basis of presentation of the revenues and expenses on the statements of operations and change in net financial assets. The budget numbers have not been audited. The following is a reconciliation of the budget approved by the Board:

	Budget 2022	Actual 2022	Actual 2021
	\$	\$	\$
Annual surplus	(183,759)	(113,372)	214,532
Prior year general surplus	283,944	283,944	241,648
Transfers from (to) reserves	194,199	39,044	(127,387)
Tangible capital asset acquisitions, disposals and write-down	(181,800)	(94,681)	(167,432)
Amortization	-	119,465	122,583
Operating surplus	112,584	234,400	283,944

GREY SAUBLE CONSERVATION AUTHORITY

NOTES TO THE FINANCIAL STATEMENTS AS AT DECEMBER 31, 2022

12. Related Party Transactions

The Grey Sauble Conservation Foundation was founded to receive, accumulate and distribute funds and/or the income therefrom for the benefit of the Authority. The Foundation is incorporated under the Ontario Corporations Act and is a registered charity under the Income Tax Act. The Authority has representation on the Foundation's Board of Directors. Funds are solicited by the Foundation to further the mission of the Authority. Thus, as defined in the accounting recommendations of the Chartered Professional Accountants of Canada, the Authority has an economic interest in the Foundation.

Transactions with Grey Sauble Conservation Foundation include accounts receivable of \$11,532 (2021 - \$10,187), interest revenue of \$2,734 (2021 - \$3,643), donations for Hibou boardwalk and Family Fun day of \$3,200 (2021 - \$5,000 for Hibou Playground) and other transfers to fund Authority activities included in miscellaneous revenue of \$6,120 (2021 - \$2,000).

13. Comparative Figures

Certain comparative figures on the statement of operations have been reclassified to conform with the current year's presentation.

**GREY SAUBLE
CONSERVATION AUTHORITY
SUPPLEMENTARY INFORMATION
DECEMBER 31, 2022**

GREY SAUBLE CONSERVATION AUTHORITY

DECEMBER 31, 2022

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GREY SAUBLE CONSERVATION AUTHORITY

SCHEDULE 1 SCHEDULE OF REVENUE FOR THE YEAR ENDED DECEMBER 31 (UNAUDITED)

	Budget 2022	Actual 2022	Actual 2021
	\$	\$	\$
Government Grants			
Provincial and Federal - Programming			
Flood control and warning	37,056	37,056	37,056
Stewardship program	-	66,009	52,951
Other	-	6,975	950
	37,056	110,040	90,957
Federal and local governments - Risk assessment of flood hazards	-	14,151	4,899
	37,056	124,191	95,856
Grey Sauble Forestry/Trees Ontario			
Trees and landscape stock	108,000	73,837	143,772
Trees Ontario and One Tree Planted	137,625	123,982	158,594
	245,625	197,819	302,366
User Fees, Service Fees and Other Revenue Sources			
Parking fees	137,900	249,246	239,350
Planning fees	325,000	384,031	380,788
Rentals	64,488	61,258	55,783
The Great Outdoors Day Camp	59,962	47,659	-
GIS consulting	2,000	100	10
	589,350	742,294	675,931

GREY SAUBLE CONSERVATION AUTHORITY

SCHEDULE 2 SCHEDULE OF RENTAL RECOVERIES AND EXPENDITURES FOR THE YEAR ENDED DECEMBER 31 (UNAUDITED)

	Budget 2022	Actual 2022	Actual 2021
	\$	\$	\$
Recoveries			
Vehicle			
Flood control and warning	5,950	6,414	5,260
Operating conservation property	23,500	29,085	33,153
Forest management	22,500	22,404	20,932
Grey Sauble Forestry/Trees Ontario	8,000	6,051	6,989
Erosion control	300	83	31
Land use planning and regulation	18,000	8,164	7,026
Information and education	750	542	-
Administrative support	2,000	594	196
Special programs	2,500	150	54
	83,500	73,487	73,641
Expenditures			
Vehicle			
Fuel	30,000	30,294	28,853
Repairs	8,504	26,108	35,440
Licenses and insurance	25,000	8,744	9,239
Salaries and benefits	-	1,816	2,569
Equipment			
Fuel	-	1,959	1,051
Repairs	-	3,774	3,003
	63,504	72,695	80,155
Excess of recoveries over expenditures (expenditures over recoveries)	19,996	792	(6,514)

GREY SAUBLE CONSERVATION AUTHORITY

SCHEDULE 3 SCHEDULE OF WATER MANAGEMENT EXPENDITURES FOR THE YEAR ENDED DECEMBER 31 (UNAUDITED)

	Budget 2022	Actual 2022	Actual 2021
	\$	\$	\$
Flood Forecast and Warning			
Salaries and benefits	127,017	123,510	101,119
Service contracts	5,160	4,252	5,390
Vehicle and equipment rentals	4,000	4,784	3,533
Materials and supplies	3,000	1,496	1,160
Training	1,000	-	-
	140,177	134,042	111,202
Flood Control Structures			
Clendenan dam	12,350	13,168	10,791
Taylor Street retention pond	-	13	216
	12,350	13,181	11,007
Dams			
Salaries and benefits	18,000	9,898	10,005
Vehicle and equipment rentals	1,600	1,332	1,101
Materials and supplies	1,500	1,831	1,162
	21,100	13,061	12,268
Erosion Control			
Salaries and benefits	800	342	294
Vehicle and equipment rentals	300	84	31
Materials and supplies	1,000	-	-
	2,100	426	325
	175,727	160,710	134,802

GREY SAUBLE CONSERVATION AUTHORITY

SCHEDULE 4 SCHEDULE OF ENVIRONMENTAL PLANNING EXPENDITURES FOR THE YEAR ENDED DECEMBER 31 (UNAUDITED)

	Budget 2022	Actual 2022	Actual 2021
	\$	\$	\$
Stewardship			
Salaries and benefits	58,776	54,584	53,993
Vehicle and equipment rentals	3,000	221	548
Materials and supplies	1,000	61,788	20,448
	62,776	116,593	74,989
Watershed Management			
Salaries and benefits	17,528	21,580	29,454
Vehicle and equipment rentals	5,000	3,883	4,579
Materials and supplies	400	162	649
Watershed monitoring	14,000	16,176	14,775
	36,928	41,801	49,457
Land Use Planning and Regulation			
Salaries and benefits	397,298	435,859	357,218
Service contracts	2,000	23,901	30,676
Vehicle and equipment rentals	10,000	4,060	2,394
Materials and supplies	5,000	7,695	4,447
	414,298	471,515	394,735
	514,002	629,909	519,181

GREY SAUBLE CONSERVATION AUTHORITY

SCHEDULE 5 SCHEDULE OF FORESTRY EXPENDITURES FOR THE YEAR ENDED DECEMBER 31 (UNAUDITED)

	Budget 2022	Actual 2022	Actual 2021
	\$	\$	\$
Operations on Authority Land			
Salaries and benefits	132,159	137,388	127,257
Service contracts	200	5,088	-
Vehicle and equipment rentals	8,000	4,807	4,053
Materials and supplies	1,600	2,477	2,977
	141,959	149,760	134,287
Grey Sauble Forestry/Trees Ontario			
Purchases and Trees Ontario expenses	136,300	85,346	132,459
Salaries and benefits	112,802	92,266	99,567
Other	500	7,215	7,700
	249,602	184,827	239,726
Grey County Forest Management			
Salaries and benefits	186,395	170,282	161,903
Vehicle and equipment rentals	14,500	17,739	16,879
Supplies	-	3,419	2,115
	200,895	191,440	180,897

GREY SAUBLE CONSERVATION AUTHORITY

SCHEDULE 6 SCHEDULE OF CONSERVATION AND ADMINISTRATIVE EXPENDITURES FOR THE YEAR ENDED DECEMBER 31 (UNAUDITED)

	Budget 2022	Actual 2022	Actual 2021
	\$	\$	\$
Conservation Lands Operations			
Salaries and benefits	267,044	292,881	248,083
Vehicle and equipment rentals	22,000	26,511	31,799
Materials and supplies	23,150	22,766	23,457
Services, rents and utilities	16,650	20,468	16,092
Eugenia Falls	-	50	-
	328,844	362,676	319,431
Conservation Lands Policy and Strategy			
Salaries and benefits	117,632	138,569	114,777
Service contracts	30,000	22,549	1,479
Vehicle and equipment rentals	1,500	2,574	1,354
Property taxes	85,000	70,464	70,574
Materials and supplies	771	1,032	1,248
	234,903	235,188	189,432
Conservation Information and Education			
Salaries and benefits	82,126	129,617	83,391
Contracts and services	10,350	7,919	6,792
Vehicle and equipment rentals	500	542	-
Materials and supplies	3,250	442	609
Advertising contracts	100	3,114	738
The Great Outdoors Day Camp	67,108	6,053	(182)
	163,434	147,687	91,348
Administrative			
Salaries and benefits	390,218	403,985	387,829
Board members' allowances	-	1,552	2,044
Vehicle and equipment rentals	1,000	594	274
Materials and supplies	6,500	7,906	17,547
Services, rents and utilities	201,032	217,311	189,372
	598,750	631,348	597,066

GREY SAUBLE CONSERVATION AUTHORITY

SCHEDULE 7 SCHEDULE OF PROGRAMMING EXPENDITURES FOR THE YEAR ENDED DECEMBER 31 (UNAUDITED)

	Budget 2022	Actual 2022	Actual 2021
	\$	\$	\$
Sourcewater Protection			
Salaries and benefits	169,160	171,683	160,125
Committee members' allowance	-	3,822	6,057
Vehicle and equipment rentals	1,500	154	61
Materials and supplies	18,000	5,870	1,942
Services, rents and utilities	-	14,110	14,137
	188,660	195,639	182,322
Risk Management			
Salaries and benefits	54,460	56,792	52,395
Vehicle and equipment rentals	1,000	261	54
Materials and supplies	2,000	10,172	9,000
Services, rents and utilities	10,000	-	-
	67,460	67,225	61,449
GIS and IT Support			
Salaries and benefits	253,739	268,623	216,159
Service contracts	17,855	12,370	16,728
Vehicle and equipment rentals	1,000	-	65
Materials and supplies	4,900	1,068	692
Hardware and software	-	3,746	772
	277,494	285,807	234,416
Risk Assessment of Flood Hazards in the Georgian Bay Shoreline Areas of Grey County			
Services and supplies	-	21,152	-

GREY SAUBLE CONSERVATION AUTHORITY

SCHEDULE 8 SCHEDULE OF OPERATING SURPLUS FOR THE YEAR ENDED DECEMBER 31 (UNAUDITED)

	Budget 2022	Actual 2022	Actual 2021
	\$	\$	\$
Revenue			
Municipal levies	1,557,630	1,557,630	1,474,436
Government grants	37,056	110,040	90,957
Rebates	-	24,297	7,174
Risk assessment of flood hazards	-	14,151	6,096
Grey Sauble Forestry/Ontario Trees	245,625	197,820	302,366
Grey County Forest Management	200,895	192,501	182,255
Timber and wood sales	25,000	77,532	43,600
User fees	589,350	742,294	675,931
Sourcewater Protection	188,660	195,639	182,322
Net rental recoveries	19,996	792	(6,514)
Donations	1,600	14,937	83,344
Risk management	50,200	45,180	43,650
Miscellaneous	39,959	62,768	49,409
Interest earned	2,000	23,836	9,624
Proceeds on disposal of tangible capital assets	-	-	2,170
	2,957,971	3,259,417	3,146,820
Expenditures			
Water management	175,727	160,710	134,802
Environmental planning	514,002	629,909	519,181
Forestry			
-Operations on Authority land	141,959	149,760	134,287
-Grey Bruce Forestry/Ontario Trees	249,602	184,827	239,726
-Grey County Forest Management	200,895	191,440	180,897
Conservation lands policy and procedures	234,903	235,188	189,432
Conservation lands operations	328,844	362,676	319,432
Conservation information and education	163,434	147,687	91,348
Administrative support	598,750	631,348	597,066
Miscellaneous	-	25,649	18,643
Risk management	67,460	67,225	61,449
Sourcewater protection	188,660	195,639	182,322
GIS/IT department	277,494	285,807	234,416
Risk assessment of flood hazards	-	21,152	-
Major projects (Schedule 9)	181,800	96,880	200,240
	3,323,530	3,385,897	3,103,241
Net (expenditures) revenues	(365,559)	(126,480)	43,579
Appropriations			
From reserve funds	239,195	76,936	(183,304)
To reserve funds	(44,996)	-	183,218
	194,199	76,936	(86)
Net surplus (deficit) for the year	(171,360)	(49,544)	43,493
Operating surplus, beginning of the year	283,944	283,944	240,451
Operating surplus, end of the year	112,584	234,400	283,944

GREY SAUBLE CONSERVATION AUTHORITY

SCHEDULE 9 SCHEDULE OF MAJOR AND OTHER PROJECT EXPENDITURES FOR THE YEAR ENDED DECEMBER 31 (UNAUDITED)

	Budget 2022	Actual 2022	Actual 2021
IT equipment	\$ 10,000	\$ 11,015	\$ 18,196
Vehicle replacement	35,000	28,076	77,604
Aerial photography	-	-	10,351
Admin centre - renewal	100,000	23,100	3,026
Other equipment	5,000	945	4,482
Office furniture	5,000	3,771	3,038
Playground - Hibou	-	-	66,552
Gatehouses	-	-	6,778
Entrance signs	4,800	17,669	53
Stone repointing	6,000	46	-
Spirit Rock - upgrades	-	-	6,351
Inglis Falls - upgrades	-	-	3,809
Lake Charles - washroom removal	2,000	588	-
Feversham - washroom	5,000	-	-
Water management	9,000	11,670	-
	181,800	96,880	200,240



**GREY SAUBLE CONSERVATION FOUNDATION
MINUTES**

Annual General Meeting

Wednesday, June 8, 2022, at 10:30 a.m.

1. Call to Order

Chair Don Sankey called the meeting to order and welcomed those present at 10:41 A.M.
Valerie Coleman will act as secretary.

Members Present: Don Sankey (Chair), Al Wilcox (Vice-Chair), Dick Hibma (Treasurer), Don Knight, Bill Law, Scott Greig (GSCA Representative),

Guests: Anne Cathrae, Doris Arnold, Nancy McGee, Laurie Del Net, Anne Stephens

Regrets: Marg Gaviller, Cathy Little (GSCA Representative)

GSCA Staff: Rebecca Ferguson (GSCA Staff Representative), Tim Lanthier (GSCA CAO), Alison Armstrong, Valerie Coleman

2. Adoption of Agenda

Moved By: Dick Hibma
Seconded By: Al Wilcox

“THAT the agenda of the Grey Sauble Conservation Foundation Annual General Meeting dated June 8, 2022 be approved.”

Carried

3. Approval of Minutes of Board Annual General Meeting – June 11, 2021

Moved By: Scott Greig
Seconded By: Don Knight

“THAT the minutes of the Grey Sauble Conservation Foundation Annual General Meeting dated be approved as presented.”

Carried

4. Business Arising from Minutes (not otherwise on Agenda)

Nothing at this time.

5. Chairs Report

Chair Don Sankey welcomed everyone and gave some highlights of the previous year.

Don acknowledged the Grey Sauble Conservation Authority staff and the work they do.

On May 19th, after many cancellations, GSC Foundation held their 5th Annual Film Festival. There were 550 students that attended the daytime showings. Don acknowledged the many local sponsors that made the event possible, GSCA staff, and SK Films.

On June 11th and 12th, the Foundation held the first Memorial Tree Ceremony in 3 years. It was a successful event, held over two days, and commemorating three years worth of honourees. There were more than 100 trees planted for the 2022 year. The event was well attended both days and Don thanked the GSCA staff, GSCA Board of Directors Members, and Foundation Members who were able to join.

Don noted that this year there were six applicants for the Malcolm Kirk award. The successful applicant will receive a \$2000 award towards their post-secondary education. There will also be \$200 awards for a student at each secondary school within the GSC watershed.

6. Financial Review Report

Treasurer, Dick Hibma and Manager of Finance and Human Resource Services, Alison Armstrong, presented the Financial Report from Baker Tilly for the year end 2021. It was noted that GSC Foundation received a clean review with no issues having been reported.

Moved By: Dick Hibma
Seconded By: Scott Greig

“THAT the GSCF Board support in principle the Draft Financial Statements.”

Carried

7. Committee Reports

Chair Don Sankey provided an update on the Memorial Forest Program and Earth Film Festival in his Chair's Report.

Nancy Brown gave an update on the Inglis Falls Arboretum Alliance and their activities. The project to place signs at each tree in the Arboretum is ongoing. Due to ongoing COVID-19 concerns and reduced volunteer availability, tree sales have been happening on an individual basis rather than the open Saturday sales. The IFAA is establishing a contact list for IFAA updates and tree availability.

Treasurer Dick Hibma provided an update to the Finance Committee's activities through the year. The committee reviewed and updated the Policy Document, By Law #1, Donor Recognition Policy, Donation Allocation Policy, and the Board Member Orientation. The committee recommended lowering the Foundation Membership fee to \$25 and removing the parking pass, opting to allow people to purchase a parking pass directly through the GSCA. Additionally, the committee recommended to the Board that the secondary school conservation awards be doubled. Lastly, the committee recommended that the Keela subscription not be

renewed. GSCA staff have devised a more cost effective means of payment options for memberships, donations, and memorial tree purchases.

Moving forward the committee will be renewing their fundraising efforts and will be seeking some specific projects from GSCA to spear head.

8. GSCA Greetings & Report

CAO Tim Lanthier brought greetings on behalf of the GSCA staff and thanked Chair Don Sankey's kind words for the GSCA staff. Tim commended the Foundation for their work and perseverance through the past few difficult years.

9. Donor Recognition

Doris Arnold was recognized for her long standing and generous support of the Grey Sauble Conservation Foundation. Having lifetime donation totally of more than \$25,000, Doris was presented with a Golf Leaf on the Tree of Giving and named a Foundation Guardian.

10. Board Member Recruitment

The Board recruited three new members: Laurie Del Net, Nancy McGee, Anne Stephenson.

Moved By: Al Wilcox
Seconded By: Scott Greig

"THAT the Membership of the Grey Sauble Conservation Foundation accept Laurie Del Net, Nancy McGee, and Anne Stephens as Members of the Board.

Carried

11. Next Board Annual General Meeting

Wednesday June 7, 2023

12. Adjournment

The meeting was adjourned at 11:26 a.m.



GREY SAUBLE CONSERVATION FOUNDATION MINUTES

Foundation Board of Directors
Tuesday, May 16, 2023, at 2:00 p.m.

1. Call to Order

Chair Don Sankey called the meeting to order at 2:00 p.m.

Members Present: Don Sankey (Chair), Al Wilcox (Vice-Chair), Dick Hibma (Treasurer) Nadia Dubyk, Bill Law, Nancy McGee, Nancy Brown, Serenity Morton, Valerie Coleman

Regrets: Scott Mackey, Scott Greig, Tobin Day

2. Adoption of Agenda

Moved By: Dick Hibma
Seconded By: Nancy Brown

"THAT the agenda of the Grey Sauble Conservation Foundation meeting dated May 16, 2023, be approved."

Carried

3. Approval of Minutes of Board Meeting – April 18, 2023

Moved By: Al Wilcox
Seconded By: Bill Law

"THAT the minutes of the Grey Sauble Conservation Foundation meeting dated April 18, 2023, be approved."

Carried

4. Business Arising from Minutes

Nothing at this time.

5. Team Reports

a. Finance/Administration/Financial Statements

Treasurer, Dick Hibma reported on the Finance Committee meeting from May 9, 2023, and the financial activities from April.

Dick reviewed some of the items discussed at the finance committee meeting, including issues with the donor database, membership renewals, and the donation allocation policy.

No changes made to the donation allocation policy. Dick will format and post to the sharepoint site.

Moved By: Dick Hibma

Seconded By: Bill Law

“THAT the GSCF Board approve the Financial Reports for April 2023, as presented.”

Carried

Moved By: Dick Hibma

Seconded By: Nadia Dubyk

“THAT the GSCF Board approve a contribution of \$2500 to the GSCA in support of their involvement and financial support of the Grey Bruce Children’s Water Festival 2023.”

Carried

Moved By: Dick Hibma

Seconded By: Nancy McGee

“THAT the GSCF Board approve the Finance and Administration Committee report for May as presented.”

Deferred

b. Memorial Forest

Don spoke to the Memorial Forest and his meeting with a local business and potential property that could be used as additional Memorial Forests. There were questions regarding ownership and agreements concerning the properties. These will require further discussion.

Don went through the ceremony planning sheet to determine member’s roles on the day of.

Nancy Brown confirmed that the commemorative tree will be a Black Tupelo.

c. Film Festival

Don gave a summary of the Film Festival held on April 20, 2023. There were nearly 800 students and teachers who attended the daytime showings. The evening show was well attended, and the silent auction brought in approximately \$1700. There were \$3200 in sponsorships. The amount from the Roxy theatre has not been confirmed officially but looks like it will be in the region of \$2500. Projected proceeds from the event were approximately \$6,000.

6. Acceptance of Committee Reports

Moved By: Al Wilcox

Seconded By: Nadia Dubyk

“THAT the reports of the Finance and Administration Committee, Memorial Forest Committee, and the Earth Film Festival Committees presented at the May 16, 2023, meeting of the GSCF Board of Directors be received and the items contained therein be approved.”

Carried

7. IFAA Commemorative Tree Signage Update

IFFA Chair, Nancy Brown gave the Board an update on the signage project. The signs have been produced and posts have started to be installed. Signs are next to be installed.

The IFAA will be hosting a plant sale on May 20th at the Arboretum Pavilion.

8. Grey Sauble CA Updates

GSCA staff Serenity Morton gave a brief update on activities happening at GSCA. Tree sale was very successful on May 13th.

Financial documents have been sent to Baker Tilly for review.

Day Camp is full with a waiting list.

9. New Business

- 50th Hibou Anniversary event June 24th.
- Bruce Calvert Hike at Georgian Bay Community School
- AGM planning
 - Reviewed content and special features.
 - Agenda being developed.
 - Executive positions will be elected/appointed at the first meeting of the Board (immediately following the AGM)

10. Correspondence – Nothing at this time.

11. Next Board Meeting

June 20, 2023 @ 1:00 p.m.

12. Adjournment

The meeting was adjourned at 3:00 p.m.



MEDIA RELEASES AND ARTICLES

ATTACHMENT # 7

Grey Sauble Conservation Authority

June 13, 2023

"Grey Sauble Conservation Foundation Hosts Annual Memorial Forest Ceremony"

[MEDIA RELEASE \(June 13, 2023\): Grey Sauble Conservation Foundation Hosts Annual Memorial Forest Ceremony – Grey Sauble Conservation Authority](#)

Grey Sauble Conservation Authority

June 22, 2023

"Invasive Tree Removal Scheduled to Occur at Inglis Falls Arboretum"

www.greysauble.on.ca/media-release-june-21-2023-invasive-tree-removal-scheduled-to-occur-at-inglis-falls-arboretum/



Grey Sauble Authority Board of Directors

M O T I O N

DATE: June 28, 2023

MOTION #: FA-23-062

MOVED BY: _____

SECONDED BY: _____

THAT in consideration of the Consent Agenda Items listed on the May 24, 2023, agenda, the Grey Sauble Conservation Authority Board of Directors receives the following items: (i) Environmental Planning – Section 28 Permits and Planning – May 2023; (ii) Administration – Receipts & Expenses – May 2023; (iii) Correspondence – GSCA Transition Plan Quarterly Progress Report # 5 to MNRF, Baker Tilly Management Letter, Audit Reporting Letter, and Final Audited Financial Statements; (v) Minutes – GSC Foundation – June 8, 2022 & May 16, 2023; (vi) Recent Media Articles

Board Orientation – Environmental Planning

Mac Plewes, Manager of Environmental Planning
June 28, 2023

Environmental Planning Team

Mac Plewes, Manager of Environmental Planning

Justine Lunt, Environmental Planner

Jake Bousefield-Bastedo, Watershed Planner

Olivia Sroka, Regulations Officer

Chris Scholz, Intermediate Planner

Nicole McArthur, Planning Technician



What do we do?

Regulatory Authority

- Administration of Ontario Regulation 151/06 under Section 28 of the Conservation Authorities Act

Planning Comments

- Responsibility to represent provincial interests regarding natural hazards on municipal policy documents and applications under the Planning Act



Why do we do it?

- Protection of life and property from natural hazards
- Ensure current and future homeowners are safe
- Ensure development utilizes a preventative approach
- Appropriate technical consideration and provincial standards applied

Conservation Authorities Act – Section 28

Provincial legislation that empowers Conservation Authorities to regulate development and activities in or adjacent to river or stream valleys, Great Lakes and inland lakes and shorelines, watercourses, hazardous lands and wetlands.

- Ontario Regulation 151/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses
- Prescribes the features and areas that are regulated, details that development and alteration is prohibited unless permission is received from GSCA
- GSCA may grant permission for development if in our opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development
- Staff have delegated authority to approve permits but not to deny a permit

CONSOLIDATED VERSION
ONTARIO REGULATION 151/06
made under the
CONSERVATION AUTHORITIES ACT
GREY SAUBLE CONSERVATION AUTHORITY: REGULATION OF
DEVELOPMENT, INTERFERENCE WITH WETLANDS AND ALTERATIONS TO
SHORELINES AND WATERCOURSES
AS AMENDED BY ONTARIO REGULATION 58/13
EFFECTIVE DATE FEBRUARY 8, 2013

Definitions
1. (1) In this Regulation,
“Authority” means the Grey Sauble Conservation Authority.

Development prohibited
2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,
(a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority’s boundary to the furthest landward extent of the aggregate of the following distances:
(i) the 100 year flood level, plus the appropriate allowance for wave uprush
(ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100 year period,
(iii) where a dynamic beach is associated with the waterfront lands, a 30 metre allowance inland to accommodate dynamic beach movement,
(iv) an allowance of 15 metres inland
(b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:

What is Development?

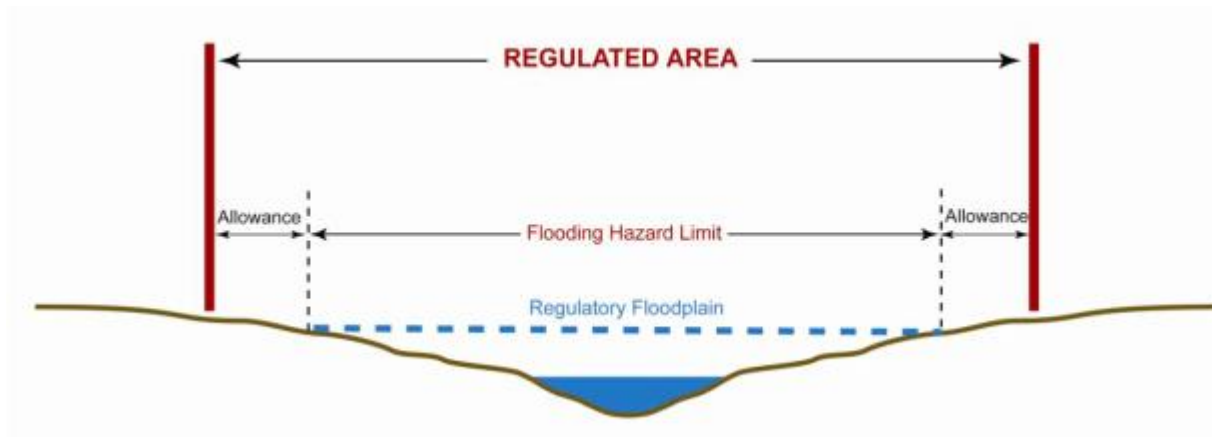
Development means:

- A) The construction, reconstruction, erection or placing of a building or structure of any kind,
- B) Any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure, or increasing the number of dwelling units in the building or structure,
- C) Site grading, or
- D) The temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere;

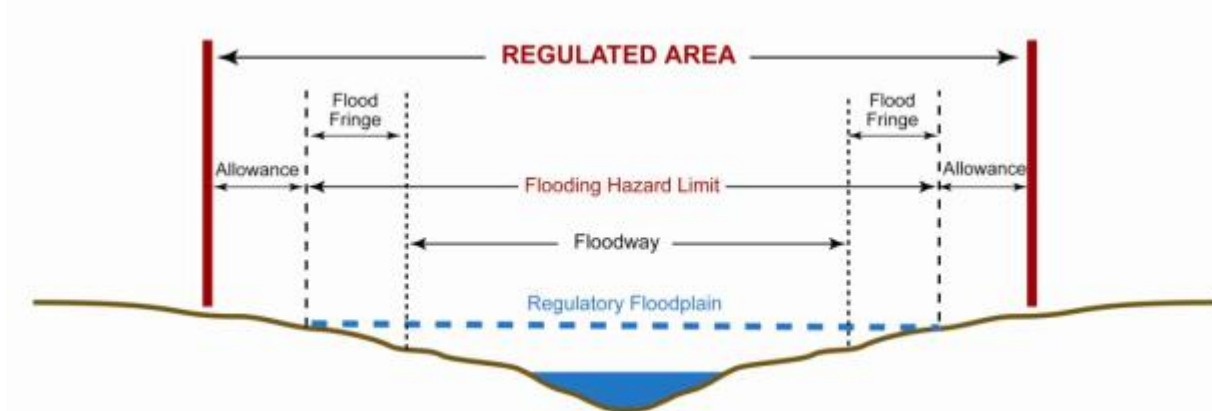


Regulated Features and Areas

Floodplains – one zone

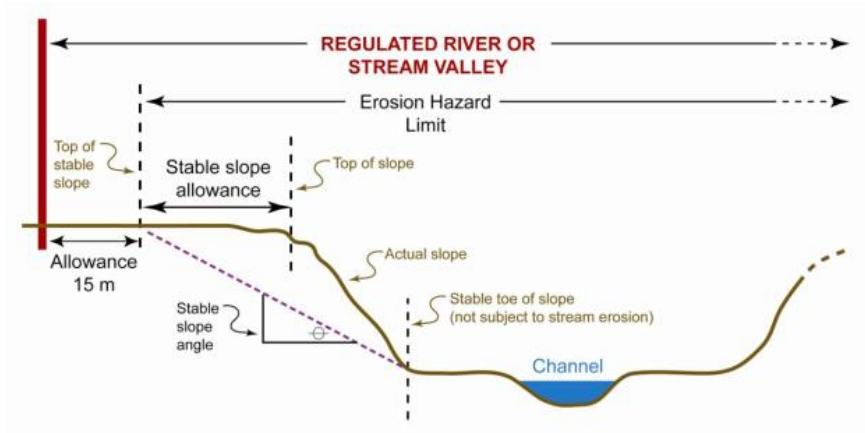


Floodplains – two zone

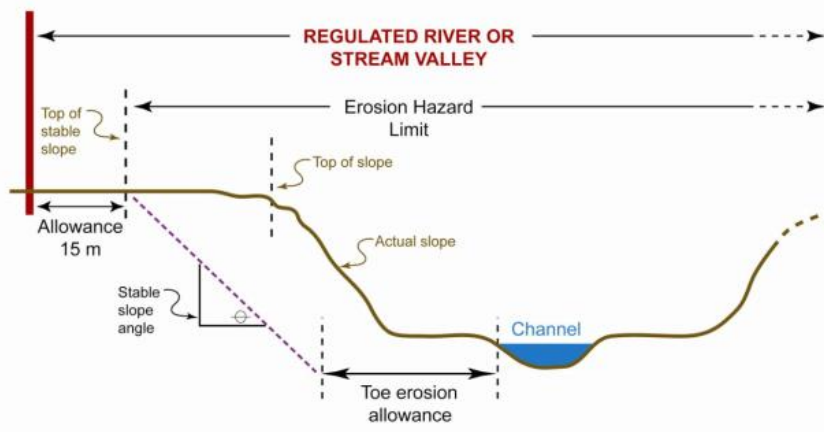


Regulated Features and Areas

Riverine Erosion – No Toe Erosion

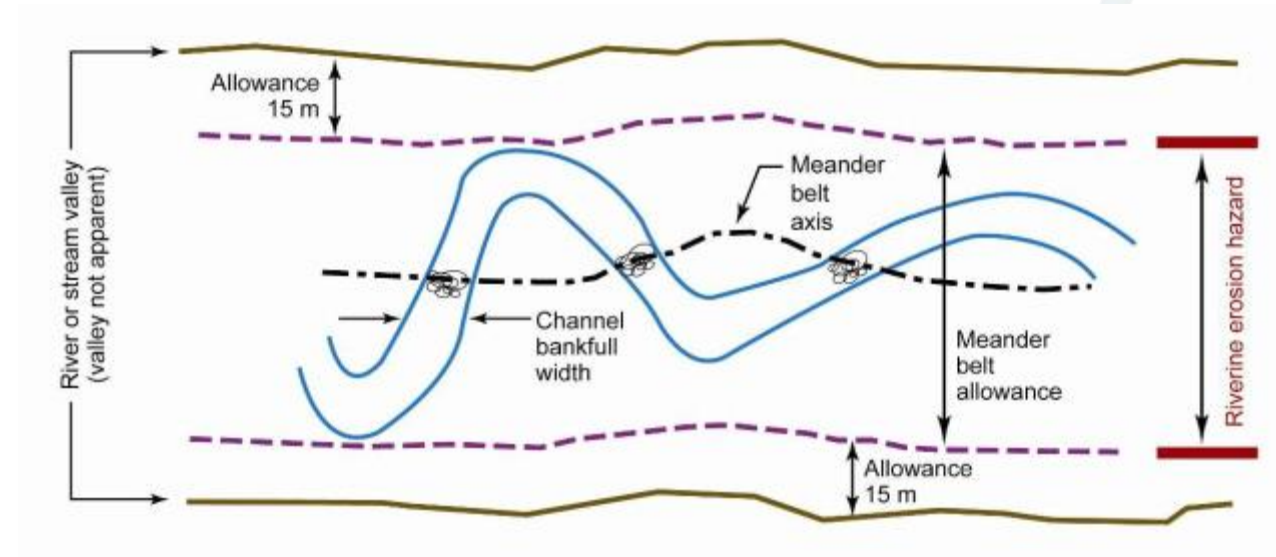


Riverine Erosion – Toe Erosion



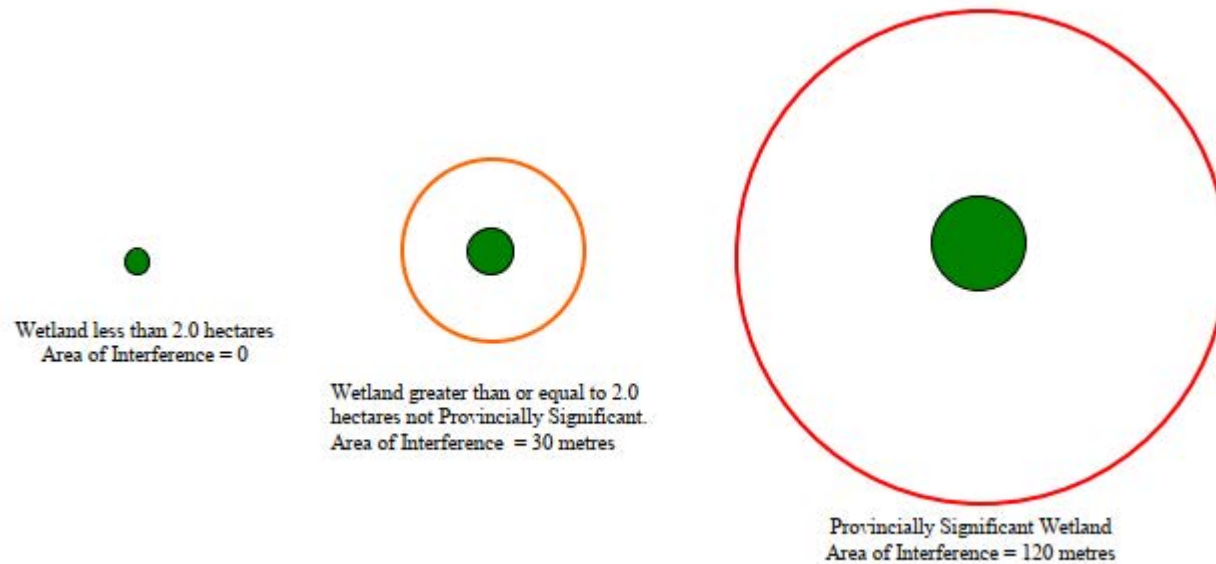
Regulated Features and Areas

Meander Belt – unconfined system measured at 20 times bankfull channel width



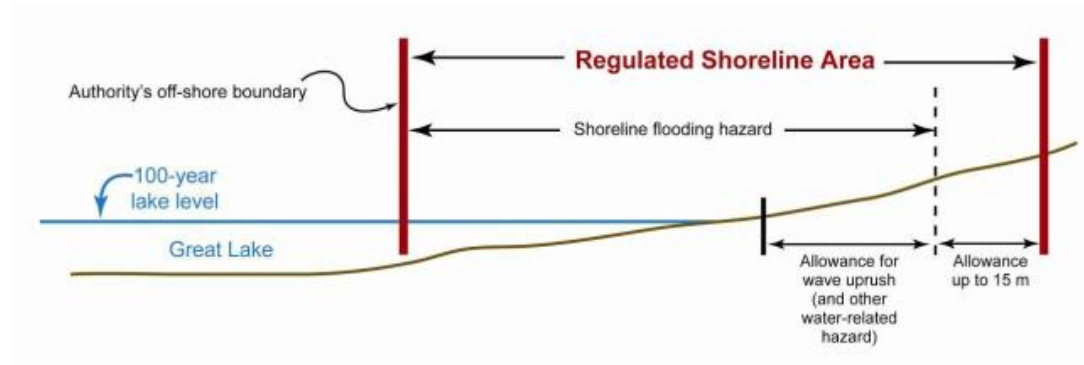
Regulated Features and Areas

Wetlands and areas of interference

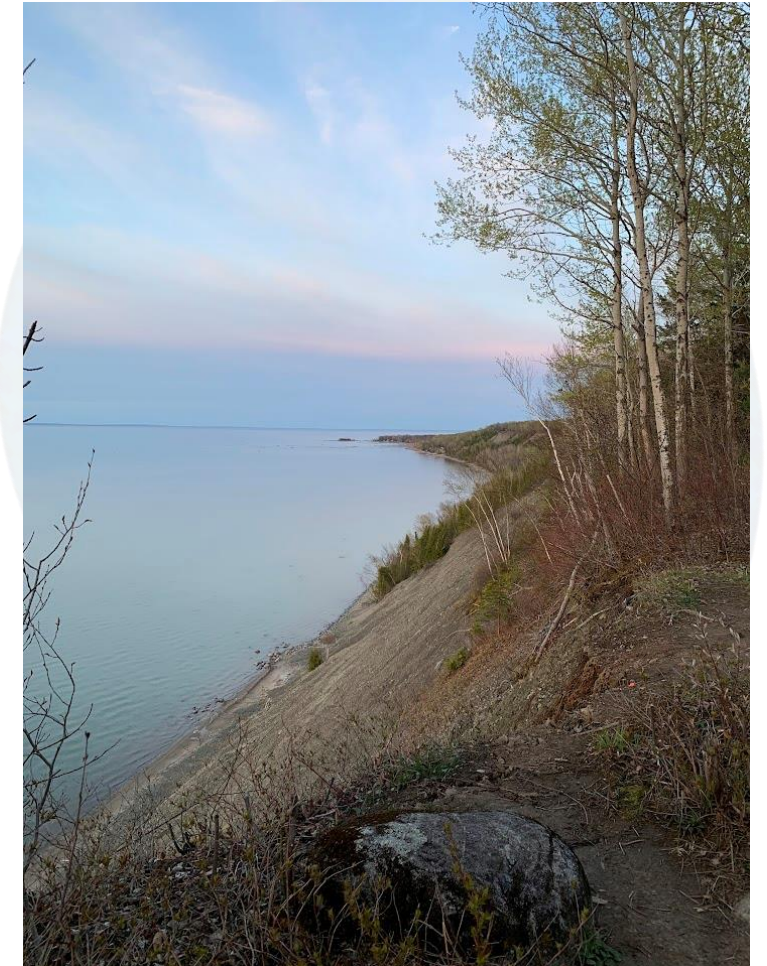
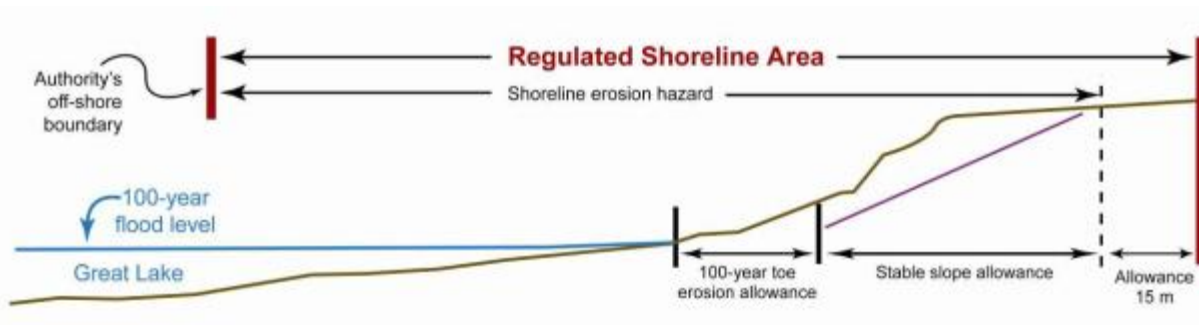


Regulated Features and Areas

Lake Huron and Georgian Bay Shoreline

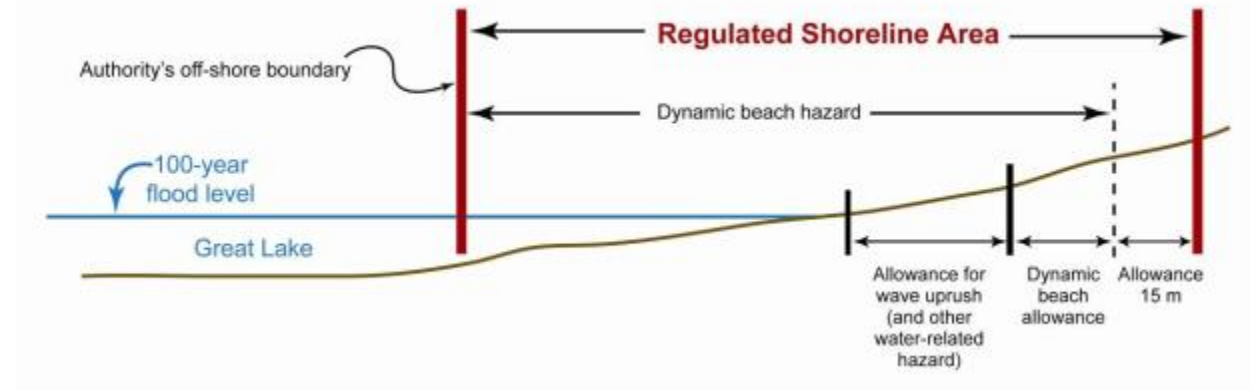


Lake Huron and Georgian Bay Shoreline Erosion Hazard



Regulated Features and Areas


Lake Huron and Georgian Bay Dynamic Beach



Glacial shorelines – Nipissing Ridge & Algonquin Ridge
Inland Lakes and shorelines
Other Hazardous Lands

Obtaining Permission

- Pre-consultation with staff
- Submit a complete application
 - Signed permit application form & fee payment
 - All relevant site plans, drawings and project information
 - Technical information as required
- Staff review for completeness
- Conduct a site inspection and policy review
- Permit signed by delegated authority
- Applicant has a right to a hearing if staff unable to approve permit or they appeal the conditions of the permit



Grey Sauble Conservation Authority
R.R.#4 237897 Inglis Falls Road, Owen Sound, Ontario N4K 5N6
phone 519 376-3076 fax 519 371-0437

Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation
Ontario Regulation 151/06
APPLICATION FOR PERMISSION

Application # _____
For Office Use Only

Grey Sauble Conservation Authority will consider your application based upon the information you provide below.
Please complete all relevant sections, date, sign and return the application along with the appropriate fee to:
Grey Sauble Conservation Authority, R.R.#4 237897 Inglis Falls Road, Owen Sound, Ontario N4K 5N6

<p>Please Print Applicant's Name: _____ Address: _____ _____ _____ Telephone Home _____ Work _____ Cell _____ Fax _____ e-mail _____</p>	<p>Please Print Agent's Name (s): _____ Address: _____ _____ _____ Telephone Home _____ Work _____ Cell _____ Fax _____ e-mail _____</p>
---	---

Have you applied to other Agencies regarding this project?
No ☐ If Yes, please indicate which: MNR ___ MOE ___ NEC ___ DFO ___ Other _____
(please specify)

Location of Proposed Works
Municipality _____ Former Municipality _____
Lot _____ Concession _____
Street Address _____
Registered Plan Number (if applicable) _____ Lot Number _____
Assessment Roll Number _____

Application is hereby made to:

☐ **Construct/Reconstruct a building or structure** ☐ Alter, Expand, Renovate a Building or Structure
 a) Proposed use of building or structure _____
 b) Floor area of new structure _____
 c) Will structure have a basement () Yes () No
 d) Elevation of lowest external opening (window, door, etc.) in relation to existing grade _____

☐ **Place/remove fill or site grading**
 a) Type of fill _____
 b) Depth of fill _____
 c) Proposed final grade of land _____
 d) Proposed means of stabilizing fill _____
 e) Proposed use of land when completed _____

☐ **Alter a watercourse by constructing a**
 () Crossing () Pond () Dam () Channel () Bank Protection () Other
 Describe proposed work: _____

☐ **Alter a Wetland** - Describe proposed work: _____

☐ **Alter a Shoreline** - Describe proposed work: _____

Proposed Start Date _____ Proposed Completion Date _____

Continued on Next Page

Responsibility of the Board of Directors

- Act as a Hearing Board with respect to permit applications where the applicant requests a hearing
 - Requesting 60-month approval
 - Staff unable to approve permit
- Board is to be objective in this role and avoid any apprehension of bias
- Should the Board deny the application notice is provided to the applicant and they have the right to appeal to the OLT

Enforcement

- Failure to obtain permission or adhere to conditions of an approval are an offence of the Conservation Authorities Act
- Up to a \$10,000.00 maximum fine per conviction, 3 months imprisonment, court ordered restoration if applicable
- Complaints are to be submitted through an online reporting form or in writing
- Compliance staff initiate an inspection of the allegation and work through the process



Planning Role

Mandatory Programs and Services regulation delegates responsibility to CA's on behalf of MNRF to review applications or other matters to ensure consistency with natural hazard policies in the Provincial Policy Statement issued under the Planning Act. (note – doesn't include policies related to hazardous forest types for wildland fire)

Other Acts include:

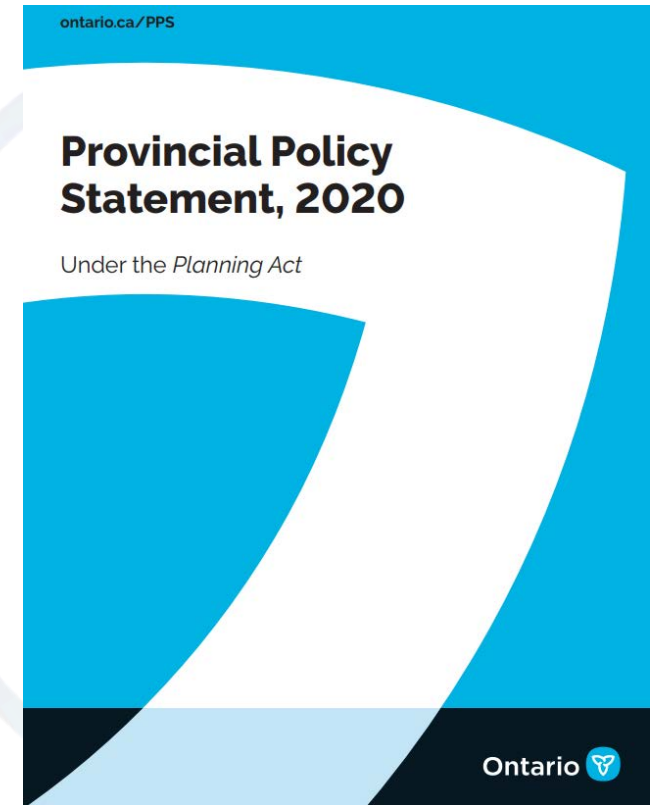
- Aggregate Resources Act
- Drainage Act
- Environmental Assessment Act
- Niagara Escarpment Planning and Development Act



Planning Role con't

Provincial Policy Statement 2020 – issued under the Planning Act provides direction on land use planning and provincial interests

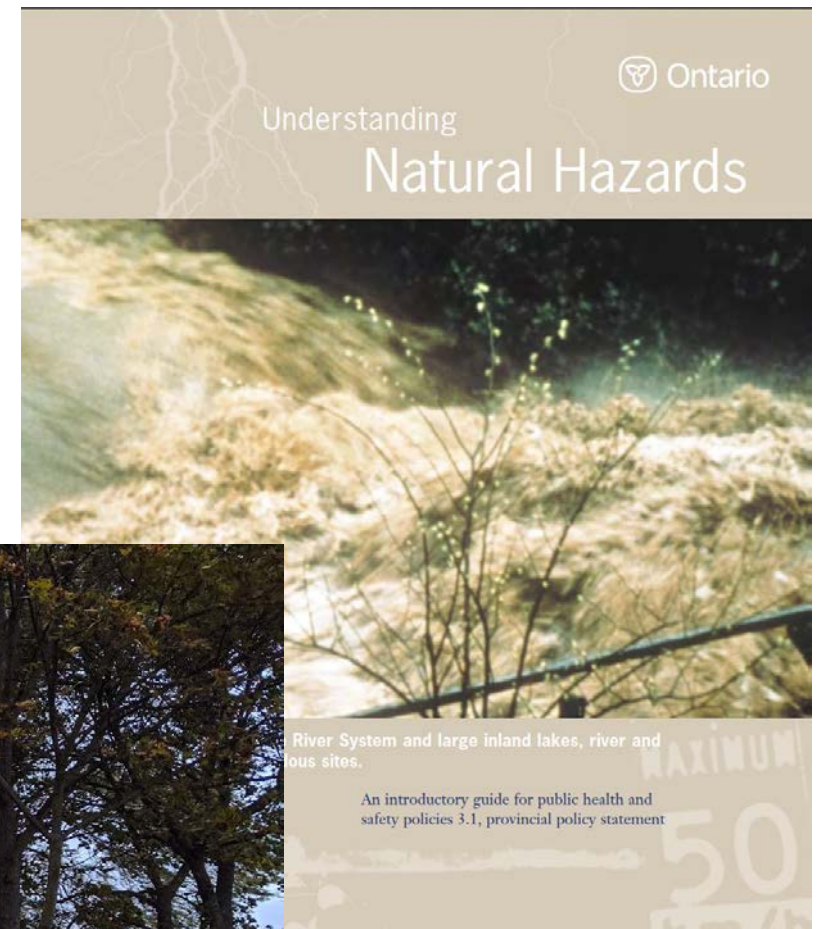
- Decisions of planning authority to be consistent with PPS
- Section 3.1 Natural Hazards
 - Directs development away from hazardous lands where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards
 - Property or lands that could be unsafe for development due to naturally occurring processes



Planning Role con't

Hazardous lands include:

- Flooding & erosion
- Great Lakes shoreline flooding & erosion
- Dynamic Beach
- Inland lakes
- Unstable soils
- Unstable bedrock



Navigating the Process

1. Pre-consultation
2. GSCA circulated formal complete application from Municipality (Consents, ZBAs, OPAs, Minor Variances, Plans of Sub/Condo, Site Plan Control)
3. Staff ensure appropriate fees submitted, all relevant technical information provided, commence detailed review
4. Comments issued to Municipality
5. GSCA circulated decision and reviewed by staff to ensure consistency with comments

Note: Planning MOU's with Municipalities outline fee collection and expectations around delivery of comments



Plan Input

- GSCA completes hazard mapping to be included in Municipal and upper-tier planning documents
- Comments on hazard and environmental protection policies
- Participate in steering committees/advisory committees



What else do we do?

- Real estate transaction inquiries
- Site inspections and mapping
- Permit clearances and municipal clearances
- Respond to general questions about CA's planning and development
- Communication & relationship building





Questions?





Grey Sauble Authority Board of Directors

M O T I O N

DATE: June 28, 2023

MOTION #: FA-23-063

MOVED BY: _____

SECONDED BY: _____

THAT the Grey Sauble Conservation Authority Board of Directors proceed into closed session at X:XX pm to discuss matters related to the following:

- i. Minutes of the Closed Session of the Regular Board of Directors meeting held on May 24, 2023; and,**
- ii. To discuss a property item requiring the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose. (GSCA Administrative By-Law, Section 4(xvi)(f)); and,**
- iii. To discuss an item in the Municipality of Meaford related to litigation or potential litigation including matters before administrative tribunals and/or receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose (GSCA Administrative By-Law, Section 4(xvi)(d,f)).**

AND FURTHER THAT CAO, Tim Lanthier, Administrative Assistant, Valerie Coleman, and Manager of Information Services, Gloria Dangerfiled will be present with the Manager of Conservation Lands, Rebecca Anthony being present for item i and ii only.



Grey Sauble Authority Board of Directors

M O T I O N

DATE: June 28, 2023

MOTION #: FA-23-064

MOVED BY: _____

SECONDED BY: _____

THAT the Grey Sauble Conservation Authority Board of Directors approve the May 24, 2023, Closed Session minutes as presented in the closed session agenda.



ADMINISTRATION CENTRE RENOVATION

Overview and Professional Services Cost Estimate



ATTACHMENT # 9

Administration Centre Renewal

Process Started in 2018

- Surveyed Staff for Needs and Wants
- Surveyed Managers for Needs, Wants and Future Projections
- Staff received Board resolution to issue RFP for Concept Design (FA-18-094)
- Significant delays caused by legislative changes, staff turnover, and COVID-19
- Staff issue RFP in 2021, with unsuccessful results.



Administration Centre Renewal

Successful RFP and Concept

- RFP re-issued in March 2022 and awarded to Lebel and Bouliane in May 2022
- Concept designs developed and feasibility report provided (Estimated Cost is \$1.5-million)
- Board approves moving forward with professional service costing for Scheme 1, renovation and addition (FA-22-095)



Administration Centre Renewal

Needs and Wants Included:

1. Attractive, inviting and functional work environment, as well as a space that lends itself to hosting events, meetings, and educational sessions.
2. Appropriate office space for current and predicted future staffing needs.
3. A sound resistant office for the CAO;
4. Improved public reception area that is welcoming, inviting, and contains space for informative displays.
5. Multiple dedicated meeting spaces.

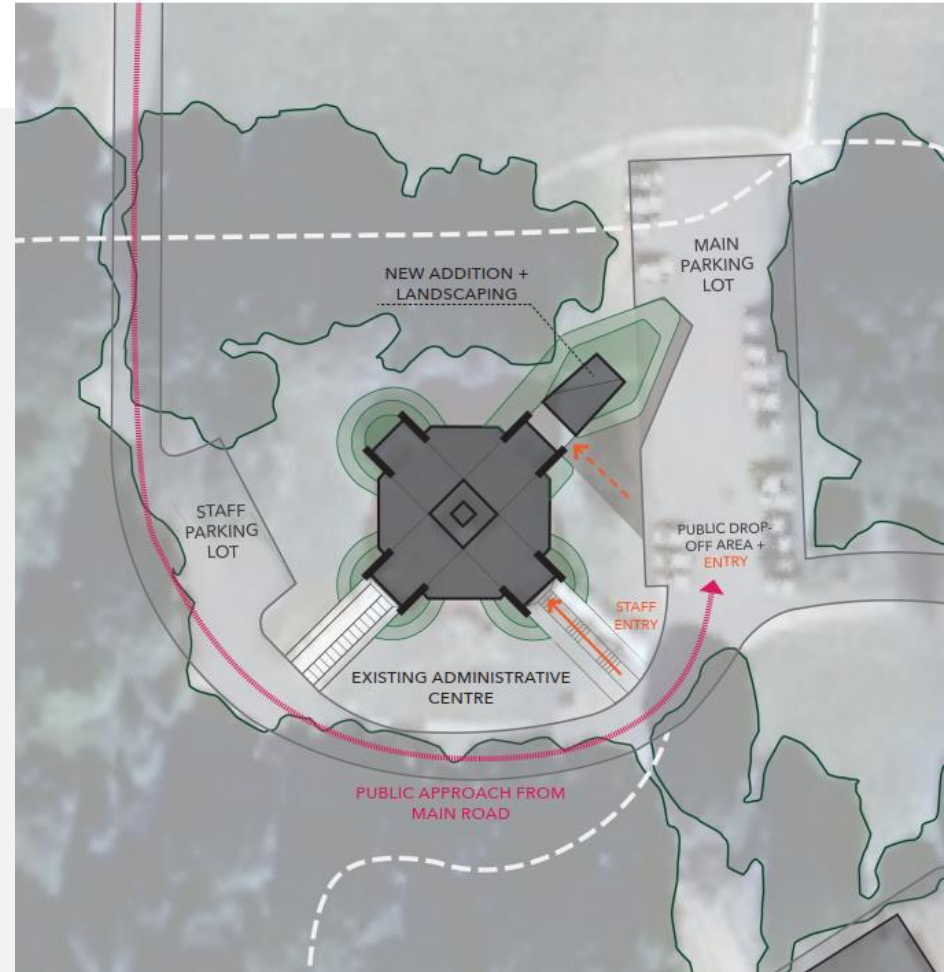
Administration Centre Renewal

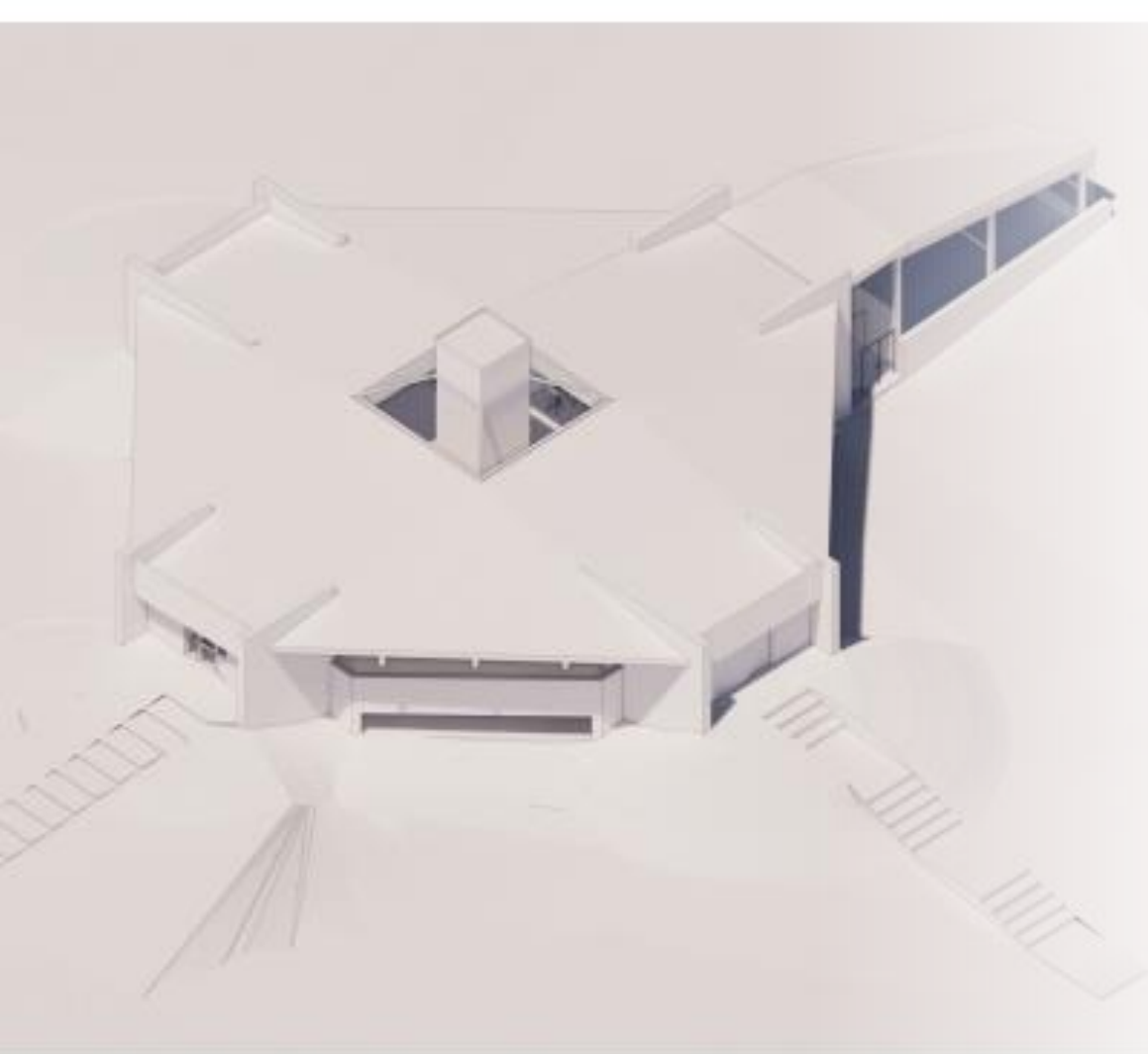
Needs and Wants Included:

6. A review and update of IT, electrical, and HVAC infrastructure.
7. Renovation of the kitchen, washroom, and entrance areas to renew these spaces and to accommodate accessible standards.
8. Improved Energy Efficiency
9. A space efficient design for the physical storage of program related materials, supplies, and equipment;
10. A new roof, including solutions to ensure that leakage is not an issue in the future.

Exterior Layout

- Lobby moves to northeast corner
- Large main lot becomes public lot
- Provides a cohesive landing point for the public that has access to the Admin Centre, the arboretum, the pavilion and the trails from same parking area.
- Makes wayfinding easier.
- Provides future opportunity to extend enter stub to parking area





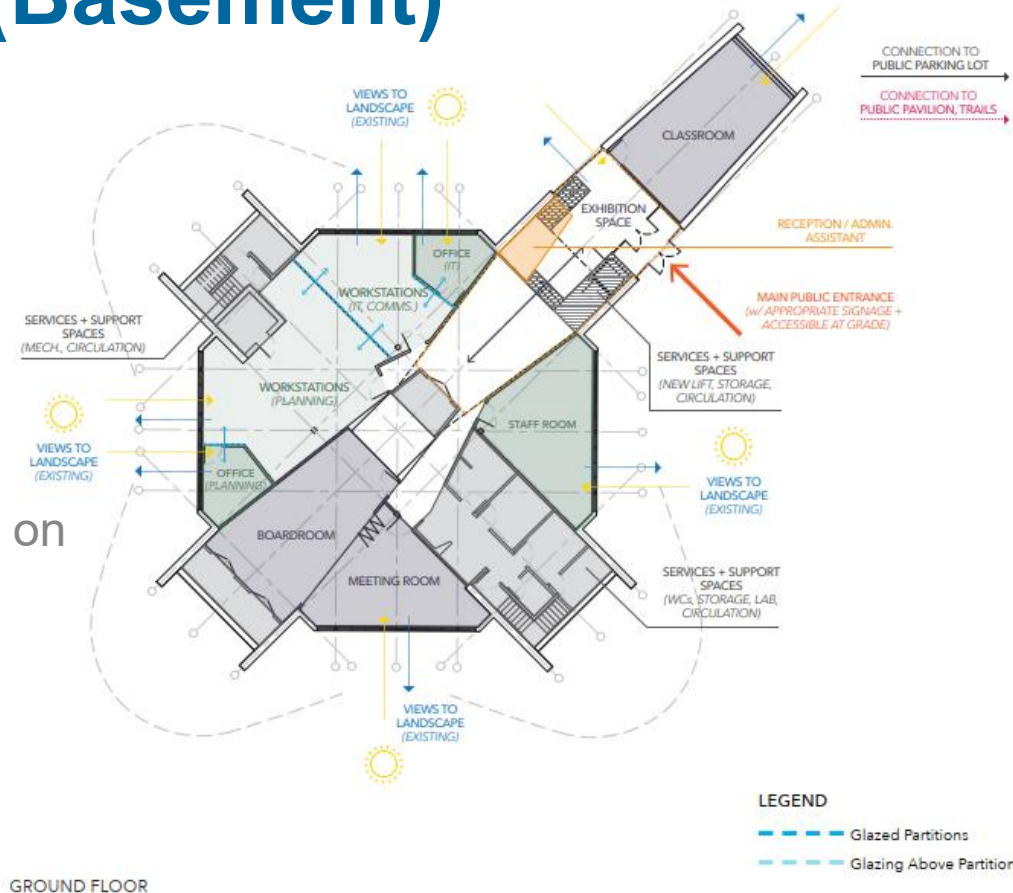
Exterior 3D View

- Accessible entrance at grade
- Maintains the look and feel of the original building
- Provides views of the natural areas and the escarpment.

Ground Floor Area (Basement)

Draft Concept Design

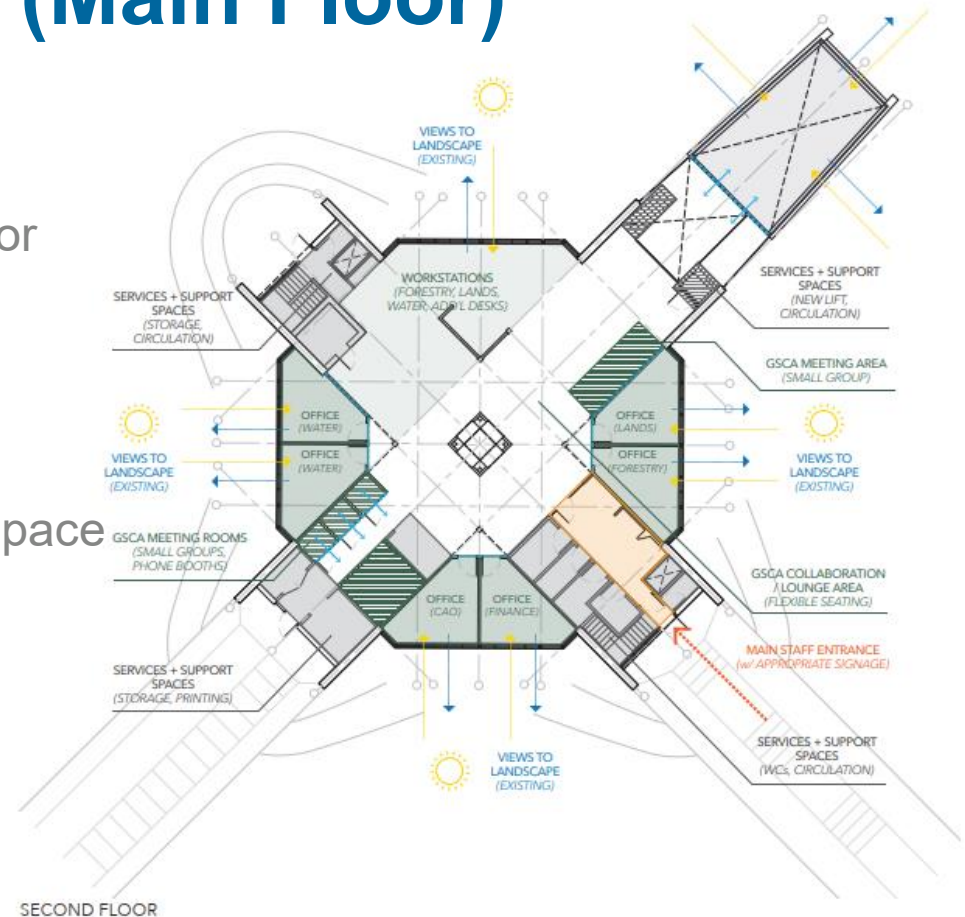
- New lobby at grade in northeast corner
- Lift and stairs providing access to upper and lower levels
- Better layout for quiet office space on ground floor
- Isolates Boardroom and meeting space to minimize interruptions
- Includes a universal washroom



Second Floor Area (Main Floor)

Draft Concept Design

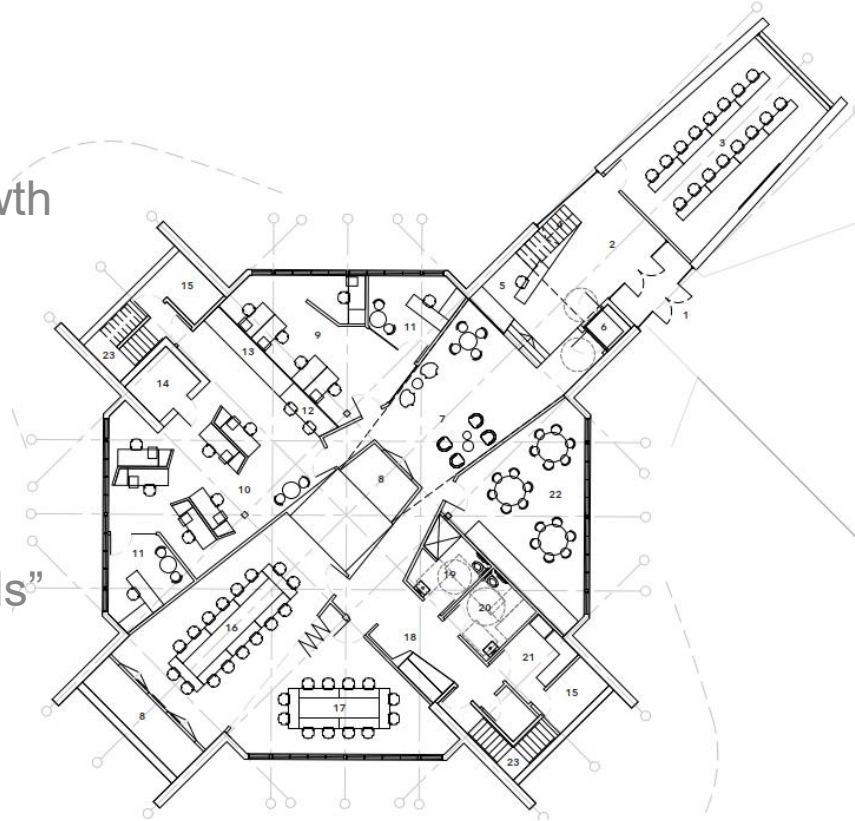
- Better sound control for main floor
- Provides much needed meeting spaces
- Reclaims architectural design of building while enhancing office space
- Incorporates meeting “pods”



Overall Ability to Meet Needs

The Concept Checks all of the boxes

- Concept plan houses 32-36 staff with growth room
 - Current Staffing in office is 26
 - Projections were 26-40
- Four formal Meeting Spaces provided
- Sound controlled offices and meeting “pods”
- Attractive and Inviting Lobby and Public Space

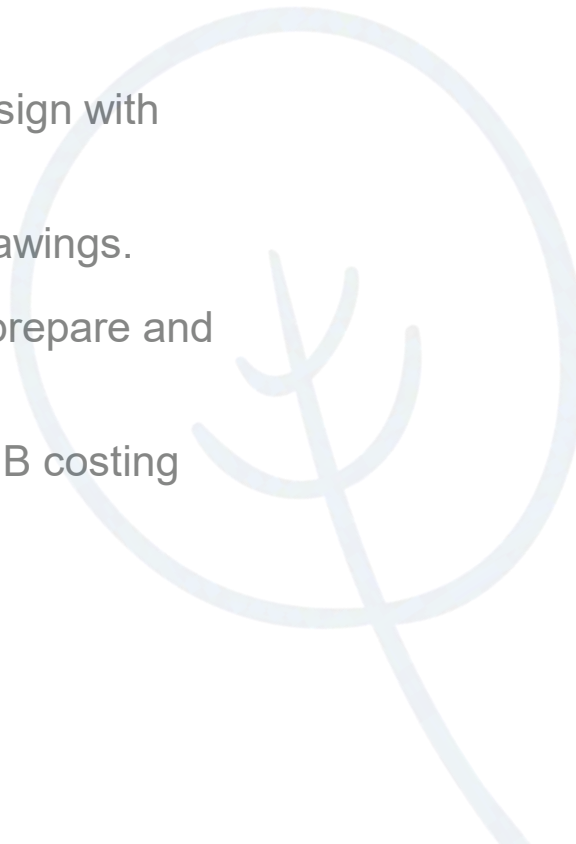


Next Steps

- Board approved seeking cost estimates to proceed with Phase 2, “Detailed Design” for Scheme 1, Renovation and Addition
- GSCA Staff asked architect to provide cost estimate
- Architect provided Phased costing estimate
 - Phase 1A: Schematic Design, Detailed Design and Engineering
 - \$80,840
 - Phase 1B: Construction Drawings and Engineering
 - \$73,260
 - Phase 2: Contract Administration and Engineering
 - \$37,585
- Total Cost for Architectural and Engineering Services: \$191,685


Next Steps

Pending approval from the Board to continue forward

- GSCA Staff will discuss necessary changes to concept design with architects
 - Architects will complete and present Schematic Design drawings.
 - Upon satisfactory review of the schematics, architect will prepare and present detailed design drawings.
 - Prior to moving forward with construction drawings, Class B costing exercise will be completed to hone construction costs
 - Architect to oversee construction contract administration
- 

Next Steps

Staff Actions Moving Forward

- Staff have identified some deficiencies with the design, based on our required use of the building. These will be discussed with architect.
 - CAO and Finance Manager developing funding options.
 - Staff will work with architects to ensure cost effective design.
 - Seeking potential locations to house staff during construction phases.
 - Certain portions of project may need to proceed soon (roof, back stairs).
 - Board and Ad Hoc Committee will be involved throughout process.
- 

Current Request

WHEREAS the GSCA Board of Directors has authorized the issuance and awarding of an RFP for concept design and feasibility study of the Administration Centre revitalization;

AND WHEREAS the GSCA Board of Directors has directed Staff to obtain cost estimates to proceed with Detailed Design Drawings for the Scheme 1, Renovation and Addition, Option;

THAT the GSCA Board of Directors direct Staff to engage Lebel and Bouliane Architects to continue with Schematic and Detailed Design drawings based on Scheme 1, Renovation and Addition, option.



Proposed East Face of Building



Proposed North Face of Building



Proposed Interior of Building



Grey Sauble
CONSERVATION

THANK YOU





FEASIBILITY & CONCEPT DESIGN FOR GSCA'S ADMINISTRATIVE CENTRE

Grey Sauble Conservation Authority

237897 Inglis Falls Road, Owen Sound ON, N4K 5N6

Feasibility Report
October 2022



**GREY SAUBLE CONSERVATION AUTHORITY
ADMINISTRATIVE CENTRE RENOVATION**

PROJECT INTRODUCTION

The Administrative Centre is the primary office and engagement space for Grey Sauble Conservation Authority, a local watershed management charitable organization dedicated to conserving, restoring and managing the natural ecosystems in the Grey Sauble watershed area.

The current GSCA Administrative Centre, a single-storey building with a raised basement, constructed in 1975, houses the offices of over 25 employees, public exhibitions and community services relating to the sustainable management of renewable natural resources, responsible leadership to enhance biodiversity and raising environmental awareness within the area.

Lebel & Bouliane were hired in May 2022 to conduct a review of the facilities and to prepare a **feasibility report** on how the Administrative Centre can be rearranged, renovated and re-imagined. This feasibility report includes the review of current site conditions and usage of the current Administrative Centre, the general condition of the building and its systems, and makes key recommendations to modernize the building’s interior to accommodate both existing and new programmatic and spatial needs of GSCA. This report will also include a scheme which proposes an addition to enhance the community services provided by the Authority.

SCOPE OF WORK

The general scope of this feasibility report is to provide concept designs for the future renovation (and potential construction of an addition) of the current GSCA Administrative Building, to address changes in staffing needs in the short and long-term future, the building’s aging infrastructure, and revitalize the building as an environment conducive to office working and public engagement. As such, this report will address the following:

1. Create an office space that provides staff with an attractive, inviting and functional work environment;
2. Create a space that lends itself to hosting events, meetings and educational sessions;
3. Reconfigure available space to accommodate current and future staffing needs;
4. Improve the public reception area such that it is welcoming, inviting, and contains space for informative displays that represent GSCA's program areas and expertise;
5. Provide multiple dedicated meeting spaces that are technologically functional, presentable and appropriately sound-proofed;
6. Evaluate the need to update the IT, electrical, and HVAC infrastructure and servicing;

7. Reconfigure the kitchen, washrooms, and interior and exterior entrance areas to renew these spaces and upgrade them where necessary to accommodate current accessibility standards;
8. Provide sufficient space, with an efficient design, for the physical storage of programme related materials, supplies and equipment;
9. Consider a new roof, including solutions to ensure that current leakage issues are eradicated in the future;
10. Provide a practical solution to reduce staff discomfort from skylights while maintaining the natural light and ambiance of the building;
11. Design and evaluate the feasibility of an addition that provides a space for education, interaction, and tourism.

To achieve this, we, Lebel & Bouliane, have proposed two schemes within the feasibility report. Scheme 1 proposes a full renovation to the interior of the existing Administrative Centre, along with an addition that houses enhanced public and educational programming. Scheme 2 outlines a lower-cost intervention, a full renovation to the existing building. Both schemes include the reconfiguration of the entrances into the Administrative Centre, to create a more iconic public entrance and meaningful connection with the wider landscape of the Grey Sauble watershed area. Additionally, both schemes evaluate the feasibility of upgrading the current Administrative Centre’s architectural, electrical, mechanical and HVAC systems, and provide strategies to meet current accessibility standards.

REPORT STRUCTURE

Firstly, the feasibility report reviews and analyzes the GSCA site, evaluating the features, conditions, challenges and opportunities of the existing Administrative Centre and its relationship with the surrounding landscape. This analysis extends into the interior of the Administrative Centre, to understand the working patterns, relationships and spatial needs of the departments within GSCA alongside the community services they provide.

The initial feasibility review, completed with the GSCA Team in July 2022, developed this analysis into four design ‘options’ - all options proposed a full renovation of the existing Administrative Centre, with two proposing a new addition. A preferred design option from this session and feedback from the GSCA team created Schemes 1 and 2, the key deliverables of this feasibility report. Within this report, each scheme is explained through diagrams, plans and a breakdown of the existing and proposed programmes contained within them. Finally, n order of magnitude and a detailed scope of work is also included to begin to assess the financial feasibility of both schemes.





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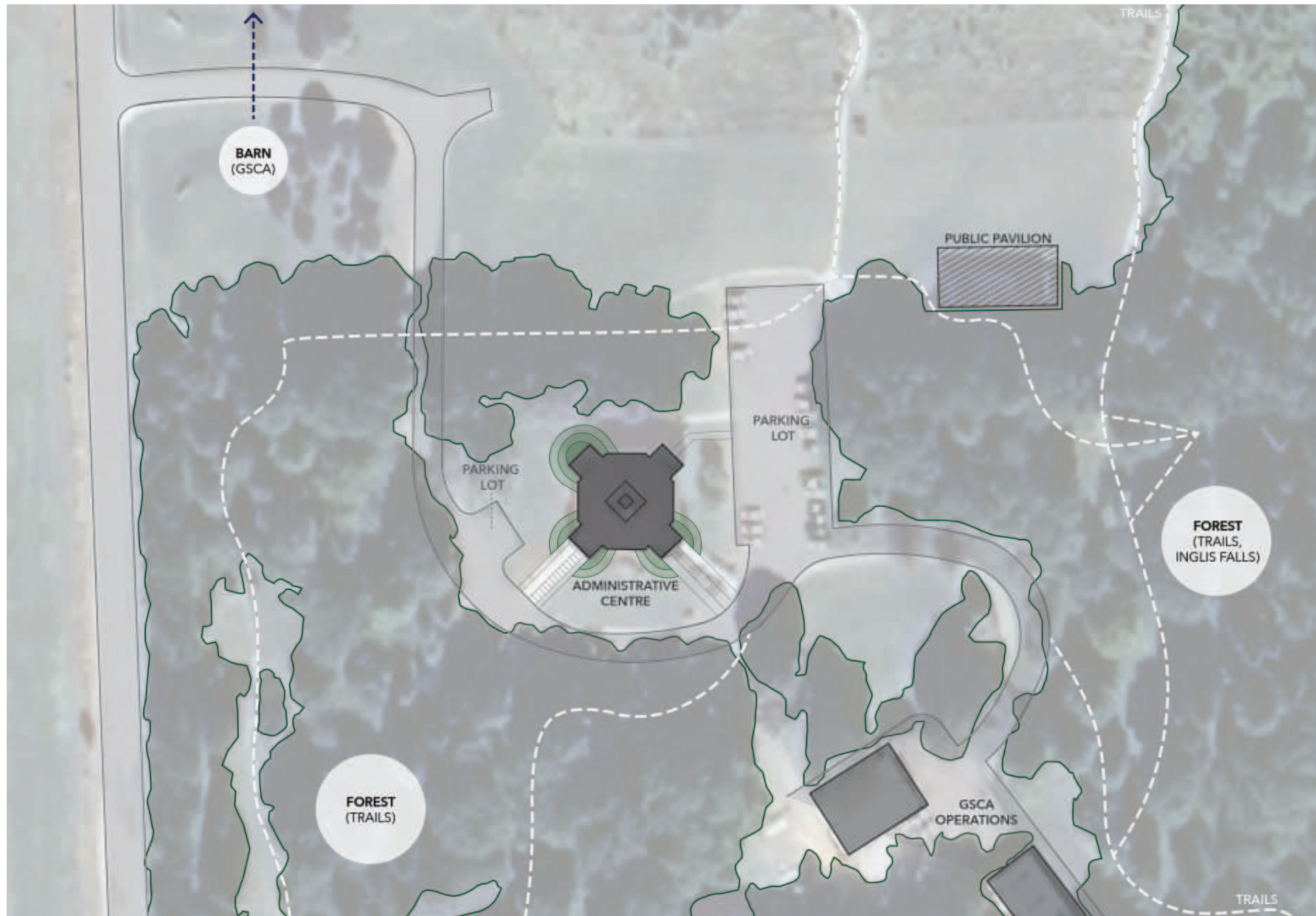
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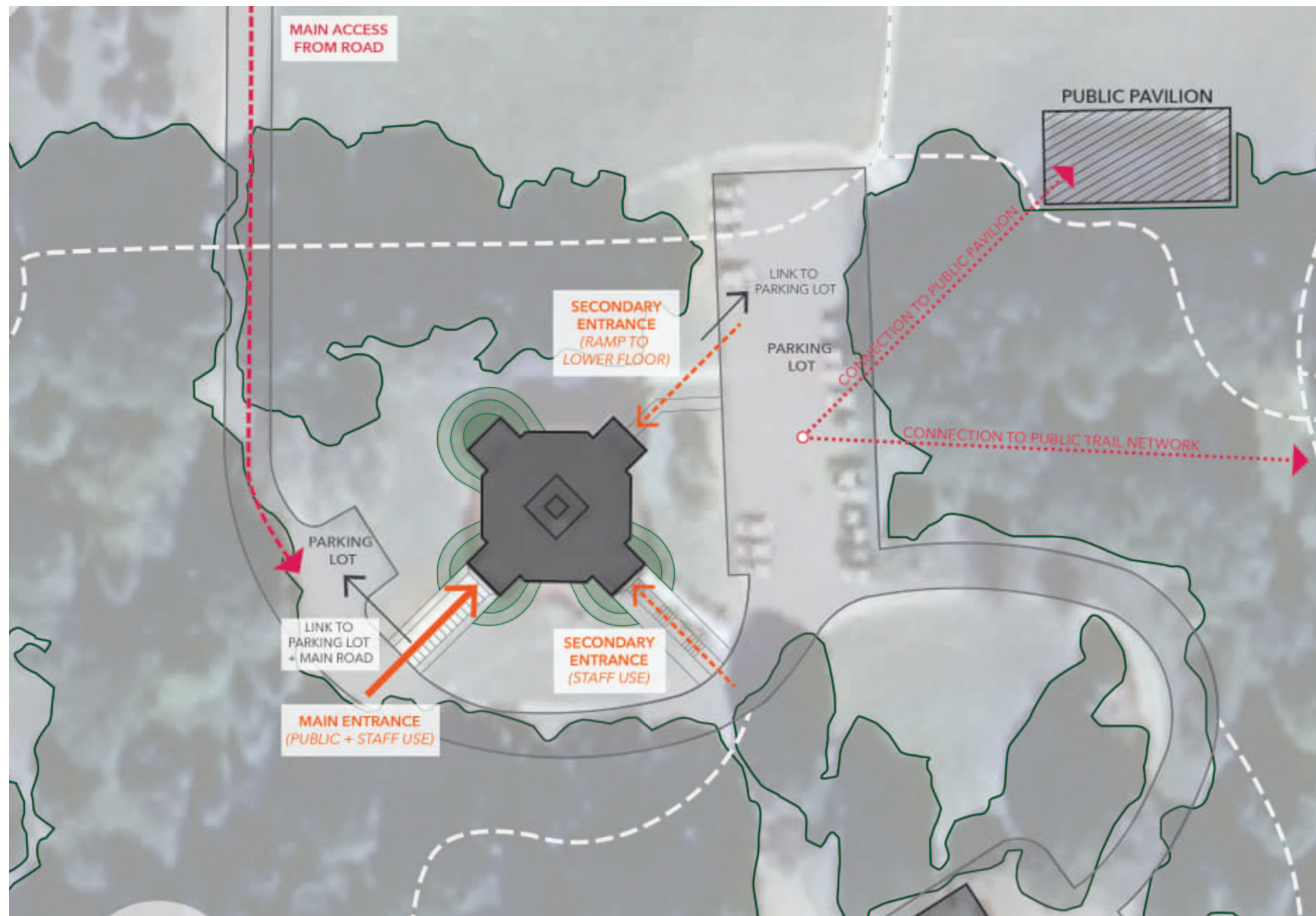


SITE OVERVIEW & ACCESS

The Grey Sauble Conservation Authority Administrative Centre is located on Inglis Falls Road, just south of central Owen Sound. Originally constructed in 1975, the Administrative Centre consists of a single storey building with a raised basement, and is approximately 1060 square metres (530 square metres or 7.700 square feet per floor).

This feasibility report focuses on the existing Administrative Centre on GSCA's property, however, understanding the site as a whole, and the building's proximity to and relationship with the site's additional elements is also crucial in order to propose a new design.

The additional buildings and relevant landscape elements on the GSCA site include the surrounding forest and trails, the existing barn and Arboretum to the North of the existing Administrative Centre, the Public Pavilion, Inglis Falls, and large parking lot to the East, the operations facilities to the South, and an additional smaller parking lot to the West.

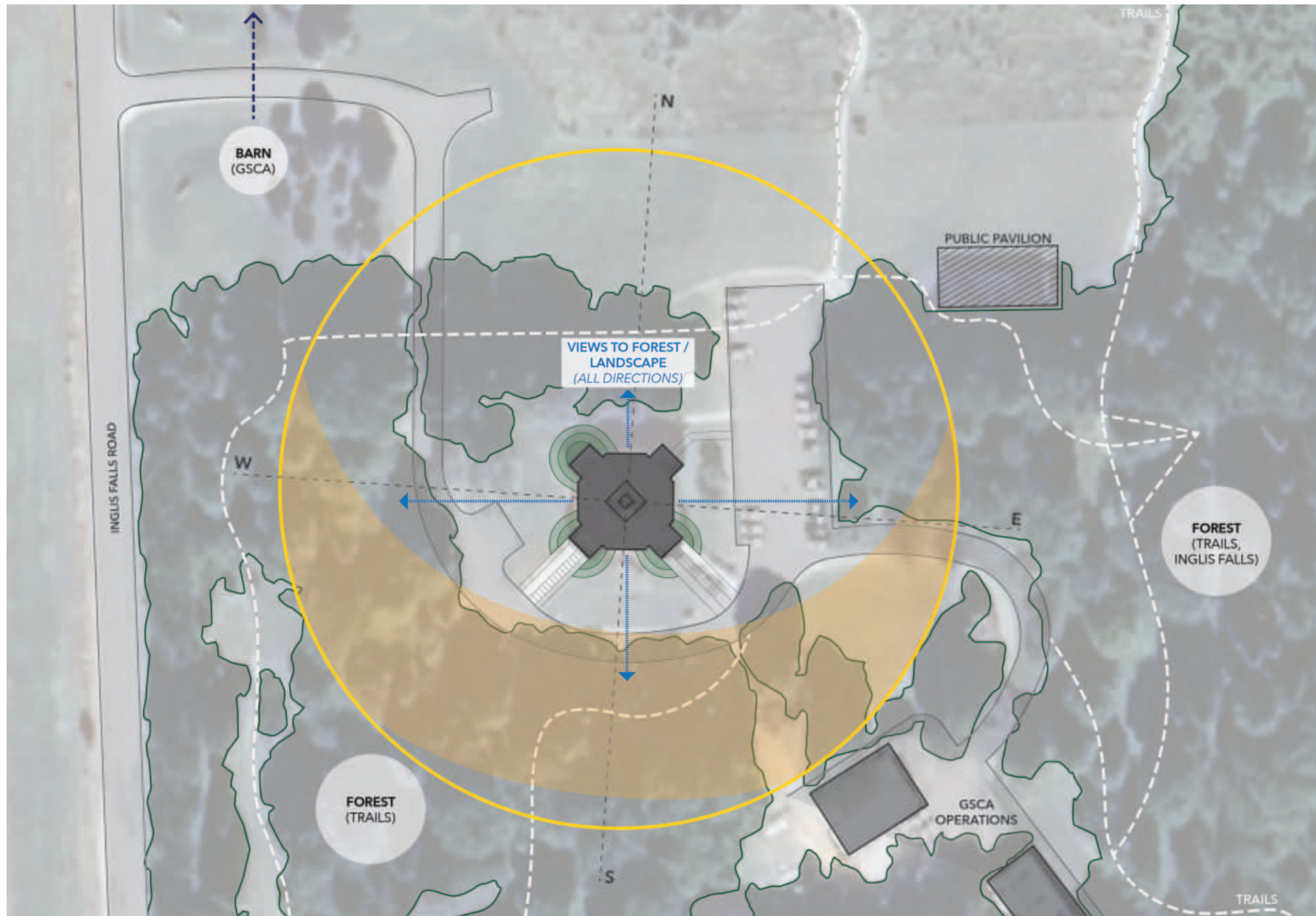


SITE ACCESS

When driving into the site, and around the building, it was difficult to distinguish the main entrance from the others, and public parking spaces versus those for GSCA staff. It became clear that the relationship between the parking lots and the entrances adjacent could be rethought to work more efficiently.

The main entrance and secondary entrance on the southeast side of the existing administrative building are not accessible, to current standards. The northeast secondary entrance has a ramp, but leads any users into the basement, rather than the main floor. There is also no elevator or lift in the building at present.

Bringing the existing building up to accessibility standards, both on the interior and exterior of the building, is noted as a priority in all documentation from GSCA. L&B has made this, along with having a distinct, easily recognizable main entrance for the public, a key design goal in the proposals in the later part of this study.

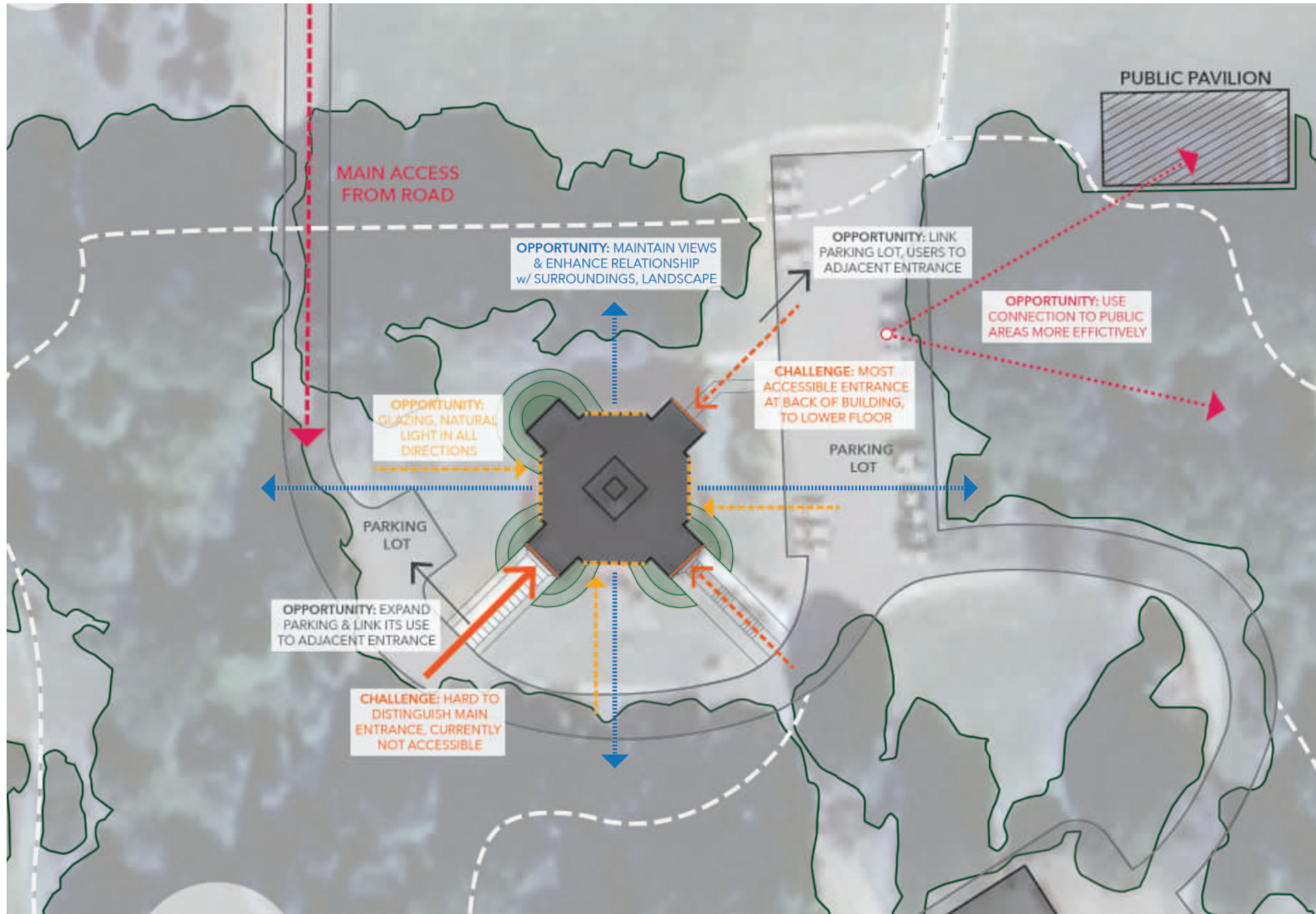


VIEWS & SUNLIGHT

There are great views from inside of the existing Administrative Centre in all directions, towards the surrounding forest and wider landscape.

The windows on both floors of the existing building bring in a substantial amount of natural light; GSCA staff have noted how much they enjoy working in an environment with an abundance of natural light and wish for L&B to maintain this.

The skylights on the ground floor pose some challenges, - the issue of direct sunlight was noted by GSCA staff - but they do help to create a working space that's bright and airy.



SITE CHALLENGES & OPPORTUNITIES

The adjacent diagram summarizes our investigations on site and resultant analysis, the challenges posed by the existing Administrative Centre, its external spaces (entrances, parking lots, etc.) and relationship with the surrounding site.

This diagram also proposes opportunities to be considered in the proposed redesign of the existing building:

- Connect the use of the parking lots with their adjacent entrances (ie. public entrance - public parking lot, staff entrance - staff parking lot)
- To consolidate and connect with the public programmes (trails, public pavilion) to the east of the existing building, the large parking lot could be used for public parking.
- The above move would help create a prime location for a distinguishable main entrance for the public, that could be made accessible with the parking lot being at grade.
- By keeping the glazing on all sides of the existing building, views and natural light levels are maintained. This would reinforce the building's relationship with its landscape.



MAIN ENTRANCE (CURRENT)
South - West Corner



SECONDARY ENTRANCE (STAFF)
South - East Corner



GLAZED CORNER
North - West Corner



SECONDARY ENTRANCE (ACCESSIBLE, LOWER FLOOR)
North - East Corner

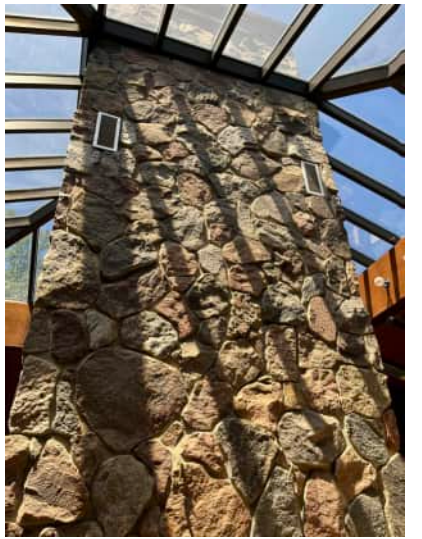


RELATIONSHIP TO ROADS & PARKING LOT





FIREPLACE / SKYLIGHTS



ENTRY / RECEPTION



CIRCULATION SPACES

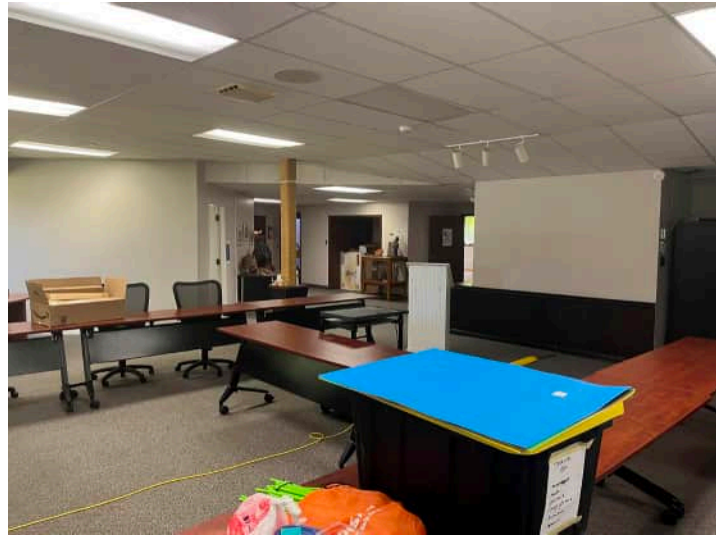


STAFF ROOM



DEPARTMENT OFFICES / OVERFLOW SPACE

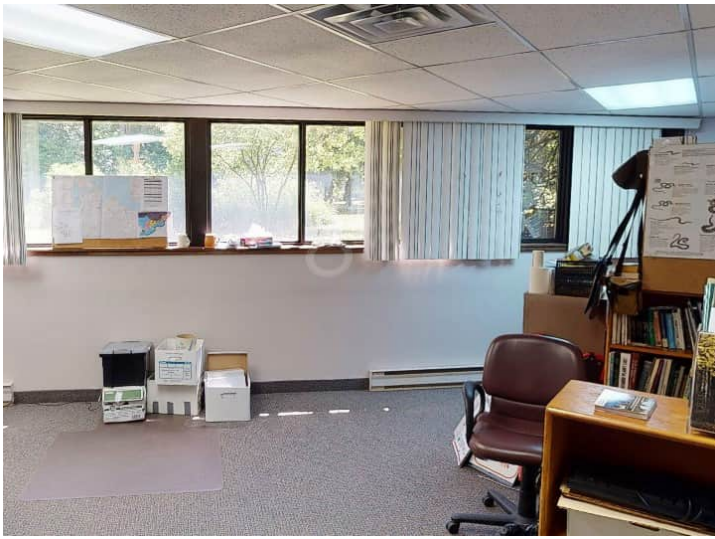




MEETING SPACES

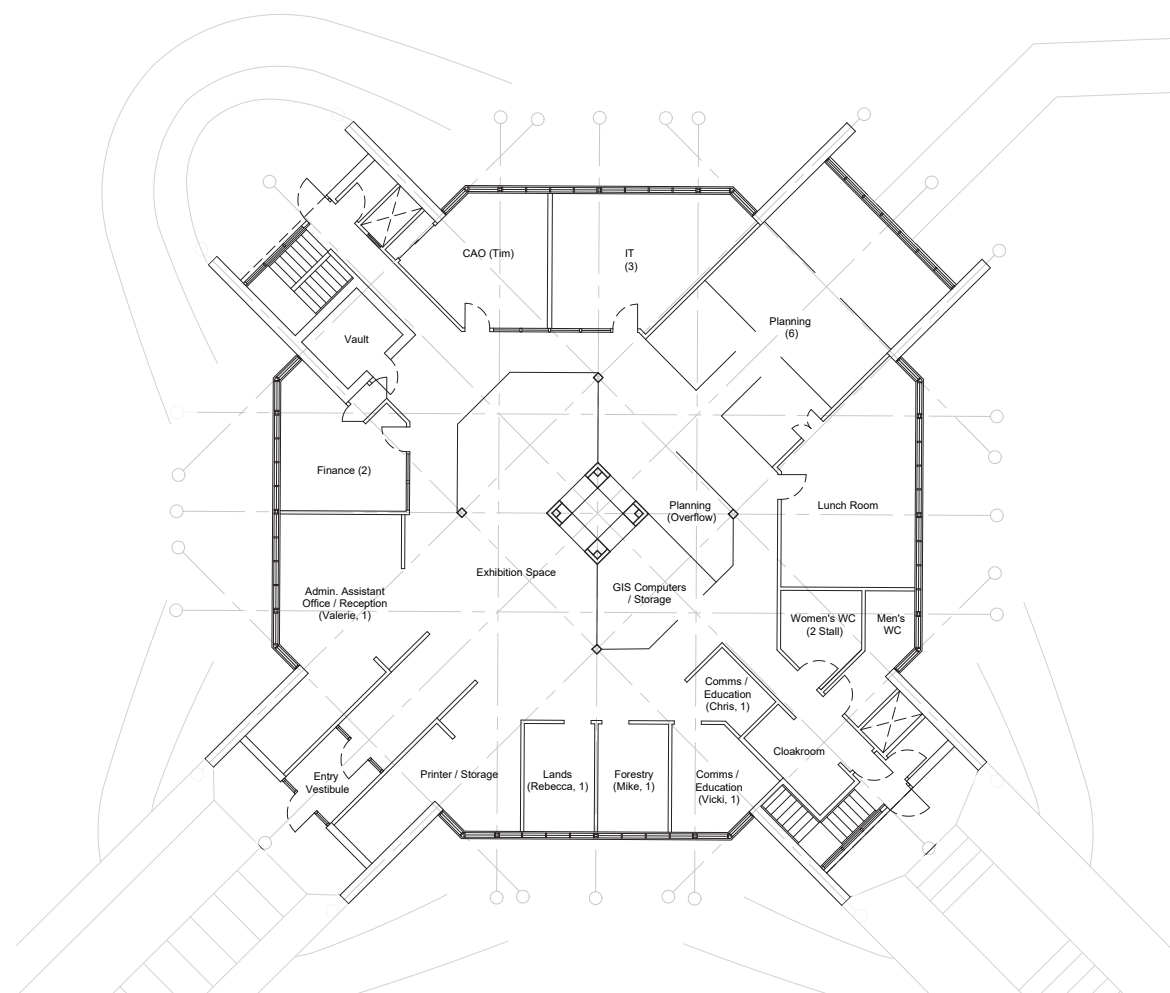


OFFICE SPACES / NATURAL LIGHT

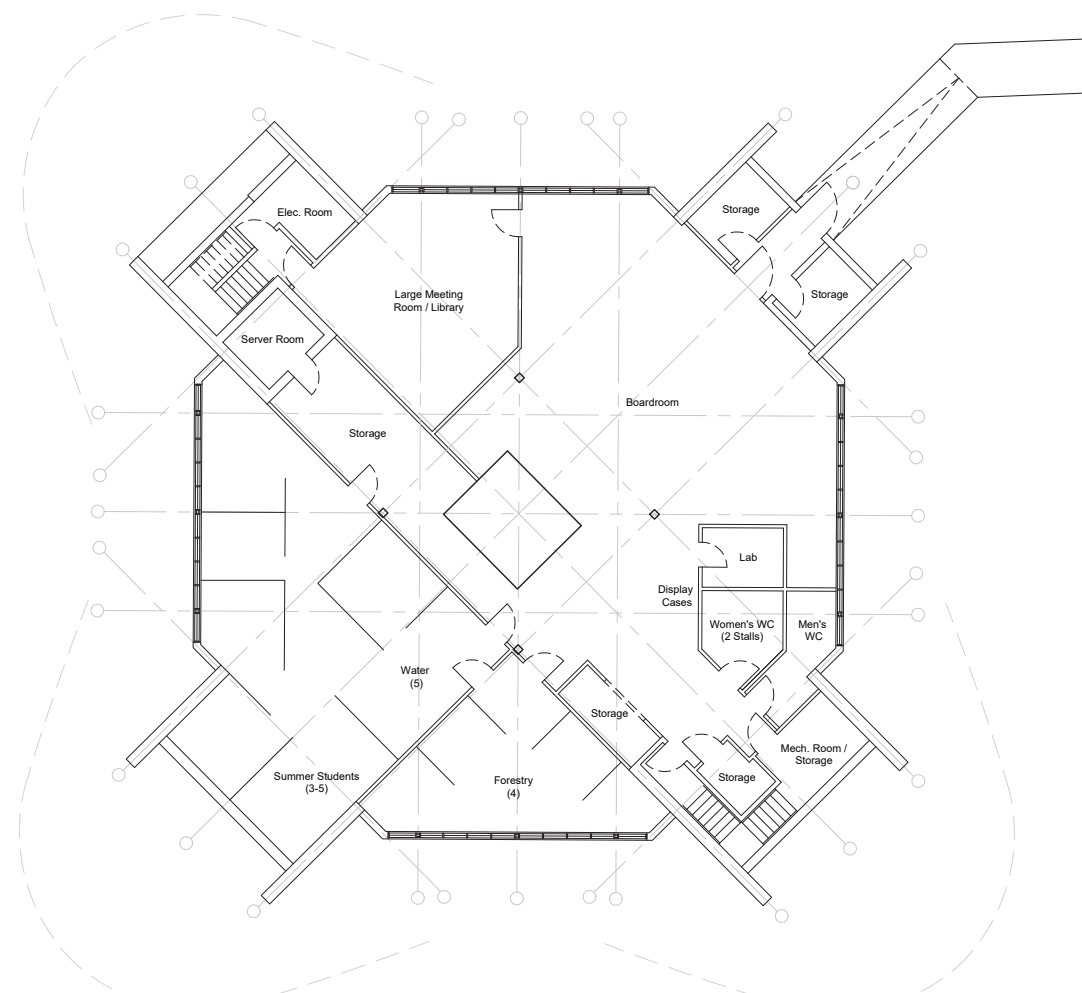


CIRCULATION SPACE / STORAGE





GROUND FLOOR



LOWER FLOOR

EXISTING FLOOR PLANS

L&B documented the existing GSCA Administrative Centre in plan. In doing so, it became clear the several renovations and ad-hoc spatial solutions (in response to the COVID-19 pandemic, company growth, etc.) that have been implemented in recent years underutilized the potential of the existing Administrative Centre.

EXISTING SYSTEMS

Additionally, L&B reviewed the existing architectural, mechanical, electrical and HVAC systems present within the Administrative Centre. Our observations and recommendations are as follows:

- The exposed existing structure on the ground floor - the wood beams and columns, - and the wood finish on the ceiling are in good shape and important to preserve.
- The structure of the existing stone fireplace also appears to be in good shape, but could be stuffed and sealed to maximize energy efficiency.
- The skylights on the ground floor were pointed out as an issue, as there is no way to control the amount of direct sunlight hitting certain spaces. New skylights and automatic blinds could be installed to help solve this issue and maximize efficiency, while maintaining the ambiance and lightness of the space.
- A new roof, to ensure that current leakage problems are resolved, but still suits the architectural language of the existing building.
- The existing geothermal heating and cooling system (heat pump, ground floor vents and lower floor baseboard heaters) is to remain, again to maximize efficiency as it seems to service the building well. Additionally, re-insulating exterior walls, to maximize heat retention, should be considered when renovating.
- The existing electrical systems also seem suitable to remain, but increasing the number of wifi hubs would be beneficial to ensure a strong connection across the building and to minimize exposed wires. The existing data and server room will also be planned to remain.

Parking Lot Use is Unclear from Main Road

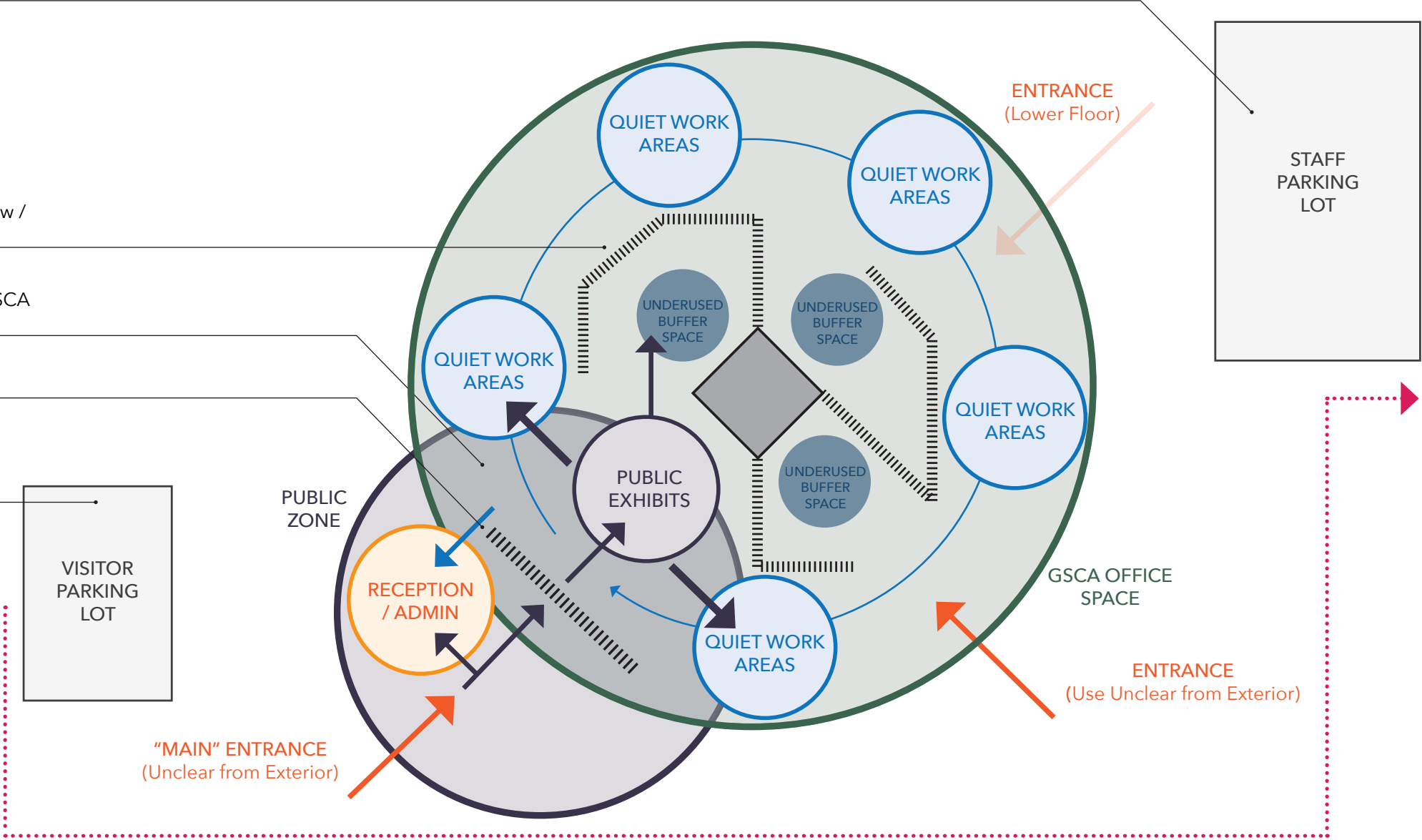
Temporary Partitions Confuse Flow / Routes through the Space

No Clear Direction for Public / GSCA at Main Entrance & Reception

Blockade at Reception

Parking Lot Use is Unclear from Main Road

MAIN ROAD



CONFLICTS IN THE EXISTING BUILDING

The ground floor on the existing Administrative Centre holds lots of activity: GSCA manager offices and department working areas that are not fully enclosed rooms; exhibition spaces that are meant to be interactive but are located behind a barrier; meeting areas for GSCA staff and the public; a reception area; communal computers, printing and storage spaces; and a staff room.

To summarize, wayfinding throughout this floor is difficult, and GSCA spaces for quiet working and areas intended for public use interact with each other in a conflicting way. Part of the issue stems from the office and working spaces not being enclosed - partitions between offices and open spaces generally do not extend to the ceiling, meaning the acoustics on the ground floor are poor. Additionally, temporary partitions section off areas around the fireplace. While these areas hold necessary programmes for the GSCA, the space between is awkward and underutilized.

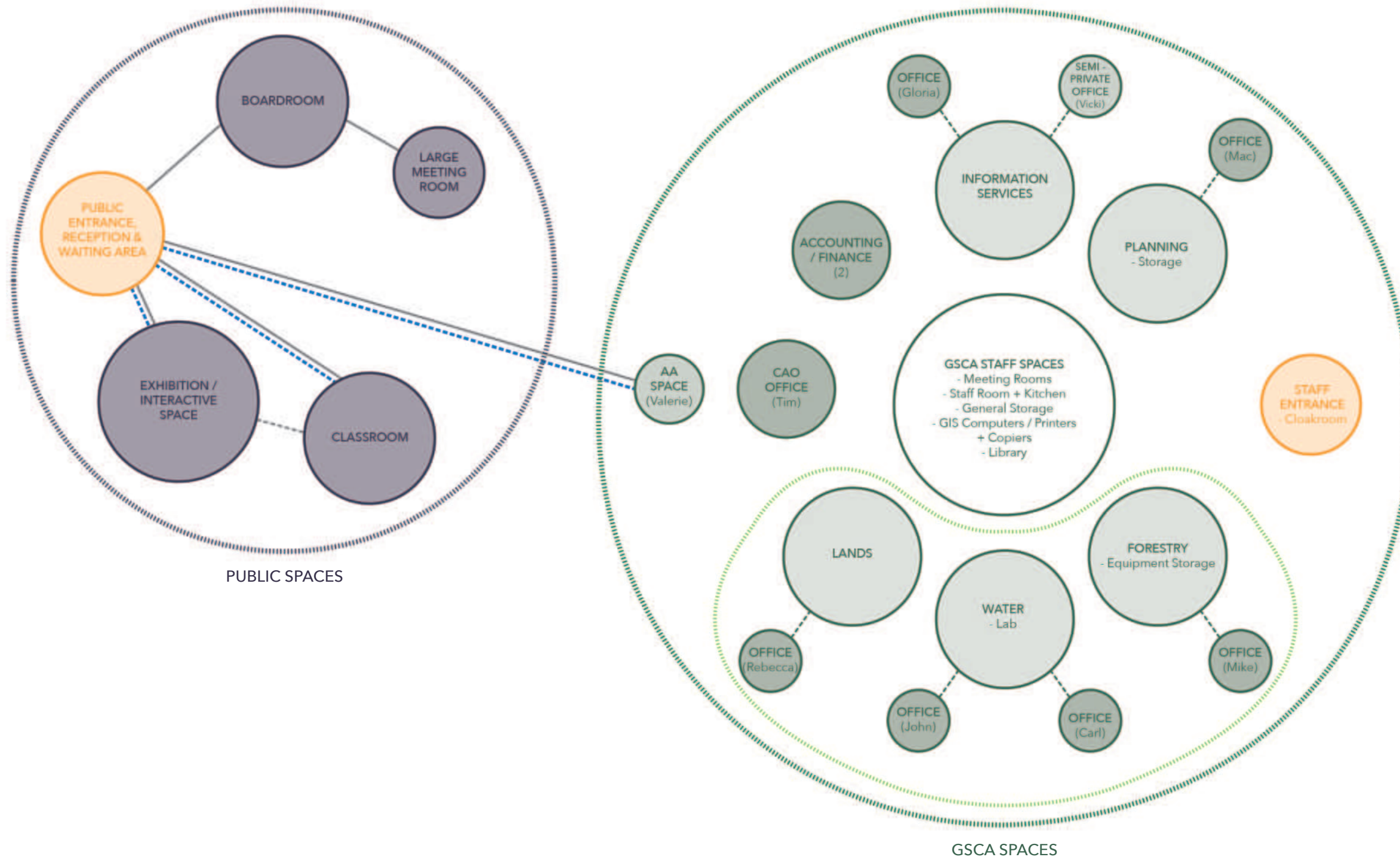
The lower floor does not deal with the same acoustic issues, as the offices and working areas are within enclosed rooms. However, the arrangement of spaces could be laid out in a more efficient manner.

The key 'take-away' from this conflict diagram is that there needs to be a better separation between GSCA office space and spaces for the public - the reception, exhibition space, and any additional educational space. Having distinct entrances would also help achieve this separation.

LEGEND

- GSCA Circulation
- Public Circulation
- Temporary Partitions

Existing Layout Conflicts



PROPOSED PROGRAMME

Taking our understanding of the conflicts in layout in the existing Administrative Centre and the needs and wants of Grey Sauble Conservation Authority, we have remapped the programmatic adjacencies of GSCA space, public space, and the relationship between them.

Consolidating the more public programmes (ie. exhibition space, classroom, boardroom, etc.) into purpose-built spaces and separating them from GSCA space is the primary 'key move'. Some interaction and physical adjacencies are inevitable, however L&B has been mindful and strategic about these moments based on characteristics such as their use and acoustic needs. Additionally, through conversations with GSCA, certain programmatic adjacencies between departments came clear, as a result of staff work flow and managerial relationships. The prime example of this is with the Lands, Water and Forestry departments. Their working relationships lead us to conclude that they should be placed together when looking at redesigning the existing Administrative Centre. Another key consideration was positioning the Administrative Assistant in a place to help both GSCA staff, and be visual to help any members of the public that are entering the building.

The rest of the adjacencies within the spaces set for GSCA are less strict, however, it is important that they all have a connection with communal spaces such as the staff room, printers and copiers, meeting rooms and collaborative work areas, and storage for coats, files and other programmatic items.

LEGEND

- — — — — Visual Connection
- Physical Adjacencies
- - - - - Managerial Adjacencies (Physical + Visual)
- ||||| Departmental Adjacencies (Physical)

WHAT WE HEARD

"It would be really nice to have an **accessible** space for meetings that are enclosed/private - especially for when external people come in."

"The current office environment can be loud and **having a closed space to have discussions** will minimize a lot of the unnecessary distraction..."

"Would love to see some options about **shared workspaces** explored a little more. I think there are great models where there can be tiny, **dedicated call rooms/booths** that we can use for calls..."

"... there are times I need to work privately... so having **the ability to have a door open or closed when necessary** would be helpful..."

"Individual washrooms would be good."

"I am hoping that the space will be **inviting** and in keeping with the surrounding area and the work that happens here. It would be nice to **capture some of the unique details of the existing building while making it a more usable space.**"

WHAT WE SAW

Wayfinding on the ground floor of the existing Administrative Centre, and the separation between GSCA staff offices / spaces and public programmes **is unclear.**

Accessibility is an issue - currently there is **no lift or universal washroom**, and the **kitchen in staff room should be rethought to suit accessibility standards.**

The **architectural integrity and features** of the existing building - particularly the **ceiling** and **exposed structure** on the ground floor - **are important to maintain** in some capacity.

Spaces are either very open (ie. boardroom) **or closed off** (ie. department offices) **with little middle ground.** There is a lack of flexibility for work stations, along with little space for meeting in groups, taking private phone calls individually and general collaboration.

DESIGN GOALS

For GSCA staff, we want to create a workspace that is **inviting, accessible, comfortable, functional** and **suitable for all working needs, styles and practices.**

For the public, we want to create a space that is **welcoming and attractive**, and able to **host various events and exhibits for the community, its leaders, and learners of all ages.**

Bring an "openness" back to the Administrative Centre, particularly on the ground floor, while **maintaining and celebrating the building's unique existing architectural features.**

Improve the environment of the ground floor space, in regards to **controlling acoustics and natural daylight.**

Retrofit the existing Administrative Centre to ensure it **meets accessibility requirements** throughout and is usable for all. **Individual, accessible washrooms, an indoor lift, and an accessible kitchen space** within the GSCA staff room are key design points.

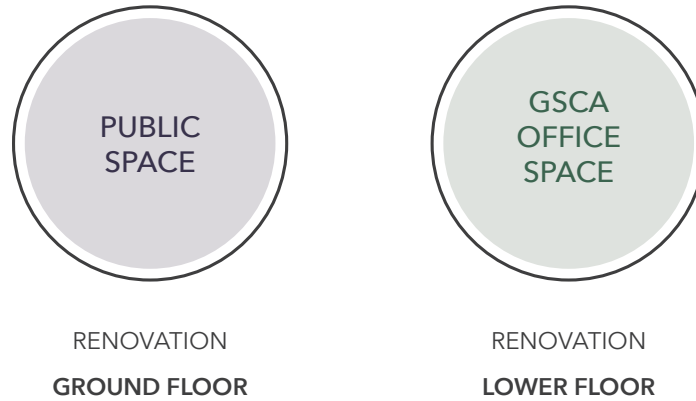
To **improve wayfinding** on both the interior and exterior of the building, and **create a separation between GSCA staff and public programmes**, we want to create an iconic and accessible main entrance for public users, and a separate entrance for GSCA staff.

Create a mixture of **purpose-built rooms** (ie. boardroom, private meeting rooms, manager offices, etc.) and **flexible, shared working spaces** to meet the needs of GSCA staff **now and in the future.**

Propose an **addition that is attractive and iconic**, which meets educational and community service needs, that also includes accessible circulation for GSCA staff and public users.

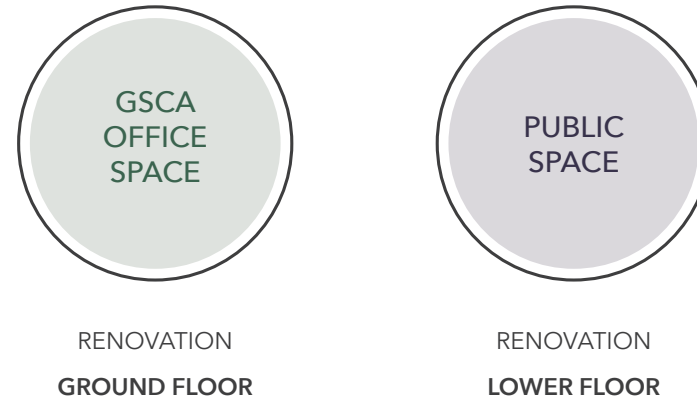
Option 1A - Renovation

Public Ground Floor
(Programmes Split by Floor)



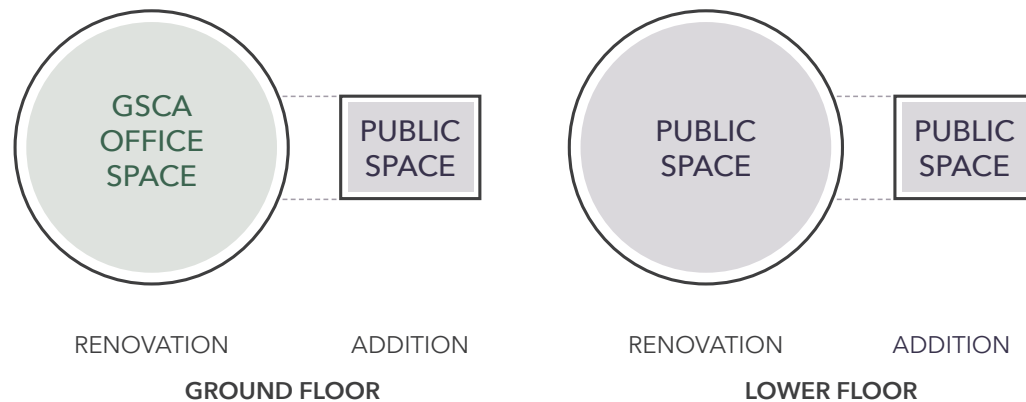
Option 1B - Renovation

Public Lower Floor
(Programmes Split by Floor)



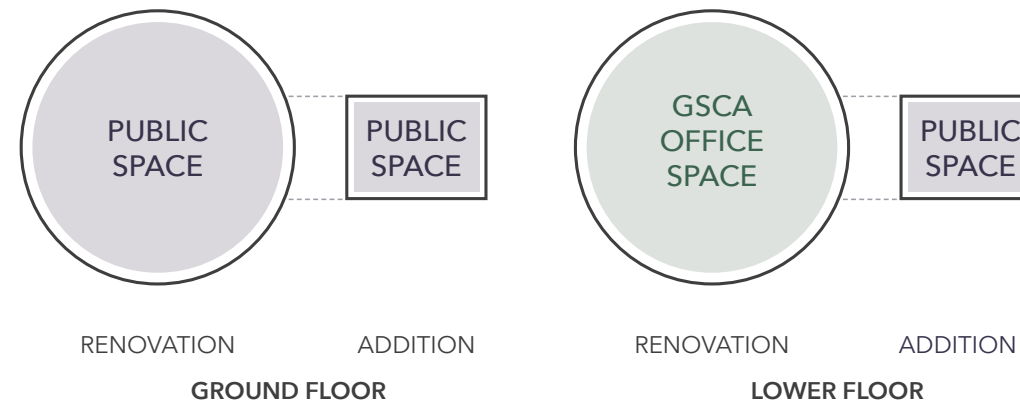
Option 2A - Renovation with Addition

Public Lower Floor + Addition
(Programmes Split by Floor)



Option 2B - Renovation with Addition

Public Ground Floor + Addition
(Programmes Split by Floor)



INITIAL FEASIBILITY OPTIONS

The adjacent diagrams describe the 'Options' that were presented to GSCA at the first feasibility review meeting. These initial iterations were based on L&B's site visit, early discussions and findings from surveys that had been circulated amongst GSCA staff.

Option 1B was noted as most appealing by the GSCA team. Keeping the naturally-lit and architecturally appealing ground floor as the primary working environment for GSCA staff, and the lower floor for public space would help to resolve wayfinding and acoustical issues. That being said, given the number of private offices (closed spaces) required, it is likely that GSCA staff will need to remain utilizing both floors, but in a more efficient way. L&B acknowledged this as a primary driver moving forward.

This option also received approval because of the proposed separation of GSCA space and public space; each would have its own entrance, with the proposed public space having its own entrance with good proximity to the existing big parking lot, pavilion space, trails and arboretum.

Option 2A, as an option that is similar to 1B but with an addition, was discussed between GSCA and L&B. Using the addition as public space, for engagement and education, would free up more of the existing GSCA building for staff use. It would also be easier to accommodate accessibility standards, ie. a lift, in a new addition, though accessibility will remain as a priority in all options moving forward.

Options 1B and 2A - the thinking and concepts behind them, along with the feedback received from GSCA and the discussed changes - were taken forward and then developed into Scheme 1 (Addition + Renovation) and Scheme 2 (Renovation), which form the final output of this Feasibility Study.

Scheme 1 - Addition + Renovation of Existing Building

KEY ISSUES + CLIENT WANTS

ADDITION

The addition should be a beacon, and indicate a new main public entrance. It should also connect the Administrative Centre to its surrounding landscape.

Even with the proposal of an addition, this scheme should respect the original architecture of the existing Administrative Centre, on the inside and the outside, including the landscape. For example, new partitions could align with the existing beams, and the existing landscape could remain untouched and be celebrated with the new addition.

ACCESSIBILITY

Locating the addition off the north-east corner of the existing Administrative Centre creates the opportunity for the addition to be at grade, easily accessible from the main parking lot adjacent.

Providing a lift directly inside the addition creates accessible circulation throughout the interior of the building and requires little intervention into the fabric of the existing Administrative Centre, which is a more efficient strategy than implementing accessibility standards through renovation (Scheme 2).

GSCA WORKING SPACE

The presence of the addition creates the opportunity for GSCA Staff work areas to be consolidated to the second floor and specific areas on the ground floor, separate to public areas. The amount of natural light on the second floor and near the large windows on the ground floor, creates an ideal working environment.

Keeping the second floor for working space and GSCA offices, and having dedicated space for the public below, minimizes the acoustic concerns that are currently experienced in the Administrative Centre.



KEY DESIGN MOVES

1000 Sq. Ft. ADDITION

The proposed addition is intended to hold the public and educational programmes – a dedicated classroom and a space for interactive exhibitions, which would give the majority of the existing Administrative Centre over to GSCA programme needs (offices, working areas, meeting rooms, boardroom, etc.). This separation would improve the acoustic conditions throughout GSCA workspaces. Locating the addition at the north-east corner of the existing Administrative Centre creates a distinct main entrance for the public with connections to the main parking lot, the Public Pavilion and surrounding trails, and allows the existing south-east entrance to become a separate entrance for GSCA Staff.

The space between the existing Administrative Centre and the addition becomes a clear area for reception / administration and circulation, which service the GSCA, its wider network, and members of the public.

ACCESSIBILITY

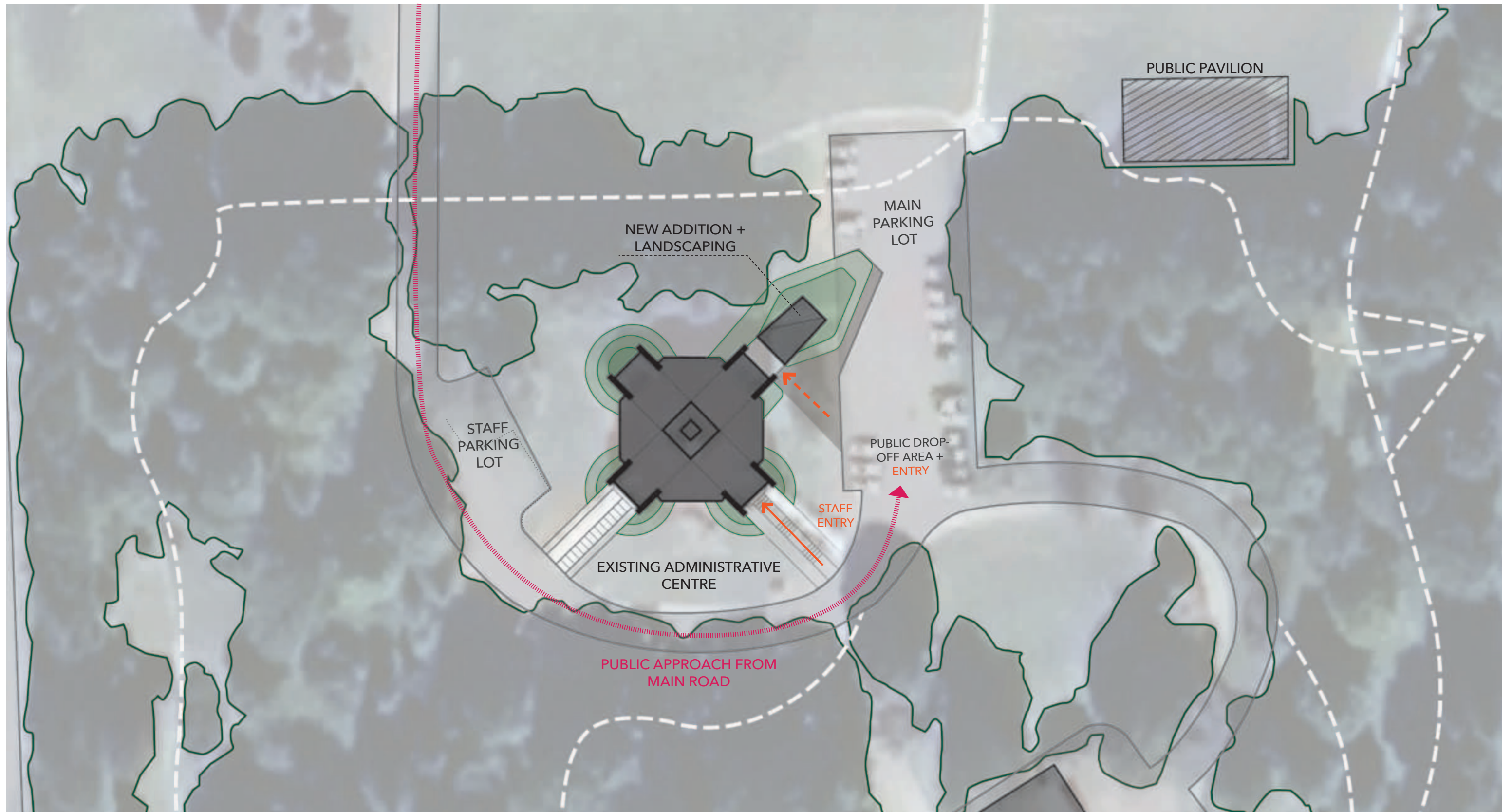
Having the new addition at grade creates an entrance that is accessible from the main parking lot, and provides the space for a new accessible lift between all floors of the Administrative Centre. Locating the lift in the addition is advantageous, as little intervention would be required into the fabric of the existing Administrative Centre.

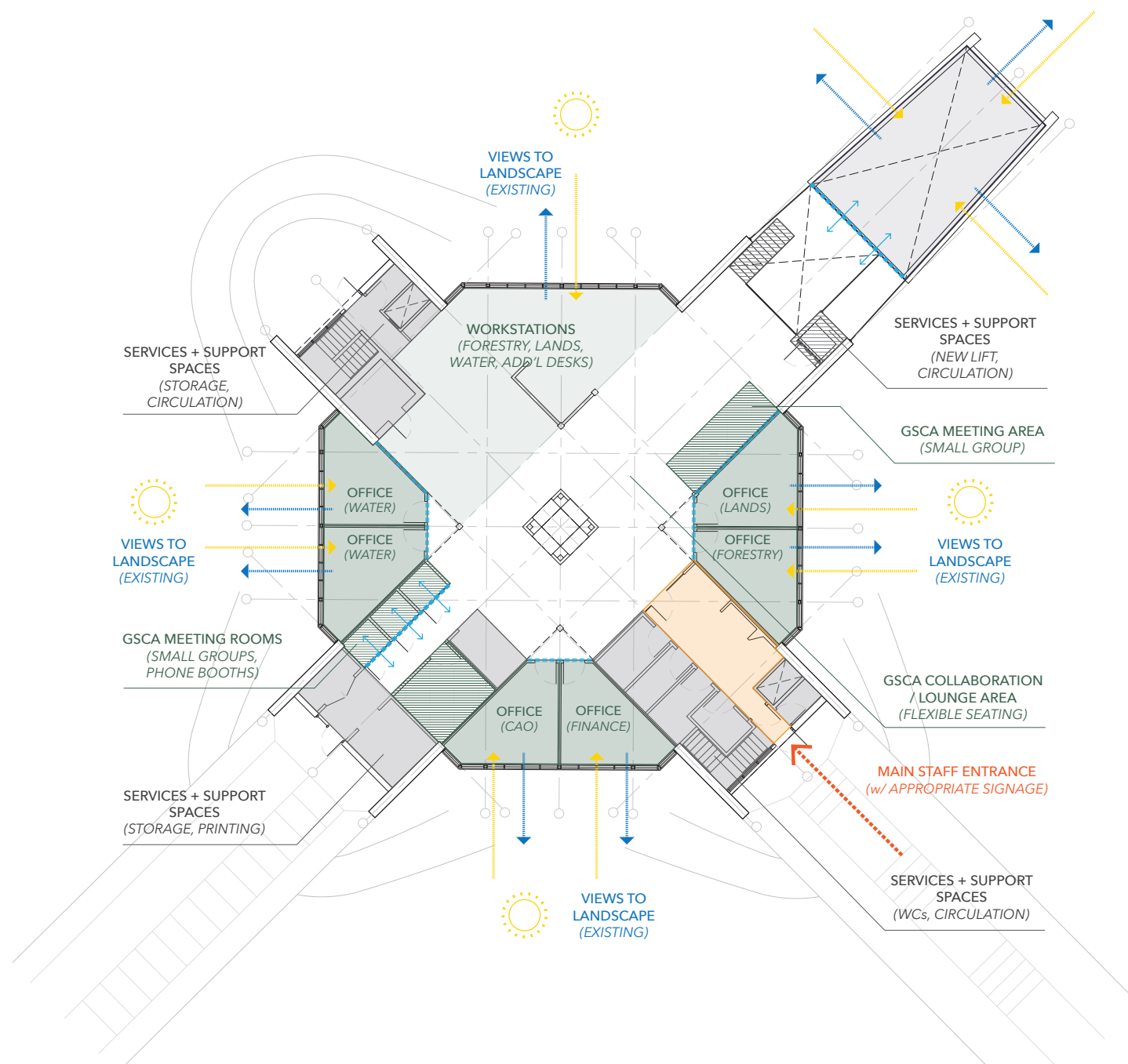
Washrooms (counts and designs) have been upgraded to suit current accessibility standards, as there is now a fully compliant Universal Washroom and a Barrier-Free washroom with an accessible shower on the ground floor, along with a Barrier-Free washroom on the second floor. The kitchen in the new staff room would also be designed to comply with accessibility standards and best practices.

GSCA OFFICES + WORKING AREAS

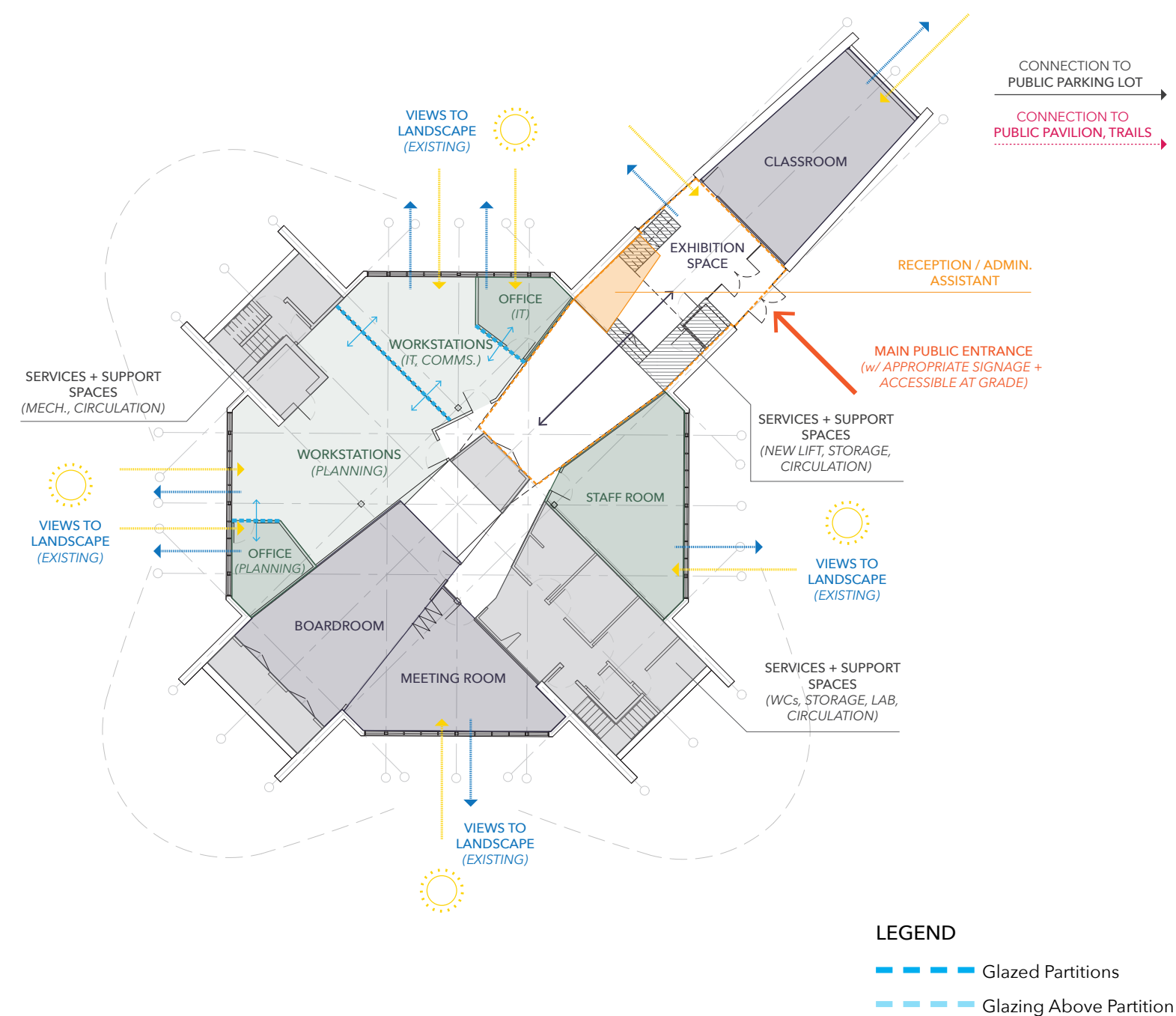
To provide a work environment conducive to the structure of GSCA and different working styles, different kinds of workspaces have been provided. Employee workstations are arranged by department, and are adjacent to the managers’ offices, other relevant departments and employees where necessary (ie. Lands / Water / Forestry). These workstations are more “open” and flexible; however, individual and group storage space has been provided where relevant. Additionally, small meeting rooms and “phonebooths” for private phone calls, sensitive team discussions and meetings have been worked into the scheme.

All managers have their own enclosed offices that do not disrupt the existing architectural features when located on the ground floor; the partitions between are in line with existing beams for ease. This means that some of the offices are quite large, but could accommodate more employees in the future.





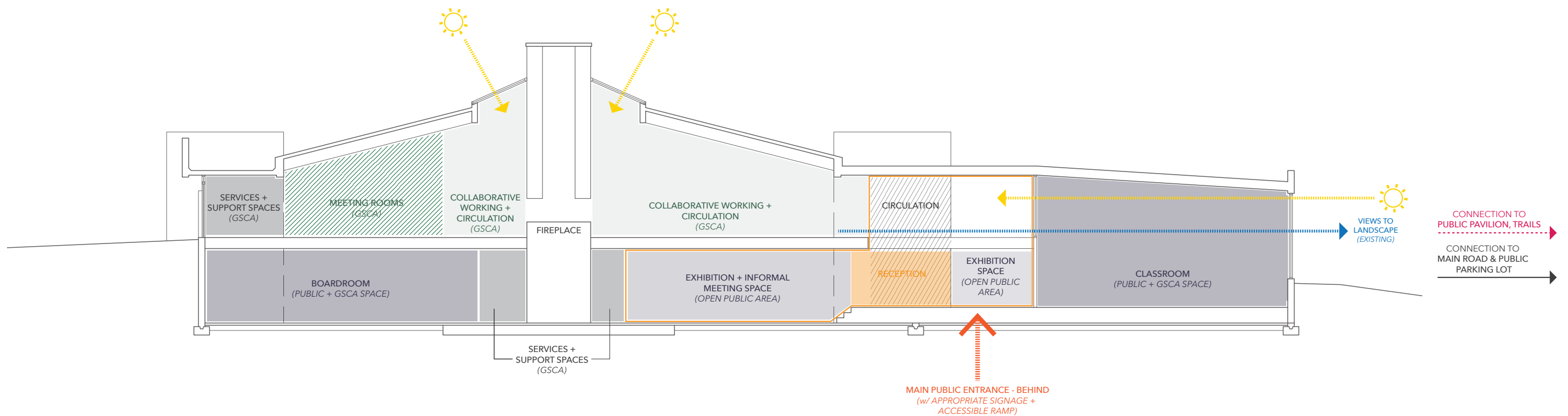
SECOND FLOOR



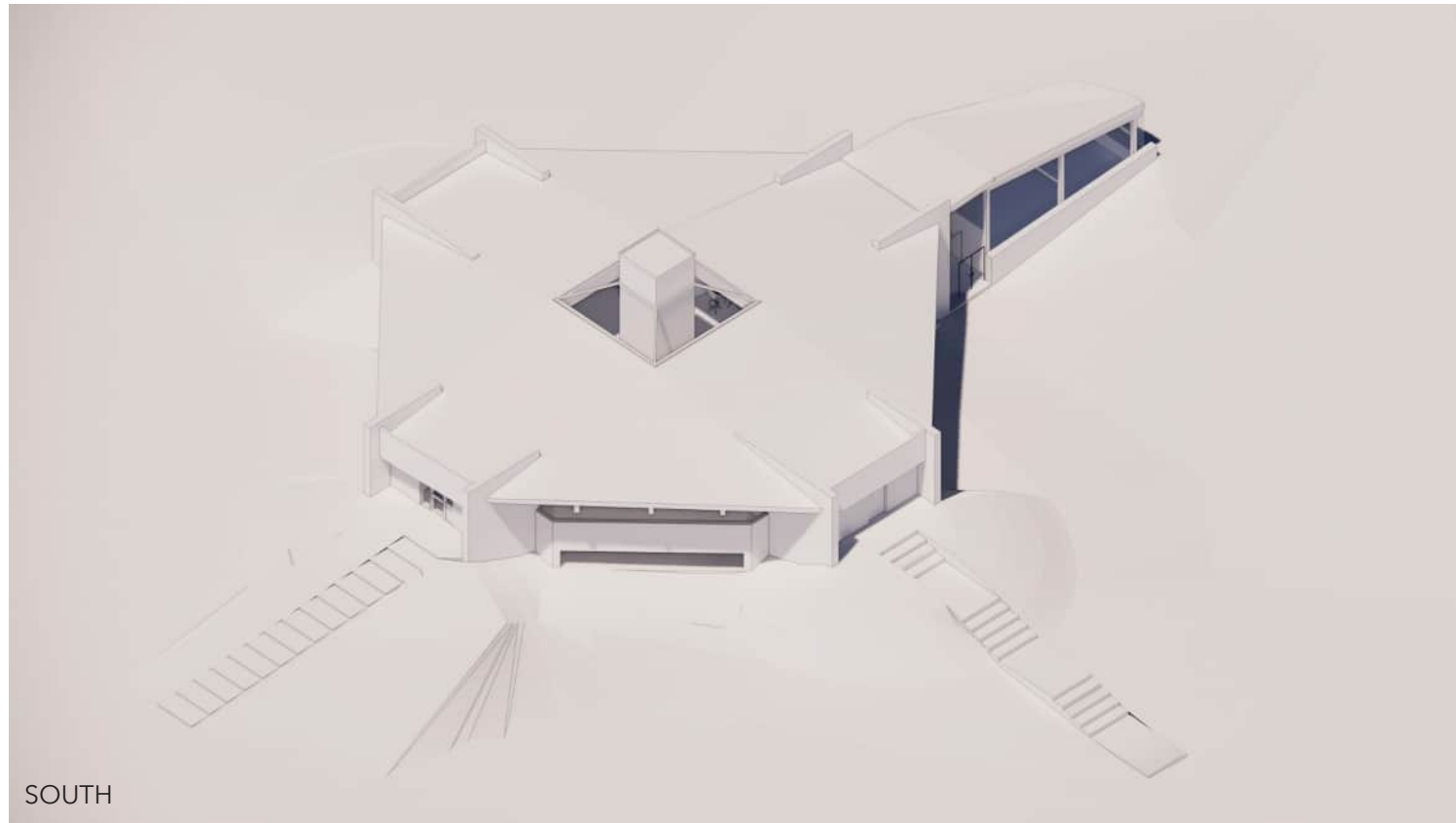
GROUND FLOOR

LEGEND

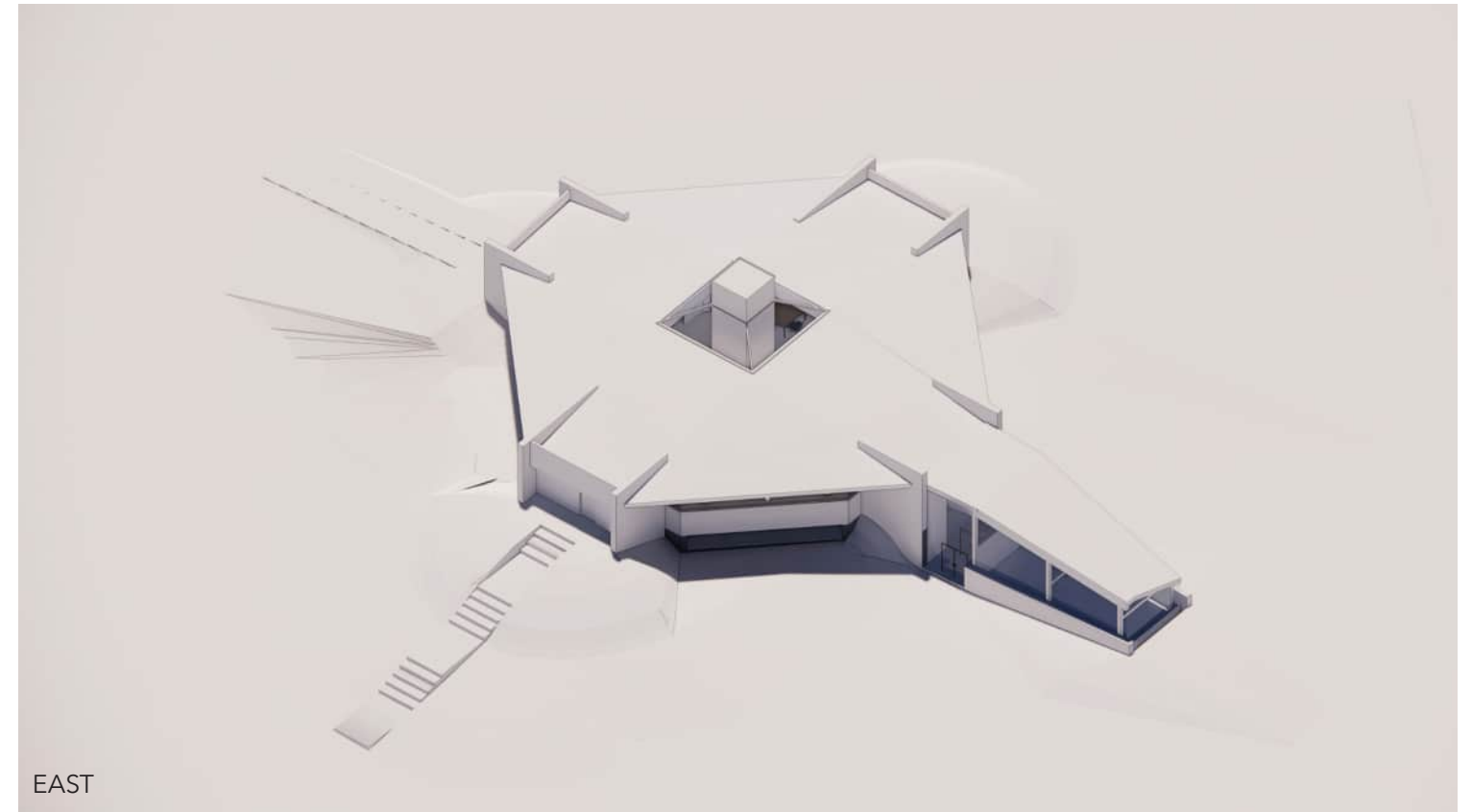
- Glazed Partitions
- Glazing Above Partition







SOUTH



EAST

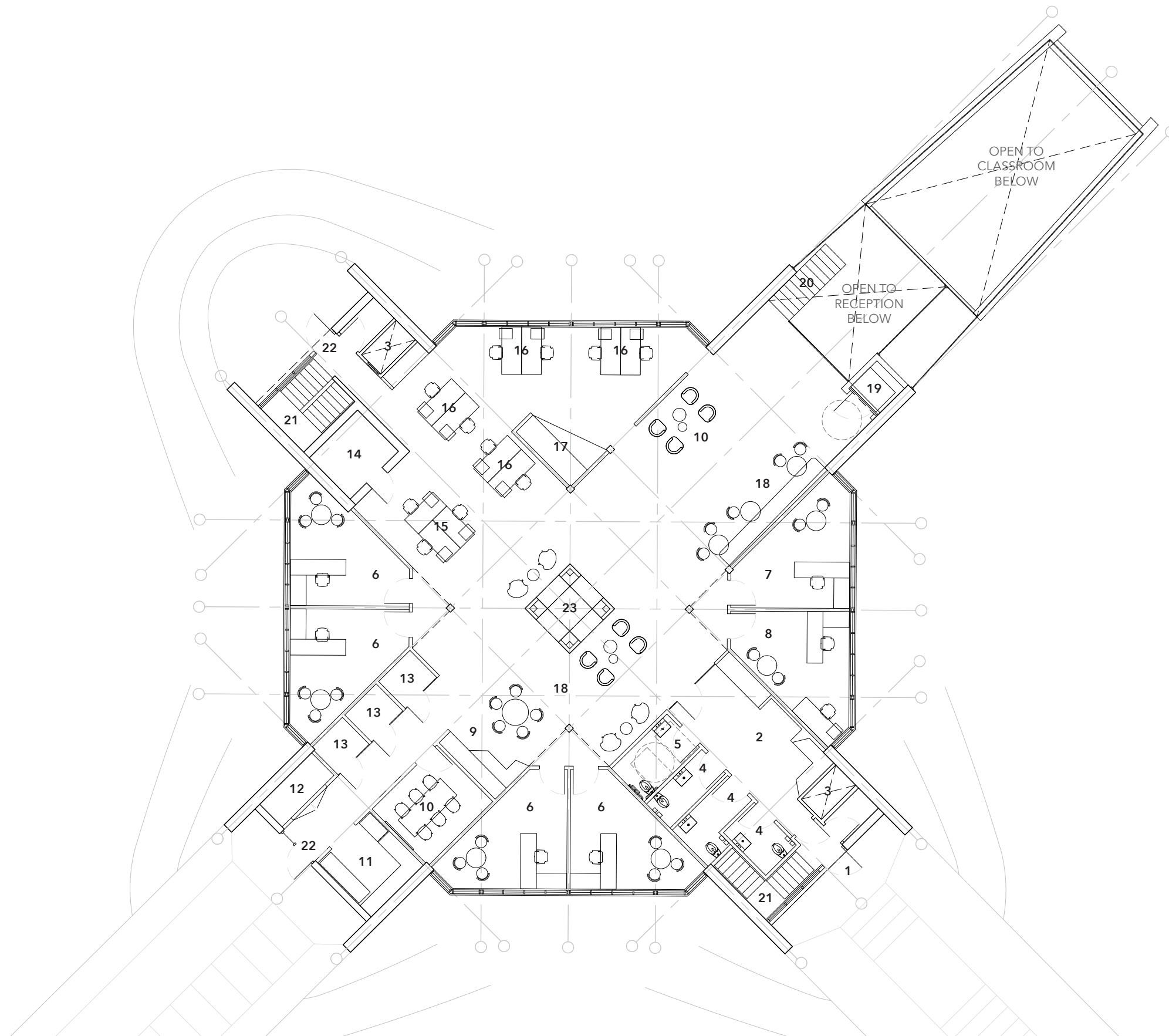


NORTH



WEST

SECOND FLOOR



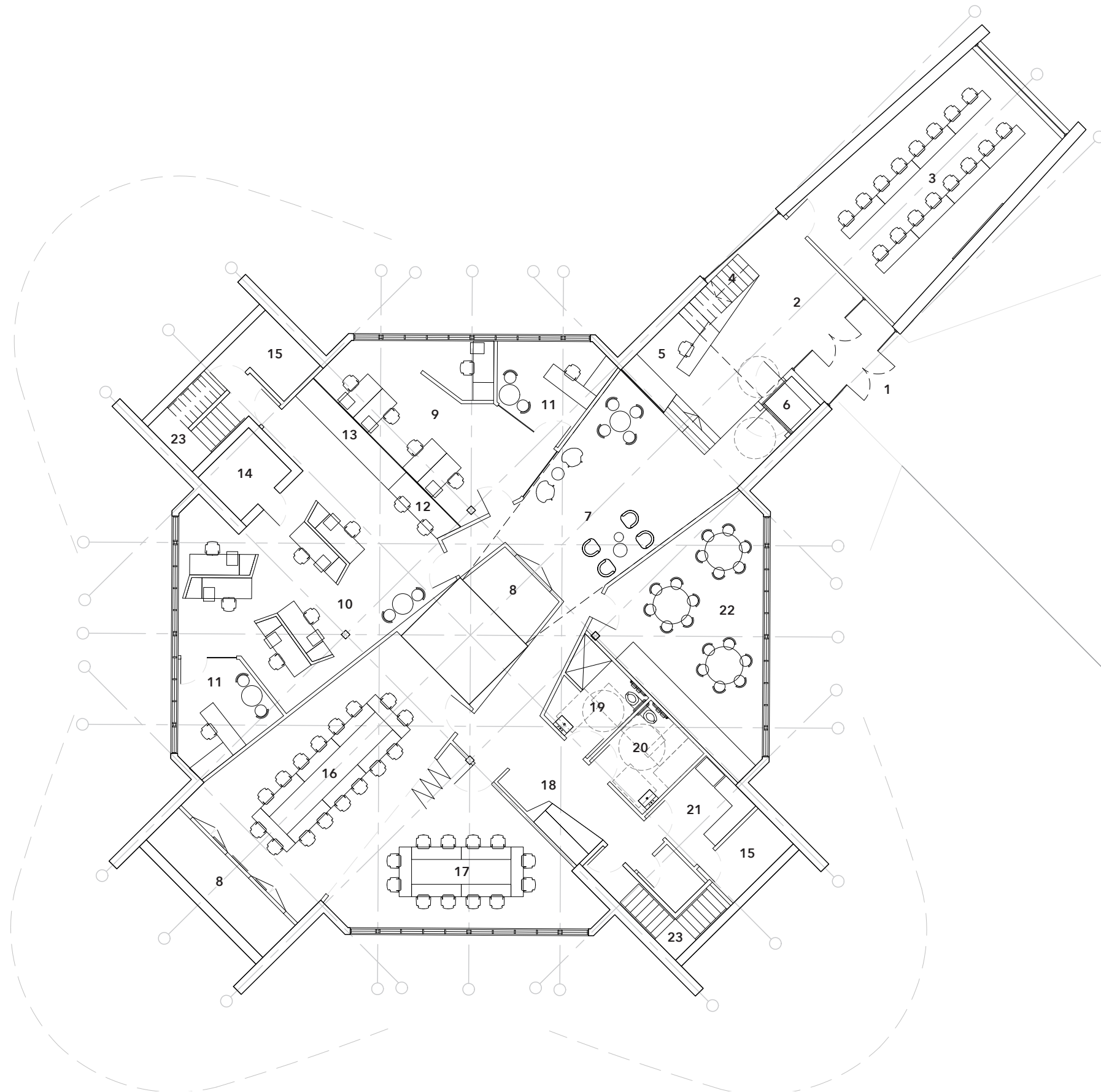
SECOND FLOOR PLAN

1. GSCA Staff Entry - Existing Staircase to be Repaired
2. Staff Entry - Closets, Additional Storage
3. Existing Mechanical to Remain
4. Staff Washrooms
5. Staff Barrier-Free Washroom
6. Manager Office - Lands, Forestry, DWSP + Flood Warning, Watershed Monitoring
7. CAO Office
8. Finance + Accounting Office
9. Library
10. Small Meeting Room / Area
11. Printers + Storage
12. Programme Storage
13. Phonebooth
14. Existing Vault to Remain
15. Workstations - Summer Students / Hot Desks
16. Workstations - Lands, Forestry + DWSP
17. Equipment Storage - Forestry
18. Flexible, Collaboration Seating
19. Accessible Lift
20. Staircase to Reception / Administrative Assistant / Public Programmes on Ground Floor
21. GSCA Staff / Exit Staircase
22. Emergency Exit
23. Existing Fireplace to Remain (Sealed)



Detailed Floor Plan: Scheme 1 - Addition + Renovation

GROUND FLOOR



GROUND FLOOR PLAN

1. Public Entrance (at Grade)
2. Exhibition Space + Reception Area
3. Classroom / Education Centre
4. Staircase to GSCA Offices on Second Floor
5. Administrative Assistant Desk / Office Space
6. Accessible Lift
7. Exhibition Area + Small Informal Meeting Space
8. Programme Storage
9. Workstations - IT & Communications
10. Workstations w/ Integrated Storage - Planning
11. Manager Office - IT, Communications + Planning
12. GIS Computers
13. Low-Height Storage (Planning)
14. Existing Server to Remain
15. Existing Mechanical / Electrical to Remain
16. Boardroom
17. Large Meeting Room (w/ Folding Doors to connect with Boardroom)
18. Staff Area - Closets, Additional Storage
19. Barrier-Free Washroom w/ Shower
20. Universal Washroom
21. Lab
22. Staff Room w/ Accessible Kitchen
23. GSCA Staff / Exit Staircase



Detailed Floor Plan: Scheme 1 - Addition + Renovation







Scheme 1 - Addition + Renovation

PROGRAMME BREAKDOWN + CHARACTERISTICS

The following pages outline the programmes required by Grey Sauble Conservation Authority in their Administrative Centre, based on what exists in the building and any additional programmes that have come up through discussions with the GSCA Team and their staff. The table includes how much area each programme is allotted currently and proposed in this scheme, any particular design considerations (ie. AV requirements, lighting, equipment) or adjacencies required. The proposed areas include that of the existing Administrative Centre, along with the 1000 sq. ft. that has been allocated for an addition.

KEY CHARACTERISTICS:

- ~1000 sq. ft. (100 sq. m.) addition with a dedicated classroom, exhibition space, double-height main 'formal' entrance and reception area.
- A new public entrance within the addition at the north-east corner of the existing Administrative Centre, which is beneficial for the building's connection to the wider site, and to consolidate public spaces away from GSCA work spaces.
- This scheme includes more meeting spaces of wider types and varieties - a dedicated large meeting room adjacent to the boardroom, with a glazed wall that can be opened to combine the meeting rooms, smaller closed meeting rooms, phonebooths for individual conversations, and more open collaboration areas for internal meetings, meetings with clients or individual working.
- Six individual washrooms; this still suits the occupant load of the existing building with the new addition and increased public programmes. This meets accessibility requirements with the introduction of a universal washroom and two barrier-free washrooms (one on each floor, with the ground floor barrier-free washroom including an accessible shower).
- More space for future flexibility, ie. space for additional workstations if GSCA grows.

**LEBEL &
BOULIANE**

3. ADDITION - GSCA / PUBLIC / SUPPORT SPACES																				
Entry Vestibule	1		-	60	-	110		Reception	Open	Public										
Reception w/ Waiting Area	1		-	100	-	200		Exhibition Space / Entry Vestibule	Open	Public	Include informal meeting area, seating for people waiting.			Computer station / screen for interacting with clients / the public,						
Exhibition Space	1	12 to 15	-	325	30	400		Reception / Entry Vestibule	Open	Public										1600 sq. ft. is approximation, based on the leftover space in each option that can be used as an "exhibition" space. Public washrooms (3 - 1 M, 2F) have been added to accommodate the largest approximated number of people.
4. SUPPORT SPACES - EXISTING BUILDING																				
Printing / Copier Area	1	-	-	200	-	120		GIS Computer Area	Open / Semi-Enclosed	Other (Support)	One (small) printer on each floor? Counter space									
GIS Computer Area	2	-	-	125	-	100		Planning Department, Printing / Plotter	Open / Semi-Enclosed	Other (Support)										
Water Management Lab (w/ Storage + Supplies)	1	1	-	70	-	90		Drinking Water Source Protection, Flood Warning, Watershed	Closed	Other (Support)	Counter space							Running water, floor drain, fume hood		
Server Room	1	-	-	65	-	65		Location to Remain - Directly below Vault (surrounded by concrete block walls)	Closed (Existing to Remain)	Other (Support)								Needs to be properly cooled and ventilated	Needs a new steel, fire-rated floor that can be maintained in a closed and locked condition	
Vault	1	-	-	65	-	65		Location to Remain - Directly above Server Room (surrounded by concrete block walls)	Closed (Existing to Remain)	Other (Support)										
Storage (existing is total of all existing storage rooms, excl. day camp storage)	1	-	-	530	-	~ 450			Closed	Other (Support)										Small locked storage spaces for committees (ie. the Garden Club, the Foundation, the Arboretum Alliance, etc.)
Electrical Room	1	-	-	75	-	75		Location to Remain	Closed	Other (Support)										
Mechanical Room	1	-	-	80	-	80		Location to Remain	Closed	Other (Support)	Currently more of a utility room, and includes water supplies (which can be relocated).									
Staff Cloakroom	2	-	-	65	55	110			Open	Other (Support)										
Centralized Library	1	-	-	75	-	200		Collaborative Working Areas	Open	Other (Support)										
Barrier Free Washroom + Shower	1	-	-	-	100	100		Ground Floor	Closed	Other (Support)										
+ WC Universal Washroom	1	1	-	-	100	100		Ground Floor - Close to Public Programmes (Boardroom, Classroom, etc.)	Closed	Other (Support)										
Staff Washrooms	4	4	Female (2 Stalls) - 80, Male (Single) - 80	320	75	300		Second Floor	Closed	Other (Support)	4 Single Use Washrooms (1 Barrier Free)									*This number is based on occupancy limits not including the current areas for storage and corridor space.

Subtotal 8,270

Approx. Corridor SF (Not Incl.) 1,200

Total Required 9,470

Total Existing 10,800

Difference 1,330

Scheme 2 - Renovation of Existing Building

KEY ISSUES + CLIENT WANTS

NEW ENTRANCE

The new public entrance in the north-east corner of the existing Administrative Centre should be distinct and iconic, and connect with the public programmes adjacent to it - the main parking lot, the Public Pavilion, surrounding trails and wider landscape.

The renovations proposed in this scheme should respect the original architecture of the existing Administrative Centre, on the inside and the outside, including the landscape. For example, new partitions could align with the existing beams, and the existing landscape could remain untouched and any landscaping around the new entrance should be of a similar language.

ACCESSIBILITY

Accessibility standards are still to be met with the renovation of the existing Administrative Centre, however, more work will be required to the fabric of the existing Administrative Centre compared to Scheme 1. Adding a lift is a priority, along with having an accessible and barrier-free path of travel into the main entrance on the ground floor.

GSCA WORKING SPACE

The consolidation of public spaces on the ground floor of the existing Administrative Centre provides the opportunity for GSCA Staff work areas to remain on both the second floor and ground floor, but separate to public areas. The amount of natural light on the second floor and near the large windows on the ground floor, creates an ideal working environment.

Keeping the second floor for working space and GSCA offices, and having dedicated space for the public below, minimizes the acoustic concerns that are currently experienced in the Administrative Centre.



KEY DESIGN MOVES

PUBLIC PROGRAMMES + ENTRANCE

Scheme 2 includes moving the main entrance to the north-east corner of the existing Administrative Centre on the ground floor. This is an ideal location for a separate public entrance, as it connects to the main parking lot, surrounding trails, Inglis Falls and GSCA's Public Pavilion.

Locating the main entrance here allows the exhibition and interactive space to be in a specific location near the reception, which helps to provide public services, such as permits, along with GSCA Administration. The boardroom, classroom / large meeting room, and universal washroom are consolidated on this floor for ease and efficiency, which leaves the rest of the building, including the entire second floor, for GSCA offices and workstations.

ACCESSIBILITY

Locating the main public entrance at the north-east corner of the existing Administrative Centre provides space to create an accessible ramp from grade (at the parking lot) into the main entrance and public areas of the building.

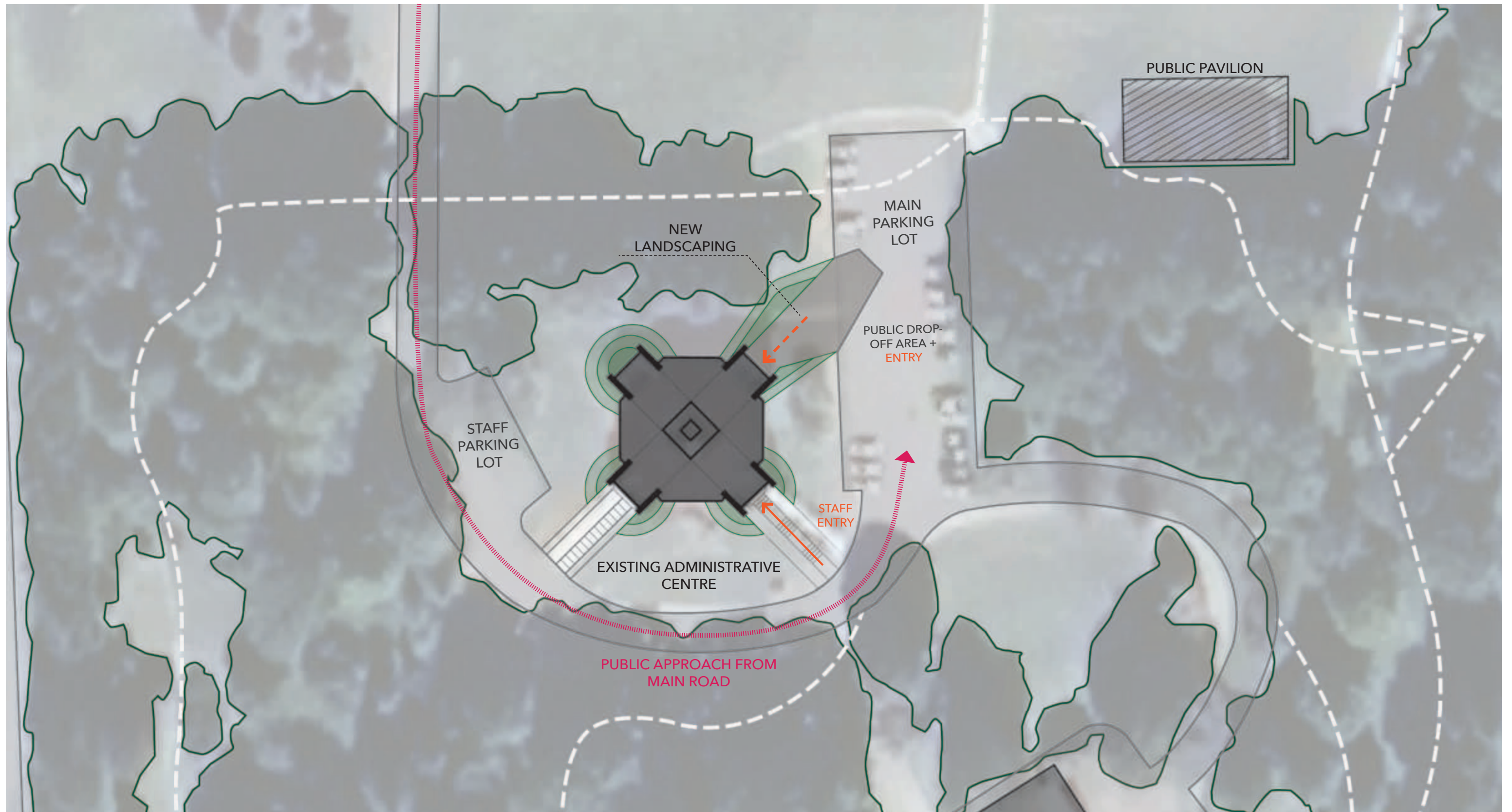
A lift has been added to suit accessibility standards, however, its install would require intrusive work to the floorplates of the existing Administrative Centre.

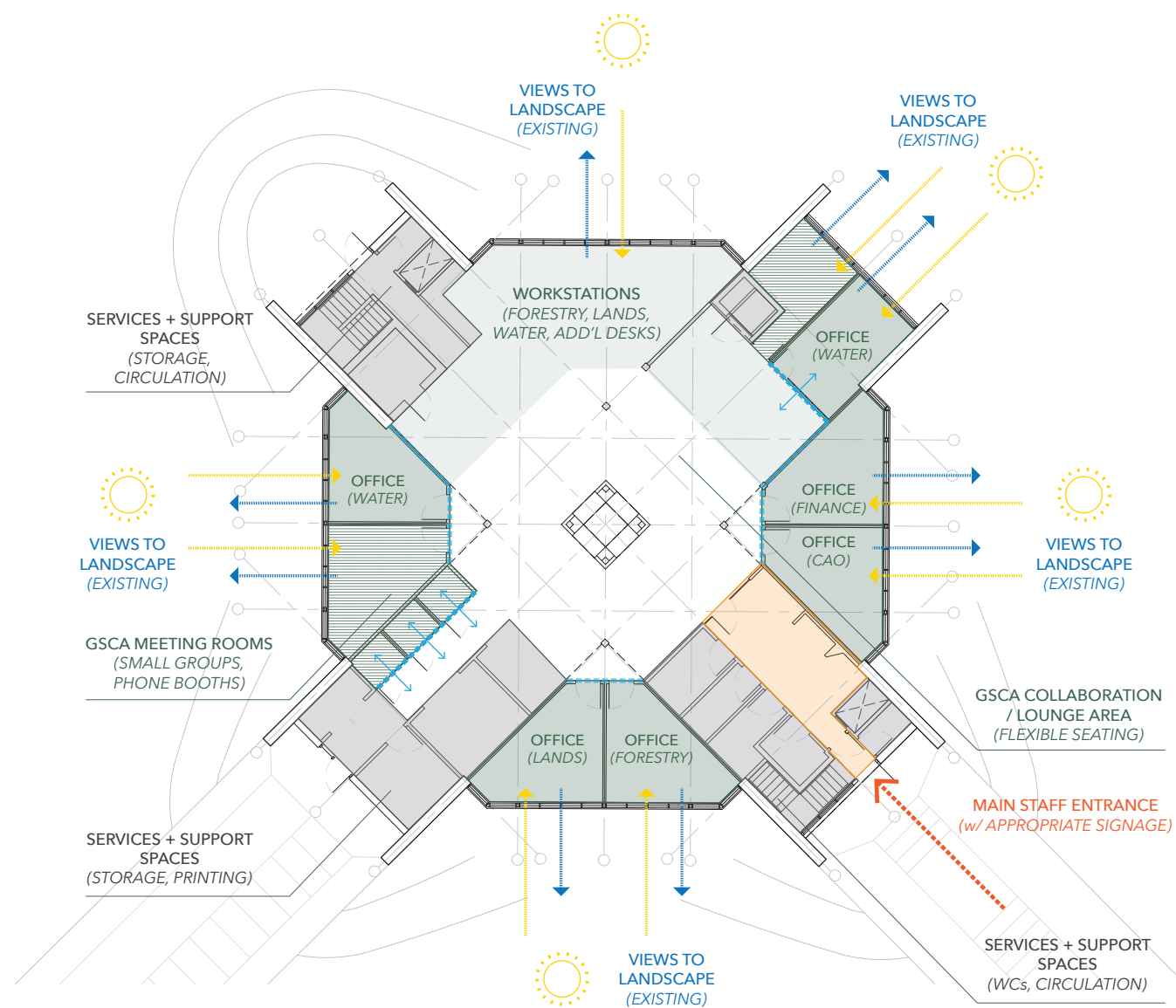
Washrooms (counts and designs) have been upgraded to suit current accessibility standards, as there is now a fully compliant Universal Washroom and a Barrier-Free washroom with an accessible shower on the ground floor, along with a Barrier-Free washroom on the second floor. The kitchen in the new staff room would also be designed to comply with accessibility standards and best practices.

GSCA OFFICES + WORKING AREAS

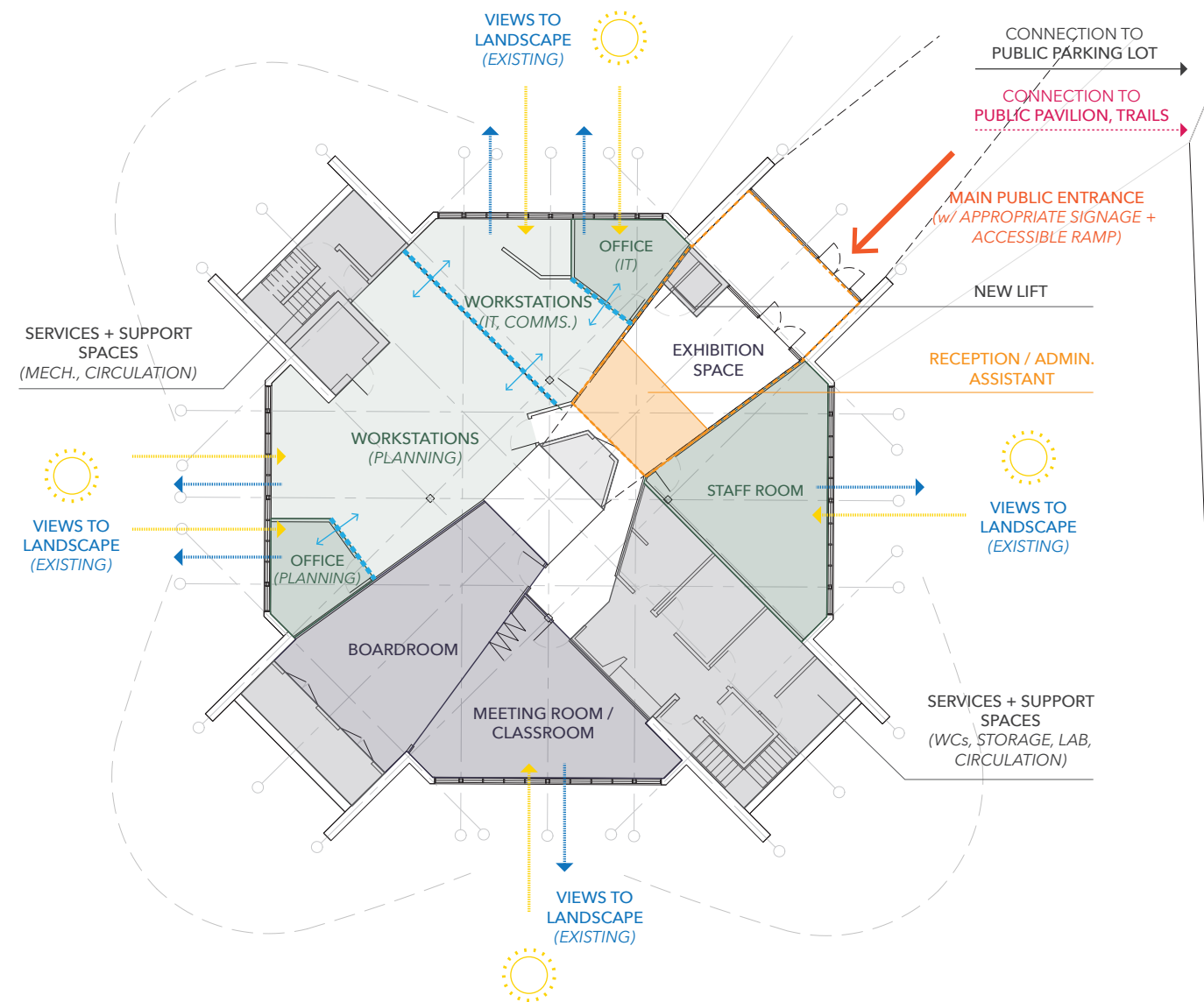
To provide a work environment conducive to the structure of GSCA and different working styles, different kinds of workspaces have been provided. Employee workstations are arranged by department, and are adjacent to the managers' offices, other relevant departments and employees where necessary (ie. Lands / Water / Forestry). These workstations are more "open" and flexible; however, individual and group storage space has been provided where relevant. Additionally, small meeting rooms and "phonebooths" for private phone calls, sensitive team discussions and meetings have been worked into the scheme.

All managers have their own enclosed offices that do not disrupt the existing architectural features when located on the ground floor; the partitions between are in line with existing beams for ease. This means that some of the offices are quite large, but could accommodate more employees in the future.





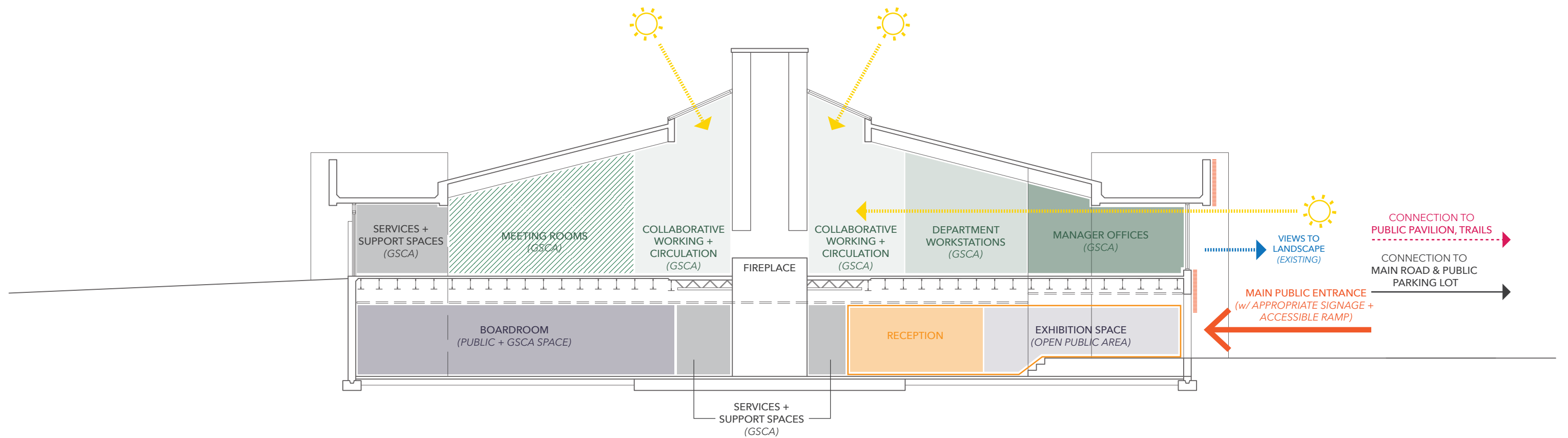
SECOND FLOOR



GROUND FLOOR

LEGEND

- Glazed Partitions
- Glazing Above Partition



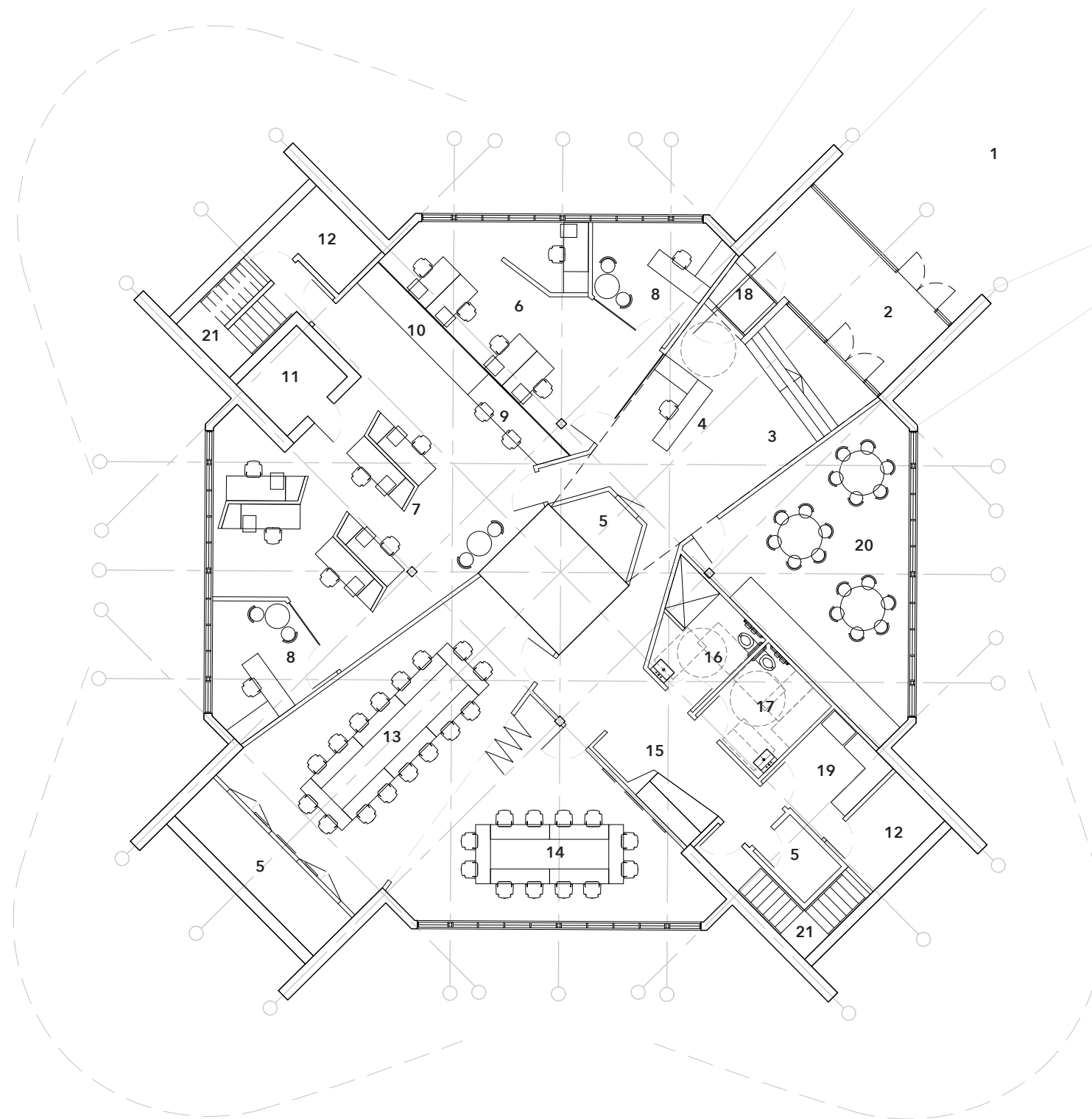
SECOND FLOOR

SECOND FLOOR PLAN

1. GSCA Staff Entry - Existing Staircase to be Repaired
2. Staff Entry - Closets, Additional Storage
3. Existing Mechanical to Remain
4. Staff Washrooms
5. Staff Barrier-Free Washroom
6. Manager Office - Lands, Forestry, DWSP + Flood Warning, Watershed Monitoring
7. CAO Office
8. Finance + Accounting Office
9. Library
10. Small Meeting Room
11. Printers + Storage
12. Programme Storage
13. Phonebooth
14. Existing Vault to Remain
15. Workstations - Summer Students / Hot Desks
16. Workstations - Lands, Forestry + DWSP
17. Equipment Storage - Forestry
18. Flexible, Collaboration Seating
19. Accessible Lift
20. Staircase to Reception / Administrative Assistant / Public Programmes on Ground Floor
21. GSCA Staff / Exit Staircase
22. Emergency Exit
23. Existing Fireplace to Remain (Sealed)



Detailed Floor Plan: Scheme 2 - Renovation



GROUND FLOOR PLAN

1. Accessible Ramp from Grade
2. Public Entrance + Vestibule w/ Display Area
3. Exhibition Space + Reception Area
4. Administrative Assistant Desk / Office Space
5. Programme Storage
6. Workstations - IT & Communications
7. Workstations w/ Integrated Storage - Planning
8. Manager Office - IT, Communications + Planning
9. GIS Computers
10. Low-Height Storage (Planning)
11. Existing Server to Remain
12. Existing Mechanical / Electrical to Remain
13. Boardroom
14. Large Meeting Room / Classroom (w/ Folding Doors to connect with Boardroom)
15. Staff Area - Closets, Additional Storage
16. Barrier-Free Washroom w/ Shower
17. Universal Washroom
18. Accessible Lift
19. Lab
20. Staff Room w/ Accessible Kitchen
21. GSCA Staff / Exit Staircase

GROUND FLOOR

Scheme 2 - Renovation

PROGRAMME BREAKDOWN + CHARACTERISTICS

The following pages outline the programmes required by Grey Sauble Conservation Authority in their Administrative Centre, based on what exists in the building and any additional programmes that have come up through discussions with the GSCA Team and their staff. The table includes how much area each programme is allotted currently and proposed in this scheme, any particular design considerations (ie. AV requirements, lighting, equipment) or adjacencies required.

KEY CHARACTERISTICS:

- Instead of having a dedicated classroom, as a result of less space, the large meeting room adjacent to the boardroom could be multi-functional and work as both a classroom and meeting room when scheduling allows.
- Making the north-east entrance to the building the main public entrance is beneficial for its connection to the wider site, and to consolidate public spaces away from GSCA work areas. The entrance is more condensed, leading to less space for exhibitions, interactive learning and reception.
- Five single washrooms; this still suits the occupant load of the existing building with the new addition and increased public programmes. This meets accessibility requirements with the introduction of a universal washroom and two barrier-free washrooms (one on each floor, with the ground floor barrier-free washroom including an accessible shower).
- Less space for future flexibility, ie. space for additional workstations if GSCA grows, public events and education, etc.

[illegible]

3. PUBLIC SPACES																					
Entry Vestibule	1		-	60	-	100		Reception	Open	Public											
Reception w/ Waiting Area	1		-	100	-	100		Exhibition Space / Entry Vestibule	Open	Public	Include informal meeting area, seating for people waiting.										
Classroom / Large Meeting Room	1	20	-	440 (incl. Library)	20	400		Reception / Exhibition Space	Closed	Public											
Exhibition Space	1	10	-	325	30	300		Reception / Entry Vestibule	Open	Public											

4. SUPPORT SPACES																					
Printing / Copier Area	1	-	-	200	-	120		GIS Computer Area	Open / Semi-Enclosed	Other (Support)	One (small) printer on each floor? Counter space										
GIS Computer Area	2	-	-	125	-	100		Planning Department, Printing / Plotter	Open / Semi-Enclosed	Other (Support)											
Water Management Lab (w/ Storage + Supplies)	1	1	-	70	-	90		Drinking Water Source Protection, Flood Warning, Watershed	Closed	Other (Support)	Counter space								Running water, floor drain, fume hood		
Server Room	1	-	-	65	-	65		Remaining - Directly below Vault (surrounded by concrete block walls)	Closed (Existing to Remain)	Other (Support)									Needs to be properly cooled and ventilated	Needs a new steel, fire-rated floor that can be maintained in a closed and locked condition	
Vault	1	-	-	65	-	65		Remaining - Directly above Server Room (surrounded by concrete block walls)	Closed (Existing to Remain)	Other (Support)											
Storage (existing is total of all existing storage rooms, excl. day camp storage)	1	-	-	530	-	350			Closed	Other (Support)										Small locked storage spaces for committees (ie. the Garden Club, the Foundation, the Arboretum Alliance, etc.)	
Electrical Room	1	-	-	75	-	75		Location to Remain	Closed	Other (Support)											
Mechanical Room	1	-	-	80	-	80		Location to Remain	Closed	Other (Support)	Currently more of a utility room, and includes water supplies (which can be relocated).										
Staff Cloakroom	2	-	-	65	55	110		Shower + Changeroom	Open	Other (Support)											
Centralized Library	1	-	-	75	-	200		Collaborative Working Areas	Semi-Enclosed?	Other (Support)											
Barrier Free Washroom + Shower	1	-	-	-	-	100		Ground Floor	Closed	Other (Support)											
Universal Washroom	1	1	-	-	100	100		Ground Floor - Close to Public Programmes (Boardroom, Classroom, etc.)	Closed	Other (Support)											
Staff Washrooms	3	3	Female (2 Stalls) - 80, Male (Single) - 80	320	75	225		Second Floor	Closed	Other (Support)	3 Single Use Washrooms										*This number is based on occupancy limits not including the current areas for storage and corridor space.

Subtotal	7,715
Approx. Corridor SF (Not Incl.)	1,000
Total Required	8,715
Total Existing	9,800
Difference	1,085

Scheme 1 - Addition + Renovation

ORDER OF MAGNITUDE

RENOVATION OF EXISTING ADMINISTRATIVE CENTRE WITH A NEW ADDITION

10,800 SF OFFICE RENO

+/- Range \$70 - \$100/Sq. Ft. = \$756,000 - \$1,080,000

+ Roof and Skylight Repair

+ Landscaping

+ Furniture

1,000 SF PUBLIC / ACCESSIBLE ENTRANCE ADDITION

+/- Range \$375 - \$500/Sq. Ft. = \$375,000 - \$500,000

TOTAL

+/- Range \$1,131,000 - \$1,580,000

Scheme 2 - Renovation

ORDER OF MAGNITUDE

RENOVATION OF EXISTING ADMINISTRATIVE CENTRE

10,800 SF OFFICE RENO

+/- Range \$70 - \$100/Sq. Ft. = \$756,000 - \$1,080,000

+ Roof and Skylight Repair

+ Landscaping

+ Furniture

TOTAL

+/- Range 756,000 - \$1,080,000



March, 2023

Tim Lanthier

Chief Administrative Officer
Grey Sauble Conservation Authority

Architectural + Interior Design Services

237897 Ingils Falls Road, Owen Sound ON

Hi Tim,

As per our discussion during our design regroup call on February 2nd, 2023, please find below our proposed fee for the Design, Documentation, and Construction phase of the Addition and Interior renovation of the Grey Sauble Conservation Authority Administrative Centre.

1.0 PROJECT UNDERSTANDING

Our scope of work will include the Architectural, Interior Design, and Furniture scope of work for the renovation and addition proposed in Scheme 1 of the Feasibility & Concept Design presentation provided on September 29, 2022. The work will include all design features, permit related items, and see the project through to the completion of construction. Working with GSCA, we will work together to modernize the existing office space and updating the facility to better serve staff and the community.

Our team will engage the required engineers and consultants for the project (Civil, Structural, Mechanical, Electrical) and coordinate their work, their fees will be submitted to L&B, and L&B will invoice the GSCA accordingly. We will also help engage other specialized consultants if needed, these consultants could include geotechnical and septic survey. Fees for these disciplines are currently not included. We will help facilitate the tender process to onboard a contractor/construction manager, and during construction we will review construction and work with the contractor to resolve any issues in a timely fashion (see below for detailed description of phase of work).

Having completed the Feasibility and Concept Design study we have an excellent understanding of the space and the needs of the GSCA. The programme and planning done during that scope of work will be the starting point for this next phase. We understand that the GSCA has comments on the concept plans that need to be addressed and they will be provided prior to commencing the next phase of design. L&B will work closely with the GSCA to ensure that the floor plans work for their needs.

We understand the budget goal is in the range of \$1.5M. We have engaged a third-party Cost Consultant (PQS) to perform a Class B Budget at the end of Design Development. This will provide us

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with a benchmark for construction cost based on the scope and market conditions. If required we can perform an additional costing (Class A) prior to issuing the tender documents.

2.0 SCOPE OF WORK

The scope of work includes the renovation of 10,800 ft² of office and administrative space and the design and construction of a new 1,000 ft² addition.

The renovation scope of work includes replanning of both floors to include offices, open work areas, and new washrooms and staff room.

The addition will incorporate a new accessible entrance, accessible lift, and a meeting room/education room that will be open to the public and a green roof.

The work done as part of the Feasibility and Concept Design represents the desired programme and area requirements and will be used as the starting point for shortened Schematic Design Phase.

3.0 PHASE DELIVERABLES

This project will follow industry standard design phase deliverables; Schematic Design, Design Development, Construction Documents, Bid/Tender, Construction Contract Administration.

SCHEMATIC DESIGN (Phase 1A)

This phase will be slightly shorter than typical as we have completed a significant amount of the typical SD work as part of the Feasibility study. During this phase will regroup with the GSCA to review the plans and make any desired modifications. We will finalize the plan layouts include room locations, washroom locations, general circulation paths, and secure lines between the public and private spaces. We will also finalize the form of the proposed addition. Simple 'white box' 3D views of the space will be prepared to demonstrate the spatial relationships and volume. During this phase we will also be working with the structural engineer to develop a structural design strategy for the addition.

A Final Schematic Design document will be generated and presented to the GSCA for review. Upon acceptance of the design, the consultant team will undertake the Design Development phase

DESIGN DEVELOPMENT (Phase 1A)

During this phase, the Project Team will continue to collaborate on the refinement of the design. The design will be resolved to the point that it is ready for preparation of Construction Documentation, and all aspects of the design will be reviewed and carefully coordinated between all disciplines. A final code

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review will be performed and areas of uncertainty will be flagged for strategic discussion with the GSCA.

Activities during Design Development will include the selection of all materials for built structures and interior surfaces, materials and finishes, furniture, lighting and fixtures, and the development of an outline specification. Systems narratives will be developed for review by Facilities & Services, and cut sheets and specifications for equipment will be collected and proposed. Construction techniques will be established for key architectural elements and architectural products will be identified. This work will be documented by 3D renderings, plans, sections, elevations, details, summaries of assemblies, materials and finishes, summaries of structures and systems, and a building code review.

At this stage, we will coordinate final furniture selections, finishes, colours and locations with the GSCA – locating all AV, IT, communications and associated electrical systems based on the final layout. The Project Committee will be consulted throughout this process and asked, from time-to-time to submit quantitative or qualitative information pertaining to the detailed project requirements – from finishes to equipment to product features.

At 50% completion we will present to the project committee to update on progress and get input on various design decisions.

At 80% completion, we will present to the Project Committee the Design Development document, including furniture fit-outs, diagrams, drawings, material boards and 3D presentation materials. Feedback will be integrated into the design and the document will be submitted to the Cost Consultant to develop the Class B cost estimate. Upon receipt of the project Class B cost estimate we will review the report with the sub-consultant team and make recommendations on modifications to best optimize the design, value engineering where required. We will present the findings to the Project Team for final comments and make revisions the design and cost analysis accordingly. These revisions will be incorporated into the project during the next phase.

CONSTRUCTION DOCUMENTS (Phase 1B)

The Construction Documentation phase involves preparing drawings (including technical plans and sections, plan and section details, etc.), schedules, cut sheets and specifications that will guide a builder and their sub-trades in their work.

At 80% of the development of the Construction Documentation, the consultant team will submit a fully coordinated package to the GSCA for review, if a Class A costing is required it would happen at this time. Any feedback will be incorporated into the documents and the tender package will be completed. Ensuring that the design intent has been executed with technical proficiency, we will coordinate the final specification documentation with the GSCA, and submit all documents required for tender.

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In parallel with the above, we will undertake the preparation of the Permit drawings and documents, which will be submitted to the GSCA for review. Upon approval, will work with the GSCA to submit the drawings for review.

TENDER PHASE (Phase 1B)

Working with the GSCA, we will assist in the preparation of all necessary bidding information, forms, conditions, addenda and Form of Contract between the GSCA and Contractor. During the Tender process, we will attend a Bidder's Meeting and provide answers to questions posed by the Bidders, ensuring that the "Issued for Tender" documents are appropriately updated prior to issuing the final "Issued for Construction" documents. At the closing of Tender, we will review bids, proposed schedules, and proposed procedures from Bidders – with the assistance of the sub-consultant team – and collaborate with the GSCA on the analysis and selection of a General Contractor.

CONSTRUCTION PHASE (Phase 2)

During Construction, we will represent the GSCA, review the construction process and manage the contract documents.

This phase will commence with a pre-construction meeting with the client, consultants, and the selected builder to clearly establish roles, procedures, schedules, and critical path items for the duration of the site work. Critical design elements, systems requirements, long lead-time items, including milestone reviews by each design discipline.

During construction, we will meet with the builder to review contract management procedures and answer questions regarding construction methods, substitutions, conduct of work and inspections. We will hold scheduled site reviews during the course of the project and prepare site reports following each site visit (including digital photography and video), review construction progress claims submitted by the builder, recommend payment draws, and provide notification of conformance with the schedule and completion dates. We will remain apprised of coordination items between the base building and the GSCA builder and assist in developing resolutions to possible systems interferences, impacts to adjacent spaces, sequencing or general management of the project.

Proposed changes to the contract documents will be reviewed by the architect and sub-consultants – via proper documentation channels and processes – and submitted to the GSCA with specific recommendations pertaining to costs, timelines, and resolutions. Changes to the design requested by the GSCA will be reviewed by all consultants for design impact, presented to the builder for quotation, and reviewed for overall value prior to making recommendations to the GSCA.

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PROJECT CLOSE OUT AND OCCUPANCY (Phase 2)

When the work of the builder is complete and ready for inspection, we will review the state of the work, prepare a site review and issue a list of deficiencies, reviewing with the builder to ensure all items are addressed expeditiously.

During this time, each discipline will conduct its review. General commissioning will occur. At Close-Out, we will receive all guarantees, warranty certificates and instruction manuals from the builder suppliers and transfer them to the GSCA.

The builder team will package all as-built documentation into the formats requested, and transfer information to the GSCA

WARRANTY

One month prior to the one-year anniversary of the Substantial Performance of construction, we will undertake the Warranty review, noting deficiencies, defects or other warranty items to be communicated to the builder in writing, working with the GSCA and builder until such deficiencies are resolved.

4.0 FEE PROPOSAL

For fees, we have considered what we have learned to date of the existing building and of the GSCA and have determined how much work / hours would be required for our scope of work over the next 12 months. We will also manage the subconsultants on the project. For engineering, we have included quotes for the Structural, Mechanical, Plumbing, HVAC, Fire Alarm, and Electrical engineering required. We have assumed an allowance for Civil Engineering and we will finalize that once the scope is determined. We have also included a Cost Consultant fee for a Class B costing at the end of Design Development.

Once the Class B costing is complete, and the budget direction is approved, we will continue to move into Phase 1B to complete the construction documents for Tender

Our team will work with GSCA to coordinate the needs and implementation of the AV, IT and Security Information and integrate it all into our drawings for permit and construction.

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Architectural fees for the scope are typically broken down further for each milestone and invoiced monthly.

Based on the above, we propose the following fee, please review and we can discuss! We have assumed a slightly less intensive SD phase for this project as we can pull from the work done during the Feasibility and Concept Design Phase.

PHASE 1A

SD SCHEMATIC DESIGN	\$11,260
DD DESIGN DEVELOPMENT	\$30,780
ENGINEERING	<u>\$38,800</u>
	\$80,840
+ CLASS B COSTING	

PHASE 1B*

CD CONSTRUCTION DRAWINGS *	\$49,910
ENGINEERS	<u>\$26,350</u>
	\$73,260

PHASE 2*

CA CONTRACT ADMINISTRATION*	\$28,150
ENGINEERS	<u>\$9,435</u>
	\$37,585

Total **\$194,685**

+ CLASS B COSTING **\$7,500**

*Note: After Phase 1A is complete and the Class B costing has been reviewed and approved, we propose to reevaluate the architectural fees for phase 1B and 2 based on the cost of construction. Architectural fees would be reassessed as 8% of the cost of construction.

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5.0 ENGINEERS + OTHER CONSULTANTS + FURNITURE

We have discussed the space with several engineers and are recommending BK Consulting for M+E engineers to provide the Mechanical, Plumbing, HVAC, Fire Alarm, Electrical and Contact Engineering for the structural engineer. We have worked with both firms in the past and believe they are well suited

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to the scale and scope of this project. We will coordinate the work of the engineers and incorporate their work into our design, permit and tender drawings.

For Civil engineering we are holding a fee allowance of \$15,000 (included in the above) and will finalize with the consultant once the scope of work is confirmed.

For Cost consulting we recommend AW Hooker - we work with them regularly on projects of all scales and programme.

Furniture selection and specification will be by L&B. We will provide support and required to secure and order the furniture package, but GSCA will be responsible for submitting payment directly to the selected vendors.

Thank you, and we look forward to working with GSCA on this amazing project!

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Grey Sauble Authority Board of Directors

M O T I O N

DATE: June 28, 2023

MOTION #: FA-23-065

MOVED BY: _____

SECONDED BY: _____

WHEREAS the GSCA Board of Directors has authorized the issuance and awarding of an RFP for concept design and feasibility study of the Administration Centre revitalization;

AND WHEREAS the GSCA Board of Directors has directed Staff to obtain cost estimates to proceed with Detailed Design Drawings for the Scheme 1, Renovation and Addition, Option;

THAT the GSCA Board of Directors direct Staff to engage Lebel and Bouliane Architects to continue with Schematic and Detailed Design drawings based on Scheme 1, Renovation and Addition, option.



STAFF REPORT

Report To: Board of Directors
Report From: Tim Lanthier, CAO
Meeting Date: June 28, 2023
Report Code: 020-2023
Subject: Update on Changes to CAA in Force on July 1, 2023

Recommendation:

WHEREAS the Province of Ontario made changes to the Conservation Authorities Act (CAA) with a proclamation date of July 1, 2023,

THAT the GSCA Board of Directors receive the CAO's Report 020-2023 – "Update on Changes to the CAA in Force on July 1, 2023" as information.

Strategic Initiative:

This item is related to all of GSCA's Strategic Initiatives and overall operations.

Background:

Over the last several years, the Provincial government has been working towards revisions of the Conservation Authorities Act (herein, the "Act"). In 2020, the Province released Bill 229 which included amendments to the Act multiple sections of the Act. Though these amendments were included in the Act in 2020, differing proclamation dates have been scheduled for the various sections. Several sections, as detailed below and within Attachment 'A', are scheduled to come into force on July 1, 2023.

Additionally, in April 2022, the Province of Ontario released regulation 402/22 – Budget and Apportionment Regulation. This regulation amalgamates two previous regulations and essentially describes the process that conservation authorities were already

utilizing to establish annual budgets and apportionment allowances. This regulation will come into force and effect on July 1, 2023 and is attached as Attachment 'B'.

Discussion:

GSCA is well positioned to manage the changes slated for July 1, 2023. These changes are predominantly related to the use of cost apportionment dollars (levy) and the shift from single program class to Category 1, 2 and 3 program classes. GSCA has been navigating these changes since their inception, has presented the information to municipal councils on several occasions, and is currently supporting senior municipal staff to get the necessary agreements to their respective councils for endorsement.

The following changes to the CAA will come into force on July 1, 2023.

Part 1, Purpose and Interpretation

1. Section 1: Definitions

- i. On July 1, 2023, definition of “administration costs” is repealed.
- ii. On July 1, 2023, definition of “maintenance costs” is repealed.
- iii. On July 1, 2023, definition of “operating expenses” is added.

“Operating expenses” include:

- a. salaries, per diems and travel expenses of employees and members of an authority,*
- b. rent and other office costs,*
- c. program expenses,*
- d. costs that are related to the operation or maintenance of a project, but not including the project's capital costs, and*
- e. such other costs as may be prescribed by regulation.*

Part 5: Objects, Powers and Duties

2. Section 24

On July 1, 2023, Section 24 of the Act is repealed and the following substituted:

Projects requiring approval

24 Before proceeding with a project that involves money granted by the Minister under section 39, the authority shall file plans and a description with the Minister and obtain his or her approval in writing.

(2) The Minister may impose terms and conditions on an approval given under subsection (1).

3. **Section 25:** “Appointment of Benefit”, “Review of Apportionment by Tribunal”, “Hearing”, “Powers of Tribunal on hearing”, and “Variation of apportionment” are repealed and substituted as follows.

Revised Section 25: Recovery of Project Capital Costs:

The substituted section discusses how a conservation authority will recover project capital costs. The section states that these costs may not be apportioned to a participating municipality for Category 2 or Category 3 programs and services unless identified in an agreement between the authority and the relevant participating municipality(ies). The section further states that notice of apportionment will be sent to each affected participating municipality, that the participating municipality shall pay this, and how each participating municipality is to fund this.

The new Section 25 appears to replace both the existing/previous Section 25 and Section 26.

4. **Section 26:** “*Determination of capital expenditure*”, “*Portion to be raised by participating municipalities*”, “*How money to be raised*”, “*Enforcement of payment*”, and “*Where only part of a municipality in area*” are repealed and substituted as follows.

Revised Section 26: Review of Apportionment of Capital Costs:

The substituted Section 26 discusses appeal mechanisms for participating municipalities to have the apportioned capital costs reviewed at the Local Planning Appeal Tribunal, or other such body as may be prescribed by regulation, and other related items.

5. **Section 27:** “*Maintenance and administration costs*”, “*Apportionment of maintenance costs*”, “*Apportionment of administration costs*”, “*Minimum levy for administration costs*”, “*Notice of apportionment*”, “*Levy where only part of a municipality*”, “*Enforcement of payment*”, “*Appeal*”, “*Parties*”, “*Compliance pending determination*”, “*Matters to be considered at hearing*”, “*Powers of Tribunal*”, “*No appeal*”, and “*Regulations re: levies*” are repealed and substituted as follows.

Revised Section 27: Recovery of Operating Expenses

The substituted Section 27 provides a replacement of the existing Section 27. This section of the Act describes that an authority will determine its operating expenses for the following year and that it will apportion these expenses to the participating municipalities. The Section further defines that conservation authorities may not apportion costs to participating municipalities for Category 2 and Category 3 programs and services unless an agreement is in place with the relevant participating municipality. The section further defines notice, payment and debt due for this apportionment.

New Section 27.1: Review of Apportionment of Operating Expenses:

The section discusses appeal mechanisms for participating municipalities to have the apportioned operating expenses reviewed at the Local Planning Appeal Tribunal, or other such body as may be prescribed by regulation, and other related items.

New Section 27.2: Other amounts owing to an authority:

This section is very similar to the new Section 27 but applies to “specified municipalities” instead of “participating municipalities”.

For GSCA, “Participating municipalities” are those municipalities that are represented on the GSCA Board of Directors and fall within GSCA’s jurisdiction under the Conservation Authorities Act.

For GSCA, “Specified municipalities” are those municipalities that are within Saugeen Valley Conservation Authority’s area of jurisdiction, as well as the Municipality of Northern Bruce Peninsula, for the purposed of carrying out our duties as the lead Source Protection Authority under the Clean Water Act.

Appendix ‘A’ to this report is a copy of the January 23, 2023 version of the Conservation Authorities Act taken from Provincial elaws website:

(<https://www.ontario.ca/laws/statute/90c27>). Within the attached document, red text indicates those items that are repealed effective July 1, 2023 (the exception being the statement about the consolidation date at the beginning of the document). Those items highlighted in yellow are the items that are new or substituted in effective July 1, 2023. All areas within the grey shading and not otherwise highlighted, have not yet been prescribed an effective date. Any portions of the text without highlighting or other colouring are the portions of the Act that are currently in effect and are planned to remain in effect.

As noted above, Appendix ‘B’ is a copy of O.Reg. 402/22 – Budget and Apportionment Regulation. This regulation defines the budget processes under the revised Conservation Authorities Act. There are no major changes here, other than separating out Category 2 and Category 3 program and service areas.

Financial/Budget Implications:

GSCA’s budget layout will be altered for the 2024 budget year and beyond. Moving forward, the revenue side of the budget will identify Category 1 Levy Apportionment and Category 3 Levy Apportionment separately and transparently for each program area. The total municipal levy calculations at end of the budget will also identify the total Category 1 Levy Apportionment and the total Category 3 Levy Apportionment within the budget.

Subject: Update on Changes to CAA in Force on July 1, 2023

Report No: 020-2022

Date: June 28, 2023

Communication Strategy:

GSCA is continuing to work with municipal staff to negotiate Category 3 service agreements. It is anticipated that municipal staff will bring these agreements before their respective councils in July or August 2023 for a bylaw to authorize the execution.

Consultation:

The CAO has been in consultation with GSCA Staff, Conservation Ontario, Ontario's other Conservation Authorities, and municipal staff. Ongoing consultation will continue to include staff and Councils from participating, specified, and county municipalities, as well as the Ministry of Natural Resources and Forestry.

Appendices:

Appendix A: Conservation Authorities Act

Appendix B: O.Reg. 402/22 – Budget and Apportionment regulation

Français

Conservation Authorities Act

R.S.O. 1990, CHAPTER C.27

Consolidation Period: From January 1, 2023 to the [e-Laws currency date](#).

Last amendment: 2022, c. 21, Sched. 2, s. 1-15.

Legislative History: 1993, c. 27, Sched.; 1994, c. 27, s. 127; 1996, c. 1, Sched. M, s. 40-47; 1996, c. 32, s. 66; 1997, c. 5, s. 64; 1997, c. 26, Sched.; 1997, c. 29, s. 54; 1997, c. 43, Sched. G, s. 19; 1998, c. 3, s. 33; 1998, c. 15, Sched. E, s. 3; 1998, c. 18, Sched. I, s. 1-14; 2000, c. 5, s. 8; 2001, c. 8, s. 203; 2001, c. 9, Sched. K, s. 1; 2002, c. 17, Sched. F, Table; 2004, c. 8, s. 46, Table; 2006, c. 3, Sched. D; 2006, c. 21, Sched. F, s. 105; 2006, c. 22, s. 113; 2006, c. 32, Sched. C, s. 8; 2008, c. 7, Sched. A, s. 19; 2009, c. 12, Sched. L, s. 2; 2010, c. 16, Sched. 10, s. 1; 2011, c. 9, Sched. 27, s. 22; 2017, c. 8, Sched. 17, s. 5; 2017, c. 23, Sched. 4 (but see 2019, c. 9, Sched. 2, s. 10 and 2020, c. 36, Sched. 6, s. 27); 2017, c. 23, Sched. 5, s. 20-23; 2018, c. 16, s. 3; 2019, c. 9, Sched. 2; (but see 2020, c. 36, Sched. 6, s. 28); 2020, c. 36, Sched. 6, s. 1-25 (but see 2021, c. 4, Sched. 6, s. 81 and 2022, c. 21, Sched. 2, s. 15); 2021, c. 4, Sched. 6, s. 39; 2022, c. 21, Sched. 2, s. 1-15.

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PART I PURPOSE AND INTERPRETATION

Purpose

0.1 The purpose of this Act is to provide for the organization and delivery of programs and services that further the conservation, restoration, development and management of natural resources in watersheds in Ontario. 2017, c. 23, Sched. 4, s. 1.

Section Amendments with date in force (d/m/y)

2017, c. 23, Sched. 4, s. 1 - 12/12/2017

Definitions

1 In this Act,

“administration costs” means salaries and travelling expenses of members and employees of an authority, office rent, maintenance and purchase of office equipment, expenses connected with exhibits, visual equipment and printed matter for educational purposes, and all expenditures necessary for carrying out the objects of an authority other than capital expenses and maintenance costs of projects; (“frais d’administration”)

Note: On July 1, 2023, the day named by proclamation of the Lieutenant Governor, the definition of “administration costs” in section 1 of the Act is repealed. (See: 2017, c. 23, Sched. 4, s. 2 (1))

“advisory board” means an advisory board appointed by an authority; (“conseil consultatif”)

“authority” means a conservation authority established by or under this Act or a predecessor of this Act; (“office”)

“executive committee” means the executive committee appointed by an authority; (“comité de direction”)

“land” includes buildings and any estate, term, easement, right or interest in, to, over or affecting land; (“bien-fonds”)

“maintenance costs” means all expenditures required specifically in relation to the operation or maintenance of a project; (“frais d’entretien”)

Note: On July 1, 2023, the day named by proclamation of the Lieutenant Governor, the definition of “maintenance costs” in section 1 of the Act is repealed. (See: 2017, c. 23, Sched. 4, s. 2 (1))

“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*; (“ministre”)

“municipality” means a local municipality, and includes a band under the *Indian Act* (Canada) that is permitted to control, manage and expend its revenue money under section 69 of that Act; (“municipalité”)

Note: On July 1, 2023, the day named by proclamation of the Lieutenant Governor, section 1 of the Act is amended by adding the following definition: (See: 2017, c. 23, Sched. 4, s. 2 (2))

“operating expenses” include,

(a) salaries, per diems and travel expenses of employees and members of an authority,

(b) rent and other office costs,

(c) program expenses,

(d) costs that are related to the operation or maintenance of a project, but not including the project’s capital costs, and

(e) such other costs as may be prescribed by regulation; (“dépenses d’exploitation”)

“participating municipality” means a municipality that is designated by or under this Act as a participating municipality; (“municipalité participante”)

“project” means a work undertaken by an authority for the furtherance of its objects; (“projet”)

“watershed” means an area drained by a river and its tributaries. (“bassin hydrographique”) R.S.O. 1990, c. C.27, s. 1; 1996, c. 1, Sched. M, s. 40; 1998, c. 18, Sched. I, s. 1; 2002, c. 17, Sched. F, Table; 2019, c. 9, Sched. 2, s. 1; 2022, c. 21, Sched. 2, s.1.

Section Amendments with date in force (d/m/y)

1996, c. 1, Sched. M, s. 40 (1, 2) - 30/01/1996; 1998, c. 18, Sched. I, s. 1 - 18/12/1998

2002, c. 17, Sched. F, Table - 01/01/2003

2017, c. 23, Sched. 4, s. 2 (1, 2) - 01/07/2023

2019, c. 9, Sched. 2, s. 1 - 02/02/2021

2022, c. 21, Sched. 2, s. 1 - 28/11/2022

Existing aboriginal or treaty rights

1.1 For greater certainty, nothing in this Act shall be construed so as to abrogate or derogate from the protection provided for the existing aboriginal and treaty rights of the aboriginal peoples of Canada as recognized and affirmed in section 35 of the *Constitution Act, 1982*. 2020, c. 36, Sched. 6, s. 1.

Section Amendments with date in force (d/m/y)

2020, c. 36, Sched. 6, s. 1 - 02/02/2021

PART II ESTABLISHMENT OF CONSERVATION AUTHORITIES

Meeting to establish authority for watershed

2 (1) Where the councils of any two or more municipalities situate either wholly or partly within a watershed by resolution request the Minister to call a meeting for the establishment of an authority for the watershed or any defined part thereof, the Minister shall fix a time and place for such a meeting and shall forthwith notify the council of every municipality either wholly or partly within the watershed or part thereof. R.S.O. 1990, c. C.27, s. 2 (1).

Representatives at meeting

(2) The council of each municipality may appoint representatives to attend the meeting in the following numbers:

1. Where the population is 1,000,000 or more, seven representatives.

1.1 Where the population is 500,000 or more but less than 1,000,000, six representatives.

1.2 Where the population is 250,000 or more but less than 500,000, five representatives.

2. Where the population is 100,000 or more but less than 250,000, four representatives.

3. Where the population is 50,000 or more but less than 100,000, three representatives.

4. Where the population is 10,000 or more but less than 50,000, two representatives.

5. Where the population is less than 10,000, one representative. R.S.O. 1990, c. C.27, s. 2 (2); 2001, c. 9, Sched. K, s. 1 (1).

Authority of representatives

(3) The representatives so appointed have authority to vote and generally act on behalf of their respective municipalities at the meeting. R.S.O. 1990, c. C.27, s. 2 (3).

Quorum

(4) At any meeting called under this section, a quorum consists of two-thirds of the representatives that the municipalities notified are entitled to appoint. R.S.O. 1990, c. C.27, s. 2 (4); 2017, c. 23, Sched. 4, s. 4.

Section Amendments with date in force (d/m/y)

2001, c. 9, Sched. K, s. 1 (1) - 29/06/2001

2017, c. 23, Sched. 4, s. 4 - 12/12/2017

Establishment, jurisdiction and initial financing

Establishment and jurisdiction of authority

3 (1) Upon receipt by the Minister of a resolution passed at a meeting held under section 2 and at which a quorum was present by not less than two-thirds of the representatives present thereat requesting the establishment of an authority, the Lieutenant Governor in Council may establish a conservation authority and designate the municipalities that are the participating municipalities and the area over which the authority has jurisdiction. R.S.O. 1990, c. C.27, s. 3 (1); 2017, c. 23, Sched. 4, s. 5 (1).

Where only part of municipality in watershed

(2) Where a municipality is only partly within the watershed, the Lieutenant Governor in Council may include the whole or that part of the municipality in the area over which the authority has jurisdiction. R.S.O. 1990, c. C.27, s. 3 (2).

Name of authority

(3) The name of each authority shall be determined by the Lieutenant Governor in Council and shall conclude with the words “conservation authority” in English and shall include the words “office de protection de la nature” in French. R.S.O. 1990, c. C.27, s. 3 (3).

Corporate body

(4) Every authority is a body corporate. R.S.O. 1990, c. C.27, s. 3 (4).

Borrowing power

(5) Every authority may, for its purposes, borrow on the promissory note of the authority such money as may be required until payment to the authority of any grants and of sums to be paid to the authority by the participating municipalities. R.S.O. 1990, c. C.27, s. 3 (5); 2017, c. 23, Sched. 4, s. 5 (2).

Section Amendments with date in force (d/m/y)

2017, c. 23, Sched. 4, s. 5 (1, 2) - 12/12/2017

Upper-tier municipalities

Regional municipalities to act in place of local municipalities

4 (1) An upper-tier municipality that was established as a regional municipality before the day subsection 6 (1) of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017* comes into force,

- (a) shall act in the place of the local municipalities within the regional municipality for the purpose of appointing representatives to attend a meeting for the establishment or enlargement of a conservation authority or the amalgamation of conservation authorities and for the purpose may appoint representatives in the numbers to which the local municipalities would otherwise have been entitled; and
- (b) shall be a participating municipality in the place of such of the local municipalities within the regional municipality as are wholly or partly within the area under the jurisdiction of a conservation authority and shall appoint to each such authority the number of members to which the local municipalities would otherwise have been entitled as participating municipalities. R.S.O. 1990, c. C.27, s. 4 (1); 2017, c. 23, Sched. 4, s. 6 (1).

(2) REPEALED: 2017, c. 23, Sched. 4, s. 6 (2).

Section Amendments with date in force (d/m/y)

2017, c. 23, Sched. 4, s. 6 (1, 2) - 12/12/2017

Toronto and Region Conservation Authority

5 (1) The Metropolitan Toronto and Region Conservation Authority is continued under the name Toronto and Region Conservation Authority in English and Office de protection de la nature de Toronto et de la région in French, and has jurisdiction in all matters provided for in this Act over the area under its jurisdiction on December 31, 1990, as it may be altered under this Act. 1997, c. 26, Sched.

(2) REPEALED: 2001, c. 9, Sched. K, s. 1 (2).

Designation of participating municipalities and area

(3) The Lieutenant Governor in Council may designate,

- (a) the municipalities that are the participating municipalities of the Toronto and Region Conservation Authority; and
- (b) the area over which the Toronto and Region Conservation Authority has jurisdiction. 1997, c. 26, Sched.

Members

(4) Despite subsections 14 (1), (2) and (5) but subject to subsection 14 (2.1), the number of members appointed to the Toronto and Region Conservation Authority by the City of Toronto shall, at all times, be equal to the total number of members appointed by the other participating municipalities. 1997, c. 26, Sched.; 2001, c. 9, Sched. K, s. 1 (3).

Section Amendments with date in force (d/m/y)

1997, c. 26, Sched. - 01/01/1998

2001, c. 9, Sched. K, s. 1 (2, 3) - 29/06/2001

Hamilton Region Conservation Authority

6 (1) The Hamilton Region Conservation Authority is continued under the name Hamilton Region Conservation Authority in English and Office de protection de la nature de la région de Hamilton in French, and has jurisdiction in all matters provided for in this Act over the area under its jurisdiction on the 31st day of December, 1990, as it may be altered under this Act. R.S.O. 1990, c. C.27, s. 6 (1).

(2) REPEALED: 2001, c. 9, Sched. K, s. 1 (4).

Designation of participating municipalities and area

(3) The Lieutenant Governor in Council may designate the municipalities that are the participating municipalities of the Hamilton Region Conservation Authority and the area under its jurisdiction. R.S.O. 1990, c. C.27, s. 6 (3).

(4) REPEALED: 2000, c. 5, s. 8.

Section Amendments with date in force (d/m/y)

2000, c. 5, s. 8 - 01/01/2001

2001, c. 9, Sched. K, s. 1 (4) - 29/06/2001

Grand River Conservation Authority

7 (1) The Grand River Conservation Authority is continued under the name Grand River Conservation Authority in English and Office de protection de la nature de la rivière Grand in French as a conservation authority under this Act. R.S.O. 1990, c. C.27, s. 7 (1).

Designation of participating municipalities and area

(2) The Lieutenant Governor in Council may designate the municipalities that are the participating municipalities of the Grand River Conservation Authority and the area over which it has jurisdiction. 2001, c. 9, Sched. K, s. 1 (5).

(3) REPEALED: 2001, c. 9, Sched. K, s. 1 (5).

Section Amendments with date in force (d/m/y)

2001, c. 9, Sched. K, s. 1 (5) - 29/06/2001

Grouping of municipalities

8 The participating municipalities may designate any group of municipalities that shall be considered as one municipality for the purpose of appointing a member or members to a conservation authority and provide for the appointment of the member or members to be appointed by a group of municipalities. R.S.O. 1990, c. C.27, s. 8; 1998, c. 18, Sched. I, s. 2.

Section Amendments with date in force (d/m/y)

1998, c. 18, Sched. I, s. 2 - 18/12/1998

Establishment of authority for two or more watersheds

9 Where the councils of any three municipalities situate either wholly or partly within the area comprising two or more watersheds by resolution request the Minister to call a meeting for the establishment of an authority for such watersheds or any defined parts thereof, the provisions of sections 2 and 3 apply with necessary modifications. R.S.O. 1990, c. C.27, s. 9.

PART III

ENLARGING AREAS OF JURISDICTION, AMALGAMATIONS AND DISSOLUTIONS

Enlargement of authority's area

10 (1) If an authority has been established, the council of a municipality that is completely or partly outside the jurisdiction of the authority may call a meeting to consider the enlargement of the area over which the authority has jurisdiction to include an area specified by the municipality. 1998, c. 18, Sched. I, s. 3 (1).

Notice of meeting

(1.1) Notice of the meeting shall be given to each participating municipality of the authority and to any municipality that is completely or partly within the area specified under subsection (1). 2017, c. 23, Sched. 4, s. 8.

Representatives

(2) Each municipality that receives notice of the meeting may appoint the number of representatives to attend the meeting that is determined in accordance with subsection 2 (2). 2017, c. 23, Sched. 4, s. 8.

Quorum

(3) At any meeting called under this section, a quorum consists of two-thirds of the representatives that the municipalities are entitled to appoint under subsection (2). 2017, c. 23, Sched. 4, s. 8.

Resolution

(4) At a meeting held under this section at which a quorum is present, a resolution may be passed to do all of the following:

1. Agree to enlarge the area over which the authority has jurisdiction.
2. Designate participating municipalities for the enlarged area.
3. Designate the enlarged area over which the authority has jurisdiction. 2017, c. 23, Sched. 4, s. 8.

Two-thirds majority vote

(5) A resolution described in subsection (4) shall be passed by a majority of at least two-thirds of the representatives present at the meeting. 2017, c. 23, Sched. 4, s. 8.

Resolution in effect

(6) A resolution described in subsection (4) takes effect on such terms as it may specify despite anything to the contrary in the order in council establishing the authority. 2017, c. 23, Sched. 4, s. 8.

Minister's copy

(7) The municipality that called a meeting under subsection (1) shall provide the Minister with a copy of any resolution described in subsection (4) passed at the meeting promptly after the resolution is passed. 2017, c. 23, Sched. 4, s. 8.

Section Amendments with date in force (d/m/y)

1998, c. 18, Sched. I, s. 3 (1, 2) - 18/12/1998

2017, c. 23, Sched. 4, s. 8 - 12/12/2017

Amalgamation of authorities

11 (1) If two or more authorities have been established for adjoining watersheds or parts thereof, one or more of the authorities or the council of a participating municipality of one of the authorities may call a meeting to consider the establishment of one authority to have jurisdiction over the areas that are under separate jurisdictions. 1998, c. 18, Sched. I, s. 4 (1); 2017, c. 23, Sched. 4, s. 9 (1).

Notice of meeting

(1.1) Notice of the meeting shall be given to each participating municipality of the relevant authorities. 2017, c. 23, Sched. 4, s. 9 (2).

Public notice

(1.2) The body or bodies that call a meeting under subsection (1) shall ensure that, at least 14 days before the meeting, notice of the meeting is,

- (a) published in a newspaper having general circulation in each participating municipality, including in the electronic version of the newspaper where available; or
- (b) if there is no newspaper of general circulation in a participating municipality, posted on a website maintained by the municipality and in at least one prominent place in the municipality. 2017, c. 23, Sched. 4, s. 9 (2).

Public representations

(1.3) No vote shall be taken on a resolution requesting amalgamation of the authorities unless members of the public have been given an opportunity at the meeting to make representations on the issue. 2017, c. 23, Sched. 4, s. 9 (2).

Representatives

(2) Each municipality that receives notice of the meeting may appoint the number of representatives to attend the meeting that is determined in accordance with subsection 2 (2). 2017, c. 23, Sched. 4, s. 9 (3).

Quorum

(3) At any meeting called under this section, a quorum consists of two-thirds of the representatives that the municipalities are entitled to appoint under subsection (2). 2017, c. 23, Sched. 4, s. 9 (3).

Resolution

(4) At a meeting held under this section at which a quorum is present, a resolution may be passed to do all of the following:

1. Establish a new authority that has jurisdiction over areas that previously were under the separate jurisdiction of the two or more existing authorities of the adjoining watersheds.
2. Dissolve the existing authorities.
3. Designate the participating municipalities for the new authority.
4. Designate the area over which the new authority has jurisdiction. 2017, c. 23, Sched. 4, s. 9 (4).

Two-thirds majority vote

(4.1) A resolution described in subsection (4) shall be passed by a majority of at least two-thirds of the representatives present at the meeting. 2017, c. 23, Sched. 4, s. 9 (4).

Approval by Minister

(4.2) The authorities or the municipality who called a meeting under subsection (1) shall submit the resolution passed in accordance with subsection (4.1) to the Minister for approval and the Minister may approve the resolution with such changes and on such terms and conditions as he or she considers appropriate. 2017, c. 23, Sched. 4, s. 9 (4).

Resolution in effect

(4.3) The resolution takes effect in accordance with the terms of the resolution and the Minister's approval. 2017, c. 23, Sched. 4, s. 9 (4).

Assets and liabilities of former authorities

(5) When the establishment of a new authority and the dissolution of the existing authorities take effect under subsection (4.3), all the assets and liabilities of the dissolved authorities vest in and become assets and liabilities of the new authority. R.S.O. 1990, c. C.27, s. 11 (5); 2017, c. 23, Sched. 4, s. 9 (5).

Section Amendments with date in force (d/m/y)

1998, c. 18, Sched. I, s. 4 (1, 2) - 18/12/1998

2017, c. 23, Sched. 4, s. 9 (1-5) - 12/12/2017

12 REPEALED: 1998, c. 18, Sched. I, s. 5.

Section Amendments with date in force (d/m/y)

1998, c. 18, Sched. I, s. 5 - 18/12/1998

Participating municipalities following annexation, etc.

13 Where a new municipality is erected or two or more municipalities are amalgamated or any area is annexed to a municipality and any part of the resulting municipality is within the area over which an authority has jurisdiction, such resulting municipality shall be deemed to have been designated a participating municipality by the Lieutenant Governor in Council. R.S.O. 1990, c. C.27, s. 13.

Dissolution of authority

13.1 (1) An authority shall call a meeting of the members of the authority to consider the dissolution of the authority if, by resolution, the councils of two or more participating municipalities request the meeting. 1996, c. 1, Sched. M, s. 41.

Public notice

(1.1) The authority that calls a meeting under subsection (1) shall ensure that, at least 14 days before the meeting, notice of the meeting is,

- (a) published in a newspaper having general circulation in each participating municipality, including in the electronic version of the newspaper where available; or
- (b) if there is no newspaper of general circulation in a participating municipality, posted on a website maintained by the municipality and in at least one prominent place in the municipality. 2017, c. 23, Sched. 4, s. 10 (1).

Quorum

(2) Despite subsection 16 (2), a quorum at a meeting called under this section consists of two-thirds of the members of the authority. 1996, c. 1, Sched. M, s. 41; 2017, c. 23, Sched. 4, s. 10 (2).

(3), (4) REPEALED: 2017, c. 23, Sched. 4, s. 10 (3).

Public representations

(5) No vote shall be taken on a resolution requesting dissolution of the authority unless members of the public have been given an opportunity at the meeting to make representations on the issue. 1996, c. 1, Sched. M, s. 41.

Criteria for dissolution

(6) The Lieutenant Governor in Council may dissolve the authority, on such terms and conditions as the Lieutenant Governor in Council considers appropriate, if,

- (a) the Minister receives a resolution requesting the dissolution passed by at least two-thirds of the members of the authority present and entitled to vote at a meeting held under this section and at which a quorum was present;
- (b) the Minister is satisfied that acceptable provision has been made for future flood control and watershed interests and for the disposition of all assets and liabilities of the authority; and
- (c) the Minister is satisfied that acceptable provision has been made for future protection of drinking water sources. 1996, c. 1, Sched. M, s. 41; 2006, c. 22, s. 113 (1); 2019, c. 9, Sched. 2, s. 2.

(7) REPEALED: 2017, c. 23, Sched. 4, s. 10 (4).

Section Amendments with date in force (d/m/y)

1996, c. 1, Sched. M, s. 41 - 30/01/1996

2006, c. 22, s. 113 (1) - 03/07/2007

2017, c. 23, Sched. 4, s. 10 (1-4) - 12/12/2017

2019, c. 9, Sched. 2, s. 2 - 02/02/2021

PART IV MEMBERSHIP AND GOVERNANCE

Members of authority

14 (1) Subject to subsection (3), members of an authority shall be appointed by the respective councils of the participating municipalities in the numbers set out in subsection 2 (2) for the appointment of representatives. 2017, c. 23, Sched. 4, s. 12 (1); 2020, c. 36, Sched. 6, s. 2 (1).

Members of council appointed

(1.1) When appointing members of an authority, the council of a participating municipality shall ensure that at least 70 per cent of its appointees are selected from among the members of the municipal council, subject to subsection (1.2). 2020, c. 36, Sched. 6, s. 2 (2).

Exception

(1.2) Upon application by a participating municipality, the Minister may grant permission to the municipality to select less than 70 per cent of its appointees to an authority from among the members of the municipal council, subject to such conditions or restrictions as the Minister considers appropriate. 2020, c. 36, Sched. 6, s. 2 (2).

Changes in number of members

(2) The total number of municipally appointed members of the authority and the number of municipal councillors that each participating municipality may appoint shall be adjusted as required to ensure compliance with subsection (1) if the municipalities that are participating municipalities change or the population of a participating municipality changes. 2001, c. 9, Sched. K, s. 1 (6); 2020, c. 36, Sched. 6, s. 2 (3).

Agreement on number of members

(2.1) Despite subsections (1), (2) and (5), the total number of members of the authority and the number of members that each participating municipality may appoint may be determined by an agreement that is confirmed by resolutions passed by the councils of all of the participating municipalities. 2001, c. 9, Sched. K, s. 1 (6).

Municipal agreement

(2.2) If the participating municipalities of an authority enter into an agreement with respect to the total number of municipally appointed members of the authority and the total number of members each municipality may appoint, the authority shall, within 60 days after the agreement is executed,

- (a) provide a copy of the agreement to the Minister; and
- (b) make the agreement available to the public by posting it on the authority's website and by any other means the authority considers appropriate. 2020, c. 36, Sched. 6, s. 2 (4).

Same, transition

(2.3) If an agreement referred to in subsection (2.2) is in force on the day subsection 2 (4) of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020 comes into force, the relevant authority shall provide a copy of the agreement to the Minister within 60 days after that day. 2020, c. 36, Sched. 6, s. 2 (4).

Qualification

(3) Every member of an authority shall be resident in a participating municipality in which the authority has jurisdiction. R.S.O. 1990, c. C.27, s. 14 (3).

Member from agricultural sector appointed

(4) In addition to the members of an authority appointed in accordance with subsections (1) to (2.1), an additional member may be appointed to the authority by the Minister as a representative of the agricultural sector. 2020, c. 36, Sched. 6, s. 2 (5).

Limitation on voting

(4.0.1) The member of an authority appointed under subsection (4) shall not vote on,

- (a) a resolution to enlarge an authority's area of jurisdiction that is presented at a meeting called under section 10;
- (b) a resolution to amalgamate an authority with another authority that is presented at a meeting called under section 11;
- (c) a resolution to dissolve the authority that is presented at a meeting called under section 13.1; or
- (d) a resolution relating to any budgetary matter that is presented at a meeting held under section 16. 2020, c. 36, Sched. 6, s. 2 (5).

Term

(4.1) A member shall be appointed for a term of up to four years, as may be determined by the council that appoints the member or, in the case of a member appointed under subsection (4), by the Minister. 2017, c. 23, Sched. 4, s. 12 (2); 2020, c. 36, Sched. 6, s. 2 (6).

Same

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

Replacement of member

(4.3) Despite subsections (4.1) and (4.2), a member may be replaced by the council of the participating municipality that appointed the member or, in the case of a member appointed under subsection (4), by the Minister. 2017, c. 23, Sched. 4, s. 12 (2); 2020, c. 36, Sched. 6, s. 2 (7).

Reappointment

(4.4) A member is eligible to be reappointed. 2017, c. 23, Sched. 4, s. 12 (2).

Where part of municipality in authority's area

(5) Where part only of a municipality is situated in an area over which an authority has jurisdiction, the number of members appointed for the municipality shall be based on the population of that part only of the municipality, and the population shall be deemed to be the same proportion of the total population of the whole municipality as the area of that part of the municipality is of the total area of the municipality. R.S.O. 1990, c. C.27, s. 14 (5).

(6) REPEALED: 1996, c. 1, Sched. M, s. 42.

Section Amendments with date in force (d/m/y)

1996, c. 1, Sched. M, s. 42 - 30/01/1996; 1998, c. 18, Sched. I, s. 6 - 18/12/1998

2001, c. 9, Sched. K, s. 1 (6) - 29/06/2001

2017, c. 23, Sched. 4, s. 12 (1, 2) - 12/12/2017

2020, c. 36, Sched. 6, s. 2 (1-7) - 02/02/2021

14.1

Section Amendments with date in force (d/m/y)

2019, c. 9, Sched. 2, s. 3 - no effect - see 2020, c. 36, Sched. 6, s. 28 - 08/12/2020

Meetings of authority

15 (1) The first meeting of an authority shall be held at such time and place as may be determined by the Minister and, in each year thereafter, the authority shall hold at least one meeting before the 1st day of March and at least one meeting after the 1st day of July and such other meetings as it considers necessary to effectively conduct the affairs of the authority. R.S.O. 1990, c. C.27, s. 15 (1).

Copies of minutes to members

(2) Within 30 days after any meeting of an authority or of an executive committee, the secretary-treasurer of the authority shall send a copy of the minutes of the meeting to each member of the authority. R.S.O. 1990, c. C.27, s. 15 (2); 1998, c. 18, Sched. I, s. 7.

Agenda, minutes to be made public

(2.1) Subject to the *Municipal Freedom of Information and Protection of Privacy Act*, the authority shall,

- (a) make the agenda for a meeting of the authority or of its executive committee available to the public before the meeting takes place; and
- (b) make the minutes of a meeting of the authority or of its executive committee available to the public within 30 days after the meeting. 2020, c. 36, Sched. 6, s. 3.

Same

(2.2) An agenda for a meeting or its minutes that are to be made available to the public under subsection (2.1) shall be made available by posting them on the authority's website and by any other means the authority considers appropriate. 2020, c. 36, Sched. 6, s. 3.

Open meetings

(3) Every meeting held by the authority shall be open to the public, subject to such exceptions as may be specified in the by-laws of the authority. 2017, c. 23, Sched. 4, s. 13.

Section Amendments with date in force (d/m/y)

1998, c. 18, Sched. I, s. 7 - 18/12/1998

2017, c. 23, Sched. 4, s. 13 - 12/12/2018

2020, c. 36, Sched. 6, s. 3 - 02/02/2021

Decision-making at meetings

16 (1) Each member of an authority is entitled to one vote. 1998, c. 18, Sched. I, s. 8.

Quorum

(2) At any meeting of an authority, a quorum consists of one-half of the members appointed by the participating municipalities, except where there are fewer than six such members, in which case three such members constitute a quorum. R.S.O. 1990, c. C.27, s. 16 (2); 2006, c. 22, s. 113 (2).

Majority vote

(3) A majority vote of the members present at any meeting is required upon all matters coming before the meeting. R.S.O. 1990, c. C.27, s. 16 (3).

Section Amendments with date in force (d/m/y)

1998, c. 18, Sched. I, s. 8 - 18/12/1998

2006, c. 22, s. 113 (2) - 03/07/2007

Chair, vice-chair

17 (1) At the first meeting held in each year or at such other meeting as may be specified by the authority's by-laws, the authority shall appoint a chair and one or more vice-chairs from among the members of the authority. 1996, c. 1, Sched. M, s. 43; 2017, c. 23, Sched. 4, s. 14.

Term of chair, vice-chair

(1.1) A chair or vice-chair appointed under subsection (1) shall hold office for a term of one year and shall serve for no more than two consecutive terms. 2020, c. 36, Sched. 6, s. 4.

Representation from each municipality

(1.2) An authority in respect of which more than one participating municipality has been designated shall appoint chairs and vice-chairs from among the members appointed to the authority by each participating municipality on a rotating basis so as to ensure that a member appointed to the authority by a particular participating municipality cannot be appointed to succeed an outgoing chair or vice-chair appointed to the authority by the same participating municipality. 2020, c. 36, Sched. 6, s. 4.

Exception

(1.3) Despite subsections (1.1) and (1.2), upon application by an authority or a participating municipality, the Minister may grant permission to the authority or participating municipality to, subject to such conditions or restrictions as the Minister considers appropriate,

- (a) appoint a chair or vice-chair for a term of more than one year or to hold office for more than two consecutive terms; or
- (b) appoint as chair or vice-chair of the authority a member who was appointed to the authority by the same participating municipality that appointed the outgoing chair or vice-chair. 2020, c. 36, Sched. 6, s. 4.

Vacancy

(2) Subject to subsection (1), upon the death of the chair or a vice-chair, or upon the incapacity of the chair or a vice-chair to act, or upon the chair or a vice-chair ceasing to be a member of the authority, the remaining members may appoint a member to fill such vacancy. R.S.O. 1990, c. C.27, s. 17 (2).

Absence of chair and vice-chairs

(3) In the event of the absence of the chair and the vice-chairs from any meeting of an authority, the members present shall appoint an acting chair who, for the purposes of such meeting, has all the powers and shall perform all the duties of the chair. R.S.O. 1990, c. C.27, s. 17 (3).

Section Amendments with date in force (d/m/y)

1996, c. 1, Sched. M, s. 43 - 30/01/1996

2017, c. 23, Sched. 4, s. 14 - 12/12/2017

2020, c. 36, Sched. 6, s. 4 - 02/02/2021

Employees and advisory boards

Employees

18 (1) An authority shall appoint a secretary-treasurer and may appoint such other employees as it considers necessary who shall hold office during the pleasure of the authority and shall receive such salary or other remuneration as the authority determines, payable out of the funds of the authority. R.S.O. 1990, c. C.27, s. 18 (1).

Advisory boards

(2) An authority shall establish such advisory boards as may be required by regulation and may establish such other advisory boards as it considers appropriate. 2017, c. 23, Sched. 4, s. 15.

Same

(3) An advisory board shall comply with any requirements that may be prescribed by regulation with respect to its composition, functions, powers, duties, activities and procedures. 2017, c. 23, Sched. 4, s. 15.

Section Amendments with date in force (d/m/y)

2017, c. 23, Sched. 4, s. 15 - 12/12/2017

Executive committee

19 (1) The authority may appoint an executive committee from among the members of the authority. R.S.O. 1990, c. C.27, s. 19 (1).

Chair, vice-chair

(2) The chair and vice-chair of the authority shall be the chair and vice-chair of the executive committee. R.S.O. 1990, c. C.27, s. 19 (2).

(3) REPEALED: 1998, c. 18, Sched. I, s. 9.

Section Amendments with date in force (d/m/y)

1998, c. 18, Sched. I, s. 9 - 18/12/1998

By-laws

19.1 (1) An authority may make by-laws,

- (a) respecting the meetings to be held by the authority, including providing for the calling of the meetings and the procedures to be followed at meetings, specifying which meetings, if any, may be closed to the public;
- (b) prescribing the powers and duties of the secretary-treasurer;
- (c) designating and empowering officers to sign contracts, agreements and other documents on behalf of the authority;
- (d) delegating all or any of its powers to the executive committee except,
 - (i) the termination of the services of the secretary-treasurer,
 - (ii) the power to raise money, and
 - (iii) the power to enter into contracts or agreements other than those contracts or agreements as are necessarily incidental to the works approved by the authority;
- (e) providing for the composition of its executive committee and for the establishment of other committees that it considers advisable and respecting any other matters relating to its governance;
- (f) respecting the roles and responsibilities of the members of the authority and of its officers and senior staff;
- (g) requiring accountability and transparency in the administration of the authority including,
 - (i) providing for the retention of records specified in the by-laws and for making the records available to the public,
 - (ii) establishing a code of conduct for the members of the authority, and
 - (iii) adopting conflict of interest guidelines for the members of the authority;
- (h) respecting the management of the authority's financial affairs, including auditing and reporting on the authority's finances;
- (i) respecting the by-law review required under subsection (3) and providing for the frequency of the reviews; and
- (j) respecting such other matters as may be prescribed by regulation. 2017, c. 23, Sched. 4, s. 16.

Conflict with other laws

(2) If a by-law made by an authority conflicts with any provision of the *Municipal Conflict of Interest Act* or the *Municipal Freedom of Information and Protection of Privacy Act* or a provision of a regulation made under one of those Acts, the provision of the Act or regulation prevails. 2017, c. 23, Sched. 4, s. 16.

Periodic review of by-laws

(3) At such regular intervals as may be determined by by-law, an authority shall undertake a review of all of its by-laws to ensure, amongst other things, that the by-laws are in compliance with any Act referred to in subsection (2) or any other relevant law. 2017, c. 23, Sched. 4, s. 16.

By-laws available to public

(4) An authority shall make its by-laws available to the public in the manner it considers appropriate. 2017, c. 23, Sched. 4, s. 16.

Transition

- (5) An authority shall make such by-laws under this section as are required for its proper administration,
- (a) in the case of an authority that was established on or before the day section 16 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017* comes into force, within one year of that day; and
 - (b) in the case of an authority that is established after the day section 16 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017* comes into force, within one year of the day the authority is established. 2017, c. 23, Sched. 4, s. 16.
- (6) REPEALED: 2020, c. 36, Sched. 6, s. 5.

Direction by Minister

- (7) The Minister may give an authority a written direction to make or amend a by-law on any matter described in subsection (1), in accordance with the direction, within such period of time as may be specified in the direction. 2017, c. 23, Sched. 4, s. 16.

Compliance

- (8) The authority that receives a direction under subsection (7) shall comply with the direction within the time specified in the direction. 2017, c. 23, Sched. 4, s. 16.

Regulation where failure to comply

- (9) If an authority fails to adopt a by-law in accordance with the direction made under subsection (7), the Minister may make regulations in relation to the matters set out in the direction that are applicable in the area of jurisdiction of the authority. 2017, c. 23, Sched. 4, s. 16.

Same

- (10) Any regulation made by the Minister under subsection (9) prevails over any conflicting by-law that the authority may have adopted. 2017, c. 23, Sched. 4, s. 16.

Section Amendments with date in force (d/m/y)

2017, c. 23, Sched. 4, s. 16 - 12/12/2017

2020, c. 36, Sched. 6, s. 5 - 02/02/2021

PART V OBJECTS, POWERS AND DUTIES

Objects

- 20** (1) The objects of an authority are to provide, in the area over which it has jurisdiction,
- (a) the mandatory programs and services required under section 21.1;
 - (b) any municipal programs and services that may be provided under section 21.1.1; and
 - (c) any other programs or services that may be provided under section 21.1.2. 2020, c. 36, Sched. 6, s. 6 (1).

Same

- (2) Subject to any other Act relating to gas or oil resources, authorities may enter into agreements to allow exploration, storage and extraction by others in order to share in the revenue from use of gas or oil resources owned by them if,
- (a) the use is compatible with the conservation, restoration, development and management of other natural resources; and
 - (b) extraction occurs on land adjacent to, but not on, conservation authority land. 1998, c. 18, Sched. I, s. 10; 2020, c. 36, Sched. 6, s. 6 (2).

Section Amendments with date in force (d/m/y)

1998, c. 18, Sched. I, s. 10 - 18/12/1998

2017, c. 23, Sched. 4, s. 18 - 12/12/2017

2020, c. 36, Sched. 6, s. 6 (1, 2) - 01/10/2021

Powers of authorities

- 21** (1) For the purposes of accomplishing its objects, an authority has power,

- (a) to research, study and investigate the watershed and to support the development and implementation of programs and services intended to further the purposes of this Act;
 - (b) for any purpose necessary to any project under consideration or undertaken by the authority, to enter into and upon any land, with consent of the occupant or owner, and survey and take levels of it and make such borings or sink such trial pits as the authority considers necessary;
 - (c) to acquire by purchase, lease or otherwise any land that it may require, and, subject to subsections (2) and (4), to sell, lease or otherwise dispose of land so acquired;
 - (d) despite subsection (2), to lease for a term of five years or less land acquired by the authority;
 - (e) to purchase or acquire any personal property that it may require and sell or otherwise deal therewith;
 - (f) to enter into agreements for the purchase of materials, employment of labour and other purposes as may be necessary for the due carrying out of any project or to further the authority's objects;
 - (g) to enter into agreements with owners of private lands to facilitate the due carrying out of any project;
 - (h) to determine the proportion of the total benefit afforded to all the participating municipalities that is afforded to each of them;
 - (i) to erect works and structures and create reservoirs by the construction of dams or otherwise;
 - (j) to control the flow of surface waters in order to prevent floods or pollution or to reduce the adverse effects thereof;
 - (k) to alter the course of any river, canal, brook, stream or watercourse, and divert or alter, as well temporarily as permanently, the course of any river, stream, road, street or way, or raise or sink its level in order to carry it over or under, on the level of or by the side of any work built or to be built by the authority, and to divert or alter the position of any water-pipe, gas-pipe, sewer, drain or any telegraph, telephone or electric wire or pole;
 - (l) to use lands that are owned or controlled by the authority for purposes, not inconsistent with its objects, as it considers proper;
 - (m) to use lands owned or controlled by the authority for park or other recreational purposes, and to erect, or permit to be erected, buildings, booths and facilities for such purposes and to make charges for admission thereto and the use thereof;
- (m.1) REPEALED: 2017, c. 23, Sched. 4, s. 19 (3).
- (n) to collaborate and enter into agreements with ministries and agencies of government, municipal councils and local boards and other organizations and individuals;
 - (o) to plant and produce trees on Crown lands with the consent of the Minister, and on other lands with the consent of the owner, for any purpose;
 - (p) REPEALED: 2020, c. 36, Sched. 6, s. 7 (4).
 - (q) generally to do all such acts as are necessary for the due carrying out of any project or as may be desirable to further the objects of the authority. R.S.O. 1990, c. C.27, s. 21; 1996, c. 1, Sched. M, s. 44 (1, 2); 1998, c. 18, Sched. I, s. 11; 2017, c. 23, Sched. 4, s. 19; 2020, c. 36, Sched. 6, s. 7; 2022, c. 21, Sched. 2, s. 2 (1).

Notice to Minister

(2) Subject to subsection (6), if the Minister has made a grant to an authority under section 39 in respect of land, the authority shall not sell, lease or otherwise dispose of the land under clause (1) (c) without providing a written notice of the proposed disposition to the Minister at least 90 days before the disposition. 2022, c. 21, Sched. 2, s. 2 (2).

Same

(3) If an authority is required to consult the public and post a notice of proposed disposition under subsection (4), the notice to the Minister required under subsection (2) shall, at a minimum, describe how the comments received during the public consultation, if any, were considered by the authority prior to the disposition. 2022, c. 21, Sched. 2, s. 2 (2).

Public consultation prior to disposition

(4) Subject to subsection (6), an authority shall conduct a public consultation and post a notice of the consultation on its website if the authority proposes, under clause (1) (c), to sell, lease or otherwise dispose of land in respect of which the Minister has made a grant under section 39 and the land includes,

- (a) areas of natural and scientific interest, lands within the Niagara Escarpment Planning Area or wetlands as defined in section 1 of the *Conservation Land Act*;
- (b) the habitat of threatened or endangered species;
- (c) lands in respect of which the authority has entered into an agreement with the Minister in relation to forestry development under section 2 of the *Forestry Act*; or
- (d) land that is impacted by a type of natural hazard listed in subsection 1 (1) of Ontario Regulation 686/21 (Mandatory Programs and Services) made under this Act. 2022, c. 21, Sched. 2, s. 2 (2).

Length of public consultation and content of notice

(5) The public consultation under subsection (4) shall last for a minimum of 45 days and the notice of public consultation to be posted on the authority's website prior to the proposed disposition shall include,

- (a) a description of the type of land referred to in clauses (4) (a) to (d) that the authority is proposing to dispose of;
- (b) the proposed date of the disposition; and
- (c) the proposed future use of the lands, if known. 2022, c. 21, Sched. 2, s. 2 (2).

Exceptions

(6) With regard to a disposition of land in respect of which the Minister has made a grant to an authority under section 39, the authority is not required to provide a notice to the Minister under subsection (2) or consult the public and post a notice under subsection (4) if,

- (a) the disposition is for provincial or municipal infrastructure and utility purposes;
- (b) the province, the provincial agency, board or commission affected by the disposition or the municipal government, agency, board or commission affected by the disposition has approved it; and
- (c) the authority informs the Minister of the disposition. 2022, c. 21, Sched. 2, s. 2 (2).

Minister's direction on disposition proceeds

(7) If the Minister receives a notice under subsection (2), the Minister may, within 90 days after receiving the notice, direct the authority to apply a specified share of the proceeds of the disposition to support programs and services provided by the authority under section 21.1. 2022, c. 21, Sched. 2, s. 2 (2).

Section Amendments with date in force (d/m/y)

1996, c. 1, Sched. M, s. 44 (1-3) - 30/01/1996; 1998, c. 18, Sched. I, s. 11 - 18/12/1998

2010, c. 16, Sched. 10, s. 1 (1) - 25/10/2010

2017, c. 23, Sched. 4, s. 19 (1, 2, 4, 5) - 12/12/2017; 2017, c. 23, Sched. 4, s. 19 (3) - 01/01/2023

2020, c. 36, Sched. 6, s. 7 (1-4) - 02/02/2021

2022, c. 21, Sched. 2, s. 2 (1, 2) - 01/01/2023

Mandatory programs and services

21.1 (1) An authority shall provide the following programs or services within its area of jurisdiction:

1. Programs or services that meet any of the following descriptions and that have been prescribed by the regulations:
 - i. Programs and services related to the risk of natural hazards.
 - ii. Programs and services related to the conservation and management of lands owned or controlled by the authority, including any interests in land registered on title.
 - iii. Programs and services related to the authority's duties, functions and responsibilities as a source protection authority under the *Clean Water Act, 2006*.
 - iv. Programs and services related to the authority's duties, functions and responsibilities under an Act prescribed by the regulations.
2. Programs or services, other than programs or services described in paragraph 1, that have been prescribed by the regulations on or before the first anniversary of the day prescribed under clause 40 (3) (i). 2020, c. 36, Sched. 6, s. 8 (1).

Same, Lake Simcoe Region Conservation Authority

(2) In addition to the programs and services required to be provided under subsection (1), the Lake Simcoe Region Conservation Authority shall provide, within its area of jurisdiction, such programs and services as are prescribed by the regulations and are related to its duties, functions and responsibilities under the *Lake Simcoe Protection Act, 2008*. 2020, c. 36, Sched. 6, s. 8 (1).

Standards and requirements

(3) Programs and services required to be provided under subsections (1) and (2) shall be provided in accordance with such standards and requirements as may be set out in the regulations. 2020, c. 36, Sched. 6, s. 8 (1).

Section Amendments with date in force (d/m/y)

2017, c. 23, Sched. 4, s. 20 (1) - 12/12/2017; 2017, c. 23, Sched. 4, s. 20 (2) - no effect - see 2019, c. 9, Sched. 2, s. 10 (1) - 06/06/2019

2019, c. 9, Sched. 2, s. 4 - no effect - see 2020, c. 36, Sched. 6, s. 28 - 08/12/2020

2020, c. 36, Sched. 6, s. 8 (1) - 01/10/2021

Municipal programs and services

21.1.1 (1) Subject to subsection (1.1), an authority may provide, within its area of jurisdiction, municipal programs and services that it agrees to provide on behalf of a municipality situated in whole or in part within its area of jurisdiction under a memorandum of understanding, or such other agreement as may be entered into with the municipality, in respect of the programs and services. 2020, c. 36, Sched. 6, s. 8 (1). 2022, c. 21, Sched. 2, s. 3 (1).

Exception, prescribed Acts

(1.1) An authority shall not provide under subsection (1), within its area of jurisdiction, a municipal program or service related to reviewing and commenting on a proposal, application or other matter made under a prescribed Act. 2022, c. 21, Sched. 2, s. 3 (2).

Memorandum, agreement available to public

(2) An authority shall make a memorandum of understanding or other agreement available to the public in such manner as may be determined in the memorandum or agreement. 2020, c. 36, Sched. 6, s. 8 (1).

Periodic review of memorandum, agreement

(3) An authority and a municipality who have entered into a memorandum of understanding or other agreement shall review the memorandum or agreement at such regular intervals as may be determined in the memorandum or agreement. 2020, c. 36, Sched. 6, s. 8 (1).

Terms and conditions

(4) Programs and services that an authority agrees to provide on behalf of a municipality shall be provided in accordance with,

- (a) the terms and conditions set out in the memorandum of understanding or agreement; and
- (b) such standards and requirements as may be prescribed. 2020, c. 36, Sched. 6, s. 8 (1).

Conflict

(5) If there is a conflict between the terms and conditions set out in the memorandum of understanding or agreement and the prescribed standard and requirements, the prescribed standards and requirements prevail. 2020, c. 36, Sched. 6, s. 8 (1).

Section Amendments with date in force (d/m/y)

2019, c. 9, Sched. 2, s. 4 - no effect - see 2020, c. 36, Sched. 6, s. 28 - 08/12/2020

2020, c. 36, Sched. 6, s. 8 (1) - 01/10/2021

2022, c. 21, Sched. 2, s. 3 (1, 2) - 01/01/2023

Other programs and services

21.1.2 (1) Subject to subsection (1.1), in addition to programs and services described in sections 21.1 and 21.1.1, an authority may provide, within its area of jurisdiction, any other programs and services that it determines are advisable to further the purposes of this Act. 2020, c. 36, Sched. 6, s. 8 (1); 2022, c. 21, Sched. 2, s. 4 (1).

Exception, prescribed Acts

(1.1) An authority shall not provide under subsection (1), within its area of jurisdiction, a program or service related to reviewing and commenting on a proposal, application or other matter made under a prescribed Act. 2022, c. 21, Sched. 2, s. 4 (2).

Agreement

(2) On and after the day prescribed by the regulations, if financing under section 25 or 27 by a participating municipality is necessary in order for an authority to provide a program or service authorized to be provided under subsection (1), the program or service shall not be provided by the authority unless an agreement that meets the following criteria has been entered into between the authority and the participating municipality in respect of the program or service:

1. The agreement must provide for the participating municipality to pay to the authority,
 - i. an apportioned amount under section 25 in connection with a project related to the program or service, or
 - ii. an apportioned amount under section 27 in respect of the program or service.
2. The agreement must include provisions setting out the day on which the agreement terminates and a requirement that it be reviewed by the parties within the period specified in the regulations for the purpose of determining whether or not the agreement is to be renewed by the parties.
3. The agreement must meet such other requirements as may be prescribed by the regulations. See: 2020, c. 36, Sched. 6, s. 8 (2).

Terms and conditions

(3) Programs and services that an authority agrees to provide under an agreement described in subsection (2) shall be provided in accordance with,

- (a) such terms and conditions as may be set out in the agreement; and
- (b) such standards and requirements as may be prescribed. See: 2020, c. 36, Sched. 6, s. 8 (2).

Conflict

(4) If there is a conflict between the terms and conditions set out in an agreement described in subsection (2) and the prescribed standards and requirements, the prescribed standards and requirements prevail. See: 2020, c. 36, Sched. 6, s. 8 (2).

Section Amendments with date in force (d/m/y)

2019, c. 9, Sched. 2, s. 4 - no effect - see 2020, c. 36, Sched. 6, s. 28 - 08/12/2020

2020, c. 36, Sched. 6, s. 8 (1, 2) - 01/10/2021

2022, c. 21, Sched. 2, s. 4 (1, 2) - 01/01/2023

Consultation

21.1.3 An authority shall carry out such consultations with respect to the programs and services it provides as may be required by regulation and shall do so in the manner specified by regulation. 2020, c. 36, Sched. 6, s. 8 (1).

Section Amendments with date in force (d/m/y)

2019, c. 9, Sched. 2, s. 4 - no effect - see 2020, c. 36, Sched. 6, s. 28 - 08/12/2020

2020, c. 36, Sched. 6, s. 8 (1) - 01/10/2021

Transition plan re s. 21.1.2 (2)

21.1.4 (1) Every authority shall develop and implement a transition plan for the purpose of ensuring that it will be in compliance with subsection 21.1.2 (2) by the day prescribed by the regulations for the purpose of that subsection. 2020, c. 36, Sched. 6, s. 9.

Contents

(2) The transition plan shall address the following matters in accordance with the regulations:

1. Preparation by the authority of an inventory of the authority's programs and services.
2. Consultation by the authority with participating municipalities on the inventory of programs and services mentioned in paragraph 1.

3. If financing under section 25 or 27 by a participating municipality is necessary in order for the authority to provide a program or service authorized to be provided under subsection 21.1.2 (1), steps to be taken by the authority for the purposes of seeking to enter into an agreement with the participating municipality in respect of that program or service.

4. Such other matters as may be prescribed by the regulations. 2020, c. 36, Sched. 6, s. 9.

Section Amendments with date in force (d/m/y)

2019, c. 9, Sched. 2, s. 4 - no effect - see 2020, c. 36, Sched. 6, s. 28 - 08/12/2020

2020, c. 36, Sched. 6, s. 9 - 01/10/2021

Fees for programs and services

21.2 (1) The Minister may determine classes of programs and services in respect of which an authority may charge a fee. 2017, c. 23, Sched. 4, s. 21.

Publication of list

(2) The Minister shall publish the list of classes of programs and services in respect of which an authority may charge a fee in a policy document and distribute the document to each authority. 2017, c. 23, Sched. 4, s. 21.

Updating list

(3) If the Minister makes changes to the list of classes of programs and services in respect of which an authority may charge a fee, the Minister shall promptly update the policy document referred to in subsection (2) and distribute the new document to each authority. 2017, c. 23, Sched. 4, s. 21.

Where authority may charge fee

(4) An authority may charge a fee for a program or service that it provides only if it is set out on the list of classes of programs and services referred to in subsection (2). 2017, c. 23, Sched. 4, s. 21.

Amount of fee

- (5) The amount of a fee charged by an authority for a program or service it provides shall be,
- (a) the amount prescribed by the regulations; or
 - (b) if no amount is prescribed, the amount determined by the authority. 2017, c. 23, Sched. 4, s. 21.

Fee schedule

- (6) Every authority shall prepare and maintain a fee schedule that sets out,
- (a) the list of programs and services that it provides and in respect of which it charges a fee; and
 - (b) the amount of the fee charged for each program or service or the manner in which the fee is determined. 2017, c. 23, Sched. 4, s. 21.

Fee policy

- (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,
- (a) the fee schedule described in subsection (6);
 - (b) the frequency within which the fee policy shall be reviewed by the authority under subsection (9);
 - (c) the process for carrying out a review of the fee policy, including the rules for giving notice of the review and of any changes resulting from the review; and
 - (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.

Fee policy to be made public

(8) Every authority shall make the fee policy available to the public in a manner it considers appropriate. 2017, c. 23, Sched. 4, s. 21.

Periodic review of fee policy

(9) At such regular intervals as may be determined by an authority, the authority shall undertake a review of its fee policy, including a review of the fees set out in the fee schedule. 2017, c. 23, Sched. 4, s. 21.

Notice of fee changes

(10) If, after a review of a fee policy or at any other time, an authority wishes to make a change to the list of fees set out in the fee schedule or to the amount of any fee or the manner in which a fee is determined, the authority shall give notice of the proposed change to the public in a manner it considers appropriate. 2017, c. 23, Sched. 4, s. 21.

Reconsideration of fee charged

(11) Any person who considers that the authority has charged a fee that is contrary to the fees set out in the fee schedule, or that the fee set out in the fee schedule is excessive in relation to the service or program for which it is charged, may apply to the authority in accordance with the procedures set out in the fee policy and request that it reconsider the fee that was charged. 2017, c. 23, Sched. 4, s. 21.

Powers of authority on reconsideration

- (12) Upon reconsideration of a fee that was charged for a program or service provided by an authority, the authority may,
- (a) order the person to 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. 2017, c. 23, Sched. 4, s. 21.

Note: On a day to be named by proclamation of the Lieutenant Governor, section 21.2 of the Act is amended by adding the following subsections: (See: 2020, c. 36, Sched. 6, s. 10)

Reconsideration of fees for permit applications

(13) If an authority receives a request for reconsideration of a fee charged for an application for a permit made under subsection 28.1 (2), the authority shall make its decision within 30 days after receiving the request. 2020, c. 36, Sched. 6, s. 10.

Appeal if no decision

(14) If an authority fails to reconsider a fee described in subsection (13) within 30 days of receiving the request for reconsideration, the person who made the request may appeal the amount of the fee directly to the Local Planning Appeal Tribunal. 2020, c. 36, Sched. 6, s. 10.

Payment of fee

(15) If, after reconsideration of a fee charged for an application for a permit made under subsection 28.1 (2), an authority orders a person to pay the fee under clause (12) (a) or (b), the person shall pay the fee in accordance with the order. 2020, c. 36, Sched. 6, s. 10.

Payment of fee under protest and appeal

- (16) A person who pays a fee under subsection (15) may,
- (a) when paying the fee, indicate to the authority in writing that the fee is being paid under protest; and
 - (b) within 30 days after payment of the fee, appeal the amount charged by the authority upon reconsideration to the Local Planning Appeal Tribunal. 2020, c. 36, Sched. 6, s. 10.

Appeal of fee in fee schedule

(17) For greater certainty, an appeal of the amount of a fee under subsection (14) or clause (16) (b) applies even if the amount charged was set out in the fee schedule prepared by the authority under subsection (6). 2020, c. 36, Sched. 6, s. 10.

Hearing

(18) The Local Planning Appeal Tribunal shall hear an appeal made under subsection (14) or clause (16) (b). 2020, c. 36, Sched. 6, s. 10.

Powers on appeal

- (19) After hearing the appeal, the Local Planning Appeal Tribunal may,
- (a) dismiss the appeal;
 - (b) vary the amount of the fee charged by the authority; or
 - (c) order that no fee be charged. 2020, c. 36, Sched. 6, s. 10.

Refund

(20) If the Local Planning Appeal Tribunal makes an order under clause (19) (b) or (c), it may order that the authority provide a refund to the appellant in such amount as the Tribunal determines. 2020, c. 36, Sched. 6, s. 10.

Where dismissal required

(21) Despite subsection (19), the Local Planning Appeal Tribunal shall dismiss the appeal if it determines that the fee complies with a regulation made under clause 40 (3) (b). 2020, c. 36, Sched. 6, s. 10.

Note: On the later of the day section 2 of Schedule 6 to the *Accelerating Access to Justice Act, 2021* comes into force and the day section 10 of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* comes into force, section 21.2 of the Act is amended by striking out “Local Planning Appeal Tribunal” wherever it appears and substituting in each case “Ontario Land Tribunal”. (See: 2021, c. 4, Sched. 6, s. 39 (1))

Section Amendments with date in force (d/m/y)

2017, c. 23, Sched. 4, s. 21 - 01/01/2023

2020, c. 36, Sched. 6, s. 10 - not in force

2021, c. 4, Sched. 6, s. 39 (1) - not in force

Minister’s direction re fee changes

21.3 (1) The Minister may give a written direction to an authority directing it not to change the amount of any fee it charges under subsection 21.2 (10) in respect of a program or service set out in the list referred to in subsection 21.2 (2), for the period specified in the direction. 2022, c. 21, Sched. 2, s. 5.

Compliance

(2) An authority that receives a direction under subsection (1) shall comply with the direction within the time specified in the direction. 2022, c. 21, Sched. 2, s. 5.

Section Amendments with date in force (d/m/y)

2022, c. 21, Sched. 2, s. 5 - 01/01/2023

Agreement re road

22 An authority and any municipality may enter into agreement for the construction or maintenance of a road or the reconstruction or maintenance of an existing road under the jurisdiction of the municipality for the purpose of providing access to lands of the authority used or to be used for park or recreational purposes. R.S.O. 1990, c. C.27, s. 22.

Minister’s powers

23 (1) Despite any powers conferred on an authority by this Act, the Minister may, when and for such periods as he or she considers necessary in the public interest,

- (a) require an authority to carry out flood control operations in a manner specified by the Minister;
- (b) require an authority to follow instructions issued by the Minister for the operation of one or more of the authority’s water control structures; or
- (c) take over the operation of one or more of an authority’s water control structures and require the authority to reimburse the Minister for any costs incurred by the Minister as a result. 1996, c. 1, Sched. M, s. 45.

Areas not under jurisdiction of authority

(2) Despite any powers conferred on the council of a municipality under this or any other Act, in an area that is not under the jurisdiction of an authority, the Minister may, when and for such periods as he or she considers necessary in the public interest,

- (a) require the council of a municipality to carry out flood control operations in a manner specified by the Minister;
- (b) require the council of a municipality to follow instructions issued by the Minister for the operation of one or more of the water control structures operated by the council; or
- (c) take over the operation of one or more of the water control structures operated by the council of a municipality and require the council to reimburse the Minister for any costs incurred by the Minister as a result. 1996, c. 1, Sched. M, s. 45.

Definition

(3) In subsection (2),

“municipality” includes an upper-tier municipality. 2002, c. 17, Sched. F, Table.

Section Amendments with date in force (d/m/y)

1996, c. 1, Sched. M, s. 45 - 30/01/1996

2002, c. 17, Sched. F, Table - 01/01/2003

Information required by Minister

23.1 (1) An authority shall provide the Minister with such information as the Minister may require in relation to its operations, including the programs and services it provides. 2017, c. 23, Sched. 4, s. 22.

Same

(2) The information shall be provided at the time and in the manner as the Minister may specify. 2017, c. 23, Sched. 4, s. 22.

Publication

(3) If directed by the Minister to do so, an authority shall publish all or such portion of the information provided to the Minister under subsection (1) and shall do so at the time and in the manner specified by the Minister. 2017, c. 23, Sched. 4, s. 22.

Investigator

(4) The Minister may, at any time, appoint one or more investigators to conduct an investigation of an authority’s operations, including the programs and services it provides. 2019, c. 9, Sched. 2, s. 5.

Powers of investigator

(5) For the purposes of an investigation under subsection (4), an investigator may,

- (a) inquire into any or all of the authority’s affairs, financial and otherwise;
- (b) require the production of any records that may relate to the authority’s affairs;
- (c) inspect, examine, audit and copy anything required to be produced under clause (b);
- (d) conduct a financial audit of the authority’s operations, including its programs and services; and
- (e) require any member of the authority and any other person to appear before the investigator and give evidence on oath about the authority’s affairs. 2019, c. 9, Sched. 2, s. 5.

Application of *Public Inquiries Act*, 2009

(6) Section 33 of the *Public Inquiries Act*, 2009 applies to an investigation under subsection (4). 2019, c. 9, Sched. 2, s. 5.

Report of investigator

(7) On completion of an investigation, an investigator shall report in writing to the Minister, who shall promptly transmit a copy of the report to the authority. 2019, c. 9, Sched. 2, s. 5.

Cost of investigation

(8) The Minister may require the authority to pay all or part of the cost of an investigation under subsection (4). 2019, c. 9, Sched. 2, s. 5.

Immunity for investigators

(9) No action or other proceeding shall be instituted against an investigator appointed under subsection (4) for any act done in good faith in the performance or intended performance of their duties under this Act or for any alleged neglect or default in the performance in good faith of their duties. 2020, c. 36, Sched. 6, s. 11.

Same

(10) Despite subsection 8 (3) of the *Crown Liability and Proceedings Act*, 2019, subsection (9) does not relieve the Crown of any liability to which it would otherwise be subject as a result of the actions of an investigator appointed under subsection (4). 2020, c. 36, Sched. 6, s. 11.

Section Amendments with date in force (d/m/y)

2017, c. 23, Sched. 4, s. 22 - 12/12/2017

2019, c. 9, Sched. 2, s. 5 - 02/02/2021

2020, c. 36, Sched. 6, s. 11 - 02/02/2021

Minister's order, etc.

23.2 (1) If, after reviewing the report of an investigator made under subsection 23.1 (7), the Minister believes that an authority has failed, or is likely to fail, to comply with a provision of this Act or the regulations or of any other Act or regulation that applies to the authority, the Minister may,

- (a) order the authority to do or refrain from doing anything to avoid, prevent or remedy the non-compliance; or
- (b) if the Minister believes it is advisable to do so, recommend to the Lieutenant Governor in Council that an administrator be appointed to take over the control and operation of the authority under section 23.3. 2020, c. 36, Sched. 6, s. 12.

Compliance with order

(2) An authority shall comply with an order made under clause (1) (a) within the time specified in the order. 2020, c. 36, Sched. 6, s. 12.

Public availability

(3) The Minister shall make every order made under clause (1) (a) available to the public in the manner the Minister considers appropriate. 2020, c. 36, Sched. 6, s. 12.

Section Amendments with date in force (d/m/y)

2020, c. 36, Sched. 6, s. 12 - 02/02/2021

Appointment of administrator

23.3 (1) If the Minister makes a recommendation under clause 23.2 (1) (b), the Lieutenant Governor in Council may make an order appointing an administrator to take over the control and operations of the authority, including the provision of programs and services that the authority provides. 2020, c. 36, Sched. 6, s. 12.

Powers of administrator

(2) The administrator may exercise all the powers and shall perform all the duties of the authority and of its members subject to such terms and conditions as may be specified in the appointment or by the Minister. 2020, c. 36, Sched. 6, s. 12.

Notice to authority

(3) The Minister shall ensure that a copy of an order under subsection (1) is delivered to the authority and to the participating municipalities as soon as is practical after it is made. 2020, c. 36, Sched. 6, s. 12.

Powers of Minister

(4) The Minister may issue directions to the administrator with regard to any matter within the jurisdiction of the administrator and the administrator shall carry out the directions. 2020, c. 36, Sched. 6, s. 12.

Immunity for administrator

(5) No action or other proceeding shall be instituted against an administrator appointed under subsection (1) for any act done in good faith in the performance or intended performance of their duties under this Act or for any alleged neglect or default in the performance in good faith of their duties. 2020, c. 36, Sched. 6, s. 12.

Same

(6) Despite subsection 8 (3) of the *Crown Liability and Proceedings Act, 2019*, subsection (5) does not relieve the Crown of any liability to which it would otherwise be subject as a result of the actions of an administrator appointed under subsection (1). 2020, c. 36, Sched. 6, s. 12.

Section Amendments with date in force (d/m/y)

2020, c. 36, Sched. 6, s. 12 - 02/02/2021

Projects of authority

24 (1) Before proceeding with a project, the authority shall file plans and a description with the Minister and obtain his or her approval in writing. 1996, c. 32, s. 66 (1).

(2) REPEALED: 1996, c. 32, s. 66 (1).

Notice re raising of portion of cost

(3) When the statement of apportionment of the cost of any project requires a municipality to raise any portion of the cost in a subsequent year or years, the council shall, within thirty days after it receives the notice of apportionment, notify the authority in writing whether the portion of the cost will be provided by the issue of debentures or raised by taxation in the subsequent year or years. R.S.O. 1990, c. C.27, s. 24 (3).

Time for notice where apportionment under review

(4) When a municipal council has, in accordance with subsection 25 (2), notified the Ontario Land Tribunal that it is dissatisfied with any apportionment, the time allowed for notifying the authority under subsection (3) shall be reckoned from the date of the order confirming or varying the apportionment. R.S.O. 1990, c. C.27, s. 24 (4); 2017, c. 23, Sched. 5, s. 20; 2021, c. 4, Sched. 6, s. 39 (2).

(5) REPEALED: 1996, c. 32, s. 66 (2).

Approval of works on lakes or rivers

(6) Despite the *Lakes and Rivers Improvement Act*, a project for the construction of dams or other works on a lake or river that has been approved under this section does not require approval under that Act. R.S.O. 1990, c. C.27, s. 24 (6).

Application

(7) This section does not apply to a project unless the project involves money granted by the Minister under section 39. 1996, c. 1, Sched. M, s. 46.

Terms and conditions

(8) The Minister may impose terms and conditions on an approval given under subsection (1). 2022, c. 21, Sched. 2, s. 6 (1).

Note: On July 1, 2023, the day named by proclamation of the Lieutenant Governor, section 24 of the Act is repealed and the following substituted: (See: 2017, c. 23, Sched. 4, s. 23)

Projects requiring approval

24 Before proceeding with a project that involves money granted by the Minister under section 39, the authority shall file plans and a description with the Minister and obtain his or her approval in writing. 2017, c. 23, Sched. 4, s. 23.

Note: On July 1, 2023, the day section 23 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017* comes into force, section 24 of the Act, is amended by adding the following subsection: (See: 2022, c. 21, Sched. 2, s. 6 (2))

Terms and conditions

(2) The Minister may impose terms and conditions on an approval given under subsection (1). 2022, c. 21, Sched. 2, s. 6 (2).

Section Amendments with date in force (d/m/y)

1996, c. 1, Sched. M, s. 46 - 30/01/1996; 1996, c. 32, s. 66 (1, 2) - 01/01/1993

2017, c. 23, Sched. 4, s. 23 - 01/07/2023; 2017, c. 23, Sched. 5, s. 20 - 03/04/2018

2021, c. 4, Sched. 6, s. 39 (2) - 01/06/2021

2022, c. 21, Sched. 2, s. 6 (1) - 01/01/2023; 2022, c. 21, Sched. 2, s. 6 (2) - 01/07/2023

Apportionment of benefit

25 (1) When an authority has determined the proportion of the total benefit of any project afforded to all the participating municipalities that is afforded to each of them, it shall cause a notice containing a statement of the apportionment to be sent to the council of each participating municipality by registered mail. R.S.O. 1990, c. C.27, s. 25 (1).

Review of apportionment by Tribunal

(2) Any municipal council that is dissatisfied with any apportionment may, within thirty days after it receives notice of the apportionment, notify the Ontario Land Tribunal and the authority in writing by registered mail that it applies for a review of the apportionment by the Ontario Land Tribunal. R.S.O. 1990, c. C.27, s. 25 (2); 2017, c. 23, Sched. 5, s. 21 (1); 2021, c. 4, Sched. 6, s. 39 (3).

Hearing

(3) Upon application, the Ontario Land Tribunal shall fix a date for the hearing of all interested parties and shall give all necessary directions for the hearing. R.S.O. 1990, c. C.27, s. 25 (3); 2017, c. 23, Sched. 5, s. 21 (2); 2021, c. 4, Sched. 6, s. 39 (3).

Powers of Tribunal on hearing

(4) The Ontario Land Tribunal has authority to take evidence and to confirm or vary the apportionment of the authority, and its decision is final and conclusive and is not open to appeal. R.S.O. 1990, c. C.27, s. 25 (4); 2017, c. 23, Sched. 5, s. 21 (2); 2021, c. 4, Sched. 6, s. 39 (4).

Variation of apportionment

(5) In the event of the authority varying any apportionment made by it, this section applies with necessary modifications. R.S.O. 1990, c. C.27, s. 25 (5).

Note: On July 1, 2023, the day named by proclamation of the Lieutenant Governor, section 25 of the Act is repealed and the following substituted: (See: 2017, c. 23, Sched. 4, s. 23)

Recovery of project capital costs

25 (1) An authority may, from time to time, determine the amount of capital costs to be incurred in connection with a project and apportion the capital costs to the participating municipalities in accordance with the regulations. 2017, c. 23, Sched. 4, s. 23.

Note: On July 1, 2023, the day named by proclamation of the Lieutenant Governor, section 25 of the Act is amended by adding the following subsections: (See: 2019, c. 9, Sched. 2, s. 6)

Limitation

(1.1) Subject to subsections (1.2) and (1.3), an authority shall not, on and after the day prescribed by the regulations, include in the apportionment any capital costs in connection with a project related to a program or service authorized to be provided under subsection 21.1.2 (1). 2019, c. 9, Sched. 2, s. 6.

Same

(1.2) An authority shall include in the apportionment of capital costs to a participating municipality any capital costs in connection with a project related to a program or service that has been identified in an agreement between the municipality and the authority as described in subsection 21.1.2 (2). 2019, c. 9, Sched. 2, s. 6.

Extension of time

(1.3) If the circumstances prescribed by the regulations apply in respect of an authority, a person designated by the Minister may, by written notice to the authority, specify that a later day than the day prescribed by the regulations under subsection (1.1) applies to the authority and if such a notice is issued, the prohibition set out in subsection (1.1) applies to the authority on and after the day set out in the notice. 2019, c. 9, Sched. 2, s. 6.

Notice of apportionment

(2) An authority shall send a notice of apportionment in writing to each participating municipality setting out the amount of the capital costs for a project that has been apportioned to the participating municipality. 2017, c. 23, Sched. 4, s. 23.

Payment of apportioned amount

(3) Each participating municipality shall pay to the authority the portion of the capital costs for a project that is specified in the notice of apportionment in accordance with the requirements set out in the notice and with this section. 2017, c. 23, Sched. 4, s. 23.

How money to be raised

(4) Each participating municipality may issue debentures to provide financing for the capital costs for a project of an authority. 2017, c. 23, Sched. 4, s. 23.

Where money raised over several years

(5) If the notice of apportionment requires a municipality to raise its portion of the capital costs for a project over a period of two or more years, the municipality shall, within 30 days of receiving the notice of apportionment, give the authority written notice of how it will pay its portion of the capital costs. 2017, c. 23, Sched. 4, s. 23.

Debt due

(6) The amount of the portion of the capital costs for a project that is specified in a notice of apportionment sent to a participating municipality is a debt due by the participating municipality to the authority and may be enforced by the authority as such. 2017, c. 23, Sched. 4, s. 23.

Section Amendments with date in force (d/m/y)

2017, c. 23, Sched. 4, s. 23 - 01/07/2023; 2017, c. 23, Sched. 5, s. 21 (1, 2) - 03/04/2018

2019, c. 9, Sched. 2, s. 6 - 01/07/2023

2021, c. 4, Sched. 6, s. 39 (3, 4) - 01/06/2021

Determination of capital expenditure

26 (1) An authority may, from time to time, determine what money will be required for capital expenditure in connection with any project. R.S.O. 1990, c. C.27, s. 26 (1).

Portion to be raised by participating municipalities

(2) The portion of the money so required that each participating municipality shall raise shall be in the same proportion as the benefit derived by each such municipality bears to the total benefit derived by all participating municipalities. R.S.O. 1990, c. C.27, s. 26 (2).

How money to be raised

(3) Upon notice in writing of the amount required to be raised, signed by the secretary-treasurer of the authority, each participating municipality shall raise by the issue of debentures or otherwise such money as may be required by the authority for capital expenditure. R.S.O. 1990, c. C.27, s. 26 (3); 1996, c. 32, s. 66 (3).

Enforcement of payment

(4) Subject to subsection (3), an authority may enforce payment against any participating municipality of the portion of the capital cost required to be raised by the municipality as a debt due by the municipality to the authority. R.S.O. 1990, c. C.27, s. 26 (4).

Where only part of municipality in area

(5) Where only a part of a participating municipality is situated in the area over which the authority has jurisdiction, the portion of the money required to be raised by that municipality for capital expenditure may be charged only against the rateable property in that part of the municipality. R.S.O. 1990, c. C.27, s. 26 (5).

(6) REPEALED: 1994, c. 27, s. 127.

Note: On July 1, 2023, the day named by proclamation of the Lieutenant Governor, section 26 of the Act is repealed and the following substituted: (See: 2017, c. 23, Sched. 4, s. 23)

Review of apportionment of capital costs

26 (1) Any participating municipality that receives a notice of apportionment under section 25 may, within 30 days after receiving the notice of apportionment, apply to the Local Planning Appeal Tribunal, or to such other body as may be prescribed by regulation, for a review of the apportionment among the participating municipalities of the capital costs for the relevant project. 2017, c. 23, Sched. 4, s. 23; 2017, c. 23, Sched. 5, s. 22.

Same

(2) The participating municipality that makes an application under subsection (1) shall send a copy of the notice of application to the authority and to every other participating municipality of the authority. 2017, c. 23, Sched. 4, s. 23.

Hearing

(3) The Local Planning Appeal Tribunal, or such other body as may be prescribed by regulation, shall hold a hearing to reconsider the apportionment of capital costs among the participating municipalities, including considering whether the apportionment complies with section 25 and the regulations and whether the portion apportioned to the municipality is otherwise appropriate. 2017, c. 23, Sched. 4, s. 23; 2017, c. 23, Sched. 5, s. 22.

Parties

(4) The parties to the hearing are the applicant municipality, the authority, any other participating municipality of the authority that requests to be a party, and such other persons as the Local Planning Appeal Tribunal, or such other body as may be prescribed by regulation, may determine. 2017, c. 23, Sched. 4, s. 23; 2017, c. 23, Sched. 5, s. 22.

Requirement to pay costs stayed

(5) A participating municipality that makes an application under this section is not required to pay the portion of the capital costs that was apportioned to the municipality under the notice of apportionment until the determination of the application. 2017, c. 23, Sched. 4, s. 23.

Delay of notice

(6) A participating municipality that makes an application under this section is not required to give notice under subsection 25 (5) until 30 days after the final determination of the application. 2017, c. 23, Sched. 4, s. 23.

Powers on hearing

(7) Upon hearing an application under this section, the Local Planning Appeal Tribunal, or such other body as may be prescribed by regulation, may confirm or vary the apportionment of the capital costs by the authority among the participating municipalities. 2017, c. 23, Sched. 4, s. 23; 2017, c. 23, Sched. 5, s. 22.

Decision final

(8) A decision under subsection (7) is final. 2017, c. 23, Sched. 4, s. 23.

Note: On the later of the day section 2 of Schedule 6 to the *Accelerating Access to Justice Act, 2021* comes into force and the day section 23 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017* comes into force, section 26 of the Act, as re-enacted by section 23 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017*, is amended by striking out “Local Planning Appeal Tribunal” wherever it appears and substituting in each case “Ontario Land Tribunal”. (See: 2021, c. 4, Sched. 6, s. 39 (5))

Section Amendments with date in force (d/m/y)

1994, c. 27, s. 127 - 09/12/1994; 1996, c. 32, s. 66 (3) - 01/01/1993

2017, c. 23, Sched. 4, s. 23 - 01/07/2023; 2017, c. 23, Sched. 5, s. 22 - 03/04/2018

2021, c. 4, Sched. 6, s. 39 (5) - not in force

Maintenance and administration costs

27 (1) REPEALED: 1997, c. 29, s. 54 (1).

Apportionment of maintenance costs

(2) Subject to the regulations made under subsection (16), after determining the approximate maintenance costs for the succeeding year, the authority shall apportion the costs to the participating municipalities according to the benefit derived or to be derived by each municipality, and the amount apportioned to each such municipality shall be levied against the municipality. R.S.O. 1990, c. C.27, s. 27 (2); 1996, c. 1, Sched. M, s. 47 (1).

Apportionment of administration costs

(3) Subject to the regulations made under subsection (16), after determining the approximate administration costs for the succeeding year, the authority shall apportion the costs to the participating municipalities and the amount apportioned to each such municipality shall be levied against the municipality. 1997, c. 29, s. 54 (2).

Minimum levy for administration costs

(4) Subject to the regulations made under subsection (16), an authority may establish a minimum sum that may be levied for administration costs by the authority against a participating municipality, and, where the amount apportioned to any municipality under subsection (3) is less than the minimum sum, the authority may levy the minimum sum against the municipality. R.S.O. 1990, c. C.27, s. 27 (4); 1996, c. 1, Sched. M, s. 47 (3).

Notice of apportionment

(5) The secretary-treasurer of the authority, forthwith after the amounts have been apportioned under subsections (2), (3) and (4), shall certify to the clerk of each participating municipality the total amount that has been levied under those subsections, and the amount shall be collected by the municipality in the same manner as municipal taxes for general purposes. R.S.O. 1990, c. C.27, s. 27 (5).

Levy where only part of municipality in area

(6) Where only a part of a participating municipality is situated in the area over which the authority has jurisdiction, the amount apportioned to that municipality may be charged only against the rateable property in that part of the municipality and shall be collected in the same manner as municipal taxes for general purposes. R.S.O. 1990, c. C.27, s. 27 (6).

Enforcement of payment

(7) An authority may enforce payment against any participating municipality of any portion of the maintenance costs or administration costs levied against the municipality as a debt due by the municipality to the authority. R.S.O. 1990, c. C.27, s. 27 (7).

Appeal

(8) A municipality against which a levy is made under this section may appeal the levy to the Ontario Land Tribunal. 1996, c. 1, Sched. M, s. 47 (4); 2017, c. 8, Sched. 17, s. 5 (1); 2021, c. 4, Sched. 6, s. 39 (6).

Time for appeal

(9) The appeal must be commenced within 30 days after the municipality receives notice of the levy from the authority. 1996, c. 1, Sched. M, s. 47 (4).

Parties

(10) The parties to the appeal are the municipality, the authority and any other person added as a party by the Tribunal. 1996, c. 1, Sched. M, s. 47 (4); 2017, c. 8, Sched. 17, s. 5 (2).

Compliance pending determination

(11) The municipality shall comply with the levy pending the determination of the appeal. 1996, c. 1, Sched. M, s. 47 (4).

Matters to be considered at hearing

(12) The Tribunal shall hold a hearing on the appeal and shall consider,

- (a) whether the levy complies with this section and the regulations made under subsection (16); and
- (b) whether the levy is otherwise appropriate. 1996, c. 1, Sched. M, s. 47 (4); 2017, c. 8, Sched. 17, s. 5 (2).

Powers of Tribunal

(13) The Tribunal may, by order, confirm, rescind or vary the amount of the levy and may order the authority or the municipality to pay any amount owing as a result. 1996, c. 1, Sched. M, s. 47 (4); 2017, c. 8, Sched. 17, s. 5 (2).

No appeal

(14) No appeal lies from the decision of the Tribunal. 1996, c. 1, Sched. M, s. 47 (4); 2017, c. 8, Sched. 17, s. 5 (2).

When subss. (8-14) begin to apply

(15) Subsections (8) to (14) do not apply until the first regulation made under subsection (16) comes into force. 1996, c. 1, Sched. M, s. 47 (4).

Regulations re levies

(16) The Lieutenant Governor in Council may make regulations governing the nature and amount of the levies made by authorities under this section, including regulations that restrict or prohibit the making of levies described in the regulations. 1996, c. 1, Sched. M, s. 47 (4).

Note: On July 1, 2023, the day named by proclamation of the Lieutenant Governor, section 27 of the Act is repealed and the following substituted: (See: 2017, c. 23, Sched. 4, s. 24 (1))

Recovery of operating expenses

27 (1) Every year an authority shall determine its operating expenses for the subsequent year and apportion those expenses to the participating municipalities in accordance with the regulations. 2017, c. 23, Sched. 4, s. 24 (1).

Note: On July 1, 2023, the day named by proclamation of the Lieutenant Governor, section 27 of the Act is amended by adding the following subsections: (See: 2019, c. 9, Sched. 2, s. 7 (1))

Limitation

(1.1) Subject to subsections (1.2) and (1.3), an authority shall not, on and after the day prescribed by the regulations, include in the apportionment any operating expenses related to a program or service authorized to be provided under subsection 21.1.2 (1). 2019, c. 9, Sched. 2, s. 7 (1).

Same

(1.2) An authority shall include in the apportionment of operating expenses to a participating municipality any operating expenses related to a program or service that has been identified in an agreement between the municipality and the authority as described in subsection 21.1.2 (2). 2019, c. 9, Sched. 2, s. 7 (1).

Extension of time

(1.3) If the circumstances prescribed by the regulations apply in respect of an authority, a person designated by the Minister may, by written notice to the authority, specify that a later day than the day prescribed by the regulations under subsection (1.1) applies to the authority and if such a notice is issued, the prohibition set out in subsection (1.1) applies to the authority on and after the day set out in the notice. 2019, c. 9, Sched. 2, s. 7 (1).

Fixed portion for some municipalities

(2) Despite subsection (1) and subject to the regulations, an authority may establish a fixed minimal amount as the portion of the authority's operating expenses that a participating municipality is required to pay each year, and may apportion that amount to the municipality instead of the portion determined under subsection (1) in any year in which the fixed minimal amount exceeds the portion determined under subsection (1). 2017, c. 23, Sched. 4, s. 24 (1).

Note: On July 1, 2023, the day named by proclamation of the Lieutenant Governor, subsection 27 (2) of the Act is amended by striking out "subsection (1)" wherever it appears and substituting in each case "subsections (1) and (1.1)". (See: 2019, c. 9, Sched. 2, s. 7 (2))

Notice of apportionment

(3) An authority shall send a notice of apportionment in writing to each participating municipality setting out the amount of the operating expenses that has been apportioned to the participating municipality. 2017, c. 23, Sched. 4, s. 24 (1).

Payment of apportioned amount

(4) Each participating municipality shall pay to the authority the portion of the operating expenses that is specified in the notice of apportionment in accordance with the requirements set out in the notice and with this section. 2017, c. 23, Sched. 4, s. 24 (1).

Debt due

(5) The amount of the portion of the operating expenses specified in a notice of apportionment sent to a participating municipality is a debt due by the participating municipality to the authority and may be enforced by the authority as such. 2017, c. 23, Sched. 4, s. 24 (1).

Section Amendments with date in force (d/m/y)

1993, c. 27, Sched. - 31/12/1991; 1996, c. 1, Sched. M, s. 47 (1-4) - 30/01/1996; 1997, c. 29, s. 54 (1, 2) - 01/01/1998

2017, c. 8, Sched. 17, s. 5 (1, 2) - 01/04/2018; 2017, c. 23, Sched. 4, s. 24 (1) - 01/07/2023

2019, c. 9, Sched. 2, s. 7 (1, 2) - 01/07/2023

2021, c. 4, Sched. 6, s. 39 (6) - 01/06/2021

Review of apportionment of operating expenses

27.1 (1) Any participating municipality that receives a notice of apportionment under section 27 may, within 30 days of receiving the notice, apply to the Ontario Land Tribunal, or to such other body as may be prescribed by regulation, for a review of the apportionment of the operating expenses. 2017, c. 23, Sched. 4, s. 24 (1); 2021, c. 4, Sched. 6, s. 39 (7).

Same

(2) The participating municipality that makes an application under subsection (1) shall send a copy of the notice of application to the authority and to every other participating municipality of the authority. 2017, c. 23, Sched. 4, s. 24 (1).

Hearing

(3) The Ontario Land Tribunal, or such other body as may be prescribed by regulation, shall hold a hearing to reconsider the apportionment of the operating expenses, including considering whether the apportionment complies with section 27 and the regulations and whether the portion apportioned to the municipality is otherwise appropriate. 2017, c. 23, Sched. 4, s. 24 (1); 2021, c. 4, Sched. 6, s. 39 (7).

Parties

(4) The parties to the hearing are the applicant municipality, the authority, any other participating municipality of the authority that requests to be a party and such other persons as the Ontario Land Tribunal, or such other body as may be prescribed by regulation, may determine. 2017, c. 23, Sched. 4, s. 24 (1); 2021, c. 4, Sched. 6, s. 39 (7).

No stay

(5) The appellant municipality shall comply with the notice of apportionment pending the determination of the application. 2017, c. 23, Sched. 4, s. 24 (1).

Powers on hearing

(6) Upon hearing an application under this section, the Ontario Land Tribunal, or such other body as may be prescribed by regulation, may confirm or vary the apportionment of the operating expenses by the authority among the participating municipalities and may order participating municipalities to pay such portion of the operating expenses as it determines. 2017, c. 23, Sched. 4, s. 24 (1); 2021, c. 4, Sched. 6, s. 39 (7).

Decision final

(7) A decision under subsection (6) is final. 2017, c. 23, Sched. 4, s. 24 (1).

Section Amendments with date in force (d/m/y)

2017, c. 23, Sched. 4, s. 24 (1) - 01/07/2023; 2017, c. 23, Sched. 4, s. 24 (2) - no effect - see 2020, c. 36, Sched. 6, s. 27 - 08/12/2020

2020, c. 36, Sched. 6, s. 13 - no effect - see 2021, c. 4, Sched. 6, s. 81 (1) - 01/06/2021

2021, c. 4, Sched. 6, s. 39 (7) - 01/06/2021; 2021, c. 4, Sched. 6, s. 39 (8) - no effect - see 2021, c. 4, Sched. 6, s. 81 (1) - 01/06/2021

Note: On July 1, 2023, the day named by proclamation of the Lieutenant Governor, the Act is amended by adding the following section: (See: 2019, c. 9, Sched. 2, s. 8 (1))

Other amounts owing to authority

Specified municipality

27.2 (1) In this section,

“specified municipality” means, when used in reference to an authority,

(a) a municipality that is designated under the regulations made under the *Clean Water Act, 2006* as a participating municipality for the authority for the purposes of that Act but that is not one of the authority’s participating municipalities under this Act, or

(b) a municipality that is designated under the regulations made under the *Lake Simcoe Protection Act, 2008* as a participating municipality for the Lake Simcoe Region Conservation Authority for the purposes of that Act but that is not one of the authority’s participating municipalities under this Act. 2019, c. 9, Sched. 2, s. 8 (1).

Determination of amounts owing by specified municipality

(2) An authority may, from time to time and in accordance with the regulations, determine the amounts owed by any of its specified municipalities in connection with the programs and services the authority provides in respect of the *Clean Water Act, 2006* and *Lake Simcoe Protection Act, 2008*. 2019, c. 9, Sched. 2, s. 8 (1).

Notice

(3) If the authority determines under subsection (2) that amounts are owing by any of its specified municipalities, the authority shall send a notice in writing to the specified municipality, setting out the amounts that the specified municipality owes to the authority. 2019, c. 9, Sched. 2, s. 8 (1).

Payment of amounts

(4) Subject to subsections (5) to (10), each specified municipality shall pay to the authority the amounts specified in the notice in accordance with the requirements set out in the notice. 2019, c. 9, Sched. 2, s. 8 (1).

Review of notice

(5) Any specified municipality that receives a notice under subsection (3) may, within 30 days after receiving the notice, apply to the Ontario Land Tribunal, or to such other body as may be prescribed by regulation, for a review of the amounts owing. 2019, c. 9, Sched. 2, s. 8 (1); 2021, c. 4, Sched. 6, s. 39 (9).

Same

(6) The specified municipality that makes an application under subsection (5) shall send a copy of the notice of application to the authority and to every other participating municipality and specified municipality of the authority. 2019, c. 9, Sched. 2, s. 8 (1).

Hearing

(7) The Ontario Land Tribunal, or such other body as may be prescribed by regulation, shall hold a hearing to reconsider the amounts owing, including considering whether the determination of the amounts owing was carried out in accordance with subsection (2). 2019, c. 9, Sched. 2, s. 8 (1); 2021, c. 4, Sched. 6, s. 39 (9).

Parties

(8) The parties to the hearing are the applicant municipality, the authority, any other participating municipality or specified municipality of the authority that requests to be a party and such other persons as the Ontario Land Tribunal, or such other body as may be prescribed by regulation, may determine. 2019, c. 9, Sched. 2, s. 8 (1); 2021, c. 4, Sched. 6, s. 39 (9).

Powers on hearing

(9) Upon hearing an application under this section, the Ontario Land Tribunal, or such other body as may be prescribed by regulation, may confirm or vary the amounts owing and may order the specified municipality to pay the amounts. 2019, c. 9, Sched. 2, s. 8 (1); 2021, c. 4, Sched. 6, s. 39 (9).

Decision final

(10) A decision under subsection (9) is final. 2019, c. 9, Sched. 2, s. 8 (1).

Debt due

(11) The amounts owed to the authority set out in a notice sent to a specified municipality or in an order under subsection (9), as the case may be, are a debt due by the specified municipality to the authority and may be enforced by the authority as such. 2019, c. 9, Sched. 2, s. 8 (1).

Section Amendments with date in force (d/m/y)

2019, c. 9, Sched. 2, s. 8 (1) - 01/07/2023; 2019, c. 9, Sched. 2, s. 8 (2) - no effect - see 2020, c. 36, Sched. 6, s. 28 - 08/12/2020

2020, c. 36, Sched. 6, s. 14 - no effect - see 2021, c. 4, Sched. 6, s. 81 (2) - 01/06/2021

2021, c. 4, Sched. 6, s. 39 (9) - 01/06/2021; 2021, c. 4, Sched. 6, s. 39 (10) - no effect - see 2021, c. 4, Sched. 6, s. 81 (2) - 01/06/2021

Regulations by authority re area under its jurisdiction

- 28** (1) Subject to the approval of the Minister, an authority may make regulations applicable in the area under its jurisdiction,
- (a) restricting and regulating the use of water in or from rivers, streams, inland lakes, ponds, wetlands and natural or artificially constructed depressions in rivers or streams;
 - (b) prohibiting, regulating or requiring the 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;
 - (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;
 - (d) providing for the appointment of officers to enforce any regulation made under this section or section 29;
 - (e) providing for the appointment of persons to act as officers with all of the powers and duties of officers to enforce any regulation made under this section. 1998, c. 18, Sched. I, s. 12.

Delegation of powers

(2) A regulation made under subsection (1) may delegate any of the authority's powers or duties under the regulation to the authority's executive committee or to any other person or body, subject to any limitations and requirements that may be set out in the regulation. 1998, c. 18, Sched. I, s. 12.

Conditional permission

(3) A regulation made under clause (1) (b) or (c) may provide for permission to be granted subject to conditions and for the cancellation of the permission if conditions are not met. 1998, c. 18, Sched. I, s. 12.

References to maps

(4) A regulation made under subsection (1) may refer to any area affected by the regulation by reference to one or more maps that are filed at the head office of the authority and are available for public review during normal office business hours. 1998, c. 18, Sched. I, s. 12.

Minister's approval of development regulations

- (5) The Minister shall not approve a regulation made under clause (1) (c) unless the regulation applies only to areas that are,
- (a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beach hazards;
 - (b) river or stream valleys;
 - (c) hazardous lands;
 - (d) wetlands; or

- (e) other areas where, in the opinion of the Minister, development should be prohibited or regulated or should require the permission of the authority. 1998, c. 18, Sched. I, s. 12.

Regulations by L.G. in C. governing content of authority's regulations

(6) The Lieutenant Governor in Council may make regulations governing the content of regulations made by authorities under subsection (1), including flood event standards and other standards that may be used, and setting out what must be included or excluded from regulations made by authorities under subsection (1). 1998, c. 18, Sched. I, s. 12.

Invalid regulation

(7) A regulation made by an authority under subsection (1) that does not conform with the requirements of a regulation made by the Lieutenant Governor in Council under subsection (6) is not valid. 1998, c. 18, Sched. I, s. 12.

Transition

(8) Subject to subsection (9), if a regulation is made by the Lieutenant Governor in Council under subsection (6), subsection (7) does not apply to a regulation that was previously made by an authority under subsection (1) until two years after the regulation made by the Lieutenant Governor in Council comes into force. 1998, c. 18, Sched. I, s. 12.

Same

(9) If a regulation made by the Lieutenant Governor in Council under subsection (6) is amended by an amending regulation, subsection (7) does not apply, in respect of the amendment, to a regulation that was made by an authority under subsection (1) before the amending regulation, until such time as may be specified in the amending regulation. 1998, c. 18, Sched. I, s. 12.

Exceptions

- (10) No regulation made under subsection (1),
- (a) shall limit the use of water for domestic or livestock purposes;
 - (b) shall interfere with any rights or powers conferred upon a municipality in respect of the use of water for municipal purposes;
 - (c) shall interfere with any rights or powers of any board or commission that is performing its functions for or on behalf of the Government of Ontario; or
 - (d) shall interfere with any rights or powers under the *Electricity Act, 1998* or the *Public Utilities Act*. 1998, c. 15, Sched. E, s. 3 (8); 1998, c. 18, Sched. I, s. 12.

Activities under the Aggregate Resources Act

(11) A requirement for permission of an authority in a regulation made under clause (1) (b) or (c) does not apply to an activity approved under the *Aggregate Resources Act* after the *Red Tape Reduction Act, 1998* received Royal Assent. 1998, c. 18, Sched. I, s. 12.

Right to hearing

(12) Permission required under a regulation made under clause (1) (b) or (c) shall not be refused or granted subject to conditions unless the person requesting the permission has been given the opportunity to require a hearing before the authority or, if the authority so directs, before the authority's executive committee. 1998, c. 18, Sched. I, s. 12.

Powers of authority

- (13) After holding a hearing under subsection (12), the authority or executive committee, as the case may be, shall,
- (a) refuse the permission; or
 - (b) grant the permission, with or without conditions. 1998, c. 18, Sched. I, s. 12.

Grounds for refusing permission

(13.1) If the permission that the person requests is for development related to a renewable energy project, as defined in subsection 2 (1) of the *Electricity Act, 1998*, the authority or executive committee, as the case may be,

- (a) shall not refuse the permission unless it is necessary to do so to control pollution, flooding, erosion or dynamic beaches; and
- (b) shall not impose conditions unless they relate to controlling pollution, flooding, erosion or dynamic beaches. 2009, c. 12, Sched. L, s. 2; 2018, c. 16, s. 3 (1).

Reasons for decision

(14) If the authority or its executive committee, after holding a hearing, refuses permission or grants permission subject to conditions, the authority or executive committee, as the case may be, shall give the person who requested permission written reasons for the decision. 1998, c. 18, Sched. I, s. 12.

Appeal

(15) A person who has been refused permission or who objects to conditions imposed on a permission may, within 30 days of receiving the reasons under subsection (14), appeal to the Ontario Land Tribunal, and the Tribunal may,

- (a) refuse the permission; or
- (b) grant the permission, with or without conditions. 1998, c. 18, Sched. I, s. 12; 2021, c. 4, Sched. 6, s. 39 (11).

Offence: contravening regulation

(16) Every person who contravenes a regulation made under subsection (1) or the terms and conditions of a permission of an authority in a regulation made under clause (1) (b) or (c) is guilty of an offence and on conviction is liable to a fine of not more than \$10,000 or to a term of imprisonment of not more than three months. 1998, c. 18, Sched. I, s. 12; 2010, c. 16, Sched. 10, s. 1 (2).

Limitation for proceeding

(16.1) A proceeding with respect to an offence under subsection (16) shall not be commenced more than two years from the earliest of the day on which evidence of the offence is discovered or first comes to the attention of officers appointed under clause (1) (d) or persons appointed under clause (1) (e). 2010, c. 16, Sched. 10, s. 1 (3).

Orders

(17) In addition to any other remedy or penalty provided by law, the court, upon making a conviction under subsection (16), may order the person convicted to,

- (a) remove, at that person's expense, any development within such reasonable time as the court orders; and
- (b) rehabilitate any watercourse or wetland in the manner and within the time the court orders. 1998, c. 18, Sched. I, s. 12.

Non-compliance with order

(18) If a person does not comply with an order made under subsection (17), the authority having jurisdiction may, in the case of a development, have it removed and, in the case of a watercourse or wetland, have it rehabilitated. 1998, c. 18, Sched. I, s. 12.

Liability for certain costs

(19) The person convicted is liable for the cost of a removal or rehabilitation under subsection (18) and the amount is recoverable by the authority by action in a court of competent jurisdiction. 1998, c. 18, Sched. I, s. 12.

Powers of entry

(20) An authority or an officer appointed under a regulation made under clause (1) (d) or (e) may enter private property, other than a dwelling or building, without the consent of the owner or occupier and without a warrant, if,

- (a) the entry is for the purpose of considering a request related to the property for permission that is required by a regulation made under clause (1) (b) or (c); or
- (b) the entry is for the purpose of enforcing a regulation made under clause (1) (a), (b) or (c) and the authority or officer has reasonable grounds to believe that a contravention of the regulation is causing or is likely to cause significant environmental damage and that the entry is required to prevent or reduce the damage. 1998, c. 18, Sched. I, s. 12.

Time of entry

(21) Subject to subsection (22), the power to enter property under subsection (20) may be exercised at any reasonable time. 1998, c. 18, Sched. I, s. 12.

Notice of entry

(22) The power to enter property under subsection (20) shall not be exercised unless,

- (a) the authority or officer has given reasonable notice of the entry to the owner of the property and, if the occupier of the property is not the owner, to the occupier of the property; or

- (b) the authority or officer has reasonable grounds to believe that significant environmental damage is likely to be caused during the time that would be required to give notice under clause (a). 1998, c. 18, Sched. I, s. 12.

No use of force

(23) Subsection (20) does not authorize the use of force. 1998, c. 18, Sched. I, s. 12.

Offence: obstruction

(24) Any person who prevents or obstructs an authority or officer from entering property under subsection (20) is guilty of an offence and on conviction is liable to a fine of not more than \$10,000. 1998, c. 18, Sched. I, s. 12.

Definitions

(25) In this section,

“development” means,

- (a) the construction, reconstruction, erection or placing of a building or structure of any kind,
- (b) any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure,
- (c) site grading, or
- (d) the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere; (“aménagement”)

“hazardous land” means land that could be unsafe for development because of naturally occurring processes associated with flooding, erosion, dynamic beaches or unstable soil or bedrock; (“terrain dangereux”)

“pollution” means any deleterious physical substance or other contaminant that has the potential to be generated by development in an area to which a regulation made under clause (1) (c) applies; (“pollution”)

“watercourse” means an identifiable depression in the ground in which a flow of water regularly or continuously occurs; (“cours d’eau”)

“wetland” means land that,

- (a) is seasonally or permanently covered by shallow water or has a water table close to or at its surface,
- (b) directly contributes to the hydrological function of a watershed through connection with a surface watercourse,
- (c) has hydric soils, the formation of which has been caused by the presence of abundant water, and
- (d) has vegetation dominated by hydrophytic plants or water tolerant plants, the dominance of which has been favoured by the presence of abundant water,

but does not include periodically soaked or wet land that is used for agricultural purposes and no longer exhibits a wetland characteristic referred to in clause (c) or (d). (“terre marécageuse”) 1998, c. 18, Sched. I, s. 12.

Transition

(26) A regulation that was in force immediately before the day the *Red Tape Reduction Act, 1998* received Royal Assent and that was lawfully made under clause (1) (e) or (f) of this section as it read immediately before that day shall be deemed to have been lawfully made under clause (1) (c). 1998, c. 18, Sched. I, s. 12.

Note: On a day to be named by proclamation of the Lieutenant Governor, section 28 of the Act is repealed and the following substituted: (See: 2017, c. 23, Sched. 4, s. 25)

PART VI REGULATION OF AREAS OVER WHICH AUTHORITIES HAVE JURISDICTION

Prohibited activities re watercourses, wetlands, etc.

28 (1) Subject to subsections (2), (3) and (4) and section 28.1, no person shall carry on the following activities, or permit another person to carry on the following activities, in the area of jurisdiction of an authority:

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 28 (1) of the Act is amended by striking out “Subject to subsections (2), (3) and (4) and section 28.1” at the beginning. (See: 2022, c. 21, Sched. 2, s. 7 (1))

1. Activities to straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or to change or interfere in any way with a wetland.

2. Development activities in areas that are within the authority's area of jurisdiction and are,
- i. hazardous lands,
 - ii. wetlands,
 - iii. river or stream valleys the limits of which shall be determined in accordance with the regulations,
 - iv. areas that are adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to an inland lake and that may be affected by flooding, erosion or dynamic beach hazards, such areas to be further determined or specified in accordance with the regulations, or
 - v. other areas in which development should be prohibited or regulated, as may be determined by the regulations.
- 2017, c. 23, Sched. 4, s. 25.

Exception, aggregates

(2) The prohibitions in subsection (1) do not apply to an activity approved under the *Aggregate Resources Act* after December 18, 1998, the date the *Red Tape Reduction Act, 1998* received Royal Assent. 2017, c. 23, Sched. 4, s. 25.

Same, prescribed activities

(3) The prohibitions in subsection (1) do not apply to an activity or a type of activity that is prescribed by regulation and is carried out in accordance with the regulations. 2017, c. 23, Sched. 4, s. 25.

Same, prescribed areas

- (4) The prohibitions in subsection (1) do not apply to any activity described in that subsection if it is carried out,
- (a) in an area that is within an authority's area of jurisdiction and specified in the regulations; and
 - (b) in accordance with any conditions specified in the regulations. 2017, c. 23, Sched. 4, s. 25.

Note: On a day to be named by proclamation of the Lieutenant Governor, section 28 of the Act is amended by adding the following subsections: (See: 2022, c. 21, Sched. 2, s. 7 (2))

Same, *Planning Act*

- (4.1) Subject to subsection (4.2), the prohibitions in subsection (1) do not apply to an activity within a municipality prescribed by the regulations if,
- (a) the activity is part of development authorized under the *Planning Act*; and
 - (b) such conditions and restrictions as may be prescribed for obtaining the exception and on carrying out the activity are satisfied. 2022, c. 21, Sched. 2, s. 7 (2).

Same

(4.2) If a regulation prescribes activities, areas of municipalities or types of authorizations under the *Planning Act* for the purposes of this subsection, or prescribes any other conditions or restrictions relating to an exception under subsection (4.1), the exception applies only in respect of such activities, areas and authorizations and subject to such conditions and restrictions. 2022, c. 21, Sched. 2, s. 7 (2).

Definitions

(5) In this section,

“development activity” means a development activity as defined by regulation; (“activité d'aménagement”)

“hazardous land” means hazardous land as defined by regulation; (“terrain dangereux”)

“watercourse” means a watercourse as defined by regulation; (“cours d'eau”)

“wetland” means a wetland as defined by regulation. (“terre marécageuse”) 2017, c. 23, Sched. 4, s. 25.

Section Amendments with date in force (d/m/y)

1998, c. 15, Sched. E, s. 3 (1, 2, 7, 8) - 01/04/1999; 1998, c. 18, Sched. I, s. 12 - 18/12/1998

2009, c. 12, Sched. L, s. 2 - 14/05/2009

2010, c. 16, Sched. 10, s. 1 (2, 3) - 25/10/2010

2017, c. 23, Sched. 4, s. 25 - not in force

2018, c. 16, s. 3 (1) - 01/01/2019

2021, c. 4, Sched. 6, s. 39 (11) - 01/06/2021

2022, c. 21, Sched. 2, s. 7 (1, 2) - not in force

Permission for development, zoning order

28.0.1 (1) This section applies to any application submitted to an authority under a regulation made under subsection 28 (1) for permission to carry out all or part of a development project in the authority's area of jurisdiction if,

- (a) an order has been made by the Minister of Municipal Affairs and Housing under section 34.1 or 47 of the *Planning Act* authorizing the development project under that Act;
- (b) the lands in the authority's area of jurisdiction on which the development project is to be carried out are not located in the Greenbelt Area designated under section 2 of the *Greenbelt Act, 2005*; and
- (c) such other requirements as may be prescribed are satisfied. 2020, c. 36, Sched. 6, s. 15 (1); 2022, c. 21, Sched. 2, s. 8 (1).

Definition

(2) In this section,

"development project" means development as defined in subsection 28 (25) or any other act or activity that would be prohibited under this Act and the regulations unless permission to carry out the activity is granted by the affected authority. 2020, c. 36, Sched. 6, s. 15 (1); 2022, c. 21, Sched. 2, s. 8 (2).

Permission to be granted

(3) Subject to the regulations made under subsection (35), an authority that receives an application for permission to carry out all or part of a development project in the authority's area of jurisdiction shall grant the permission if all of the requirements in clauses (1) (a), (b) and (c) are satisfied. 2020, c. 36, Sched. 6, s. 15 (1).

Same

(4) For greater certainty, an authority shall not refuse to grant permission for a development project under subsection (3) despite,

- (a) anything in section 28 or in a regulation made under section 28; and
- (b) anything in subsection 3 (5) of the *Planning Act*. 2020, c. 36, Sched. 6, s. 15 (1).

Conditions prescribed by regulations

(5) A permission granted under this section is subject to such conditions as may be prescribed. 2020, c. 36, Sched. 6, s. 15 (1).

Conditions specified by authority

(6) Subject to subsection (7), an authority may attach conditions to the permission, including conditions to mitigate,

- (a) any effects the development project is likely to have on the control of flooding, erosion, dynamic beaches or unstable soil or bedrock;
- (b) any conditions or circumstances created by the development project that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property; or
- (c) any other matters that may be prescribed by regulation. 2020, c. 36, Sched. 6, s. 15 (1); 2022, c. 21, Sched. 2, s. 8 (3).

Hearing

(7) An authority shall not attach conditions to a permission unless the applicant for the permission has been given an opportunity to be heard by the authority. 2020, c. 36, Sched. 6, s. 15 (1).

Reasons for conditions

(8) If, after holding a hearing, an authority grants the permission subject to conditions, the authority shall give the holder of the permission written reasons for deciding to attach the conditions. 2020, c. 36, Sched. 6, s. 15 (1).

Request for Minister's review

(9) The holder of a permission who objects to any conditions attached to the permission by an authority may, within 15 days of the reasons being given under subsection (8), submit a request to the Minister for the Minister to review the conditions, subject to the regulations. 2022, c. 21, Sched. 2, s. 8 (4).

Minister's review

(10) Within 30 days after receiving a request under subsection (9), the Minister shall reply to the request and indicate in writing to the holder of the permission and the authority whether or not the Minister intends to conduct a review of the authority's decision. Failure on the part of the Minister to reply to a request within the 30-day period is deemed to be an indication that the Minister does not intend to review the authority's decision. 2020, c. 36, Sched. 6, s. 15 (1).

Same

(11) If a reply given under subsection (10) indicates that the Minister intends to conduct a review, the Minister may in the reply require the holder of the permission and the authority to provide the Minister with such information as the Minister considers necessary to conduct the review. 2020, c. 36, Sched. 6, s. 15 (1).

Information

(12) The holder of the permission and the authority shall submit to the Minister such information as was specified in the reply given under subsection (10) within the time period specified in the reply. 2020, c. 36, Sched. 6, s. 15 (1).

Publication of notice of review

(13) The Minister shall publish on the Environmental Registry notice of the Minister's intention to review a decision made by an authority and shall do so within 30 days of giving a reply to that effect under subsection (10). 2020, c. 36, Sched. 6, s. 15 (1).

No hearing required

(14) The Minister is not required to hold a hearing while conducting a review of an authority's decision. 2020, c. 36, Sched. 6, s. 15 (1).

Conferring with persons, etc.

(15) Before making a decision with respect to a review, the Minister may confer with any person or body that the Minister considers may have an interest in the review. 2020, c. 36, Sched. 6, s. 15 (1).

Minister's decision

(16) After conducting a review of an authority's decision, the Minister may confirm or vary the conditions attached by the authority to a permission granted under this section, including removing conditions or requiring that such additional conditions be attached to the permission as the Minister considers appropriate. 2020, c. 36, Sched. 6, s. 15 (1); 2022, c. 21, Sched. 2, s. 8 (5).

Same

(17) In making a decision under subsection (16), the Minister shall consider,

- (a) effects the development project is likely to have on the control of flooding, erosion, dynamic beaches or unstable soil or bedrock;
- (b) conditions or circumstances created by the development project that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property; or
- (c) any other matters as may be prescribed by the regulations. 2020, c. 36, Sched. 6, s. 15 (1); 2022, c. 21, Sched. 2, s. 8 (6).

Decision final

(18) A decision made by the Minister under subsection (16) is final. 2020, c. 36, Sched. 6, s. 15 (1).

Appeal

(19) The holder of a permission who objects to any conditions attached to the permission by an authority may, within 90 days of the reasons being given under subsection (8), appeal to the Ontario Land Tribunal to review the conditions if,

- (a) the holder of the permission has not submitted a request to the Minister to review the conditions under subsection (9); or
- (b) the holder of the permission has submitted a request to the Minister to review the conditions under subsection (9) and,

- (i) 30 days have elapsed following the day the holder of the permission submitted the request and the Minister did not make a reply in accordance with subsection (10), or
- (ii) the Minister made a reply in accordance with subsection (10) indicating that the Minister refused to conduct the review. 2020, c. 36, Sched. 6, s. 15 (1); 2021, c. 4, Sched. 6, s. 39 (12); 2022, c. 21, Sched. 2, s. 8 (7).

Same

(20) If the Minister indicates in a reply given under subsection (10) that the Minister intends to review an authority's decision and the Minister fails to make a decision within 90 days of giving the reply, the holder of the permission may, within the next 30 days, appeal the conditions attached by the authority directly to the Ontario Land Tribunal. 2020, c. 36, Sched. 6, s. 15 (1); 2021, c. 4, Sched. 6, s. 39 (12); 2022, c. 21, Sched. 2, s. 8 (8).

Notice of appeal

(21) Notice of an appeal under subsection (19) or (20) shall be sent to the Ontario Land Tribunal and to the authority by registered mail. 2020, c. 36, Sched. 6, s. 15 (1); 2021, c. 4, Sched. 6, s. 39 (12).

Hearing by Tribunal

(22) The Ontario Land Tribunal shall fix a date for a hearing of an appeal under subsection (19) or (20), give notice to all interested parties and give all necessary direction for the hearing. 2020, c. 36, Sched. 6, s. 15 (1); 2021, c. 4, Sched. 6, s. 39 (12).

Powers of the Tribunal

(23) The Ontario Land Tribunal has authority to hear evidence and to confirm, vary, remove or add to the conditions attached to the permission as the Tribunal considers appropriate. 2020, c. 36, Sched. 6, s. 15 (1); 2021, c. 4, Sched. 6, s. 39 (12).

Agreement

(24) An authority that grants permission for a development project under this section shall enter into an agreement with respect to the development project with the holder of the permission and the authority and holder of the permission may agree to add a municipality or such other person or entity as they consider appropriate as parties to the agreement. 2020, c. 36, Sched. 6, s. 15 (1).

Content of agreement

(25) An agreement under subsection (24) shall set out actions or requirements that the holder of the permission must complete or satisfy in order to compensate for ecological impacts and any other impacts that may result from the development project. 2020, c. 36, Sched. 6, s. 15 (1).

Limitation on development

(26) No person shall begin a development project until an agreement required under subsection (24) has been entered into. 2020, c. 36, Sched. 6, s. 15 (1).

Same

(26.1) If a regulation made under this section provides that a development project may begin prior to entering into an agreement under subsection (24), but an agreement is not entered into by the date identified in the regulation, no person shall carry out the development project until an agreement is entered into. 2022, c. 21, Sched. 2, s. 8 (9).

Period of validity of permission and extension

(27) A permission granted by an authority under this section may be granted for a period of time determined in accordance with the rules that apply to permissions granted by authority under a regulation made under subsection 28 (1) and may be extended in accordance with the rules for extending permission set out in those same regulations. 2020, c. 36, Sched. 6, s. 15 (1).

Offence

(28) A person is guilty of an offence if the person contravenes,

- (a) a condition of a permission granted under this section; or
- (b) subsection (26) or (26.1) 2020, c. 36, Sched. 6, s. 15 (1); 2022, c. 21, Sched. 2, s. 8 (10).

Penalty

(29) A person who commits an offence under subsection (28) is liable on conviction,

- (a) in the case of an individual,
 - (i) to a fine of not more than \$50,000 or to a term of imprisonment of not more than three months, or to both, and
 - (ii) to an additional fine of not more than \$10,000 for each day or part of a day on which the offence occurs or continues; and
- (b) in the case of a corporation,
 - (i) to a fine of not more than \$1,000,000, and
 - (ii) to an additional fine of not more than \$200,000 for each day or part of a day on which the offence occurs or continues. 2020, c. 36, Sched. 6, s. 15 (1).

Monetary benefit

(30) Despite the maximum fines set out in clauses (29) (a) and (b), a court that convicts a person of an offence under subsection (28) may increase the fine it imposes on the person by an amount equal to the amount of the monetary benefit that was acquired by the person, or that accrued to the person, as a result of the commission of the offence. 2020, c. 36, Sched. 6, s. 15 (1).

Rehabilitation orders

(31) In addition to any penalty under subsection (29) or any other remedy or penalty provided by law, the court, upon convicting a person of an offence under subsection (28), may order the convicted person to,

- (a) remove, at the convicted person's expense, any development within such reasonable time as the court orders; and
- (b) take such actions as the court directs, within the time the court may specify, to repair or rehabilitate the damage that results from or is in any way connected to the commission of the offence. 2020, c. 36, Sched. 6, s. 15 (1).

Non-compliance with order

(32) If a person does not comply with an order under subsection (31), the authority that issued the permission under this section may arrange for any removal, repair or rehabilitation that was required in the order. 2020, c. 36, Sched. 6, s. 15 (1).

Liability for certain costs

(33) The person to whom an order is made under subsection (31) is liable for the cost of any removal, repair or rehabilitation arranged by an authority under subsection (32), and the amount is recoverable by the authority by action in a court of competent jurisdiction. 2020, c. 36, Sched. 6, s. 15 (1).

Conflict

(34) If the conditions attached to a permission granted under this section conflict with the terms of an order made under section 34.1 or 47 of the *Planning Act*, the terms of the order shall prevail. 2022, c. 21, Sched. 2, s. 8 (11).

Regulations, Minister

- (35) The Minister may make regulations,
- (a) prescribing requirements for the purposes of clause (1) (c);
 - (b) governing permissions granted under this section including,
 - (i) requiring that the permission be granted within a specified time period after the application is submitted to the authority,
 - (i.1) limiting the types of conditions that an authority may attach to a permission under this section,
 - (ii) prescribing conditions for the purposes of subsection (5), and
 - (iii) prescribing matters for the purposes of clause (6) (c);
 - (c) prescribing matters for the purposes of clause (17) (c);
 - (d) governing agreements required under subsection (24) including,
 - (i) prescribing the content of the agreements, and
 - (ii) specifying the time within which agreements are to be concluded and signed;
 - (e) specifying lands or development projects to which this section does not apply;

- (e.1) exempting lands or development projects from subsection (5), (24) or (26), subject to such conditions or restrictions as may be specified;
- (f) respecting anything that is necessary or advisable for the effective implementation or enforcement of this section. 2020, c. 36, Sched. 6, s. 15 (1); 2022, c. 21, Sched. 2, s. 8 (12, 13).

Regulations, Lieutenant-Governor in Council

(36) The Lieutenant-Governor in Council may make regulations governing Minister's reviews requested under subsection (9) and appeals under subsections (19) and (20) and specifying circumstances in which a review may not be requested or an appeal may not be made. 2020, c. 36, Sched. 6, s. 15 (1).

General or particular

(37) A regulation made under subsection (35) or (36) may be general or particular in its application. 2020, c. 36, Sched. 6, s. 15 (1).

Transition

(38) This section applies to an application for permission to carry out a development project that was submitted to an authority before the day this section came into force if the conditions described in clauses (1) (a), (b) and (c) have been satisfied as of that day. 2020, c. 36, Sched. 6, s. 15 (1).

Note: On a day to be named by proclamation of the Lieutenant Governor, section 28.0.1 of the Act is repealed. (See: 2020, c. 36, Sched. 6, s. 15 (2))

Section Amendments with date in force (d/m/y)

2020, c. 36, Sched. 6, s. 15 (1) - 08/12/2020; 2020, c. 36, Sched. 6, s. 15 (2) - not in force

2021, c. 4, Sched. 6, s. 39 (12) - 01/06/2021

2022, c. 21, Sched. 2, s. 8 (1-13) - 28/11/2022

Note: On a day to be named by proclamation of the Lieutenant Governor, the Act is amended by adding the following section: (See: 2017, c. 23, Sched. 4, s. 25)

Permits

28.1 (1) An authority may issue a permit to a person to engage in an activity specified in the permit that would otherwise be prohibited by section 28, if, in the opinion of the authority,

- (a) the activity is not likely to affect the control of flooding, erosion, dynamic beaches or pollution or the conservation of land;

Note: On the day section 25 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017* comes into force, clause 28.1 (1) (a) of the Act is repealed and the following substituted: (See: 2022, c. 21, Sched. 2, s. 9 (1))

- (a) the activity is not likely to affect the control of flooding, erosion, dynamic beaches or unstable soil or bedrock;
- (b) the activity is not likely to create conditions or circumstances that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property; and
- (c) any other requirements that may be prescribed by the regulations are met. 2017, c. 23, Sched. 4, s. 25.

Application for permit

(2) A person who wishes to engage in an activity that is prohibited under section 28 in an area situated in the jurisdiction of an authority may apply to the authority for a permit under this section. 2017, c. 23, Sched. 4, s. 25.

Same

(3) An application for a permit shall be made in accordance with the regulations and include such information as is required by regulation. 2017, c. 23, Sched. 4, s. 25.

Conditions

(4) Subject to subsection (5), an authority may issue a permit with or without conditions. 2017, c. 23, Sched. 4, s. 25.

Hearing

(5) An authority shall not refuse an application for a permit or attach conditions to a permit unless the applicant for the permit has been given an opportunity to be heard by the authority. 2017, c. 23, Sched. 4, s. 25.

Renewable energy projects

(6) In the case of an application for a permit to engage in development related to a renewable energy project as defined in subsection 2 (1) of the *Electricity Act, 1998*,

- (a) the authority shall not refuse the permit unless it is of the opinion that it is necessary to do so to control pollution, flooding, erosion or dynamic beaches; and

Note: On the day section 25 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017* comes into force, clause 28.1 (6) (a) of the Act is repealed and the following substituted: (See: 2022, c. 21, Sched. 2, s. 9 (2))

- (a) the authority shall not refuse the permit unless it is of the opinion that it is necessary to do so to control flooding, erosion, dynamic beaches or unstable soil or bedrock; and
- (b) despite subsection (4), the authority shall not impose conditions on the permit unless the conditions relate to controlling pollution, flooding, erosion or dynamic beaches. 2017, c. 23, Sched. 4, s. 25; 2018, c. 16, s. 3 (2).

Note: On the day section 25 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017* comes into force, clause 28.1 (6) (b) of the Act is repealed and the following substituted: (See: 2022, c. 21, Sched. 2, s. 9 (2))

- (b) despite subsection (4), the authority shall not attach conditions to the permit unless the conditions relate to controlling flooding, erosion, dynamic beaches or unstable soil or bedrock.

Reasons for decision

(7) If the authority, after holding a hearing, refuses a permit or issues the permit subject to conditions, the authority shall give the applicant written reasons for the decision. 2017, c. 23, Sched. 4, s. 25.

Appeal

(8) An applicant who has been refused a permit or who objects to conditions imposed on a permit may, within 30 days of receiving the reasons under subsection (7), appeal to the Minister who may,

- (a) refuse the permit; or
- (b) order the authority to issue the permit, with or without conditions. 2017, c. 23, Sched. 4, s. 25.

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 28.1 (8) of the Act is repealed and the following substituted: (See: 2020, c. 36, Sched. 6, s. 16 (2))

Request for Minister's review

(8) Subject to the regulations, where the authority refuses a permit or imposes any conditions on a permit to which the applicant objects, the applicant may, within 15 days of receiving reasons for the authority's decision, submit a request to the Minister for the Minister to review the authority's decision. 2020, c. 36, Sched. 6, s. 16 (2).

Definition

(9) In this section,

“pollution” means pollution as defined by regulation. 2017, c. 23, Sched. 4, s. 25.

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 28.1 (9) of the Act is repealed and the following substituted: (See: 2020, c. 36, Sched. 6, s. 16 (2))

Reply by Minister

(9) Within 30 days after receiving a request under subsection (8), the Minister shall reply to the request and indicate in writing to the applicant and the authority whether or not the Minister intends to conduct a review of the authority's decision. Failure on the part of the Minister to reply to a request within the 30 day period is deemed to be an indication that the Minister does not intend to review the authority's decision. 2020, c. 36, Sched. 6, s. 16 (2).

Same

(10) If a reply given under subsection (9) indicates that the Minister intends to conduct a review, the Minister may in the reply require the applicant and the authority to provide the Minister with such information as the Minister considers necessary to conduct the review. 2020, c. 36, Sched. 6, s. 16 (2).

Information

(11) The applicant and the authority shall submit to the Minister such information as was specified in the reply given under subsection (9) within the time period specified in the reply. 2020, c. 36, Sched. 6, s. 16 (2).

Publication of notice of review

(12) The Minister shall publish on the Environmental Registry notice of the Minister's intention to review a decision made by an authority and shall do so within 30 days of giving a reply to that effect under subsection (9). 2020, c. 36, Sched. 6, s. 16 (2).

No hearing required

(13) The Minister is not required to hold a hearing while conducting a review of an authority's decision. 2020, c. 36, Sched. 6, s. 16 (2).

Conferring with persons, etc.

(14) Before making a decision with respect to a review, the Minister may confer with any person or body that the Minister considers may have an interest in the review. 2020, c. 36, Sched. 6, s. 16 (2).

Minister's decision

(15) After conducting a review of an authority's decision, the Minister may confirm or vary the authority's decision or make any decision that the Minister considers appropriate, including issuing the permit subject to conditions. 2020, c. 36, Sched. 6, s. 16 (2).

Same

(16) The Minister shall base any decision under subsection (15) on the criteria set out in clauses (1) (a), (b) and (c). 2020, c. 36, Sched. 6, s. 16 (2).

Reasons

(17) If, upon conducting a review of an authority's decision, the Minister decides to refuse to issue a permit or to issue a permit subject to conditions, the Minister shall give the applicant and the authority written reasons for the decision. 2020, c. 36, Sched. 6, s. 16 (2).

Copy to authority

(18) If the Minister issues a permit under subsection (15), the Minister shall give a copy of the permit to the authority within five days after the permit is issued. 2020, c. 36, Sched. 6, s. 16 (2).

Decision final

(19) A decision made by the Minister under subsection (15) is final. 2020, c. 36, Sched. 6, s. 16 (2).

Appeal to Tribunal

(20) Within 90 days after receiving the reasons for the authority's decision under subsection (7), the applicant may appeal the authority's decision to the Local Planning Appeal Tribunal, subject to subsection (21). 2020, c. 36, Sched. 6, s. 16 (2).

Exception

(21) An applicant who submitted a request under subsection (8) for the Minister to conduct a review of an authority's decision shall not appeal the decision to the Local Planning Appeal Tribunal under subsection (20) unless,

- (a) the Minister's reply under subsection (9) indicated that the Minister refused to conduct the review; or
- (b) 30 days have elapsed following the day the applicant submitted the request for a Minister's review and the Minister has not made a reply under subsection (9). 2020, c. 36, Sched. 6, s. 16 (2).

Appeal, no decision by authority

(22) If an application for a permit is made to the authority and the application complies with subsection (3), and if the authority fails to give the applicant notice of a decision with respect to the application within 120 days after the application is made, the applicant may appeal the application directly to the Local Planning Appeal Tribunal. 2020, c. 36, Sched. 6, s. 16 (2).

Note: On the day section 25 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017* comes into force, subsection 28.1 (22) of the Act is amended by striking out "120" and substituting "90". (See: 2022, c. 21, Sched. 2, s. 9 (3))

Appeal, no decision by Minister

(23) If the Minister indicates in a reply given under subsection (9) that the Minister intends to review an authority's decision and the Minister fails to make a decision within 90 days of giving the reply, the applicant may, within the next 30 days, appeal the authority's decision directly to the Local Planning Appeal Tribunal. 2020, c. 36, Sched. 6, s. 16 (2).

Notice of Appeal

(24) A notice of an appeal under subsection (20), (22) or (23) shall be sent to the Local Planning Appeal Tribunal and to the authority by registered mail. 2020, c. 36, Sched. 6, s. 16 (2).

Hearing by Tribunal

(25) The Local Planning Appeal Tribunal shall fix a date for a hearing of an appeal under subsection (20), (22) or (23), give notice to all interested parties and give all necessary direction for the hearing. 2020, c. 36, Sched. 6, s. 16 (2).

Powers of the Tribunal

(26) The Local Planning Appeal Tribunal has authority to take evidence, to refuse the permit or to order the authority to issue the permit, with or without conditions. 2020, c. 36, Sched. 6, s. 16 (2).

Note: On the later of the day section 2 of Schedule 6 to the *Accelerating Access to Justice Act, 2021* comes into force and the day subsection 16 (2) of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* comes into force, section 28.1 of the Act is amended by striking out “Local Planning Appeal Tribunal” wherever it appears and substituting in each case “Ontario Land Tribunal”. (See: 2021, c. 4, Sched. 6, s. 39 (13))

Section Amendments with date in force (d/m/y)

2017, c. 23, Sched. 4, s. 25 - not in force

2018, c. 16, s. 3 (2) - 01/01/2019

2020, c. 36, Sched. 6, s. 16 (1) - no effect - see 2022, c. 21, Sched. 2, s. 15 - 28/11/2022; 2020, c. 36, Sched. 6, s. 16 (2) - not in force

2021, c. 4, Sched. 6, s. 39 (13) - not in force

2022, c. 21, Sched. 2, s. 9 (1-3) - not in force

Note: On a day to be named by proclamation of the Lieutenant Governor, the Act is amended by adding the following sections: (See: 2020, c. 36, Sched. 6, s. 17)

Permits issued by Minister

Minister’s order

28.1.1 (1) Despite subsection 28.1 (1) and subject to the regulations, the Minister may, by order,

- (a) direct an authority not to issue a permit to a person who wishes to engage in a specified activity that, without the permit, would be prohibited under section 28 in the area of jurisdiction of the authority; or
- (b) direct the authorities that are specified in the order not to issue permits to persons who may wish to engage in a type or class of activity described in the order that, without the permit, would be prohibited under section 28 and to continue to refrain from doing so for such period as may be specified in the order. 2020, c. 36, Sched. 6, s. 17.

Minister’s power

(2) If an order is made under subsection (1), the Minister has the power to issue a permit to engage in any activity described in the order that would otherwise be prohibited under section 28 if, in the Minister’s opinion, the criteria described in clauses 28.1 (1) (a), (b) and (c) are satisfied. 2020, c. 36, Sched. 6, s. 17.

Same

(3) An order made under clause (1) (a) may be made either before or after an application for a permit has been submitted to the relevant authority. 2020, c. 36, Sched. 6, s. 17.

Same

(4) An order made under clause (1) (b) may provide that it applies to activities even if applications for permits have been submitted to the relevant authorities and decisions with respect to the applications are currently pending. 2020, c. 36, Sched. 6, s. 17.

Notice of order

(5) Notice of an order made under subsection (1) shall be,

- (a) given to every authority that is directed by the order not to issue one or more permits;
- (b) given to any person who submitted an application for the permits in question before the order was made where the application is still pending; and
- (c) posted on the Environmental Registry within 30 days of being made. 2020, c. 36, Sched. 6, s. 17.

Information forwarded to Minister

(6) If an application for a permit to engage in an activity is submitted to an authority under section 28.1 before the day an order is made under this section directing the authority to not issue such a permit,

- (a) the authority shall forward to the Minister all documents and information relating to the application that were submitted by the applicant and shall do so within the time period set out in the order, if any; and
- (b) the applicant shall forward to the Minister such further information as the Minister may specify in the order and shall do so within the time period set out in the order, if any. 2020, c. 36, Sched. 6, s. 17.

Application to Minister

(7) If an order is made under this section that prevents an authority from issuing a permit to engage in an activity in circumstances where an application for such a permit has not yet been submitted to the authority but may be submitted in the future,

- (a) any person who wishes to engage in the activity shall submit to the Minister,
 - (i) an application for a permit to do so that includes such information as may be specified in the regulation,
 - (ii) a fee in the same amount as the fee that the person would have paid to the authority had the application been submitted to the authority, and
 - (iii) any information that the Minister believes is necessary to make a determination with respect to the issuance of the permit and that may be specified in the order; and
- (b) if the authority receives an application for such a permit after the day the order is made, the authority shall direct the applicant to submit the application in accordance with clause (a). 2020, c. 36, Sched. 6, s. 17.

Conferring with persons, etc.

(8) Before making a decision with respect to an application for a permit, the Minister may confer with any person or body that the Minister considers may have an interest in the application. 2020, c. 36, Sched. 6, s. 17.

Conditions

(9) The Minister may issue a permit subject to such conditions as the Minister determines are appropriate. 2020, c. 36, Sched. 6, s. 17.

Reasons

(10) If the Minister refuses a permit or issues a permit subject to conditions, the Minister shall give the applicant written reasons for the decision and shall provide a copy of the reasons to the relevant authority. 2020, c. 36, Sched. 6, s. 17.

Copy to authority

(11) If the Minister issues a permit under this section, the Minister shall give a copy of the permit to the authority that has jurisdiction over the watershed for which the permit is valid within five days after the permit is issued. 2020, c. 36, Sched. 6, s. 17.

Decision final

(12) A decision made by the Minister with respect to an application for a permit is final. 2020, c. 36, Sched. 6, s. 17.

Appeal

(13) If an application for a permit is made or forwarded to the Minister under this section and the application complies with the requirements of subsection 28.1 (3) or clause (7) (a) of this section, as the case may be, and if the Minister fails to give the applicant notice of a decision with respect to the application within 90 days after the application is made, the applicant may appeal the application directly to the Local Planning Appeal Tribunal. 2020, c. 36, Sched. 6, s. 17.

Same

(14) Subsections 28.1 (24), (25) and (26) apply with necessary modifications to an appeal to the Local Planning Appeal Tribunal made under subsection (13). 2020, c. 36, Sched. 6, s. 17.

Note: On the later of the day section 2 of Schedule 6 to the *Accelerating Access to Justice Act, 2021* comes into force and the day section 17 of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* comes into force, section 28.1.1 of the Act is amended by striking out “Local Planning Appeal Tribunal” wherever it appears and substituting in each case “Ontario Land Tribunal”. (See: 2021, c. 4, Sched. 6, s. 39 (14))

Section Amendments with date in force (d/m/y)

2020, c. 36, Sched. 6, s. 17 - not in force

2021, c. 4, Sched. 6, s. 39 (14) - not in force

Mandatory permits, zoning orders

28.1.2 (1) This section applies to any application submitted to an authority under section 28.1 for a permit to carry out a development project in the authority's area of jurisdiction if,

- (a) a zoning order has been made by the Minister of Municipal Affairs and Housing under section 47 of the *Planning Act* authorizing the development project under that Act;

Note: On the day section 17 of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020 comes into force, clause 28.1.2 (1) (a) of the Act is revoked and the following substituted: (See: 2022, c. 21, Sched. 2, s. 10 (1))

- (a) an order has been made by the Minister of Municipal Affairs and Housing under section 34.1 or 47 of the *Planning Act* authorizing the development project under that Act;
- (b) the lands in the authority's area of jurisdiction on which the development project is to be carried out are not located in the Greenbelt Area designated under section 2 of the *Greenbelt Act, 2005*; and
- (c) such other requirements as may be prescribed are satisfied. 2020, c. 36, Sched. 6, s. 17.

Definition

(2) In this section,

“development project” means a development project that includes any development activity as defined in subsection 28 (5) and any other act or activity that, without a permit issued under this section or section 28.1, would be prohibited under section 28. 2020, c. 36, Sched. 6, s. 17.

Note: On the day section 17 of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020 comes into force, the definition of “development project” in subsection 28.1.2 (2) of the Act is repealed and the following substituted: (See: 2022, c. 21, Sched. 2, s. 10 (2))

“development project” means development activity as defined in subsection 28 (5) or any other act or activity that, without a permit issued under this section or section 28.1, would be prohibited under section 28.

Permit to be issued

(3) Subject to the regulations, an authority that receives an application for a permit to carry out a development project in the authority's area of jurisdiction shall issue the permit if all of the requirements in clauses (1) (a), (b) and (c) are satisfied. 2020, c. 36, Sched. 6, s. 17.

Same

(4) For greater certainty, an authority shall not refuse to issue a permit to carry out a development project under subsection (3) despite,

- (a) the prohibitions in subsection 28 (1) and the fact that the development project may not meet the criteria for issuing a permit under subsection 28.1 (1); and
- (b) anything in subsection 3 (5) of the *Planning Act*. 2020, c. 36, Sched. 6, s. 17.

Conditions prescribed by regulations

(5) A permission granted under this section is subject to such conditions as may be prescribed. 2020, c. 36, Sched. 6, s. 17.

Note: On the day section 17 of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020 comes into force, subsection 28.1.2 (5) of the Act is amended by striking out “permission” and substituting “permit”. (See: 2022, c. 21, Sched. 2, s. 10 (3))

Conditions specified by authority

(6) Subject to subsection (7), an authority may attach conditions to the permit, including conditions to mitigate,

- (a) any effects the development project is likely to have on the control of flooding, erosion, dynamic beaches or pollution or the conservation of land;

Note: On the day section 17 of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020 comes into force, clause 28.1.2 (6) (a) of the Act is repealed and the following substituted: (See: 2022, c. 21, Sched. 2, s. 10 (4))

- (a) any effects the development project is likely to have on the control of flooding, erosion, dynamic beaches or unstable soil or bedrock;
- (b) any conditions or circumstances created by the development project that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property; or

(c) any other matters that may be prescribed by regulation. 2020, c. 36, Sched. 6, s. 17.

Hearing

(7) An authority shall not attach conditions to a permit unless the applicant for the permit has been given an opportunity to be heard by the authority. 2020, c. 36, Sched. 6, s. 17.

Reasons for conditions

(8) If, after holding a hearing, an authority issues a permit subject to conditions, the authority shall give the permit holder written reasons for deciding to attach the conditions. 2020, c. 36, Sched. 6, s. 17.

Request for Minister's review

(9) A permit holder who objects to the conditions proposed in the reasons given under subsection (8) may, within 15 days of the reasons being given, submit a request to the Minister for the Minister to review the proposed conditions, subject to the regulations. 2020, c. 36, Sched. 6, s. 17.

Note: On the day section 17 of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020 comes into force, subsection 28.1.2 (9) of the Act is repealed and the following substituted: (See: 2022, c. 21, Sched. 2, s. 10 (5))

Request for Minister's review

(9) A permit holder who objects to any conditions attached to the permit by an authority may, within 15 days of the reasons being given under subsection (8), submit a request to the Minister for the Minister to review the conditions, subject to the regulations. 2022, c. 21, Sched. 2, s. 10 (5).

Minister's review

(10) Subsections 28.1 (9) to (14) apply with necessary modifications to a Minister's review conducted pursuant to a request made under subsection (9). 2020, c. 36, Sched. 6, s. 17.

Minister's decision

(11) After conducting a review of an authority's decision, the Minister may confirm or vary the conditions that the authority proposes to attach to a permit, including removing conditions or requiring that such additional conditions be attached to the permit as the Minister considers appropriate. 2020, c. 36, Sched. 6, s. 17.

Note: On the day section 17 of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020 comes into force, subsection 28.1.2 (11) of the Act is amended by striking out "conditions that the authority proposes to attach to a permit" and substituting "conditions attached by the authority to a permit". (See: 2022, c. 21, Sched. 2, s. 10 (6))

Same

(12) In making a decision under subsection (11), the Minister shall consider,

- (a) effects the development project is likely to have on the control of flooding, erosion, dynamic beaches or pollution or the conservation of land;

Note: On the day section 17 of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020 comes into force, clause 28.1.2 (12) (a) of the Act is repealed and the following substituted: (See: 2022, c. 21, Sched. 2, s. 10 (7))

- (a) effects the development project is likely to have on the control of flooding, erosion, dynamic beaches or unstable soil or bedrock;
- (b) conditions or circumstances created by the development project that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property; or
- (c) any other matters as may be prescribed by the regulations. 2020, c. 36, Sched. 6, s. 17.

Decision final

(13) A decision made by the Minister under subsection (11) is final. 2020, c. 36, Sched. 6, s. 17.

Appeal

(14) A permit holder who objects to the conditions proposed by an authority in the reasons given under subsection (8) may, within 90 days of the reasons being issued, appeal to the Local Planning Appeal Tribunal to review the conditions if,

Note: On the day section 17 of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020 comes into force, subsection 28.1.2 (14) of the Act is amended by striking out the portion before clause (a) and substituting the following: (See: 2022, c. 21, Sched. 2, s. 10 (8))

Appeal

(14) A permit holder who objects to any conditions attached to the permit by an authority may, within 90 days of the reasons being given under subsection (8), appeal to the Local Planning Appeal Tribunal to review the conditions if,

- (a) the permit holder has not submitted a request under subsection (9) to the Minister to review the conditions; or
- (b) the permit holder has submitted a request to the Minister to review the conditions under subsection (9) and,
 - (i) 30 days have elapsed following the day the permit holder submitted the request and the Minister did not make a reply in accordance with subsection 28.1 (9), or
 - (ii) the Minister made a reply in accordance with subsection 28.1 (9) indicating that the Minister refused to conduct the review. 2020, c. 36, Sched. 6, s. 17.

Same

(15) If the Minister indicates in a reply given in accordance with subsection 28.1 (9) that the Minister intends to review an authority's decision and the Minister fails to make a decision within 90 days of giving the reply, the permit holder may, within the next 30 days, appeal the conditions proposed by the authority directly to the Local Planning Appeal Tribunal. 2020, c. 36, Sched. 6, s. 17.

Note: On the day section 17 of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020 comes into force, subsection 28.1.2 (15) of the Act is amended by striking out "proposed" and substituting "attached". (See: 2022, c. 21, Sched. 2, s. 10 (9))

Same

(16) Subsections 28.1 (24), (25) and (26) apply with necessary modifications to an appeal made under subsection (14) or (15). 2020, c. 36, Sched. 6, s. 17.

Agreement

(17) An authority that issues a permit to carry out a development project under this section shall enter into an agreement with respect to the development project with the permit holder and the authority and the permit holder may add a municipality or such other person or entity as they consider appropriate as parties to the agreement. 2020, c. 36, Sched. 6, s. 17.

Content of agreement

(18) An agreement under subsection (17) shall set out actions or requirements that the permit holder must complete or satisfy in order to compensate for ecological impacts and any other impacts that may result from the development project. 2020, c. 36, Sched. 6, s. 17.

Limitation on development

(19) No person shall begin a development project until an agreement required under subsection (17) has been entered into. 2020, c. 36, Sched. 6, s. 17.

Note: On the day section 17 of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020 comes into force, section 28.1.2 of the Act is amended by adding the following subsection: (See: 2022, c. 21, Sched. 2, s. 10 (10))

Same

(19.1) If a regulation made under subsection 40 (4) provides that a development project may begin prior to entering into an agreement under subsection (17), but an agreement is not entered into by the date identified in the regulation, no person shall carry out the development project until such time the agreement is entered into. 2022, c. 21, Sched. 2, s. 10 (10).

Conflict

(20) If the conditions in a permit issued under this section conflict with the terms of a zoning order made under section 47 of the *Planning Act*, the terms of the zoning order shall prevail. 2020, c. 36, Sched. 6, s. 17.

Note: On the day section 17 of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020 comes into force, subsection 28.1.2 (20) of the Act is repealed and the following substituted: (See: 2022, c. 21, Sched. 2, s. 10 (11))

Conflict

(20) If the conditions attached to a permit issued under this section conflict with the terms of an order made under section 34.1 or 47 of the *Planning Act*, the terms of the order shall prevail. 2022, c. 21, Sched. 2, s. 10 (11).

Note: On the later of the day section 2 of Schedule 6 to the *Accelerating Access to Justice Act*, 2021 comes into force and the day section 17 of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020 comes into force, section 28.1.2 of the Act is amended by striking out "Local Planning Appeal Tribunal" wherever it appears and substituting in each case "Ontario Land Tribunal". (See: 2021, c. 4, Sched. 6, s. 39 (14))

Section Amendments with date in force (d/m/y)

2020, c. 36, Sched. 6, s. 17 - not in force

2021, c. 4, Sched. 6, s. 39 (14) - not in force

2022, c. 21, Sched. 2, s. 10 (1-11) - not in force

Note: On a day to be named by proclamation of the Lieutenant Governor, the Act is amended by adding the following sections: (See: 2017, c. 23, Sched. 4, s. 25)

Period of validity

28.2 A permit shall be valid for a period to be determined in accordance with the regulations. 2017, c. 23, Sched. 4, s. 25.

Section Amendments with date in force (d/m/y)

2017, c. 23, Sched. 4, s. 25 - not in force

Cancellation of permits

28.3 (1) An authority may cancel a permit issued under section 28.1 if it is of the opinion that the conditions of the permit have not been met or that the circumstances that are prescribed by regulation exist. 2017, c. 23, Sched. 4, s. 25.

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 28.3 (1) of the Act is amended by striking out “section 28.1” and substituting “section 28.1 or 28.1.1”. (See: 2020, c. 36, Sched. 6, s. 18 (1))

Notice

(2) Before cancelling a permit, an authority shall give a notice of intent to cancel to the permit holder indicating that the permit will be cancelled on a date specified in the notice unless the holder requests a hearing under subsection (3). 2017, c. 23, Sched. 4, s. 25.

Request for hearing

(3) Within 15 days of receiving a notice of intent to cancel a permit from the authority, the permit holder may submit a written request for a hearing to the authority. 2017, c. 23, Sched. 4, s. 25.

Hearing

(4) The authority shall set a date for the hearing and hold the hearing within a reasonable time after receiving a request for a hearing. 2017, c. 23, Sched. 4, s. 25.

Power

(5) After a hearing, the authority may confirm, rescind or vary the decision to cancel a permit. 2017, c. 23, Sched. 4, s. 25.

Note: On a day to be named by proclamation of the Lieutenant Governor, section 28.3 of the Act is amended by adding the following subsections: (See: 2020, c. 36, Sched. 6, s. 18 (2))

Appeal

(6) If the authority confirms the cancellation of a permit or makes another order under subsection (5) to which the permit holder objects, the permit holder may, within 90 days of receiving notice of the authority’s decision, appeal the decision to the Local Planning Appeal Tribunal. 2020, c. 36, Sched. 6, s. 18 (2).

Same

(7) A notice of an appeal under subsection (6) shall be sent to the Local Planning Appeal Tribunal and to the authority by registered mail. 2020, c. 36, Sched. 6, s. 18 (2).

Hearing

(8) The Local Planning Appeal Tribunal shall fix a date for a hearing of an appeal under subsection (6), give notice to all interested parties and give all necessary direction for the hearing. 2020, c. 36, Sched. 6, s. 18 (2).

Powers of the Tribunal

(9) The Local Planning Appeal Tribunal has authority to take evidence, to confirm, rescind or vary the decision to cancel the permit, with or without conditions. 2020, c. 36, Sched. 6, s. 18 (2).

Note: On the later of the day section 2 of Schedule 6 to the *Accelerating Access to Justice Act, 2021* comes into force and the day subsection 18 (2) of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* comes into force, section 28.3 of the Act is amended by striking out “Local Planning Appeal Tribunal” wherever it appears and substituting in each case “Ontario Land Tribunal”. (See: 2021, c. 4, Sched. 6, s. 39 (15))

Section Amendments with date in force (d/m/y)

2017, c. 23, Sched. 4, s. 25 - not in force

2020, c. 36, Sched. 6, s. 18 (1, 2) - not in force

2021, c. 4, Sched. 6, s. 39 (15) - not in force

Delegation of power

28.4 An authority may delegate any of its powers relating to the issuance or cancellation of permits under this Act or the regulations, or to the holding of hearings in relation to the permits, to the authority's executive committee or to any other person or body, subject to any limitations or requirements that may be prescribed by regulation. 2017, c. 23, Sched. 4, s. 25.

Section Amendments with date in force (d/m/y)

2017, c. 23, Sched. 4, s. 25 - not in force

Note: On a day to be named by proclamation of the Lieutenant Governor, the Act is amended by adding the following section: (See: 2017, c. 23, Sched. 4, s. 26)

Regulations: activities affecting natural resources

28.5 (1) The Lieutenant Governor in Council may make regulations with respect to activities that may impact the conservation, restoration, development or management of natural resources and that may be carried out in the areas of jurisdiction of authorities, including regulations,

- (a) identifying activities that have or may have an impact on the conservation, restoration, development or management of natural resources for the purposes of the regulation;
- (b) regulating those activities;
- (c) prohibiting those activities or requiring that a person obtain a permit from the relevant authority to engage in the activities in the authority's area of jurisdiction. 2017, c. 23, Sched. 4, s. 26.

Same

(2) A regulation under clause (1) (c) that requires that a person obtain a permit from the relevant authority to engage in an activity described in subsection (1) may,

- (a) provide for applications to be made to an authority for the permit and specify the manner, content and form of the application;
- (b) provide for the issuance, expiration, renewal and cancellation of a permit;
- (c) require hearings in relation to any matter referred to in clauses (a) and (b) and specify the person before whom, or the body before which, the matter shall be heard, provide for notices and other procedural matters relating to the hearing and provide for an appeal from any decision. 2017, c. 23, Sched. 4, s. 26.

Same

(3) A regulation made under this section may be limited in its application to one or more authorities or activities. 2017, c. 23, Sched. 4, s. 26.

Section Amendments with date in force (d/m/y)

2017, c. 23, Sched. 4, s. 26 - not in force

Regulations by authority re lands owned by it

29 (1) An authority may make regulations applicable to lands owned by the authority,

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 29 (1) of the Act is amended by striking out the portion before clause (a) and substituting the following: (See: 2017, c. 23, Sched. 4, s. 27 (1))

Regulations: public use of authority's property

(1) The Minister may make regulations with respect to land and other property owned by authorities including regulations,

- (a) regulating and governing the use by the public of the lands and the works, vehicles, boats, services and things of the authority;
- (b) providing for the protection and preservation from damage of the property of the authority;
- (c) prescribing fees for the occupation and use of lands and works, vehicles, boats, recreational facilities and services;

- (d) prescribing permits designating privileges in connection with use of the lands or any part thereof and prescribing fees for permits;
- (e) regulating and governing vehicular and pedestrian traffic and prohibiting the use of any class of vehicle or classes of vehicles;
- (f) prohibiting or regulating and governing the erection, posting up or other display of notices, signs, sign boards and other advertising devices;
- (g) prescribing terms and conditions under which horses, dogs and other animals may be allowed on the lands or any part thereof;
- (h) subject to the *Forest Fires Prevention Act* and the regulations made thereunder, prohibiting or regulating and governing the use, setting and extinguishment of fires. R.S.O. 1990, c. C.27, s. 29 (1); 1998, c. 18, Sched. I, s. 13 (1).

Regulations by L.G. in C. governing content of authority's regulations

(1.1) The Lieutenant Governor in Council may make regulations governing the content of regulations made under subsection (1), including the standards that may be used, and setting out what must be included or excluded from regulations made under subsection (1). 1998, c. 18, Sched. I, s. 13 (2).

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 29 (1.1) of the Act is repealed. (See: 2017, c. 23, Sched. 4, s. 27 (2))

Invalid regulation

(1.2) A regulation made under subsection (1) that does not conform with the requirements of a regulation made under subsection (1.1) is not valid unless it has been approved by the Minister. 1998, c. 18, Sched. I, s. 13 (2).

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 29 (1.2) of the Act is repealed. (See: 2017, c. 23, Sched. 4, s. 27 (2))

Offence: contravening regulation

(2) Every person who contravenes any regulation made under this section is guilty of an offence and on conviction is liable to a fine of not more than \$1,000. R.S.O. 1990, c. C.27, s. 29 (2); 1998, c. 18, Sched. I, s. 13 (3).

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 29 (2) of the Act is repealed and the following substituted: (See: 2017, c. 23, Sched. 4, s. 27 (2))

Same

(2) A regulation made under this section may be limited in its application to one or more authorities. 2017, c. 23, Sched. 4, s. 27 (2).

Section Amendments with date in force (d/m/y)

1998, c. 18, Sched. I, s. 13 (1-3) - 18/12/1998

2017, c. 23, Sched. 4, s. 27 (1, 2) - not in force

30 REPEALED: 2017, c. 23, Sched. 4, s. 28.

Section Amendments with date in force (d/m/y)

2006, c. 21, Sched. F, s. 105 - 25/07/2007

2017, c. 23, Sched. 4, s. 28 - 12/12/2017

Restriction on entry

30.1 (1) An authority or an officer appointed under a regulation made under clause 28 (1) (d) or (e) shall not enter land without,

- (a) the consent of the owner of the land and, if the occupier of the land is not the owner, the consent of the occupier of the land; or
- (b) the authority of a warrant under the *Provincial Offences Act*. 1998, c. 18, Sched. I, s. 14.

Exceptions

(2) Subsection (1) does not apply to entry under clause 21 (1) (b) or subsection 28 (20). 1998, c. 18, Sched. I, s. 14.

Note: On a day to be named by proclamation of the Lieutenant Governor, section 30.1 of the Act is repealed and the following substituted: (See: 2017, c. 23, Sched. 4, s. 29)

PART VII ENFORCEMENT AND OFFENCES

Appointment of officers

30.1 An authority may appoint officers for the purposes of ensuring compliance with this Act and the regulations. 2017, c. 23, Sched. 4, s. 29.

Section Amendments with date in force (d/m/y)

1998, c. 18, Sched. I, s. 14 - 18/12/1998

2017, c. 23, Sched. 4, s. 29 - not in force

Entry without warrant

30.2 (1) An officer appointed by an authority under section 30.1 may, subject to subsections (2) and (3), enter any land situated in the authority's area of jurisdiction for the purposes of determining compliance with subsection 28 (1), a regulation made under subsection 28 (3) or section 28.5 or with the conditions of a permit issued under section 28.1 or under a regulation made under clause 28.5 (1) (c). 2017, c. 23, Sched. 4, s. 29.

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 30.2 (1) of the Act is repealed and the following substituted: (See: 2020, c. 36, Sched. 6, s. 19 (1))

Entry without warrant, permit application

(1) An officer appointed by an authority under section 30.1 may enter any land situated in the authority's area of jurisdiction, without a warrant and without the consent of the owner or occupier, if,

- (a) an application has been submitted under section 28.1 or 28.1.1 for a permit to engage in an activity with respect to the land;
- (b) the entry is for the purpose of determining whether to issue a permit; and
- (c) the officer has given reasonable notice of the entry to the owner or occupier of the property. 2020, c. 36, Sched. 6, s. 19 (1).

Entry without warrant, compliance

(1.1) An officer appointed by an authority under section 30.1 may enter any land situated in the authority's area of jurisdiction, without a warrant and without the consent of the owner or occupier, if,

- (a) the entry is for the purpose of ensuring compliance with subsection 28 (1) or 28.1.2 (19), a regulation made under section 28.5 or with the conditions of a permit issued under section 28.1, 28.1.1 or 28.1.2 or issued under a regulation made under clause 28.5 (1) (c);

Note: On the day subsection 19 (1) of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020 comes into force, clause 30.2 (1.1) (a) of the Act is repealed and the following substituted: (See: 2022, c. 21, Sched. 2, s. 11 (1))

- (a) the entry is for the purpose of ensuring compliance with subsection 28 (1), 28.1.2 (19) or 28.1.2 (19.1), with a regulation made under section 28.5 or with the conditions of a permit issued under section 28.1, 28.1.1 or 28.1.2 or issued under a regulation made under clause 28.5 (1) (c);
- (b) the officer has reasonable grounds to believe that a contravention of a provision of the Act or a regulation referred to in clause (a) or of a condition of a permit referred to in clause (a) is causing or is likely to cause significant damage and,
 - (i) the damage affects or is likely to affect the control of flooding, erosion, dynamic beaches or pollution or the conservation of land, or

Note: On the day subsection 19 (1) of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020 comes into force, subclause 30.2 (1.1) (b) (i) of the Act is repealed and the following substituted: (See: 2022, c. 21, Sched. 2, s. 11 (2))

- (i) the damage affects or is likely to affect the control of flooding, erosion, dynamic beaches or unstable soil or bedrock, or
 - (ii) in the event of a natural hazard, the damage will or is likely to create conditions or circumstances that might jeopardize the health and safety of persons or result in damage or destruction of property; and
- (c) the officer has reasonable grounds to believe that the entry is required to prevent or reduce the effects or risks described in clause (b). 2020, c. 36, Sched. 6, s. 19 (1).

No entry to buildings

(2) The power to enter land under subsection (1) does not authorize the entry into a dwelling or other building situated on the land. 2017, c. 23, Sched. 4, s. 29.

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 30.2 (2) of the Act is amended by striking out “subsection (1)” and substituting “subsection (1) or (1.1)”. (See: 2020, c. 36, Sched. 6, s. 19 (2))

Time of entry

(3) The power to enter land under subsection (1) may be exercised at any reasonable time. 2017, c. 23, Sched. 4, s. 29.

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 30.2 (3) of the Act is amended by striking out “subsection (1)” and substituting “subsection (1) or (1.1)”. (See: 2020, c. 36, Sched. 6, s. 19 (2))

Power upon entry

(4) An officer who enters land under subsection (1) may do any of the following things:

1. Inspect any thing that is relevant to the inspection.
2. Conduct any tests, take any measurements, take any specimens or samples, set up any equipment and make any photographic or other records that may be relevant to the inspection.
3. Ask any questions that are relevant to the inspection to the occupant of the land. 2017, c. 23, Sched. 4, s. 29.

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 30.2 (4) of the Act is amended by striking out “subsection (1)” and substituting “subsection (1) or (1.1)”. (See: 2020, c. 36, Sched. 6, s. 19 (2))

No use of force

(5) Subsection (1) does not authorize the use of force. 2017, c. 23, Sched. 4, s. 29.

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 30.2 (5) of the Act is amended by striking out “subsection (1)” and substituting “subsection (1) or (1.1)”. (See: 2020, c. 36, Sched. 6, s. 19 (2))

Experts, etc.

(6) An officer who enters land under this section may be accompanied and assisted by any person with such knowledge, skills or expertise as may be required for the purposes of the inspection. 2017, c. 23, Sched. 4, s. 29.

Section Amendments with date in force (d/m/y)

2017, c. 23, Sched. 4, s. 29 - not in force

2020, c. 36, Sched. 6, s. 19 (1, 2) - not in force

2022, c. 21, Sched. 2, s. 11 (1, 2) - not in force

Searches

Search with warrant

30.3 (1) An officer may obtain a search warrant under Part VIII of the *Provincial Offences Act* in respect of an offence under this Act. 2017, c. 23, Sched. 4, s. 29.

Assistance

(2) The search warrant may authorize any person specified in the warrant to accompany and assist the officer in the execution of the warrant. 2017, c. 23, Sched. 4, s. 29.

Search without warrant

(3) If an officer has reasonable grounds to believe that there is something on land that will afford evidence of an offence under this Act but that the time required to obtain a warrant would lead to the loss, removal or destruction of the evidence, the officer may, without warrant, enter and search the land. 2017, c. 23, Sched. 4, s. 29.

No entry to buildings

(4) The power to enter land under subsection (3) does not authorize the entry into a dwelling or other building situated on the land. 2017, c. 23, Sched. 4, s. 29.

Section Amendments with date in force (d/m/y)

2017, c. 23, Sched. 4, s. 29 - not in force

Stop order

30.4 (1) An officer appointed under section 30.1 may make an order requiring a person to stop engaging in or not to engage in an activity if the officer has reasonable grounds to believe that the person is engaging in the activity, has engaged in the activity or is about to engage in the activity and, as a result, is contravening,

- (a) subsection 28 (1) or a regulation made under subsection 28 (3) or under section 28.5; or
- (b) the conditions of a permit that was issued under section 28.1 or under a regulation made under clause 28.5 (1) (c). 2017, c. 23, Sched. 4, s. 29.

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 30.4 (1) of the Act is repealed and the following substituted: (See: 2020, c. 36, Sched. 6, s. 20 (1))

Stop order

(1) An officer appointed under section 30.1 may make an order requiring a person to stop engaging in or not to engage in an activity if the officer has reasonable grounds to believe that,

- (a) the person has engaged in, is engaging in or is about to engage in the activity and, as a result, is contravening or will contravene,
 - (i) subsection 28 (1) or 28.1.2 (19) or a regulation made under section 28.5, or

Note: On the day subsection 20 (1) of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020 comes into force, subclause 30.4 (1) (a) (i) of the Act is repealed and the following substituted: (See: 2022, c. 21, Sched. 2, s. 12 (1))

- (i) subsection 28 (1), 28.1.2 (19) or 28.1.2 (19.1) or a regulation made under section 28.5, or
 - (ii) the conditions of a permit issued under section 28.1, 28.1.1 or 28.1.2 or issued under a regulation made under clause 28.5 (1) (c);
- (b) the activity has caused, is causing or is likely to cause significant damage and,
 - (i) the damage affects or is likely to affect the control of flooding, erosion, dynamic beaches or the pollution or the conservation of land, or

Note: On the day subsection 20 (1) of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020 comes into force, subclause 30.4 (1) (b) (i) of the Act is repealed and the following substituted: (See: 2022, c. 21, Sched. 2, s. 12 (2))

- (i) the damage affects or is likely to affect the control of flooding, erosion, dynamic beaches or unstable soil or bedrock, or
 - (ii) in the event of a natural hazard, the damage will or is likely to create conditions or circumstances that might jeopardize the health and safety of persons or result in damage or destruction of property; and
- (c) the order will prevent or reduce the damage described in clause (b). 2020, c. 36, Sched. 6, s. 20 (1).

Information to be included in order

(2) The order shall,

- (a) specify the provision that the officer believes is being, has been or is about to be contravened;
- (b) briefly describe the nature of the contravention and its location; and
- (c) state that a hearing on the order may be requested in accordance with this section. 2017, c. 23, Sched. 4, s. 29.

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 30.4 (2) of the Act is repealed and the following substituted: (See: 2020, c. 36, Sched. 6, s. 20 (1))

Information to be included in the order

(2) The order shall,

- (a) specify the provision that the officer believes is being or is about to be contravened;
- (b) briefly describe the nature of the contravention and its location;
- (c) briefly describe the nature of the damage being caused or likely to be caused by the activity; and
- (d) state that a hearing on the order may be requested in accordance with this section. 2020, c. 36, Sched. 6, s. 20 (1).

Service of order

(3) An order under this section shall be served personally or by registered mail addressed to the person against whom the order is made at the person's last known address. 2017, c. 23, Sched. 4, s. 29.

Registered mail

(4) An order served by registered mail shall be deemed to have been served on the fifth day after the day of mailing, unless the person served establishes that the person did not, acting in good faith, through absence, accident, illness or other cause beyond the person's control, receive the order until a later date. 2017, c. 23, Sched. 4, s. 29.

Effective date

(5) An order under this section takes effect when it is served, or at such later time as is specified in the order. 2017, c. 23, Sched. 4, s. 29.

Right to hearing

(6) A person who is served with an order under this section may request a hearing before the authority or, if the authority so directs, before the authority's executive committee by mailing or delivering to the authority, within 30 days after service of the order, a written request for a hearing that includes a statement of the reasons for requesting the hearing. 2017, c. 23, Sched. 4, s. 29.

Powers of authority

(7) After holding a hearing, the authority or executive committee, as the case may be, shall,

- (a) confirm the order;
- (b) amend the order; or
- (c) remove the order, with or without conditions. 2017, c. 23, Sched. 4, s. 29.

Reasons for decision

(8) The authority or executive committee, as the case may be, shall give the person who requested the hearing written reasons for the decision. 2017, c. 23, Sched. 4, s. 29.

Appeal

(9) Within 30 days after receiving the reasons mentioned in subsection (8), the person who requested the hearing may appeal to the Minister and, after reviewing the submissions, the Minister may,

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 30.4 (9) of the Act is amended by striking out the portion before clause (a) and substituting the following: (See: 2020, c. 36, Sched. 6, s. 20 (2))

Appeal

(9) Within 30 days after receiving the reasons in subsection (8), the person who requested the hearing may appeal to the Minister or to a body prescribed by the regulations and, after reviewing the submissions, the Minister or the prescribed body may,

- (a) confirm the order;
- (b) amend the order; or
- (c) remove the order, with or without conditions. 2017, c. 23, Sched. 4, s. 29.

Section Amendments with date in force (d/m/y)

2017, c. 23, Sched. 4, s. 29 - not in force

2020, c. 36, Sched. 6, s. 20 (1, 2) - not in force

2022, c. 21, Sched. 2, s. 12 (1, 2) - not in force

Offences

30.5 (1) Every person is guilty of an offence if he or she contravenes,

- (a) subsection 28 (1) or a regulation made under subsection 28 (3) or under section 28.5;
- (b) the conditions of a permit that was issued under section 28.1 or under a regulation made under clause 28.5 (1) (c); or
- (c) a stop order issued under section 30.4. 2017, c. 23, Sched. 4, s. 29.

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 30.5 (1) of the Act is repealed and the following substituted: (See: 2020, c. 36, Sched. 6, s. 21)

Offences

(1) Every person is guilty of an offence if the person contravenes,

- (a) subsection 28 (1) or 28.1.2 (19);

Note: On the day section 21 of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020 comes into force, clause 30.5 (1) (a) of the Act is repealed and the following substituted: (See: 2022, c. 21, Sched. 2, s. 13 (1))

- (a) subsection 28 (1), 28.1.2 (19) or 28.1.2 (19.1);

- (b) a regulation respecting activities permitted under subsection 28 (3) or (4) or a regulation made under section 28.5;

Note: On the day section 21 of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020 comes into force, clause 30.5 (1) (b) of the Act is amended by striking out “subsection 28 (3) or (4)” substituting “subsection 28 (3), (4) or (4.1)”. (See: 2022, c. 21, Sched. 2, s. 13 (2))

- (c) the conditions of a permit that was issued under section 28.1, 28.1.1 or 28.1.2 or under a regulation made under clause 28.5 (1) (c); or

- (d) a stop order issued under section 30.4. 2020, c. 36, Sched. 6, s. 21.

Penalty

(2) A person who commits an offence under subsection (1) is liable on conviction,

- (a) in the case of an individual,

- (i) to a fine of not more than \$50,000 or to a term of imprisonment of not more than three months, or to both, and

- (ii) to an additional fine of not more than \$10,000 for each day or part of a day on which the offence occurs or continues; and

- (b) in the case of a corporation,

- (i) to a fine of not more than \$1,000,000, and

- (ii) to an additional fine of not more than \$200,000 for each day or part of a day on which the offence occurs or continues. 2017, c. 23, Sched. 4, s. 29.

Monetary benefit

(3) Despite the maximum fines set out in clauses (2) (a) and (b), a court that convicts a person of an offence under clause (1) (a) or (b) may increase the fine it imposes on the person by an amount equal to the amount of the monetary benefit that was acquired by the person, or that accrued to the person, as a result of the commission of the offence. 2017, c. 23, Sched. 4, s. 29.

Contravening s. 29 regulations

(4) Every person who contravenes a regulation made under section 29 is guilty of an offence and on conviction is liable to a fine of not more than \$1,000. 2017, c. 23, Sched. 4, s. 29.

Obstruction of officer

(5) Every person who prevents or obstructs an officer from entering land under section 30.2 or 30.3 is guilty of an offence and on conviction is liable to a fine of not more than \$10,000. 2017, c. 23, Sched. 4, s. 29.

Section Amendments with date in force (d/m/y)

2017, c. 23, Sched. 4, s. 29 - not in force

2020, c. 36, Sched. 6, s. 21 - not in force

2022, c. 21, Sched. 2, s. 13 (1, 2) - not in force

Limitation period

30.6 A proceeding shall not be commenced with respect to an offence under subsection 30.5 (1), (4) or (5) more than two years after the day on which the offence first comes to the attention of an officer appointed under section 30.1. 2017, c. 23, Sched. 4, s. 29.

Section Amendments with date in force (d/m/y)

2017, c. 23, Sched. 4, s. 29 - not in force

Rehabilitation orders

30.7 (1) In addition to any other remedy or penalty provided by law, the court, upon convicting a person of an offence under clause 30.5 (1) (a) or (b), may order the convicted person to,

- (a) remove, at the convicted person's expense, any development within such reasonable time as the court orders; and
- (b) take such actions as the court directs, within the time the court may specify, to repair or rehabilitate the damage that results from or is in any way connected to the commission of the offence. 2017, c. 23, Sched. 4, s. 29.

Non-compliance with order

(2) If a person does not comply with an order made under subsection (1), the authority having jurisdiction may arrange for any removal, repair or rehabilitation that was required of a person under subsection (1) to be carried out. 2017, c. 23, Sched. 4, s. 29.

Liability for certain costs

(3) The person to whom an order is made under subsection (1) is liable for the cost of any removal, repair or rehabilitation arranged by an authority under subsection (2), and the amount is recoverable by the authority by action in a court of competent jurisdiction. 2017, c. 23, Sched. 4, s. 29.

Section Amendments with date in force (d/m/y)

2017, c. 23, Sched. 4, s. 29 - not in force

PART VIII MATTERS RELATING TO LAND AND WATER USE

31 REPEALED: 2020, c. 36, Sched. 6, s. 22.

Section Amendments with date in force (d/m/y)

2020, c. 36, Sched. 6, s. 22 - 02/02/2021

Restrictions on projects

Crown land affected

32 (1) Where any land required for the carrying out of a project or a part thereof is Crown land, a plan and description of the land prepared and signed by an Ontario land surveyor and signed by the chair or vice-chair of the authority shall be deposited with the Minister, and the project or the part thereof shall not be proceeded with until the authority has received the approval in writing of the Minister. R.S.O. 1990, c. C.27, s. 32 (1).

Interference with public work

(2) Where a project or a part thereof may interfere with a public work of Ontario, the authority shall file with the Minister of Infrastructure a plan and description of the project or a part thereof together with a statement of the interference with the public work that may occur and a statement of the manner in which the authority proposes to remedy the interference, and the project or the part thereof shall not be proceeded with until the authority has received the approval in writing of the Minister of Infrastructure. R.S.O. 1990, c. C.27, s. 32 (2); 1998, c. 15, Sched. E, s. 3 (3); 2011, c. 9, Sched. 27, s. 22.

Interference with highway

(3) Where a project or a part thereof will interfere with a public road or highway, the authority shall file with the Minister of Transportation a plan and description of the project or a part thereof together with a statement of the interference with the public road or highway that will occur and a statement of the manner in which the authority proposes to remedy the interference, and the project or the part thereof shall not be proceeded with until the authority has received the approval in writing of the Minister of Transportation. R.S.O. 1990, c. C.27, s. 32 (3).

Costs, how to be borne

(4) The cost of rebuilding any road, highway, bridge, public work or any part thereof and the cost of any other work that any of the Ministers of the Crown may require to be done under this section shall be borne by the authority, except where an agreement providing for payment thereof in some other manner has been entered into with the Crown in right of Ontario. R.S.O. 1990, c. C.27, s. 32 (4); 1998, c. 15, Sched. E, s. 3 (4).

Section Amendments with date in force (d/m/y)

1998, c. 15, Sched. E, s. 3 (3, 4) - 01/04/1999

2011, c. 9, Sched. 27, s. 22 - 06/06/2011

Assessment of lands of authority

33 (1) Land vested in an authority, except works erected by an authority for the purposes of a project, is taxable for municipal purposes by levy under section 312 of the *Municipal Act, 2001* or section 277 of the *City of Toronto Act, 2006*, as the case may be, upon the assessment and classification of such land determined in each year by the Municipal Property Assessment Corporation and the land shall be assessed under the *Assessment Act* as if the works erected by the authority on the land had not been erected. 1997, c. 5, s. 64 (1); 1997, c. 43, Sched. G, s. 19; 2001, c. 8, s. 203; 2002, c. 17, Sched. F, Table; 2006, c. 32, Sched. C, s. 8.

Assessment of rented property

(2) Despite subsection (1), section 18 of the *Assessment Act* applies with necessary modifications in respect of lands vested in an authority. R.S.O. 1990, c. C.27, s. 33 (2).

Notice

(3) The Municipal Property Assessment Corporation shall deliver or mail to each authority concerned and to the clerk of each municipality in which any of the land is situated a notice setting out the assessment and the classification of the land in the municipality. 1997, c. 5, s. 64 (2); 1997, c. 43, Sched. G, s. 19; 2001, c. 8, s. 203.

Reconsideration under *Assessment Act*

(4) The authority may request a reconsideration under section 39.1 of the *Assessment Act*. 1997, c. 5, s. 64 (3).

Appeal to the Assessment Review Board

(5) The authority or the municipality may appeal to the Assessment Review Board under section 40 of the *Assessment Act* and the last day for appealing is the day that is 90 days after the authority or the clerk of the municipality, as applicable, is notified. 2008, c. 7, Sched. A, s. 19.

***Assessment Act* to apply**

(6) The *Assessment Act* applies, with necessary modifications, with respect to a request for a reconsideration or an appeal. 2008, c. 7, Sched. A, s. 19.

(7) REPEALED: 1997, c. 5, s. 64 (3).

Assessment for next year's taxation

(8) The assessment of land under subsection (1) shall be determined by the Municipal Property Assessment Corporation in each year for the purpose of taxation in the following year. R.S.O. 1990, c. C.27, s. 33 (8); 1997, c. 5, s. 64 (4); 1997, c. 43, Sched. G, s. 19; 2001, c. 8, s. 203.

Section Amendments with date in force (d/m/y)

1997, c. 5, s. 64 (1-4) - 01/01/1998; 1997, c. 43, Sched. G, s. 19 - 31/12/1998; 1998, c. 3, s. 33 - 11/06/1998

2001, c. 8, s. 203 - 29/06/2001

2002, c. 17, Sched. F, Table - 01/01/2003

2006, c. 32, Sched. C, s. 8 - 01/01/2007

2008, c. 7, Sched. A, s. 19 - 14/05/2008

Cemetery lands

34 (1) Where the carrying out of a project will require the use of a cemetery or other place of interment of human remains, the authority shall acquire other suitable lands for the interment of the bodies contained in the cemetery or other place of interment. R.S.O. 1990, c. C.27, s. 34 (1).

Notice to plot owners

(2) The authority shall forward a notice to the owner of each lot in the cemetery or other place of interment, but, if the owner or the owner's whereabouts is unknown, the notice shall, wherever possible, be forwarded to some other person having an interest in the plot through relationship or otherwise to a deceased person buried therein. R.S.O. 1990, c. C.27, s. 34 (2).

Publication of notice

(3) The authority shall also cause a notice to be published once a week for at least three weeks in a newspaper having general circulation in the locality where the cemetery or other place of interment is located, which notice shall state,

- (a) that the cemetery or other place of interment has been acquired for the purposes of the authority;
- (b) that other land, describing it, has been acquired by the authority for the purpose of reintering the bodies;
- (c) that the authority will at its own expense proceed to remove the bodies from the cemetery or other place of interment to the lands acquired for reinterment at a time not less than one month after the forwarding or third publication of the notice, whichever is the later date; and
- (d) that the owner of any plot in the cemetery or other place of interment, or any other person with the approval of the authority, may cause any body interred in the cemetery or other place of interment to be removed to any other place of interment at the expense of the owner or person if the owner or person obtains permission from the authority and effects the removal within one month from the forwarding or insertion of the notice, whichever is the later date, or before such later date as the authority determines. R.S.O. 1990, c. C.27, s. 34 (3).

Removal of bodies

(4) The authority has full power to cause the removal of any body from the cemetery or place of interment to any lands acquired under subsection (1) despite any other Act and to authorize the removal by any other person of the body for reinterment in any other cemetery or place of interment. R.S.O. 1990, c. C.27, s. 34 (4).

Removal of headstones

(5) Where a body is removed and reinterred, any headstone or other stone shall be removed and re-erected at the place of reinterment. R.S.O. 1990, c. C.27, s. 34 (5).

Conveyance of lands for reinterment

(6) The authority shall render land, including fences and buildings, acquired for the reinterment of bodies, in a fit and proper condition and shall convey the land to the owner of the cemetery or other place of interment from which the bodies were removed. R.S.O. 1990, c. C.27, s. 34 (6).

Right to use water power

35 (1) The authority has the right to use any water power created upon lands vested in it for its own uses. 1998, c. 15, Sched. E, s. 3 (5).

(2) REPEALED: 2006, c. 3, Sched. D, s. 1.

Obligation to pay

(3) Any person using water power created upon authority lands shall pay to the authority an annual reasonable compensation for the use of the water power. 1998, c. 15, Sched. E, s. 3 (5).

Arbitration

(3.1) Where the authority and a person described in subsection (3) are unable to agree on the amount of the annual compensation, the matter shall be arbitrated under the *Arbitration Act, 1991*. 1998, c. 15, Sched. E, s. 3 (5).

Charge for power

(4) Subject to review by the Minister of Natural Resources, an authority shall charge persons who at the time of the establishment of the authority are, or thereafter become, users of power derived by them from the use of the waters of the watershed for any additional power generated from increased head or flow due to the works undertaken by the authority. R.S.O. 1990, c. C.27, s. 35 (4); 1998, c. 15, Sched. E, s. 3 (6).

When section not to apply

(5) This section does not apply to water power reserved to the Crown under the *Public Lands Act*. R.S.O. 1990, c. C.27, s. 35 (5).

Section Amendments with date in force (d/m/y)

1998, c. 15, Sched. E, s. 3 (5, 6) - 01/04/1999

2006, c. 3, Sched. D, s. 1 - 19/10/2006

PART IX MISCELLANEOUS

Assent of electors not necessary

36 Where by this Act any power is conferred or duty imposed upon a municipality, or the council of a municipality, including a power or duty to raise money, the power may be exercised and the duty shall be performed by the council of the municipality without the assent of the electors. R.S.O. 1990, c. C.27, s. 36.

Delegation

36.1 (1) The Minister may in writing delegate any of his or her powers or duties under this Act to an employee in the Ministry specified in the delegation, other than the power to make a regulation under this Act. 2020, c. 36, Sched. 6, s. 23.

Same

(2) A reference in this Act or the regulations to the Minister shall, for the purpose of a delegation under subsection (1), be deemed to be a reference to the delegate. 2020, c. 36, Sched. 6, s. 23.

Section Amendments with date in force (d/m/y)

2020, c. 36, Sched. 6, s. 23 - 02/02/2021

Spending by authority

37 All money that is paid to an authority for specified purposes under this Act may be spent by the authority as it considers proper. 2017, c. 23, Sched. 4, s. 32.

Section Amendments with date in force (d/m/y)

2017, c. 23, Sched. 4, s. 32 - 12/12/2017

Annual audit

38 (1) Every authority shall cause its accounts and transactions to be audited annually by a person licensed under the *Public Accounting Act, 2004* and shall ensure that the annual audit is prepared in accordance with generally accepted accounting principles for local governments recommended by the Public Sector Accounting Board of the Chartered Professional Accountants of Canada, as they exist from time to time. 2020, c. 36, Sched. 6, s. 24 (1).

Auditor

(2) No person shall be appointed as auditor of an authority who is or during the preceding year was a member of the authority or who has or during the preceding year had any direct or indirect interest in any contract or any employment with the authority other than for services within his or her professional capacity. R.S.O. 1990, c. C.27, s. 38 (2).

Auditor's report

(3) An authority shall, upon receipt of the auditor's report of the examination of its accounts and transactions, forthwith forward a copy of the report to each participating municipality and to the Minister. R.S.O. 1990, c. C.27, s. 38 (3).

Report made publicly available

(4) Within 60 days of receiving the auditor's report, an authority shall make the report available to the public on its website and by any other means that the authority considers appropriate. 2020, c. 36, Sched. 6, s. 24 (2).

Section Amendments with date in force (d/m/y)

2004, c. 8, s. 46, Table - 01/11/2005

2020, c. 36, Sched. 6, s. 24 (1, 2) - 02/02/2021

Grants

39 Grants may be made by the Minister to any authority out of the money appropriated therefor by the Legislature in accordance with such conditions and procedures as may be prescribed by the Lieutenant Governor in Council. R.S.O. 1990, c. C.27, s. 39.

Regulations, Lieutenant Governor in Council

40 (1) The Lieutenant Governor in Council may make regulations,

- (a) governing advisory boards established under subsection 18 (2), including requiring authorities to establish one or more advisory boards and prescribing requirements with respect to the composition, functions, powers, duties, activities and procedures of any advisory board that is established;

- (b) governing programs and services that authorities may provide including,
 - (i) prescribing mandatory programs and services for the purposes of subsections 21.1 (1) and (2),
 - (ii) prescribing Acts for the purposes of subparagraph 1 iv of subsections 21.1 (1), and
 - (iii) respecting standards and requirements applicable to programs and services for the purposes of subsection 21.1 (3);
- (c) governing the apportionment of an authority's capital costs in connection with a project for the purposes of section 25;
- (d) governing reviews under sections 26 and 27.1, including prescribing a body that may conduct such reviews instead of the Ontario Land Tribunal;
- (e) governing the apportionment of an authority's operating expenses for the purposes of section 27, prescribing expenses as operating expenses for the purposes of section 27, governing the amount that participating municipalities are required to pay under section 27, including the fixed amount that a participating municipality may be required to pay under subsection 27 (2), and restricting and prohibiting the apportionment of certain types of operating expenses;
- (f) governing budgetary matters relating to authorities including,
 - (i) prescribing matters as budgetary matters for the purposes of clause 14 (4.0.1) (d) and for the regulations,
 - (ii) respecting the process authorities must follow when preparing a budget and the consultations that are required, and
 - (iii) providing for rules and procedures governing meetings at which budgetary matters are discussed, including the quorum for such meetings and the rules respecting voting on budgetary matters, and providing for those rules and procedures to apply despite anything in section 16.
- (g) REPEALED: 2021, c. 4, Sched. 6, s. 39 (17).

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 40 (1) of the Act is amended by adding the following clause: (See: 2022, c. 21, Sched. 2, s. 14 (1))

- (g) governing exceptions under subsection 28 (4.1) from the prohibitions set out in subsection 28 (1), including,
 - (i) prescribing municipalities to which the exception applies,
 - (ii) respecting any conditions or restrictions that must be satisfied to obtain the exception, or in carrying out the activity, including conditions or restrictions applying to the municipality in which the exception applies,
 - (iii) prescribing activities, areas of municipalities, types of authorizations under the *Planning Act* and other conditions or restrictions for the purposes of subsection 28 (4.2),
 - (iv) governing transitional matters resulting from an exception under subsection 28 (4.1);
- (h) governing Minister's reviews of decisions made by an authority to refuse to issue a permit or to issue permits subject to conditions that may be requested under subsection 28.1 (8), including prescribing circumstances under which reviews may or may not be requested or conducted;
- (i) governing transitional matters resulting from the implementation of Minister reviews requested under subsection 28.1 (8) and from the coming into force of section 28.1.1;
- (j) governing the issuance of permits by the Minister under section 28.1.1 including prescribing circumstances in which the Minister may or may not make an order under subsection 28.1.1 (1);
- (k) governing transitional matters relating to the repeal of section 28.0.1 by subsection 15 (2) of Schedule 6 of the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* and any permissions that were granted under that section prior to the repeal and the enactment of section 28.1.2;
- (l) governing Minister's reviews requested under subsection 28.1.2 (9) and appeals under subsections 28.1.2 (14) and (15) and specifying circumstances in which a review may not be requested or an appeal may not be made;
- (m) prescribing a body for the purposes of subsection 30.4 (9);
- (n) defining any term that is used in this Act and that is not defined in this Act;
- (o) respecting anything that is necessary or advisable for the proper administration of this Act. 2020, c. 36, Sched. 6, s. 25 (1); 2021, c. 4, Sched. 6, s. 39 (16, 17).

Same

(2) The standards and requirements established for programs and services in a regulation made under clause (1) (b) may include standards and requirements to mitigate the impacts of climate change and provide for adaptation to a changing climate, including through increasing resiliency. 2020, c. 36, Sched. 6, s. 25 (1).

Regulations, Minister

- (3) The Minister may make regulations,
- (a) prescribing matters that may be the subject of by-laws made under clause 19.1 (1) (j);
 - (b) respecting the amount of any fee that may be charged by an authority in relation to a program or service, including determining the manner in which the fee is calculated;
 - (c) respecting standards and requirements applicable to programs and services for the purposes of clauses 21.1.1 (4) (b) and 21.1.2 (3) (b);
- (c.1) prescribing Acts for the purposes of subsections 21.1.1 (1.1) and 21.1.2 (1.1);
- (d) prescribing the period for the purposes of paragraph 2 of subsection 21.1.2 (2);
 - (e) prescribing requirements for the purposes of paragraph 3 of subsection 21.1.2 (2);
 - (f) governing consultations that an authority must carry out for the purposes of section 21.1.3;
 - (g) governing the matters to be addressed in a transition plan under section 21.1.4 and prescribing additional matters to be addressed, including requiring the submission to the Ministry of the inventory mentioned in paragraph 1 of subsection 21.1.4 (2);
 - (h) governing the information that authorities must provide to the Minister under section 23.1, including the publication of that information;
 - (i) prescribing a day for the purposes of subsections 25 (1.1) and 27 (1.1);
 - (j) prescribing circumstances for the purposes of subsections 25 (1.3) and 27 (1.3);
 - (k) governing the determination of amounts owed under subsection 27.2 (2). 2020, c. 36, Sched. 6, s. 25 (1); 2022, c. 21, Sched. 2, s. 14 (2, 3).

Note: On a day to be named by proclamation of the Lieutenant Governor, section 40 of the Act is amended by adding the following subsection: (See: 2020, c. 36, Sched. 6, s. 25 (2))

Minister's regulations, ss. 28 to 28.4

- (4) The Minister may make regulations,
- (a) governing the prohibitions set out in section 28, including,
 - (i) prescribing the limits on river and stream valleys for the purposes of subparagraph 2 iii of subsection 28 (1),
 - (ii) determining or specifying areas for the purposes of subparagraph 2 iv of subsection 28 (1),
 - (iii) determining or specifying areas in which development should be prohibited or regulated for the purposes of subparagraph 2 v of subsection 28 (1),
 - (iv) prescribing activities or types of activities to which the prohibitions set out in subsection 28 (1) do not apply and respecting the manner or circumstances in which the activities or types of activities may be carried out and any conditions or restrictions that apply to the activity or type of activity,
 - (v) prescribing areas in which the prohibitions set out in subsection 28 (1) do not apply and respecting the manner or circumstances in which the activities may be carried out in such areas, and any conditions or restrictions that apply to carrying out activities in such areas,
 - (vi) defining “development activity”, “hazardous land”, “watercourse” and “wetland” for the purposes of section 28;
 - (b) governing applications for permits under section 28.1, the issuance of the permits and the power of authorities to refuse permits, including prescribing requirements that must be met for the issuance of permits under clause 28.1 (1) (c), conditions that may be attached to a permit or circumstances in which a permit may be cancelled under section 28.3 and respecting the period for which a permit is valid under section 28.2;

Note: On the day subsection 25 (2) of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020 comes into force, clause 40 (4) (b) of the Act is amended by striking out “may be attached” and substituting “may or may not be attached”. (See: 2022, c. 21, Sched. 2, s. 14 (4))

- (c) defining “pollution” for the purposes of section 28.1;

Note: On the day subsection 25 (2) of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020 comes into force, clause 40 (4) (c) of the Act is repealed. (See: 2022, c. 21, Sched. 2, s. 14 (5))

- (d) prescribing requirements for the purposes of clause 28.1.2 (1) (c);

- (e) governing permits issued under section 28.1.2 including,

- (i) requiring that permits be issued within a specified time period after the application for the permit is submitted to an authority,

Note: On the day subsection 25 (2) of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020 comes into force, clause 40 (4) (e) of the Act is amended by adding the following subclause: (See: 2022, c. 21, Sched. 2, s. 14 (6))

- (i.1) limiting the types of conditions that an authority may attach to a permit under section 28.1.2;

- (ii) prescribing conditions for the purposes of subsection 28.1.2 (5),

- (iii) prescribing matters for the purposes of clause 28.1.2 (6) (c);

- (f) prescribing matters for the purposes of clause 28.1.2 (12) (c);

- (g) governing agreements required under subsection 28.1.2 (17) including,

- (i) prescribing the content of the agreements,

- (ii) specifying the time within which agreements are to be concluded and signed;

- (h) exempting lands or development projects from section 28.1.2 or from a part of that section or the regulations made under that section, including from the requirement to enter into an agreement under subsection 28.1.2 (17) or from including any provision of an agreement that is prescribed by a regulation under clause (g);

Note: On the day subsection 25 (2) of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020 comes into force, clause 40 (4) (h) of the Act is repealed and the following substituted: (See: 2022, c. 21, Sched. 2, s. 14 (7))

- (h) specifying lands or development projects to which section 28.1.2 does not apply;

- (h.1) exempting lands or development projects from subsections 28.1.2 (5), (17) and (19), subject to such conditions or restrictions as may be specified;

- (i) governing the delegation of powers by an authority under section 28.4 and prescribing any limitations or requirements related to the delegation;

- (j) respecting anything necessary or advisable for the effective implementation or enforcement of sections 28 to 28.4. 2020, c. 36, Sched. 6, s. 25 (2).

General or particular

- (5) A regulation made under this section may be general or particular in its application. 2020, c. 36, Sched. 6, s. 25 (3).

Section Amendments with date in force (d/m/y)

2010, c. 16, Sched. 10, s. 1 (4) - 25/10/2010

2017, c. 23, Sched. 4, s. 33 (1, 2) - no effect - see 2019, c. 9, Sched. 2, s. 10 (2) - 06/06/2019; 2017, c. 23, Sched. 5, s. 23 - 03/04/2018

2019, c. 9, Sched. 2, s. 9 (1-3) - no effect - see 2020, c. 36, Sched. 6, s. 28 - 08/12/2020

2020, c. 36, Sched. 6, s. 25 (1, 3) - 01/10/2021; 2020, c. 36, Sched. 6, s. 25 (2) - not in force

2021, c. 4, Sched. 6, s. 39 (16) - 01/10/2021; 2021, c. 4, Sched. 6, s. 39 (17) - 01/06/2021

2022, c. 21, Sched. 2, s. 14 (1, 4-7) - not in force; 2022, c. 21, Sched. 2, s. 14 (2) - 28/11/2022; 2022, c. 21, Sched. 2, s. 14 (3) - 01/01/2023

Rolling incorporations

41 A regulation made under this Act that adopts a document by reference may adopt the document as it may be amended from time to time after the regulation is made. 2017, c. 23, Sched. 4, s. 34.

Section Amendments with date in force (d/m/y)

2017, c. 23, Sched. 4, s. 34 - 12/12/2017

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Conservation Authorities Act

**ONTARIO REGULATION 402/22
BUDGET AND APPORTIONMENT**

Consolidation Period: From April 20, 2022 to the [e-Laws currency date](#).

Note: THIS REGULATION IS NOT YET IN FORCE. It comes into force on July 1, 2023, the day subsection 24 (1) of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017* comes into force.

No amendments.

This is the English version of a bilingual regulation.

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INTERPRETATION

Definitions

1. (1) In this Regulation,

“benefit-based apportionment method” means the method of apportioning an authority’s operating expenses and capital costs described in subsection 7 (6); («méthode de répartition fondée sur les avantages»)

“Category 1 CWA/LSPA operating expense or capital cost” means an operating expense or capital cost that is related to the provision of a Category 1 CWA/LSPA program or service; («dépense d’exploitation ou coût en immobilisations LES/LPLS de catégorie 1»)

“Category 1 CWA/LSPA programs and services” means the mandatory programs and services that an authority is required to provide under section 21.1 of the Act with respect to its duties, functions and responsibilities under the *Clean Water Act, 2006* and under the *Lake Simcoe Protection Act, 2008*; («programmes et services LES/LPLS de catégorie 1»)

“Category 1 operating expense or capital cost” means an operating expense or capital cost that is related to the provision of a Category 1 program or service; («dépense d’exploitation ou coût en immobilisations de catégorie 1»)

“Category 1 programs and services” means the mandatory programs and services that an authority is required to provide under section 21.1 of the Act; («programmes et services de catégorie 1»)

“Category 2 operating expense or capital cost” means an operating expense or capital cost that is related to the provision of a Category 2 program or service; («dépense d’exploitation ou coût en immobilisations de catégorie 2»)

“Category 2 programs and services” means the municipal programs and services that an authority provides under section 21.1.1 of the Act on behalf of a municipality situated in whole or in part within its area of jurisdiction; («programmes et services de catégorie 2»)

“Category 3 operating expense or capital cost” means an operating expense or capital cost that is related to the provision of a Category 3 program or service; («dépense d’exploitation ou coût en immobilisations de catégorie 3»)

“Category 3 programs and services” means programs and services that are not Category 1 or Category 2 programs and services but are other programs and services provided by an authority under section 21.1.2 of the Act; («programmes et services de catégorie 3»)

“general operating expense or capital cost” means an operating expense or capital cost that is not related to the provision of a program or service that an authority provides; («dépense d’exploitation générale ou coût en immobilisations général»)

“MCVA apportionment method” means a method of apportioning an authority’s operating expenses and capital costs that is based on the modified current value assessment of the properties within the authority’s area of jurisdiction and further described in subsections 7 (2), (3), (4) and (5); («méthode de répartition EVAM»)

“reduced capital costs” means the capital costs of an authority for a given year, as reduced under section 6; («coûts en immobilisations réduits»)

“reduced operating expenses” means the operating expenses of an authority for a given year, as reduced under section 6; («dépenses d’exploitation réduites»)

“specified municipality” means a specified municipality as defined in subsection 27.2 (1) of the Act. («municipalité précisée»)

(2) For the purposes of clause (e) of the definition of “operating expenses” in section 1 of the Act, any costs, other than capital costs in connection with a project, that support the operations of an authority are prescribed as operating expenses.

(3) For the purposes of the definitions of “Category 1 operating expense or capital cost”, “Category 2 operating expense or capital cost” and “Category 3 operating expense or capital cost” in subsection (1),

- (a) a capital cost shall be considered related to the provision of a Category 1, Category 2 or Category 3 program or service, as the case may be, if it is incurred in connection with a project that is related to the provision of the program or service; and
- (b) an operating expense that is incurred in connection with a project shall be considered related to the provision of a Category 1, Category 2 or Category 3 program or service, as the case may be, if the project is related to the provision of the program or service.

Budgetary matters

2. The following matters are prescribed as budgetary matters for the purposes of clause 14 (4.0.1) (d) of the Act:

1. Matters that are required to be voted on under this Regulation.
2. Matters relating to budget reallocations in a calendar year.
3. Matters relating to annual audits under section 38 of the Act.

BUDGET

Annual budget

3. Every authority shall prepare a budget for 2024 and for every subsequent calendar year in accordance with this Regulation.

Budgetary process

4. (1) An authority shall prepare the budget for a calendar year in accordance with the budgetary process set out in this Regulation.

(2) An authority shall begin the budgetary process for a given calendar year at such time during the preceding year as the authority determines and shall end the budgetary process at such time as the authority determines, subject to any timelines set out in this Regulation.

APPORTIONMENT

Determination of revenue, expenses and costs

5. (1) During the first phase of the budgetary process for a given calendar year, the authority shall,

- (a) identify all of the authority's sources of revenue for the year, other than revenue from the apportionment of operating expenses and capital costs under sections 7 to 12, including,
 - (i) revenue from fees or charges paid to the authority,
 - (ii) revenue from donations and grants received by the authority,
 - (iii) self-generated revenue from fund-raising or other efforts made during the year to generate funds,
 - (iv) any amounts that the authority plans to obtain from its reserve funds to finance its capital costs and operations, including its programs and services, for the year,
 - (v) revenue made under agreements entered into under clause 21 (1) (n) of the Act, and
 - (vi) revenue from other sources;
- (b) determine the amount of revenue from each of the sources identified under clause (a) and add those amounts to determine the authority's total revenue for the year;
- (c) identify all of the authority's operating expenses for the year, as required under subsection 27 (1) of the Act, and categorize them as,
 - (i) Category 1 operating expenses,
 - (ii) Category 2 operating expenses,
 - (iii) Category 3 operating expenses, or
 - (iv) general operating expenses;
- (d) determine the authority's total operating expenses for the year;
- (e) identify all of the authority's capital costs for the year, as required under subsection 25 (1) of the Act, and categorize them as,
 - (i) Category 1 capital costs,
 - (ii) Category 2 capital costs,
 - (iii) Category 3 capital costs, or
 - (iv) general capital costs; and
- (f) determine the authority's total capital costs for the year.

(2) If the Minister has consolidated two or more source protection areas into a drinking water source protection region under section 6 of the *Clean Water Act, 2006*,

- (a) the authority that is designated by the Minister as a lead source protection authority shall include under clause (1) (a) any revenue that it receives from other source protection authorities in the source protection region under an agreement entered into under subsection 6 (3) of the *Clean Water Act, 2006*; and
- (b) the authorities that are part of the source protection region but are not designated as the lead source protection authority shall identify under clause (1) (c) and (e) any operating expenses and capital costs that they are required to pay to the lead source protection authority under an agreement entered into under subsection 6 (3) of the *Clean Water Act, 2006*.

Determination of reduced amounts to be apportioned

6. For the purposes of subsections 25 (1) and 27 (1) of the Act, the authority shall, with respect to each operating expense and capital cost identified under clauses 5 (1) (c) and (e), determine which portion of the operating expense or capital cost will be apportioned to participating municipalities by,

- (a) determining if there are any restrictions or rules with respect to the use of revenue from certain sources by the authority;

- (b) determining if, in the authority's opinion, the operating expense or capital cost can or should be offset, in whole or in part, by any of the revenue identified in clause 5 (1) (a) and the extent to which it should be offset; and
- (c) applying such part of the revenue from a source identified in clause 5 (1) (a) as the authority determines is appropriate to the operating expense or capital cost so as to reduce it.

Methods of apportionment

7. (1) Subject to subsections 8 to 11, an authority may apportion a reduced operating expense or a reduced capital cost among its participating municipalities in accordance with one of the following methods of apportionment:

1. The MCVA apportionment method described in subsections (2), (3), (4) and (5).
2. The benefit-based apportionment method described in subsection (6).

(2) Under the MCVA apportionment method, the portion of a reduced operating expense or of a reduced capital cost to be apportioned to a participating municipality shall be based on the ratio that the participating municipality's modified current value assessment bears to the authority's modified current value assessment.

(3) For the purposes of subsection (2), a participating municipality's modified current value assessment shall be determined as follows:

1. For each of the property classes set out in Column 2 of the Table to this subsection, determine the sum of the current value assessment for all the properties in the municipality that are in the property class, if any.
2. Multiply the current value assessment for each property class by the factor set out in Column 3 of the Table to this subsection opposite the property class.
3. Determine the sum of the amounts obtained under paragraph 2.
4. Multiply the sum obtained under paragraph 3 by a percentage based on one of the following ratios:
 - i. If apportioning an operating expense or capital cost that is related to a program or service provided under the *Clean Water Act, 2006*, the ratio of the amount of the municipality's land that is in the source protection area for which the authority is the source protection authority under that Act to the total amount of land in the municipality.
 - ii. If apportioning any other operating expense or capital cost, the ratio of the amount of the municipality's land that is in the jurisdiction of the authority under the Act to the total amount of land in the municipality.

TABLE
PROPERTY CLASSES AND FACTORS

Column 1 Item	Column 2 Property Class	Column 3 Factor
1.	Residential/Farm	1
2.	Multi-residential	2.1
3.	Commercial	2.1
4.	Industrial	2.1
5.	Farmlands	0.25
6.	Pipe lines	1.7
7.	Managed Forests	0.25
8.	New multi-residential	2.1
9.	Office Building	2.1
10.	Shopping Centre	2.1
11.	Parking lots and Vacant land	2.1
12.	Large industrial	2.1

(4) Despite subsection (3), if a participating municipality is a regional municipality, the modified current value assessment for the regional municipality shall be equal to the sum of the modified current value assessment for all of the local municipalities in the regional municipality, as determined under subsection (3).

(5) For the purposes of subsection (2), an authority's modified current value assessment shall be equal to the sum of the modified current value assessments for,

- (a) if apportioning an operating expense or a capital cost that is related to a program or service provided under the *Clean Water Act, 2006*, every participating municipality in the source protection area for which the authority is a source protection authority under that Act; and
- (b) if apportioning any other operating expense or capital cost, every participating municipality within the authority's area of jurisdiction.

- (6) Under the benefit-based apportionment method, the authority shall apportion an operating expense or capital cost by,
 - (a) evaluating the benefit that each participating municipality obtains from the program or service to which the operating expense or capital cost is related; and
 - (b) allocating to each participating municipality a portion of the reduced operating expense or reduced capital cost that is based on the ratio of the benefit afforded to the participating municipality by the program or service referred to in clause (a), relative to the overall benefit afforded by the program or service to all benefitting participating municipalities.

Category 1 operating expenses and capital costs

8. (1) Before apportioning a Category 1 operating expense or capital cost, an authority shall make the following determinations:

- 1. Whether the related Category 1 program or service,
 - i. benefits all of the participating municipalities within the authority's area of jurisdiction, or
 - ii. benefits one or more, but not all, of the participating municipalities within the authority's area of jurisdiction.
- 2. If the related Category 1 program or service benefits all of the participating municipalities within the authority's area of jurisdiction, whether one or more of the participating municipalities' benefit from the Category 1 program or service is disproportionate to the benefit obtained by the other participating municipalities.
- 3. In the case of a Category 1 CWA/LSPA operating expense or capital cost, a determination made in accordance with Ontario Regulation 401/22 (Determination of Amounts under Subsection 27.2 (2) of the Act) made under the Act that,
 - i. the related Category 1 CWA/LSPA program or service benefits one or more of the authority's specified municipalities, and
 - ii. the benefitting specified municipalities owe or will owe amounts with respect to the program or service under subsection 27.2 (2) of the Act.

(2) An authority shall use the MCVA apportionment method to apportion the reduced operating expense or reduced capital cost for Category 1 operating expenses and capital costs, subject to subsection (3).

(3) An authority shall use the benefit-based apportionment method to apportion the reduced operating expense or reduced capital cost for a Category 1 operating expense or capital cost if the authority has determined under subsection (1) that the related Category 1 program or service,

- (a) benefits one or more, but not all, of the participating municipalities within the authority's area of jurisdiction; or
- (b) benefits all of the participating municipalities within the authority's area of jurisdiction but one or more of the participating municipalities is provided with a benefit that is disproportionate to the benefit provided to the other participating municipalities.

(4) An authority shall apportion a Category 1 CWA/LSPA operating expense or capital cost in accordance with subsections (2) and (3), except if the authority has determined under Ontario Regulation 401/22 that,

- (a) the related Category 1 CWA/LSPA program or service benefits one or more of its specified municipalities; and
- (b) the benefitting specified municipality owes or will owe amounts under subsection 27.2 (2) of the Act.

(5) In the case of Category 1 CWA/LSPA operating expense or capital cost described in clauses (4) (a) and (b), the apportionment of the operating expense or capital cost conducted under Ontario Regulation 401/22 to determine the amounts owing under subsection 27.2 (2) of the Act by specified municipalities shall be considered an apportionment under this Regulation and used to determine the portion of the operating expense or capital cost to be apportioned to each participating municipality within the authority's area of jurisdiction.

Category 2 operating expenses and capital costs

9. When apportioning a Category 2 operating expense or capital cost, an authority shall apportion the reduced operating expense or the reduced capital cost, as the case may be, in its entirety, to the participating municipality that has entered into a memorandum of understanding or other agreement with the authority under section 21.1.1 of the Act for the authority to provide the Category 2 program or service on the municipality's behalf.

Category 3 operating expenses and capital costs

10. (1) When apportioning a Category 3 operating expense or capital cost, an authority shall apportion the reduced operating expense or the reduced capital cost, as the case may be, among the participating municipalities that entered into an agreement described in subsection 21.1.2 (2) of the Act in accordance with that agreement.

(2) Despite subsection (1), if the agreement described in subsection 21.1.2 (2) of the Act does not address how to apportion a Category 3 operating expense or capital cost, the authority shall apportion the reduced operating expense or the reduced capital cost, as the case may be, in the following manner:

1. Subject to subparagraph 2 i, if all of the participating municipalities within the authority's area of jurisdiction have entered into the agreement described in subsection 21.1.2 (2) of the Act, by using the MCVA apportionment method.
2. By using the benefit-based apportionment method if,
 - i. all of the participating municipalities within the authority's area of jurisdiction have entered into the agreement described in subsection 21.1.2 (2) of the Act but, in the authority's opinion, one or more participating municipalities obtains a benefit from the related Category 3 program or service that is disproportionate to the benefit obtained by the other participating municipalities, or
 - ii. one or more, but not all, of the participating municipalities within the authority's area of jurisdiction have entered into the agreement described in subsection 21.1.2 (2) of the Act.

General operating expenses and capital costs

11. When apportioning a general operating expense or capital cost, an authority shall use the MCVA apportionment method to apportion the reduced operating expense or capital cost, as the case may be.

Agreements

12. Despite sections 7 to 11, where an authority has entered into an agreement with its participating municipalities with respect to the apportionment of the following operating expenses or capital costs, the apportionment of the reduced operating expense or the reduced capital cost, as the case may be, shall be in accordance with the agreement:

1. Category 1 operating expenses that are related to a Category 1 program or service that benefits one or more, but not all, of the participating municipalities within the authority's area of jurisdiction.
2. Category 1 capital costs.
3. Category 1 CWA/LSPA operating expenses and capital costs.
4. General capital costs.

DRAFT BUDGET AND CONSULTATIONS

Draft budget

13. (1) After having determined the apportionment of operating expenses and capital costs, an authority shall begin the second phase of the budgetary process by preparing a draft budget.

(2) The draft budget for any given year shall set out:

1. The authority's total revenue for the year, as determined under clause 5 (1) (b).
2. The sources of the revenue for the year referred to in subclauses 5 (1) (a) (i) to (vi) and the amount of the revenue from each such source, as determined under clause 5 (1) (b).
3. The authority's total operating expenses for the year, as determined under clause 5 (1) (d), and a list of operating expenses setting out as separate amounts,
 - i. Category 1 operating expenses related to each Category 1 program and service,
 - ii. Category 2 operating expenses related to each Category 2 program and service,
 - iii. Category 3 operating expenses related to each Category 3 program and service, and
 - iv. general operating expenses.
4. The authority's total capital costs for the year as determined under clause 5 (1) (f), and a list of capital costs setting out as separate amounts,
 - i. Category 1 capital costs related to each Category 1 program and service,
 - ii. Category 2 capital costs related to each Category 2 program and service,
 - iii. Category 3 capital costs related to each Category 3 program and service, and
 - iv. general capital costs.
5. The amount of revenue that the authority will obtain during the year from the apportionment of operating expenses and capital costs under sections 7 to 12 to its participating municipalities, and the portion of this revenue that each participating municipality shall pay.

6. The amount of revenue that the authority will obtain during the year from amounts to be paid by specified municipalities under section 27.2 of the Act, as determined under Ontario Regulation 401/22 (Determination of Amounts under Subsection 27.2 (2) of the Act) made under the Act, and the portion of this revenue that each specified municipality shall pay.
7. If the authority considered opportunities to raise and use self-generated revenue to help finance the authority's operations, including the programs and services it provides, a description of what the authority considered.
8. Any additional financial information that the authority considers relevant to include.

Meeting on draft budget

14. (1) An authority shall hold a meeting to,
 - (a) consider the draft budget for a given year; and
 - (b) decide whether or not to approve the draft budget for consultation purposes.
- (2) The authority shall give notice of the meeting on a draft budget for a given year to a specified municipality if,
 - (a) the authority has determined under subsection 27.2 (2) of the Act that the specified municipality owes or will owe amounts for the year in connection with Category 1 CWA/LSPA programs and services; and
 - (b) the amounts owing or to be owed, as determined under sections 5 to 8 of Ontario Regulation 401/22 (Determination of Amounts under Subsection 27.2 (2) of the Act) made under the Act, are set out in the draft budget.
- (3) At a meeting held under this section, the authority shall hold a vote on whether to approve the draft budget for consultation purposes.
- (4) If notice of the meeting has been given under subsection (2) to a specified municipality that is designated as a participating municipality under the *Clean Water Act, 2006*, the authority shall, before voting on approving the draft budget under subsection (3),
 - (a) convene the members appointed by the municipalities designated as participating municipalities under the *Clean Water Act, 2006*; and
 - (b) hold a vote of the members referred to in clause (a) to approve, for consultation purposes, the portion of the draft budget relating to programs and services provided by the authority under the *Clean Water Act, 2006*.
- (5) If notice of the meeting has been given under subsection (2) to a specified municipality that is designated as a participating municipality under the *Lake Simcoe Protection Act, 2008*, the authority shall, before voting on approving the draft budget under subsection (3),
 - (a) convene the members appointed by the municipalities designated as participating municipalities under the *Lake Simcoe Protection Act, 2008*; and
 - (b) hold a vote of the members referred to in clause (a) to approve, for consultation purposes, the portion of the draft budget relating to programs and services provided by the authority under the *Lake Simcoe Protection Act, 2008*.
- (6) For greater certainty, for the purposes of a vote held under subsection (4) or (5), section 16 of the Act applies except that the members appointed by the specified municipalities shall be included when determining the quorum and shall be entitled to vote.

Consultations

15. (1) If an authority approves a draft budget for consultation purposes under section 14, the authority shall,
 - (a) send to each participating municipality, and to any specified municipality, a copy of the draft budget and of all financial information relating to the apportionment of operating expenses and capital costs; and
 - (b) make a copy of the draft budget and of the financial information referred to in clause (a) available to the public by posting them on the section of the authority's website entitled "Governance" and by any other means the authority considers appropriate.
- (2) An authority shall carry on such consultations with participating municipalities and specified municipalities affected by the draft budget as are necessary to finalize the annual budget.

APPROVAL OF APPORTIONMENT UNDER SUBSECTIONS 25 (1) AND 27 (1) OF THE ACT AND AMOUNTS OWING UNDER SUBSECTION 27.2 (2) OF THE ACT

Meeting on apportionment, etc.

16. At the beginning of the third phase of the budgetary process, an authority shall hold a meeting to approve,
 - (a) the apportionment of operating expenses and capital costs to participating municipalities under subsections 25 (1) and 27 (1) of the Act, as determined under sections 7 to 12; and

- (b) the apportionment of any Category 1 CWA/LSPA operating expenses and capital costs among participating and specified municipalities in accordance with Ontario Regulation 401/22 (Determination of Amounts under Subsection 27.2 (2) of the Act) made under the Act.

Notice of meeting

17. (1) An authority shall give notice of a meeting under section 16 to all participating municipalities and to any specified municipality that is entitled to receive notice of the meeting under subsection (2).

(2) The authority shall give notice of a meeting under section 16 to a specified municipality if, after consultations held under section 15, the authority has determined under section 3 of Ontario Regulation 401/22 (Determination of Amounts under Subsection 27.2 (2) of the Act) made under the Act that the specified municipality should be required to pay amounts owing under subsection 27.2 (2) of the Act for the budget year in connection with Category 1 CWA/LSPA programs and services.

(3) The notice of meeting shall be given at least 30 days before the meeting.

(4) The notice of meeting shall include,

(a) a copy of the most recent draft of the budget; and

(b) the amount of the reduced operating expenses and reduced capital costs that the participating municipality or specified municipality that is given notice will be required to pay for the year.

Voting on apportionment, etc.

18. (1) At a meeting under section 16, an authority shall,

(a) if the apportionment of any Category 1 CWA/LSPA operating expenses and capital costs among participating municipalities and specified municipalities is on the meeting agenda, hold such votes as are necessary with respect to the apportionment of those operating expenses and capital costs before voting on the apportionment of any other operating expenses and capital costs; and

(b) after votes have been held under clause (a), if any, hold such votes as are necessary on the apportionment of other operating expenses and capital costs among participating municipalities.

(2) Despite section 16 of the Act,

(a) on a vote under clause (1) (a) with respect to an apportionment of the Category 1 CWA/LSPA operating expenses and capital costs, a person appointed by a specified municipality shall be entitled to vote as a member of the authority and shall be included in the quorum of members required for the purposes of that vote; and

(b) any vote held at a meeting under section 16, including a vote on which members appointed by specified municipalities are entitled to vote, shall be carried by a weighted majority in accordance with section 19.

(3) All votes held at a meeting under section 16 shall be recorded.

Weighted majority vote

19. The following rules apply to a vote that is to be carried by a weighted majority:

1. Each member's vote shall be weighted according to the ratio that the modified current value assessment for the municipality that appointed the member bears to the authority's modified current value assessment.

2. A weighted majority requires 51 per cent or more of the total weighted value for all of the votes cast.

3. In the case of tie vote, the vote is lost.

4. If a municipality appoints more than one member to the authority, each of those members' votes shall be equal to the municipality's weighted vote divided by the number of members the municipality appoints to the authority.

5. A municipality shall not have a weighted vote of more than 50 per cent of the total weighted value for all of the votes to be cast unless the municipality appoints more than 50 per cent of the members to the authority.

Notice to pay

20. (1) An authority shall not send a notice of apportionment to a participating municipality under subsection 25 (2) or 27 (3) of the Act until a vote has been held at a meeting under section 16 with respect to the apportionment under section 25 or 27 of the Act.

(2) An authority shall not send a notice under subsection 27.2 (3) of the Act setting out the amounts owing by a specified municipality with respect to a Category 1 CWA/LSPA program or service until a vote has been held at a meeting under section 16 of this Regulation with respect to the apportionment of the related Category 1 CWA/LSPA operating expenses and capital costs under subsection 27.2 (2) of the Act.

FINAL BUDGET

Final budget

- 21.** (1) An authority shall prepare a final budget as part of the final phase of the budgetary process.
- (2) The final budget shall meet all the requirements of a draft budget under subsection 13 (2), subject to subsection (3).
- (3) The amounts in the final budget shall reflect the matters agreed to during consultations under section 15 and the amounts voted on during a meeting held under section 16.

Meeting

- 22.** An authority shall hold a meeting of its members to approve the final budget.

Vote

- 23.** (1) The vote to approve the final budget shall be carried by a majority of votes.
- (2) Despite subsection (1), the vote to approve the final budget shall be carried by a weighted majority in accordance with section 19 if required to do so by the authority's by-laws.
- (3) A vote held to approve the final budget shall be recorded.

Providing copies and posting of budget

- 24.** Promptly after the final budget is approved by participating municipalities, the authority shall end the budgetary process for a given year by,
- (a) providing a copy of the final budget to the Minister and to each of the authority's participating municipalities and specified municipalities; and
 - (b) making a copy of the final budget available to the public by posting it on the section of the authority's website entitled "Governance" and by any other means the authority considers appropriate.

- 25.** OMITTED (REVOKES OTHER REGULATIONS).

- 26.** OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS REGULATION).

Français

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Grey Sauble Authority Board of Directors

M O T I O N

DATE: June 28, 2023

MOTION #: FA-23-066

MOVED BY: _____

SECONDED BY: _____

WHEREAS the Province of Ontario made changes to the Conservation Authorities Act (CAA) with a proclamation date of July 1, 2023,

THAT the GSCA Board of Directors receive the CAO's Report 020-2023 – "Update on Changes to the CAA in Force on July 1, 2023" as information.



STAFF REPORT

Report To: Board of Directors
Report From: Tim Lanthier, CAO
Meeting Date: June 28, 2023
Report Code: 021-2023
Subject: Draft Category 3 Agreement

Recommendation:

WHEREAS under Section 21.1.2(2) of the Conservation Authorities Act, GSCA is required to enter into agreements with participating municipalities for the provision of Category 3 programs and services,

AND WHEREAS the GSCA has drafted and circulated a draft agreement to senior municipal staff for review, discussion and approval,

THAT the GSCA Board of Directors receive CAO Report 021-2023 – Draft Category 3 Agreements, as information.

Strategic Initiative:

This item is related to all of GSCA's Strategic Initiatives and overall operations.

Background:

Over the last several years, the Provincial government has been working towards revisions of the Conservation Authorities Act (herein, the "Act"). In 2020, the Province released Bill 229 which included, under Schedule 6, amendments to the Act.

One of the primary changes repealed Section 20 of the Act, which previously stated,

“The objects of an authority are to provide, in the area over which it has jurisdiction, programs and services designed to further the conservation, restoration, development and management of natural resources other than gas, oil, coal and minerals”.

This section was replaced with:

*“The objects of an authority are to provide, in the area over which it has jurisdiction,
(a) the mandatory programs and services required under section 21.1;
(b) any municipal programs and services that may be provided under section 21.1.1;
and
(c) any other programs or services that may be provided under section 21.1.2.”*

Information on these changes and the steps that GSCA is taking to address them has been brought before the Board of Directors on multiple occasions. Most recently, the CAO brought forward a report in April 2023 (Staff Report 014-2023) which explained these changes and steps in great detail. A copy of this report is attached as Appendix ‘C’ for your reference.

As noted in these previous reports, GSCA is required to have agreements with participating municipalities for any Category 3, “other programs or services”, that GSCA uses municipal levy funding to provide.

Discussion

GSCA staff have prepared the attached draft agreement for the provision of certain Category 3 programs and services which will utilize municipal levy funding. GSCA staff have circulated this agreement to senior municipal staff for review, discussion and approval.

Under the legislation, there are certain provisions that the agreement must contain. GSCA staff prepared a preamble to the agreement which lays out these requirements. The agreement prepared has been kept simple in nature, such that it can be applied to all participating municipalities, and so that it can allow GSCA and any participating municipality the latitude to amend the programs provided, from time to time. As such, the programs and services and the costs to provide these programs and services are included as appendices to the agreement. If an individual municipality negotiated the addition of a program or service with GSCA, this could easily be added into the agreement and not impact the other participating municipalities.

The agreements have been scheduled for a five (5) year term, with a requirement to review the agreement(s) a minimum of six months prior to the expiry of this term. The agreement clearly lays out which program areas are included and the stipulations for provision and funding. Staff were very intentional about including all of the required provisions as per the legislation.

As these agreements will not take effect until January 1, 2024, we could not provide an actual budget to include in the appendices at this time. As such, we have included a mockup of a relevant portion of the 2023 budget converted to the 2024 format to show what this change will look like. The revised budget format will be compatible with our existing budget format but will provide the additional transparency needed to isolating Category 3 program costs, consistent with Ontario Regulation 402/22. A copy of this budget mockup is included as Appendix 'B' to this report.

At this point, discussions with senior municipal staff are only recommending minor amendments, if any, to the agreements that will not impact the substance of the agreements in any way. Dates have been set by several of our municipal partners for these agreements to go before their respective councils. GSCA staff will continue to support our municipal partners through this process.

These individual agreements will come back to the Board of Directors for final endorsement and a resolution to authorize the Chair and the CAO to execute.

Financial/Budget Implications:

GSCA's budget layout will be altered for the 2024 budget year and beyond as identified in Appendix 'B'. Although there are no indications of financial impacts associated with this change, the funding for Category 3 programs and services will be more susceptible to the support, or lack thereof, of the councils of our participating municipalities from 2024 onward.

Communication Strategy:

GSCA is continuing to work with municipal staff to negotiate Category 3 service agreements. It is anticipated that municipal staff will bring these agreements before their respective councils in June, July or August 2023 for a bylaw to authorize the execution. The final agreements will

Consultation:

The CAO has been in consultation with GSCA Staff, Conservation Ontario, Ontario's other Conservation Authorities, and municipal staff. Ongoing consultation will continue to include staff and Councils from participating, specified, and county municipalities, as well as the Ministry of Natural Resources and Forestry.

Subject: Draft Category 3 Agreements

Report No: 021-2022

Date: June 28, 2023

Consultation:

Appendix A: Draft Category 3 Service Agreement

Appendix B: Example of 2024 Budget Format

Appendix C: April 2023 Staff Report – 014-2023

Grey Sauble Conservation Authority – Municipal Cost Apportionment Agreement for Category 3 Programs and Services

Background:

Under Section 20(1) of the Conservation Authorities Act, the objects of an authority are to provide, in the area over which it has jurisdiction:

1. Mandatory programs and services required under section 21.1 of the Act.
Note: These programs and services do not require cost apportionment agreements.
2. Any municipal programs and services that may be provided under section 21.1.1.
Note: Funding for these programs and services is defined in the existing agreements for these programs. These agreements are already in place.
3. Any other programs and services that may be provided under section 21.1.2.
Note: These programs and services require cost apportioning agreements with participating municipalities where financing (i.e.: levy apportionment) is required by a participating municipality.

Through subsection 21.1.2 of the Conservation Authorities Act, an authority may provide, within its area of jurisdiction, any other programs and services that it determines are advisable to further the purposes of the Conservation Authorities Act. These programs are known as “Category 3” or “Other Programs and Services”.

In general, conservation authorities and municipalities can both benefit from the coordination of program and service initiatives as appropriate.

Agreement Requirements:

Conservation Authorities Act Requirements of Agreements:

1. The agreement is to be made available to the public on the Conservation Authority (CA) website or other means deemed advisable by the Conservation Authority.
2. The agreement will be reviewed at intervals determined in the agreement, but no longer than every five (5) years.

3. The agreement will have clear termination dates.
4. The agreement will provide for the early termination of the agreement by any party to the agreement, including,
 - i. how notice of early termination is to be provided by one party to the other party(ies), and
 - ii. a requirement that notice of early termination must be given at least 30 days before the early termination date or such greater period of time before the early termination date as may be specified in the agreement;
5. The agreement will be reviewed by the parties to the agreement within at least six months or longer (as specified in the agreement) before the termination date.
6. Programs and services will be provided in accordance with the terms and conditions in the agreement.
7. The agreement must provide for the participating municipality to pay the capital and operating expenses apportioned to them under the agreement.
8. The agreement must include provisions allowing the conservation authority to charge fees for any program or service for which a fee is proposed or may be proposed to be charged.
9. The agreement will include requirements for dispute resolution.
10. The agreement must be approved by a resolution of the participating municipal council.
11. The Province retains the right to prescribe standards and requirements for the provision of other programs and services. Should the Province enact regulations regarding the provision of services, the regulation would prevail in the event of conflict between the terms and conditions set out in the municipal agreement.

Other:

Posting the agreement will be consistent with the requirements of the Municipal Freedom of Information and Protection of Privacy Act.

Cost Apportioning Agreement
(hereafter, "Agreement")

THIS AGREEMENT is made on the _____ day of _____, 2023 (the "Effective Date").

BETWEEN:

THE TOWN OF ...
(hereinafter, "Participating Municipality")

AND:

GREY SAUBLE CONSERVATION AUTHORITY
(hereinafter, "GSCA")

WHEREAS GSCA is a conservation authority established under the *Conservation Authorities Act* ("Act") and is governed by its participating municipalities in accordance with the Act;

AND WHEREAS the Participating Municipality is a lower-tier municipality, located wholly or partly within the area under the jurisdiction of GSCA;

AND WHEREAS under the Act, Category 3 programs and services deemed advisable by the GSCA Board of Directors may be provided with municipal funding subject to a memorandum of understanding ("MOU") or such other agreement in respect of the programs and services;

AND WHEREAS GSCA is prepared to provide certain non-mandatory Category 3 programs and services to and/or on behalf of and/or within the boundaries of the Participating Municipality;

AND WHEREAS pursuant to Sections 25 and 27 of the Act, conservation authorities are authorized to apportion costs to municipalities for delivery of mandatory programs and services and general operating expenses;

AND WHEREAS pursuant to Section 25 and 27 of the Act and Ontario Regulation 687/21, conservation authorities and municipalities may enter into an agreement to allow for the apportionment of costs to municipalities for services provided, other than mandatory services;

AND WHEREAS the Participating Municipality wishes to avail themselves of the non-mandatory services attached hereto as **Schedule "A"**,

AND WHEREAS the Council of the Participating Municipality has authorized the Participating Municipality to enter into this Agreement with the GSCA for the delivery of programs and services;

NOW THEREFORE, in consideration of the terms of this agreement and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. This Agreement shall commence on the Effective Date and shall continue for five (5) years (the “**Initial Term**”). Thereafter, this Agreement shall continue for additional five-year periods (each a “**Renewal Term**”) unless either party provides written notice of termination to the other party at least ninety (90) days prior to the expiry of the Initial Term or Renewal Term, as the case may be.
2. This Agreement shall be reviewed by the parties at least six (6) months prior to the expiry of the Initial Term and each Renewal Term.
3. GSCA agrees to provide the Category 3 programs and services outlined in **Schedule ‘A’** to this Agreement.
4. Notwithstanding the foregoing, the Participating Municipality acknowledges and agrees that all programs and services identified in Schedule “A” shall also be included in a Watershed-based Resource Management Strategy that the GSCA is required to develop and implement under the *Act*.
5. GSCA will not add to or delete from the list of Category 3 programs and/or services funded through municipal apportionment without first consulting with the municipalities. Any such change would require an amendment to this Agreement agreed to in writing by all parties.
6. The costs associated with the Category 3 programs and services subject to this Agreement shall be reviewed by the parties on an annual basis as part of the GSCA budget and apportionment process.
7. When preparing its annual budget, GSCA shall follow the prescribed budgetary process in accordance with the requirements of the applicable regulations, including preparation of a draft budget, consultations with participating municipalities, rules for voting to approve the apportionment, and preparation of the final budget.
8. GSCA’s final approved budget shall be appended annually as **Schedule ‘B’** to the Agreement.

9. GSCA and the Participating Municipality shall identify and agree upon the cost of relevant Category 3 programs and services in the annual budget, and shall comply with the prescribed methods of apportionment, including the Modified Current Value Assessment (MCVA) apportionment method (the ratio that the participating municipality's modified current value assessment bears to GSCA's modified current value assessment) and/or the benefit-based apportionment method (the benefit that each participating municipality obtains from the program or service to which the operating expense or capital cost is related), or where permitted in accordance with the applicable regulations, by agreement.
10. Where Category 3 services are included in the budget process and apportionment, GSCA shall apportion the operating expenses and capital costs, as presented in the annual budget, to the Participating Municipality. The Participating Municipality's share of the total apportionment shall be appended annually as **Schedule 'C'** to this Agreement.
11. The Participating Municipality agrees to be apportioned costs as identified in **Schedule 'C'** to the Agreement.
12. Through this Agreement, the parties agree that the GSCA may, where applicable, charge a fee (user fee) for a Category 3 program or service provided under this Agreement by the GSCA. Any such fees collected for the programs and services identified in Schedule 'A' shall be used to offset the municipal apportionment costs associated with providing the Category 3 program and/or service for which the fee is collected.
13. Where Category 3 programs and services funded, in whole or in part, by the Participating Municipality involve user fees, such user fees shall only be imposed in accordance with GSCA's Fee Policy and Fee Schedules adopted in accordance with the provisions of the Act, or otherwise in accordance with provisions set out in an agreement between GSCA and the Participating Municipality.
14. GSCA and the Participating Municipality will strive to facilitate open and timely communication at all levels.
15. Unless otherwise provided for within the Act, if a dispute arises between the parties, including in respect of the content or interpretation of this Agreement, and which has not been resolved within sixty (60) days, such dispute may be submitted to a third party mediator, the choice of mediator to be agreed upon by the parties, and failing agreement to choose a mediator within an additional sixty (60) days, the mediator to be appointed by a judge of the Superior Court, for resolution via non-binding mediation conducted pursuant to the National Mediation Rules of the ADR.
16. Neither party shall be in default with respect to the performance or non-

performance of the terms of the Agreement resulting directly or indirectly from causes beyond its reasonable control (other than for financial inability) that could not reasonably have been foreseen, including, without limitation, any delay caused by war, invasion, riots, acts of terrorism or sabotage, acts of government authority (other than by the Participating Municipality), plague, epidemic, pandemic, natural disaster, strike, lock-out, inability to procure material, acts, laws or regulations of government authority or other cause beyond the reasonable control of such party and not caused by the act or omission of such party, and the performance of such term or terms shall be extended for a period equivalent to the period of such delay. This provision should not relieve the Participating Municipality of its obligation to pay fees and costs when due.

17. If any provision of this Agreement is invalid, unenforceable or unlawful, such provision shall be deemed to be deleted from this Agreement and all other provisions of this Agreement shall remain in full force and effect and shall be binding in all respects between the parties hereto.
18. The Participating Municipality and GSCA will continue to work together to identify opportunities for further collaboration to the benefit of both parties and ensure efficiency, transparency and accountability in the use of public sector resources.
19. The resolution of the GSCA Board of Directors to execute this Agreement shall be included as **Schedule 'D'** to this Agreement.
20. The resolution of Council from the Participating Municipality to execute this Agreement shall be included as **Schedule 'E'** to this Agreement.
21. This Agreement shall be made available to the public in accordance with the Act and any applicable regulations.
22. This Agreement may be executed in counterparts and when each party has executed a counterpart, each of such counterparts shall be deemed to be an original and all such counterparts, when taken together, shall constitute one and the same agreement.

- Signatory page follows -

IN WITNESS WHEREOF, the parties have entered into this Agreement as of the Effective Date.

**GREY SAUBLE CONSERVATION
AUTHORITY**

Per: _____
Name: Tim Lanthier
Title: Chief Administrative Officer

Per: _____
Name: Sue Carleton
Title: Chair, GSCA Board of Directors

THE TOWN OF ...

Per: _____
Name: _____
Title: _____

Per: _____
Name: _____
Title: _____

Schedule 'A' – Category 3 Programs and Services Requiring Apportionment

Service Area 1 – Watershed Monitoring & Management

For over 30 years, GSCA has partnered with the Ministry of Environment, Conservation and Parks (MECP) to complete water quality monitoring at 10 provincially selected locations. This work is part of the Mandatory Category 1 programming at GSCA.

GSCA has expanded upon this program by adding an additional 25 sites to better cover the 3200 square kilometers of GSCA's watershed jurisdiction. Samples are collected eight times per year at each site. Key parameters are summarized on GSCA's website and are reported back to the public through GSCA's Watershed Report Cards and Watershed Health Checks. The specific number of sites and sample events may change without further notice.

Additionally, GSCA conducts benthic macroinvertebrate sampling at 35 sites over a 2-year rotating period. Benthic macroinvertebrates are the organisms that live in the bottom of the streambed for at least part of their life cycle. By collecting and analyzing these organisms, GSCA is able to better assess the long-term health of our stream systems. This information is also reported back to the public. The specific number of sites sampled and analyzed per year may change without further notice.

Service Area 2 –Stewardship

The Watershed Stewardship work provided by GSCA serves to inspire and enable landowners to further their stewardship of the land and water within our watershed community. This program is currently geared largely towards the agricultural community, collaborating with rural landowners to develop and complete on the ground projects that will help to improve the local environment.

To date this program has worked with agricultural landowners to implement projects such as livestock exclusion fencing, alternative watering systems, barn eaves troughs to divert runoff, and planting of cover crops. When implemented properly, each project will help to improve the quality of water through reduced sedimentation and nutrients within the water. Additionally, GSCA has worked with local landowner groups to control invasive species that negatively impact the local environment.

While municipal apportionment currently contributes to staff salary within this program area, GSCA is continually working to acquire additional grants to help landowners implement these projects. Since 2018, GSCA has secured over \$400,000 in grant dollar to improve the watersheds that we all call home. This has been matched by over \$200,000 in contributions from benefiting landowners.

Service Area 3 – Conservation Information and Community Outreach

GSCA's Conservation Information and Community Outreach program area (Communications) is an internal service department that helps spread awareness of all of GSCA's program and service areas. Although this program area is fully funded by municipal levy apportionment, much of this work is geared towards mandatory programs and services (Category 1). However, we acknowledge that some of the work conducted by GSCA's Communications Team is allocated to Category 3 programs and services. In an effort to be transparent, we have included some of the costs of this program area as Category 3.

DRAFT

APPENDIX B

	Approved 2022 Budget	Draft 2023 Budget
Other Dams		
Salary, wages & benefits	18,000	14,500
Contracts & Services		
Vehicles & Equipment	1,600	1,600
Materials & Supplies	1,500	1,500
Total Other Dams	21,100	17,600
TOTAL WATER MANAGEMENT	170,727	186,780

Watershed Monitoring & Management		
Salary, wages & benefits	17,528	18,655
Contracts & Services	14,000	18,000
Vehicles & Equipment	5,000	3,000
Materials & Supplies	400	400
Total Watershed Monitoring & Management	36,928	40,055

Stewardship		
Salary, wages & benefits	58,776	69,527
Contracts & Services	1,000	1,000
Vehicles & Equipment	3,000	1,500
Materials & Supplies		
To Reserves		
Total Stewardship	62,776	72,027

	Approved 2022 Budget	Draft 2023 Budget
Other Dams		
Municipal Levy - General and Category 1	21,100	17,600
CAA S39		
MECP (DWSP)		
Agreements, MOUs and Grants		
Total Other Dams	21,100	17,600
TOTAL WATER MANAGEMENT	170,727	186,780

Watershed Monitoring & Management		
Municipal Levy - General and Categrory 1		
Municipal Levy - Category 3	36,928	38,755
MECP (DWSP)		
Agreements, MOUs and Grants		1,300
Total Watershed Monitoring & Management	36,928	40,055

Stewardship		
Municipal Levy - General and Category 1		
Municipal Levy - Category 3	35,639	37,027
MECP (DWSP)		
Agreements, MOUs and Grants		30,000
From Reserves or Surplus	62,776	5,000
Total Stewardship	98,415	72,027



STAFF REPORT

Report To: Board of Directors
Report From: Tim Lanthier, CAO
Meeting Date: April 26, 2023
Report Code: 014-2023
Subject: GSCA Final Inventory of Programs and Services – per Ontario Regulation 687/21

Recommendation:

WHEREAS on October 4, 2021, the Province of Ontario released Ontario Regulation 687/21 – Transition Plans and Agreements for Programs and Services Under Section 21.1.2 of the Act,

AND WHEREAS the GSCA Board of Directors approved GSCA’s Inventory of Programs and Services for consultation,

AND WHEREAS GSCA Staff have consulted on the Inventory of Programs and Services,

THAT the GSCA Board of Directors endorse the attached “Grey Sauble Conservation Authority Final Programs and Services Inventory” as presented,

AND THAT the CAO be directed to negotiate and finalize agreements with GSCA’s participating municipalities for certain Category 3 Programs and Services,

AND THAT the GSCA Board of Directors direct Staff to bring the final Category 3 Agreements back to the Board of Directors for endorsement prior to execution.

Strategic Initiative:

This item is related to all of GSCA’s Strategic Initiatives and overall operations.

Background:

Over the last several years, the Provincial government has been working towards revisions of the Conservation Authorities Act (herein, the “Act”). In 2020, the Province released Bill 229 which included, under Schedule 6, amendments to the Act.

One of the primary changes repealed Section 20 of the Act, which previously stated,

“The objects of an authority are to provide, in the area over which it has jurisdiction, programs and services designed to further the conservation, restoration, development and management of natural resources other than gas, oil, coal and minerals”.

This section was replaced with:

*“The objects of an authority are to provide, in the area over which it has jurisdiction,
(a) the mandatory programs and services required under section 21.1;
(b) any municipal programs and services that may be provided under section 21.1.1;
and
(c) any other programs or services that may be provided under section 21.1.2.”*

The revisions to the Act go on to define mandatory programs and services, municipal programs and services and other programs and services. An excerpt from the legislation is included as Appendix ‘D’ to this report. Also required as part of these changes is a Transition Plan and an Inventory of Programs and Services. The intent of the Transition Plan is to lay out the process for ensuring that the required changes in operations and funding occur by the January 1, 2024 deadline. The intent of the Programs and Services Inventory is to allow for transparency and consultation with municipal partners regarding which programs are classified as “mandatory”, “municipal” or “other” and how these various programs are funded.

In early 2021, the Province released the Regulatory Proposal Consultation Guide, Phase 1, to receive feedback and comments. This Consultation Guide provided preliminary details on mandatory versus non-mandatory programs and provided more details on the required transition plans. Based on this Consultation Guide, staff prepared a Draft Transition Plan for review by the Board and to facilitate discussions with municipal staff.

On October 4, 2021, the Province released *Ontario Regulation 687/21: Transition Plans and Agreements for Programs and Services Under Section 21.1.2 of the Act*. This regulation defined the Transition Period and the deliverables due throughout that period. This regulation also identified the specific requirements for the Transition Plan. The transition plans were to be submitted to the Province by December 31, 2021. The agreements for non-mandatory programs and services need to be established by December 31, 2023.

As outlined in Ontario Regulation 687/21, the Transition Plan is to include a work plan and timeline outlining the steps a conservation authority plans to take to develop and enter into agreements with its participating municipalities. The Transition Plan is to include the consultation process with participating municipalities on the inventory of all the Authority's programs and services and the steps to be taken to enter into agreements where municipal levy is required to fund non-mandatory programs and services.

On December 22, 2021, the GSCA Board of Director's approved the required Transition Plan (FA-21-148), and this Plan was forwarded to all participating municipalities, the Ministry of the Environment, Conservation and Parks (MECP), and was posted on GSCA's public facing website.

Since approval by the Board, this Plan has been amended to include the required Program and Services Inventory, as well as to amend the timeline as necessary throughout the process.

The Inventory of Programs and Services was intended to be a starting point for consultations between GSCA and our municipal partners. As per the requirements of the regulation, the Inventory contains a full listing of GSCA's programs and services, identification of each program as Category 1 (mandatory), Category 2 (municipal service agreement) or Category 3 (other programs and services). The inventory provides legislative justification for inclusion of each program and/or service within each respective category, the approximate cost of providing the program and/or service, the available funding mechanisms, and a statement on whether agreements are required for the program and/or service.

Category 1 (mandatory) programs and services do not require a service or cost apportioning agreement and will continue to be apportioned levy as they are under the current budget system.

Category 2 (municipal service agreements) do require a service agreement for programs and/or services that are conducted at the request of a municipality. GSCA already has service agreements in place for these programs. Details of this are provided in the Inventory.

Category 3 (other programs and services) require a cost-apportioning agreement if these programs require the use of municipal funding. As noted in the inventory, some of these programs/service areas currently utilize municipal funding and some are fully self-sustained. Only those currently utilizing funding are proposed for a cost-apportioning agreement.

GSCA's Inventory of Programs and Services has been laid out in a manner consistent with GSCA's current annual operating budget. This should provide the greatest level of

clarity and transparency in comparing and distinguishing between program and service areas.

This Inventory was required to be approved by the Board and circulated to municipal partners and the MECP by February 28, 2022. The GSCA Board approved the Inventory on January 26, 2022 (FA-22-011), after which it was circulated as required.

Over the last 15-months, GSCA staff have been consulting with senior municipal staff and municipal councils on the Inventory of Programs and Services. A copy of the municipal consultation package is attached as Appendix 'B' to this report. Due to the 2022 municipal election, advice provided by senior staff at most municipalities was to wait until 2023 to provide presentations to municipal councils. As of April 12, 2023, GSCA has completed this consultation and has received supportive motions from all councils to move forward with negotiating agreements with municipal staff for Category 3 programs and services.

Additionally, GSCA has been providing quarterly updates to the Province as required in legislation. To date, four updates have been provided. The next updates will be June 30, 2023 and September 30, 2023. The most recent Progress Report is included in the information package attached as Appendix 'C' to this report.

No changes were requested to the Programs and Services Inventory by either senior municipal staff or any municipal councils. Prior to consulting, GSCA staff updated the programs and services inventory to reflect the approved 2023 budget, as opposed to the previously approved 2022 budget. This change was made to better reflect programming costs moving forward.

Next Steps:

The Programs and Services Inventory as attached in Appendix 'A' represents the final iteration of this document. As noted in the Inventory, the program and service areas that are assigned as Category 3 and utilize municipal levy funding are Watershed Monitoring, Stewardship, and a portion of the Communications budget. Based on the approved 2023 budget, the total levy related cost of providing these services is \$78,543 per year. This amount is divided amongst the participating municipalities based on the Modified Current Value Assessment method, similar to the remainder of the levy apportionment. This amount is expected to change annually, similar to the rest of the budget.

GSCA Staff will move forward with agreement negotiations with senior municipal staff with the intent of having these agreements executed by late summer 2023. It is anticipated that GSCA's budget format will change in future years to identify levy apportionment for Category 1 and General Operating Expenses, and levy apportionment for Category 3 programs. The budget will become a schedule to the agreements and will be updated annually to reflect the Category 3 program costs. In

this way, participating municipalities will have an opportunity to review these costs annually. The agreements themselves, once executed, will be reviewed every five years.

Financial/Budget Implications:

There are no immediate financial implications associated with the Final Programs and Service Inventory. However, the inventory includes the costing associated with each program area and identifies those areas that will require cost-apportioning agreements.

Communication Strategy:

GSCA will work with municipal staff to negotiate Category 3 service agreements. It is anticipated that municipal staff will bring these agreements before their respective councils in July or August 2023 for a bylaw to authorize the execution.

GSCA staff will bring the draft agreement forward to the GSCA Board of Directors for review prior to this agreement going to the respective municipal councils.

Consultation:

The CAO has been in consultation with GSCA Staff, Conservation Ontario, Ontario's other Conservation Authorities, and municipal staff. Ongoing consultation will continue to include staff and Councils from participating, specified, and county municipalities, as well as the Ministry of Natural Resources and Forestry.



Grey Sauble Authority Board of Directors

M O T I O N

DATE: June 28, 2023

MOTION #: FA-23-067

MOVED BY: _____

SECONDED BY: _____

WHEREAS under Section 21.1.2(2) of the Conservation Authorities Act, GSCA is required to enter into agreements with participating municipalities for the provision of Category 3 programs and services,

AND WHEREAS the GSCA has drafted and circulated a draft agreement to senior municipal staff for review, discussion and approval,

THAT the GSCA Board of Directors receive CAO Report 021-2023 – Draft Category 3 Agreements, as information.



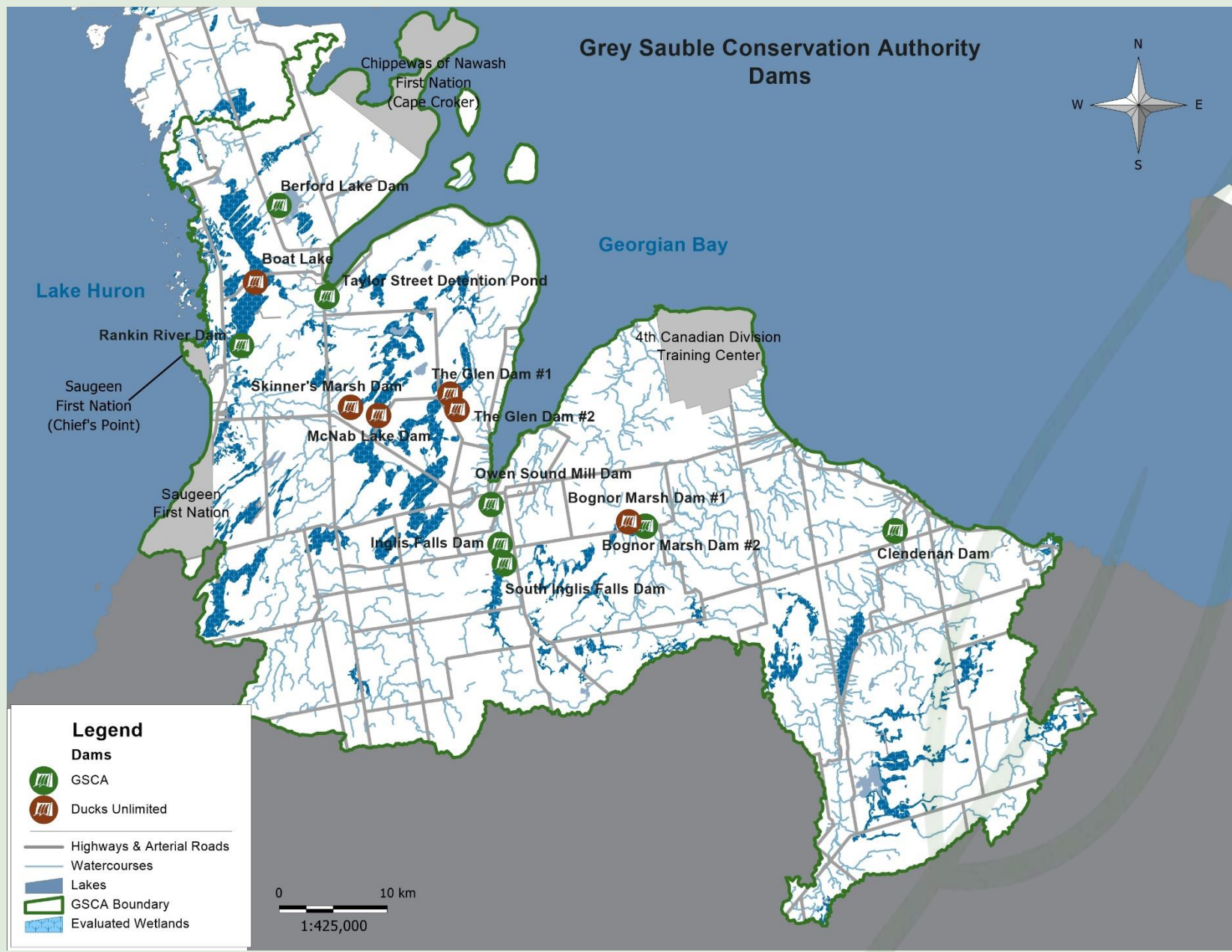
Grey Sauble
CONSERVATION

DAM ADVENTURES

2023



GSCA Dams



Installed March 28 - April 17
4 logs installed
Needed to remove and re-
install logs due to heavy rains
Logs removed every Fall

Berford Lake Dam



Started Install April 27
Early install to avoid Swan nesting issues
North gate partially open (high flows)
Finished closing gate May 26
Draw-down (raise gates) every Fall

Mill Dam



Installed April 10 - May 19
Draw-down every Fall

Bognor Marsh #2



Installed May 24
Lots of Debris cleared by staff
Hy-hoe not needed this year
WECI funding for 50% New Logs (12)

Clendenan Dam



Rankin Dam

Third year using new winter settings

Installed May 23 – June 1

Draw-down every Fall

Need to install before lake levels drop below Normal Operating Level



Excellent Seal This Year
No plugs needed this year

Rankin Dam Pt 2



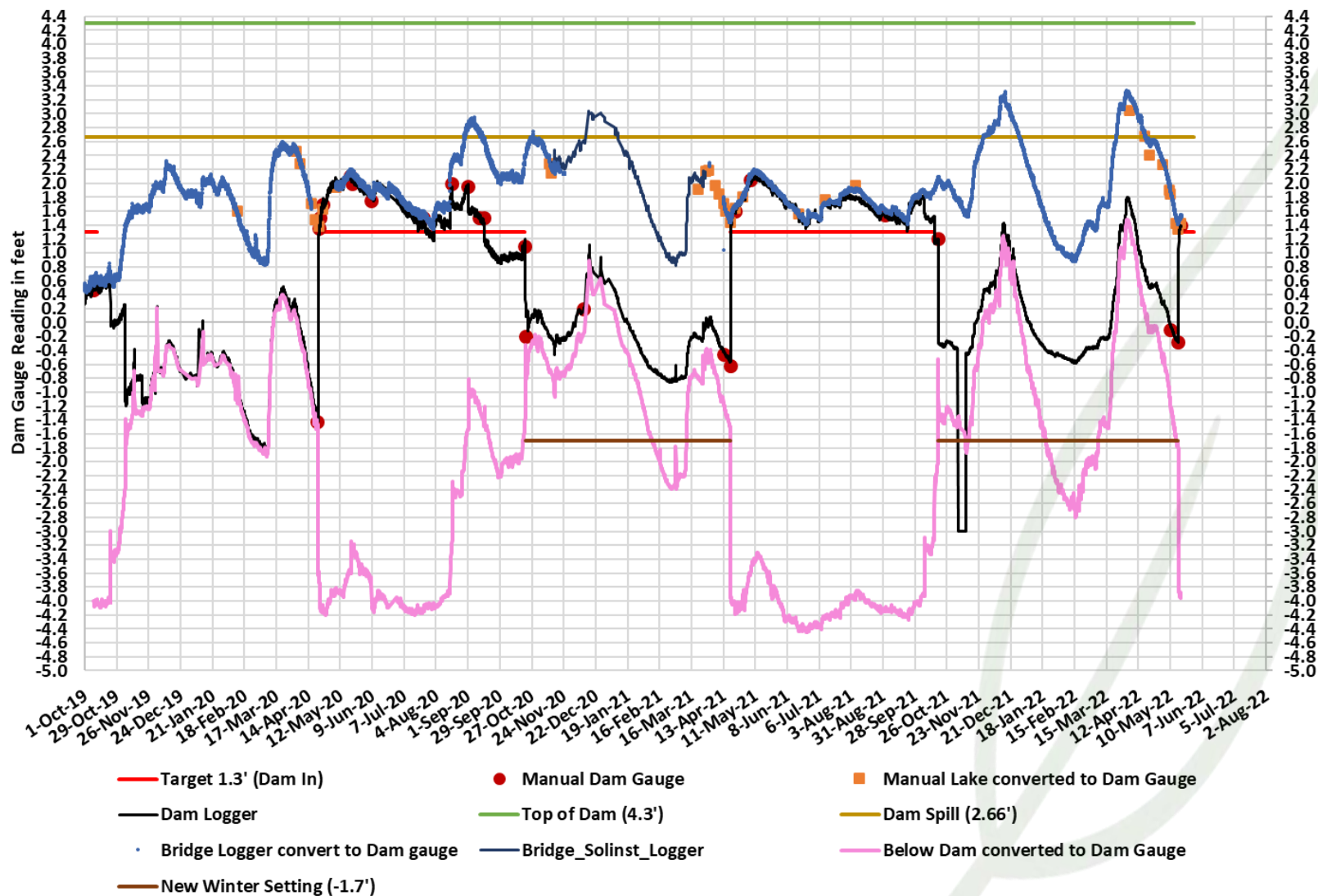
Biodegradable Plugs using
wood chips, burlap and twine



Impacts from new winter setting

New Rankin Dam

Rankin Levels Fall 2019-2022



Install started June 1, one log per bay
Waiting for higher flows to add another log
Draw-down every Fall

Inglis Falls Dam





Grey Sauble
CONSERVATION

THANK YOU

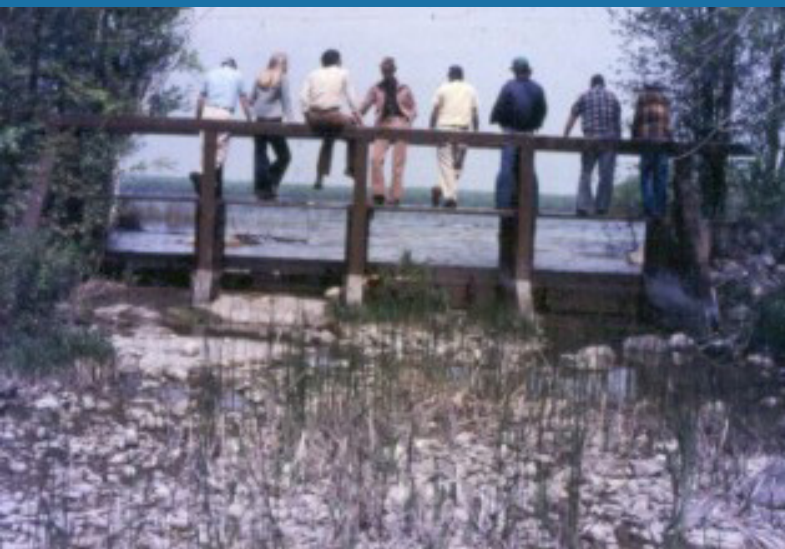




OPERATION AND MAINTENANCE MANUAL

BERFORD LAKE DAM

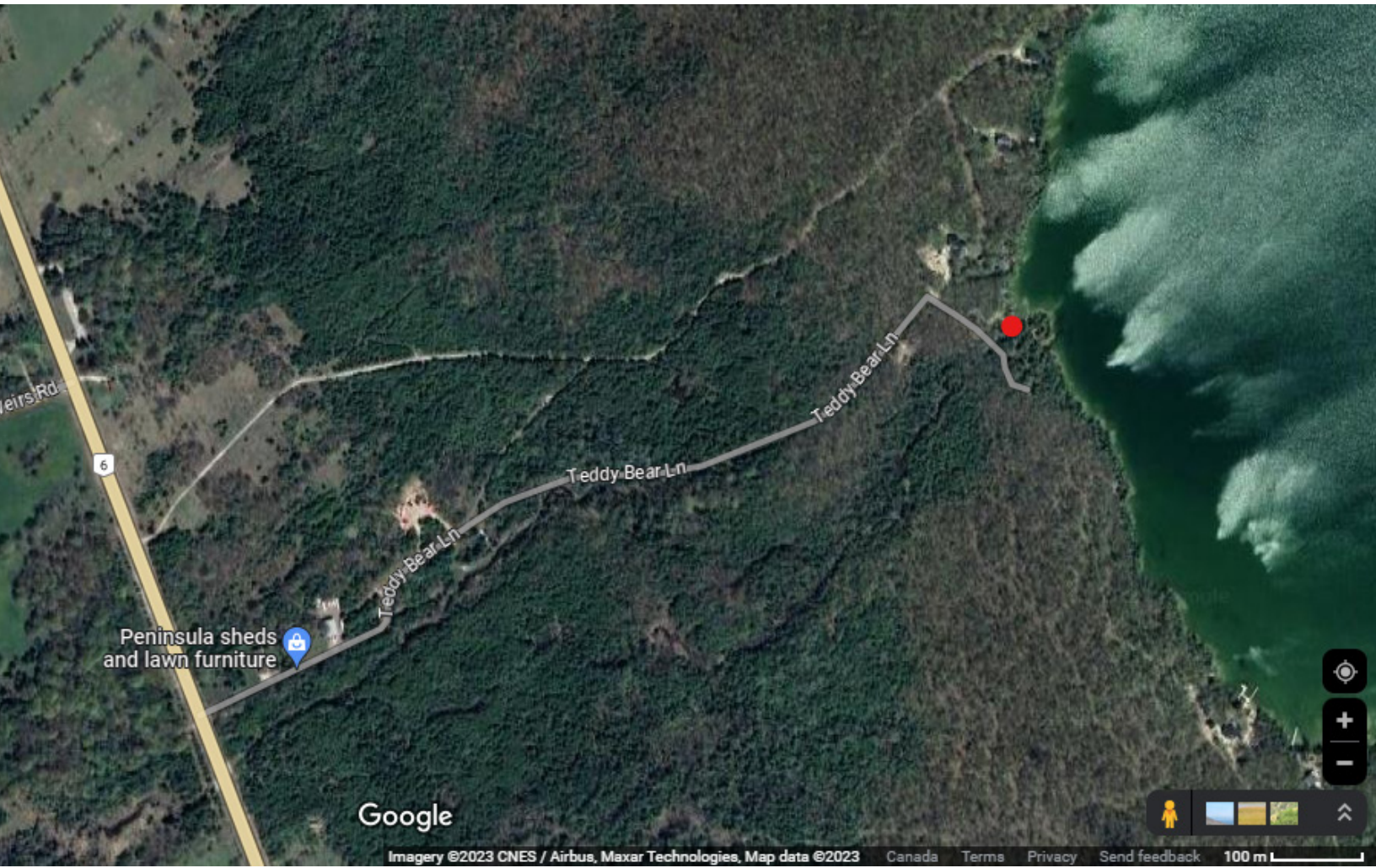
JUNE 2023



LOCATION OF DAM

Berford Lake Dam is located on the Rankin River at the outlet from Berford Lake. The dam is situated on lot 22, concession 3 EBR within the Municipality of South Bruce Peninsula (former Albemarle Township). Access to the dam is by a private road, called Teddy Bear Lane, running easterly from Highway # 6.

Figure 1 - Berford Lake Dam Location



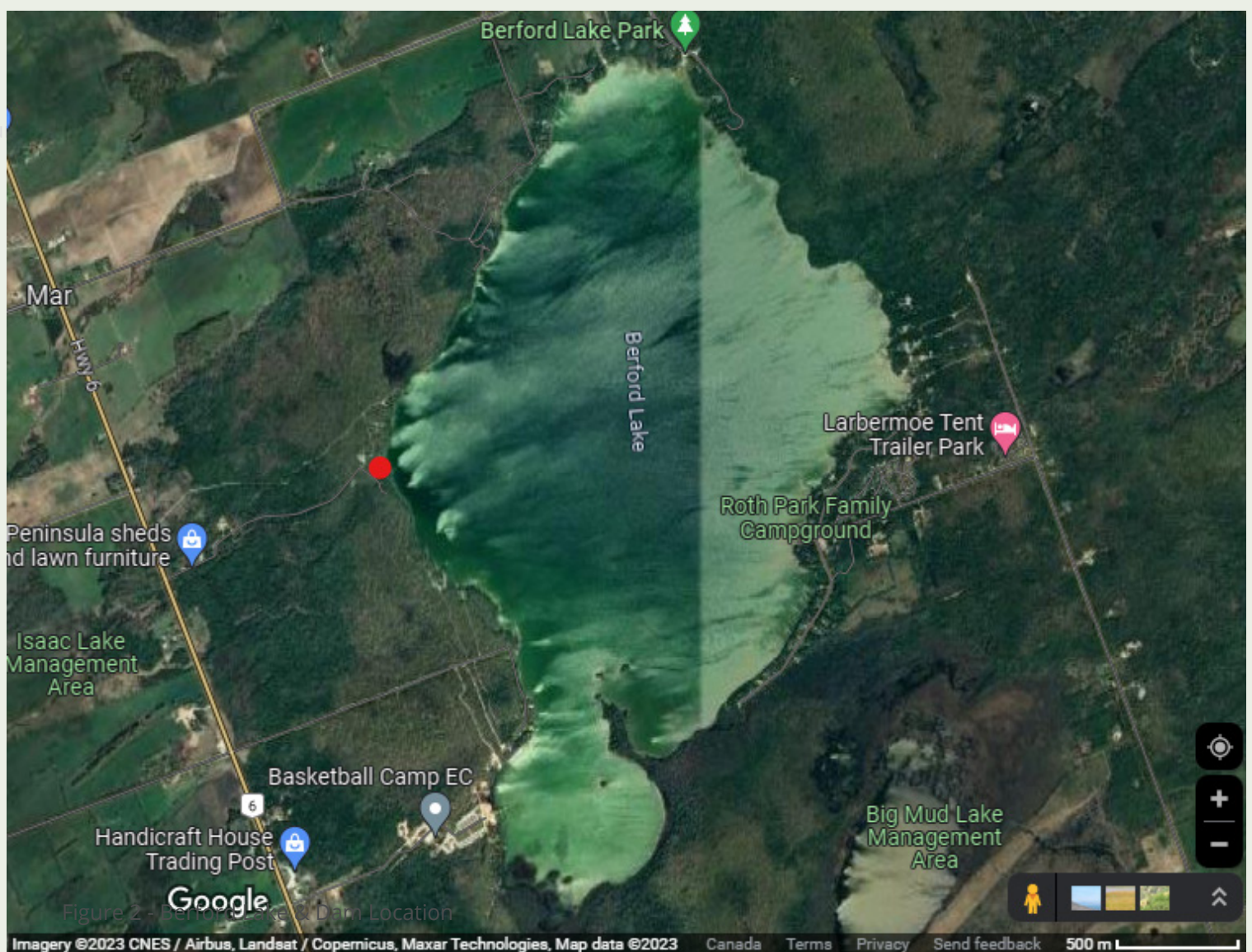


Figure 2 - Berford Lake Dam Location

PURPOSE OF DAM

Berford Lake Dam was constructed by the Ontario Department of Public Works in 1952 at the request of local property owners and camp owners. The dam maintains water levels within the lake throughout the summer months for mostly recreational purposes, but the dam does help to improve fish and wildlife/waterfowl habitat. The lake shore has a large cottage population. During most years, the dam maintains adequate water levels. However, the lake itself has a small drainage basin and does not receive significant baseflows to help maintain lake levels.

As a result, maintaining lake levels is highly dependent on rainfall. During dry years, the lake levels continue to drop as the lake also drains through sink holes located along the northwest shoreline.



Figure 3 - Berford Lake Dam Upstream View

DESCRIPTION OF DAM

The dam consists of a centre pier of structural steel between two concrete outer abutments. Wooden decking spans the opening between the centre pier and the two outer abutments. The two bays each contain three 150mm (6") timber stop logs maintaining a head of 0.45m (1.5 ft.) in the summer. Each bay is 3.6 m wide.

There is a 2" pipe embedded into the bottom of the structure to maintain some flow downstream. As well, there is some minor piping that occurs at both ends of the dam. Provided water levels are held back by the dam, there is always some flow downstream.



Figure 4 - Berford Lake Dam Downstream View

DAM OPERATIONS

The bottom stop log in each bay is permanently seated into a groove in the concrete sill of the dam. These logs are left in place year-round. The remaining four logs are installed after the peak spring runoff period. Installation normally occurs in the month of April but timing is dependent upon spring runoff and weather conditions. The lake elevation at the dam should be checked a few days after the peak flows have passed.

Efforts should be made to install the dam before lake levels drop below summer targets and in a manner that will maintain flows downstream.

In 2019, a manual staff gauge was added to the dam. A target level of 0.39m (top of logs) on the staff gauge has been determined for normal operating levels. Efforts should be made to keep levels below 0.5m in order to prevent nuisance shoreline flooding.

The four stop logs are typically removed in mid - October for the winter months.

DAM MAINTENANCE

The dam is inspected annually by Grey Sauble staff. The dam is in good condition and requires very little maintenance. When inspecting the dam, particular attention should be given to the condition of the stop logs, wooden decking and the steel hand railing on the downstream side of the dam.

The access road to the dam is privately owned. It also provides access to several cottages in the area. By agreement on title to the property on which the dam is located, the Authority is responsible for one seventh of the cost of maintaining the road.

Periodically the Authority will be required to contribute to the cost of grading or placing gravel on the road. The work is normally organized by a representative of the local cottage owners. In recent years, the cottage owners have assumed the authority's share of the road maintenance.

Figure 5 - Berford Lake Dam Staff Gauge



PUBLIC COMMUNICATIONS

Grey Sauble staff do not have a contact list for this structure. The structure is deemed to be very low risk to public safety and adjustments to logs do not cause sudden changes to lake water levels.

EMERGENCY OPERATIONS

An emergency situation is defined as any condition that requires the operator to take immediate action that should not be delayed. Details of the situation can be communicated to supervisory personnel in due course.

For larger dams, an emergency condition can include failure of the dam or some component, suspected impending failure, overtopping of the dam or flooding above a specified level. Examples are:

- sudden slumping, cracking, bulging of dam embankments or abutments
- seepage or wet areas on the downstream slope of the dam
- flows in the river upstream of the dam that exceed the discharge capacity of the dam
- ice or debris blockage of the spillways
- intense rainfall event that causes storm water surging of the impoundment

As noted earlier, Berford Lake dam is a very low risk to public safety. The dam is a low-level concrete structure seated on bedrock. There is no concern for sudden embankment slumpage or dam failure. A sudden removal of the logs during high lake levels will result in flows that will be contained within the downstream channel and would result in flows similar to normal spring runoff conditions.

Appendix 1

BACKGROUND HISTORY - FILE NOTES

1. Location and Description

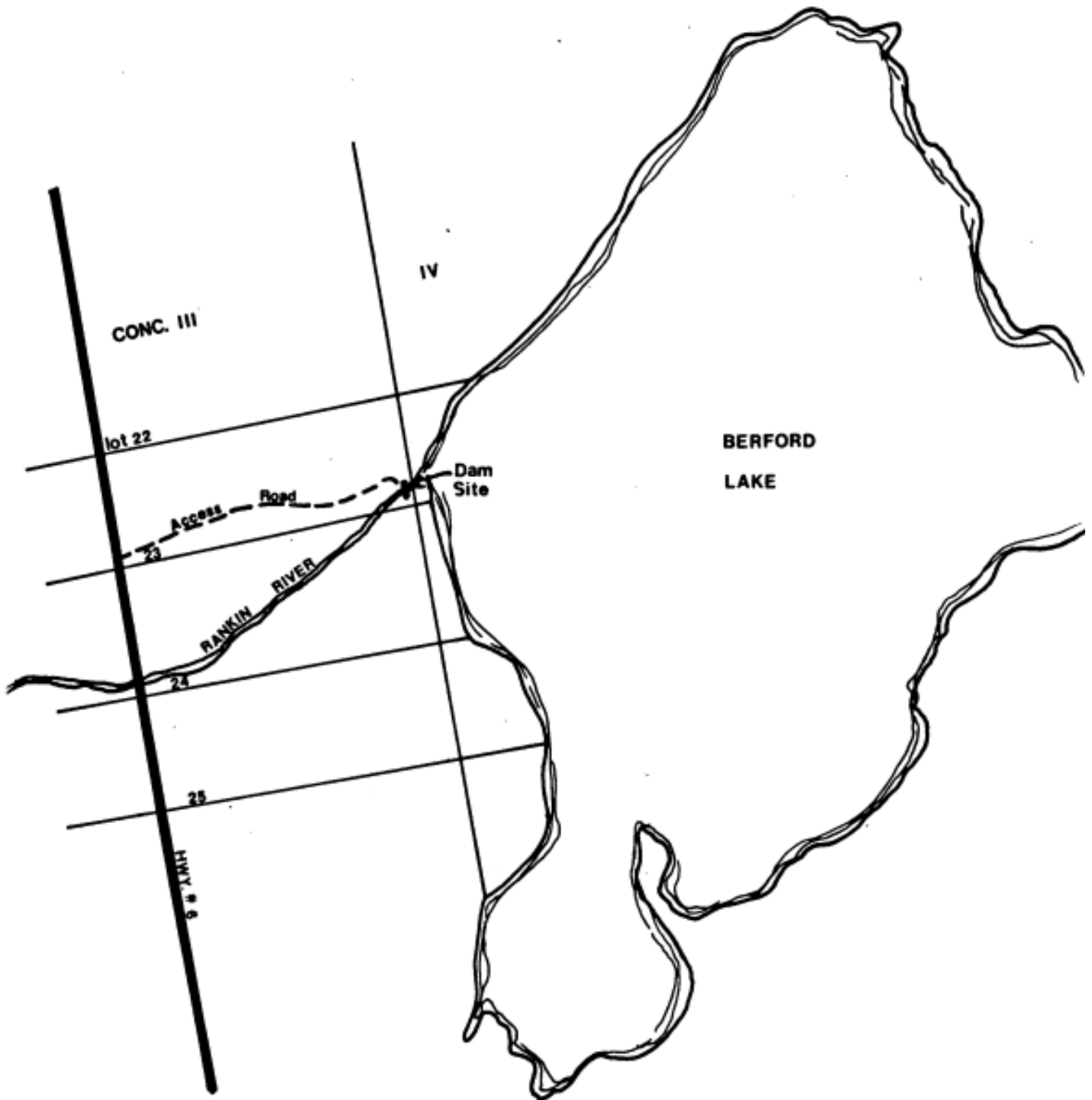
Berford Lake is one of four lakes comprising the Rankin River lake chain and is located within the Rankin Resources Management Area. (see map 1) The lake has a surface area of approximately 404 ha (1000 acres) and a maximum depth of 6.2 m (20 feet).

The outlet from the lake is the Rankin River, on the west side of the lake. Located at this outlet is a small water control structure which maintains summer levels in Berford Lake. The structure is located on private land in Lot 23, Concession 3, E. B. R., Albemarle Township. (see map 2)

The parcel to be acquired consists of approximately 0.16 ha (0.40 acres) surrounding the water control structure. The parcel is situated at the easterly end of Lot 23 approximately 0.8 km (0.5 miles) east of Highway # 6. Access to the structure is via a right-of-way designated as Part 23 of Plan R 134. This right-of-way also provides access to 5 cottage lots on Berford Lake. Rights to the use of this access are to be acquired with the parcel of land on which the dam is located.

The dam is approximately 12 m (40 feet) in length and consists of concrete abutments with a wooden walkway on top and four bays constructed of wooden timbers. The bays vary in size from approximately 170 cm (5.5 feet) to 182 cm (6 feet) in width. Flash boards, approximately 5 cm (2 inches) thick are used to retain water behind the structures to a depth of approximately 40 cm (16 inches).

MAP 2: BERFORD LAKE DAM



2. Purpose of the Project

The Berford Lake Dam was built by the Department of Public Works as an experimental dam on the recommendation of the Department of Lands and Forests in 1951. It was built on private land and has not been under effective public control since it was constructed.

During the 1950's the dam was maintained and operated by private interests on the lake. Many conflicts arose concerning the manner in which it was to be operated. When the Authority came into existence it assumed responsibility for this task. The Authority has relied upon the goodwill of the landowner in order to obtain access to the dam for operational and maintenance purposes.

Loss of this goodwill, at any time in the future, would result in the loss of effective control on summer water levels in Berford Lake. This control is necessary to ensure sufficient water for recreational boating and fishing enjoyed by owners of approximately 120 cottages and visitors to 3 resorts and 2 trailer camps around the lake. Lake levels are also important to the provision of water to several cottages via intake pipes.

Residents and tourist accommodation operators have expressed concern over the uncertainty of the situation with respect to the control structure for many years. The Township of Albemarle has suggested that the best, long term, guarantee of continued management is through acquisition of the structure by the Authority, and a resolution to this effect has been received from their council.

The future of the Berford Lake Dam has been considered by the Rankin Technical Committee in its discussions on the Rankin Resources Management Area master plan. Outright acquisition of the structure is

recognized as the most desirable method of ensuring control and acquisition has been proposed in the Rankin Plan. In addition, the Technical Committee has recommended this acquisition to the Land Acquisition Advisory Board of the Authority.

3. Costs and Financing

Cost

Cost of the Acquisition is:

Land Cost	\$5,000
Legal, Survey, tax adjustments, contingencies	<u>2,000</u>
Total	\$7,000

Financing

Authority's Share	45%	\$3,150
Provincial Grant	55%	<u>3,850</u>
Total		\$7,000

The Authority's share of the cost is to be realised by general levy with all member municipalities deemed to benefit in accordance with the equalized assessment of each within the watershed.

4. Approvals and Requests

At the Sauble Valley Land Acquisition Advisory Board meeting held on November 28th, 1978, the following motion was passed:

MOTION NO.
S.V.L.A. - 78 - 9

Moved by James Monahan
Seconded by Robert Greig

THAT it be recommended to the Executive Committee that the Authority offer to purchase the Berford Lake Dam at a cost of \$5,000 and further

THAT the Authority agree to pay all survey costs and agree to participate in a one-sixth share of the cost of maintaining the access road to the dam,

Carried unanimously.

The above recommendation was adopted by the Authority's Executive Committee at its meeting of December 14th, 1978 in Motion No. J.T.E. 78-112.

A formal letter of request to the Minister is attached.

5. Land Values

The parcel is to be purchased from Mr. Gillies White. No previous transactions have occurred on this specific parcel since the dam was constructed in 1951.

No appraisal has been undertaken due to the fact that the cost is under \$10,000. The \$5,000 price represents the value Mr. White places on the loss of the parcel adjacent to his cottage lot, the granting of an easement to gain access and the goodwill he has provided in allowing use of the site since 1951.

OPTION TO PURCHASE given this first day of January 1979,

BY: Gillies White

Hereinafter called the Vendor;

TO: Sauble Valley Conservation

Hereinafter called the Purchaser;

Authority

WITNESSETH that in consideration of the sum of ten Dollars (\$10.00) now paid by the Purchaser to the Vendor, receipt of which the Vendor hereby acknowledges, Vendor, grants to Purchaser the Exclusive and irrevocable option to purchase for the sum of Five thousand Dollars (\$5,000) (at a rate of \$ per acre) payable in cash or by certified cheque; A parcel of land situated in the Township of Albemarle, in the county of Bruce and the Province of Ontario, and being composed of: Part of Part 11, Plan B 134, and Part of Lot 23, Concession 3 E.B.R. shown on attached sketch designated schedule A, and containing acres, more or less; together with all structures and fixtures thereon, ~~except as follows~~ and a right-of-way to said parcel across Part 23 of Plan R 134.

Vendor warrants that he has good and marketable title to said lands and that same are free from encumbrance, except the following:

This option shall be open for acceptance until but not after 11:59 p.m. on the 1 day of July, 1979, and may be exercised by letter sent by registered mail addressed to Vendor at R. R. #4, Wiarton, Ontario, or delivered personally. If exercised by registered mail, notice thereof shall be conclusively deemed to have been received by Vendor at the actual date and time of mailing in the Post Office.

Upon the exercise by the Purchaser of this option, it shall then constitute an agreement of purchase and sale, subject to the following terms and conditions:

1. Vendor shall not be bound to produce any evidence of title except such as is in his possession or under his control;
2. Purchaser shall have 20 days from exercise of option to search title at its own expense. Vendor shall have 30 days to remove objections to title made by Purchaser within the 20 day period but, if Vendor is unable or unwilling to do so, Purchaser shall be at Liberty to withdraw and upon withdrawal this agreement shall be null and void and the Vendor shall return to the purchaser any and all sums paid hereunder without interest;
3. Transaction shall be closed not later than 60 days from and including the date of exercise of this option, and vacant possession of the property shall be given to the purchaser on closing;
4. ~~Unless otherwise specified hereon, Vendor will pay all costs of all taxes, interest, and insurance which may be imposed on the property and premises which are the responsibility of Vendor until closing.~~
5. Moneys paid by purchaser as consideration for this option shall be credited to purchaser as part payment of purchase price on closing;
6. Wife of Vendor agrees to bar dower in lands on closing;
7. "Vendor" used herein means and includes the singular, the plural, masculine and feminine as the context requires.
8. Special Conditions

See Attached Schedule B

SCHEDULE B

Special Conditions

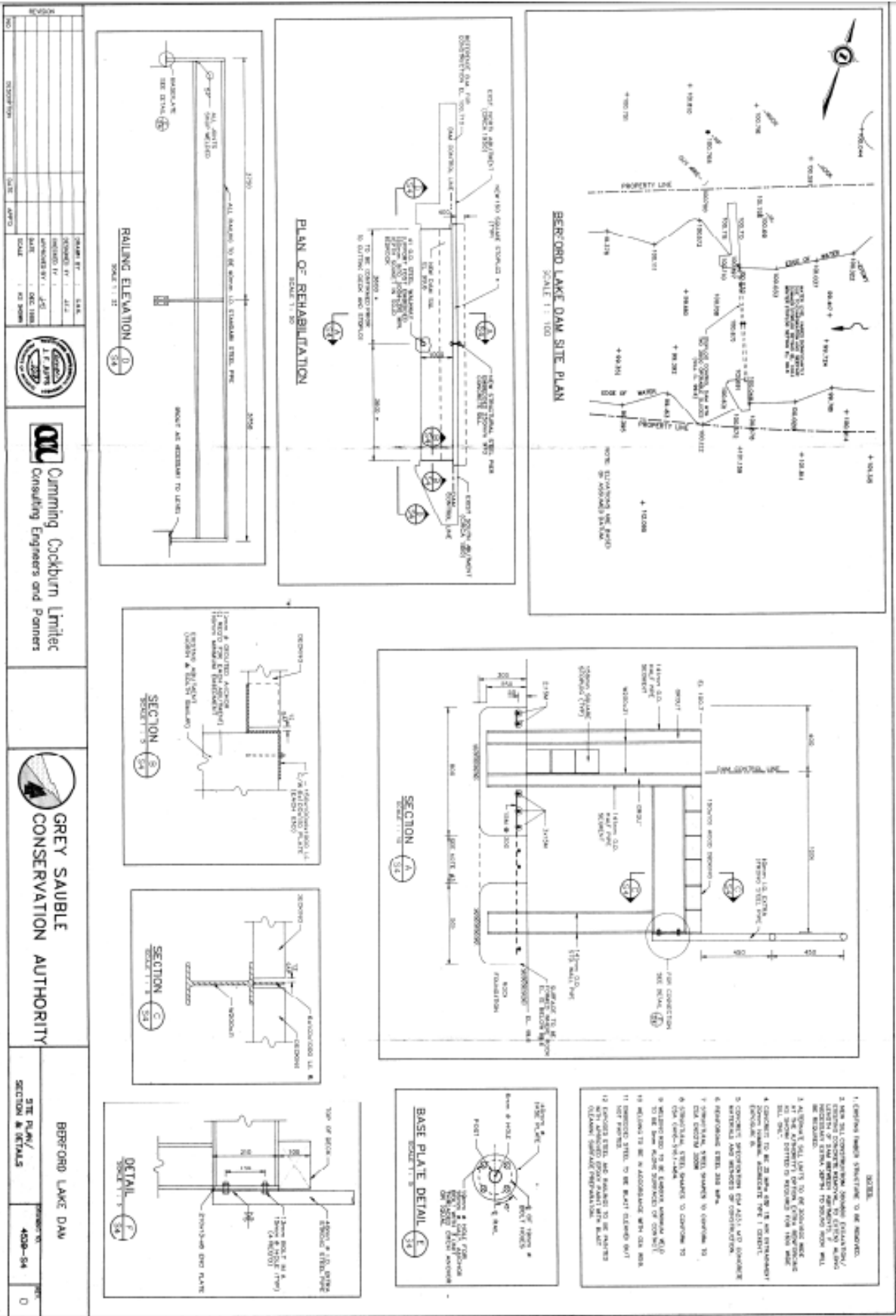
- a) Subject to the approval of the Ministry of Natural Resources
- b) Conservation Authority to pay survey costs
- c) Conservation Authority agrees to assume responsibility for 1/6 share of the cost of maintenance on access road to the dam from Highway # 6.
- d) Property taxes to be adjusted as of the date of closing for this transaction.

Appendix 2

ORIGINAL DAM



Appendix 3
ENGINEERED DRAWINGS



Appendix 4

DAM INFORMATION

Flood Control and Water Conservation Dams

Project: Berford Lake Dam

Authority: Grey Sauble

Location: Rankin River, Lot 22, Concession 3, Albemarle Township

Type: Concrete Structure with Stop Logs

Purpose: Maintain water levels in Berford Lake for recreational purposes

Drainage Area 32.4 km² Total Discharge Capacity 14 m³/s

Construction Period 1952

Elevations

Crest	<u>100.7</u> m
Sill	<u>99.6</u> m
Invert of Uncontrolled Spillway	<u>100.7</u> m
Invert of Low Flow Control	<u>N/A</u>

Reservoir

Surface Area at Max. Water Level	<u>N/A</u> km ²
Storage Volume at Max. Water Level	<u>N/A</u> m ³
Surface Area at Conservation Level	<u>4</u> km ²
Storage Volume at Conservation Level	<u>40,000,000</u> m ³ est
Average Length at Max. Water Level	<u>N/A</u> m
Average Width at Max. Water Level	<u>N/A</u> m
Average Length at Conservation Level	<u>3,000</u> m
Average Width at Conservation Level	<u>1,200</u> m

Dam - No Berm

Crest Length	<u> </u>
Crest Width	<u> </u>
Height above Stream Bed	<u> </u>
Maximum Width	<u> </u>
Spillway Width	<u> </u>

Control Structure

Number of Gates	<u>2</u>
Type of Gates	<u>stop logs</u>
Width of Opening	<u>2 x 3.6</u> m
Height of Opening	<u>1.1</u> m
Size of Gates	<u>.45 m x 3.6</u> m
Low Flow Tubes	<u>Nil</u>

water\floodcon.frm

N/A - information not available

Appendix 5

EXCERPT FROM SAUBLE VALLEY CONSERVATION REPORT

-58-

7. Berford Lake

The accompanying two-page map of Berford Lake shows the approximate depth contours, the locations of the main transects used in deriving the depths, and the chief vegetation contained on August 9, 1958. Temperatures of the lake showed only minor variations. At 18-foot depth the temperature was 70°F. The Secchi disc reading was 14½ feet indicating that the lake water was very clear. The bottom is marl, limestone bedrock and occasional boulders.

(a) Fish

The chief species of forage fish caught in the lake with a minnow seine were the bluntnose minnow and the blackchin shiner. Other species caught in minnow seines were yellow perch, rock bass, the central mudminnow and the Johnny darter.

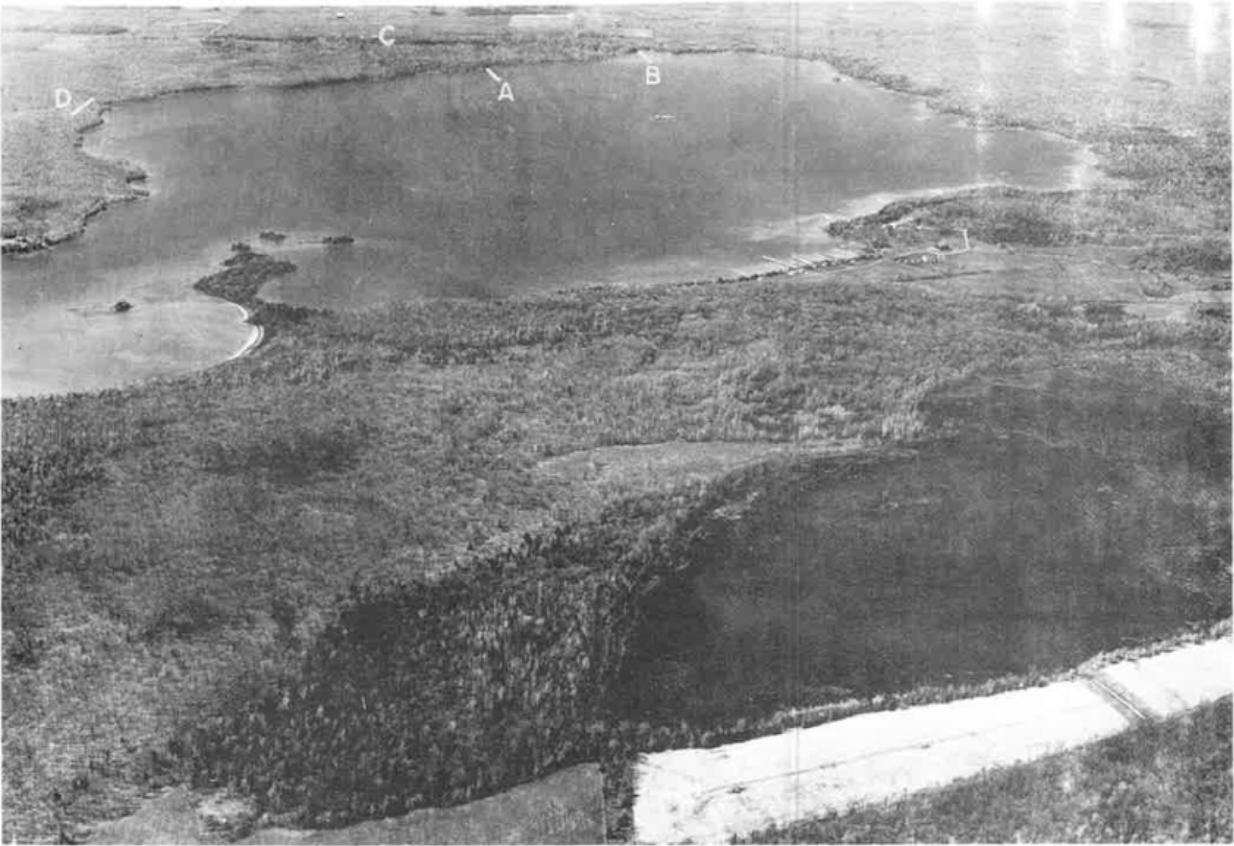
A nylon gill net (100 feet each of 2½" and 4" stretched mesh) was put in the lake for two days and caught the following:

Smallmouth bass	7	(Lengths 8" - 16")
Northern pike	6	(Lengths 14" - 25")

It is reported that the best spawning grounds for the northern pike from Berford Lake are upstream to the south-east in Big Mud Lake. Apparently many of the fry are left stranded in the drying shallows of Big Mud Lake when Berford Lake recedes after the spring freshet. In an attempt to maintain a summer connection between the two lakes, the Department of Lands and Forests, in co-operation with the Department of Public Works, in 1951 built a low dam, pictured overleaf, at the outlet of Berford Lake. Because of dissension on the part of local residents about the operation of the dam, and because of a large volume of leakage from the north end of the lake through sink-holes into fissured limestone bedrock, summer levels have not been maintained high enough to maintain a water connection between the two lakes.

DEPTH CONTOURS





Berford Lake, May 6, 1959. Big Mud Lake is in right foreground. Pike which spawn in Big Mud Lake cannot return to Berford Lake due to low summer water levels. Berford Lake Dam is located at point "D" in the photograph. Between points "A" and "B" the shore line and lake bed are laminated limestone with many fissures. Water drains through these fissures and reappears at point "C".



Berford Lake Dam, looking downstream, July 25, 1958. Underground drainage has lowered the lake level to below the bottom of the dam.



Excepting during periods of high spring freshets Beatty Lake drains through this and smaller crevices.

CAPTION SAYS "BEATTY LAKE" BUT THIS IS THE BERFORD LAKE SINKS

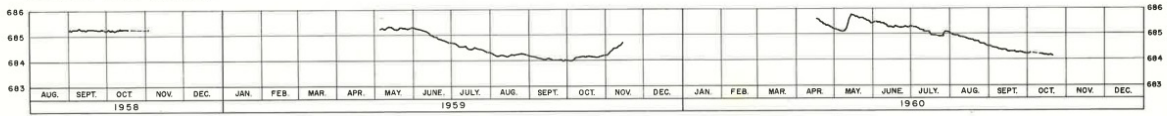
The brief records of water level variations available for parts of 1958, 1959 and 1960 are presented in graphical form along with the records for Boat and Sky Lakes. These records were obtained with the kind assistance of a local cottager. Unfortunately, there is no accurate record of the maximum levels reached in the springtime. The connection between Berford and Big Mud Lakes is not well defined, and it may be necessary to clean out the channel as well as keeping at least 16 inches of stop planks in the dam through the summer to maintain a fishway between the two lakes. To prevent excessive loss of water from the lake during the summer the sinkholes may have to be at least partially closed off. The Authority should proceed cautiously in blocking the sinkholes and check that no nearby springs are adversely affected.

(b) Vegetation and Wildfowl

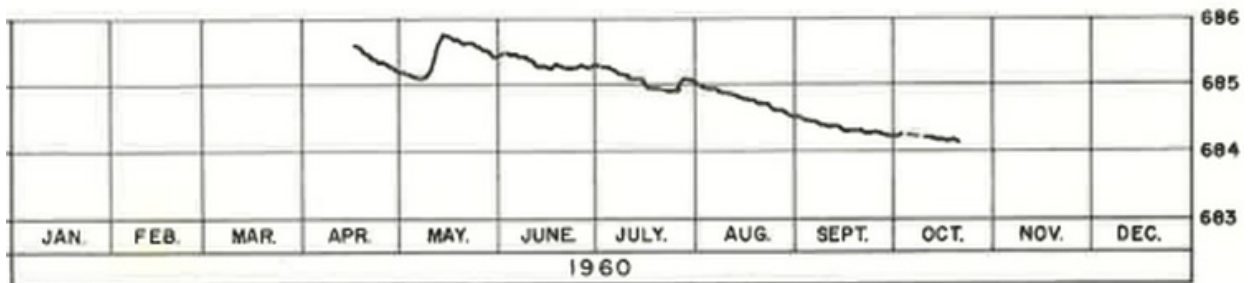
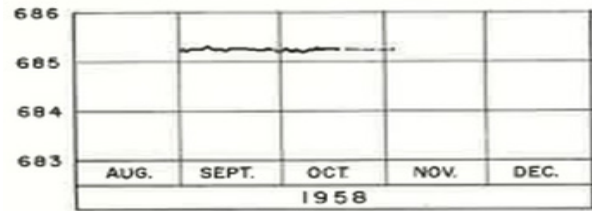
There is relatively little vegetation in the main body of the lake. The bay in the south end is relatively shallow. Hardstem Bulrush is the commonest plant. Sago Pondweed is present near the east and west shores. The lake as a whole provides little nesting cover for wildfowl. There is, however, excellent cover and food in Big Mud Lake, south-east of Berford Lake and as this lake is secluded it is much used by wildfowl both in the breeding and hunting seasons.

VARIATION IN LAKE SURFACE ELEVATIONS ABOVE MEAN SEA LEVEL

BERFORD LAKE LEVELS



BERFORD LAKE LEVELS



Appendix 6

LIST OF RELEVANT REPORTS OR STUDIES

1962 – Sauble Valley Conservation Report

1988 – Dam Assessment, Phase 1, Cumming Cockburn Ltd

1990 – Dam Assessment, Phase 2, Cumming Cockburn Ltd

2018 – GSCA Dam Inspections – Berford Lake Dam, Ducks Unlimited Canada

Appendix 7

LIST OF SIGNIFICANT REPAIRS OR REPLACEMENTS

1952 – Original Dam built (Department of Public Works)

1979/80 – Land transferred to Sauble Valley CA

1981 – Deck and wooden pillars replaced

1990 – Dam replaced (\$10,443)



Grey Sauble
CONSERVATION

237897 Inglis Falls Road, RR#4
Owen Sound, Ontario N4K 5N6
519-376-3076 | greysauble.on.ca

If you require this document in an alternate
format, please contact us at 519-376-3076.





STAFF REPORT

Report To: Board of Directors
Report From: John Bittorf, Water Resources Coordinator
Meeting Date: June 28, 2023
Report Code: 022-2023
Subject: Clendenan Dam 2023 WECl application/budget update

Recommendation:

WHEREAS GSCA estimates the total cost for Staff time and capital items to replace the remaining 12 logs will be \$29,200,

WHEREAS GSCA has successfully applied to the Province of Ontario WECl program for 50% of the eligible costs (staff time and materials) for the 12 remaining log replacements at Clendenan Dam,

WHEREAS the submission for 50% matched funding exceeds the 2023 approved capital budget,

WHEREAS the Province of Ontario WECl program requires Board approval to match provincial funding,

THAT the GSCA Board of Directors approve matching 50% of the approved Capital and Eligible Staff costs up \$14,600.

Strategic Initiative:

This item is related to “Better Monitor and Manage Flood Risks”. Clendenan Dam is a flood control structure designed to capture sheet ice and prevent ice jams/flooding downstream within the village of Clarksburg.

Background:

The bottom sets of logs (4 per bay) were last replaced between 1986 and 1988. These logs are not part of the regular annual maintenance cycle and are eligible for the Province’s Water and Erosion Control Infrastructure (WECl) funding for replacement. In

Subject: Clendenan Dam 2023 WECl application/budget update

Report No: 022-2023

Date: June 28, 2023

2020, one of the logs was lifted and inspected. It was determined that it was in poor condition. It is assumed that all these logs are the same vintage and need to be replaced. Failure of any of these logs would be problematic and will impair our ability to manage proper water levels for this structure.

Due to the unique design of the logs, GSCA field staff need to customize each log. This takes about 1.5 – 2 person-days per log. GSCA staff are prepared to complete the remaining 12 logs during the 2023-24 budget year. In 2022-23, 4 logs were purchased and customized as part of “Phase 1” and received WECl funding approval.

Discussion:

Originally, due to staff time commitments, a four phased approach was recommended. However, staff have become more experienced at the modifications and have recommended shortening the phased approach to two years and therefore completing the remaining 12 logs in 2023.

Financial/Budget Implications:

GSCA’s 2023 approved Capital budget included \$8,000 for 4 logs and materials. This will need to be increased to \$22,000. Funding sources will include \$7,400 from Dam Reserves and \$14,600 from WECl. Staff time is already included within the operations budget but will need to be re-allocated. There will be no additional levy funds required for this project.

Communication Strategy:

None at this time.

Consultation:

Morgan Barrie, Alison Armstrong, Tim Lanthier

Appendices:

Appendix A: Clendenan Dam - Log Replacement Phase 2 WECl 2023

Clendenan Dam – (GSCA.DAM.003)

Location of Dam

Clendenan Dam is located on the Beaver River near Clarksburg. More precisely it is situated 150 m. upstream of the sideroad 10 bridge in the Town of The Blue Mountains. The drainage area above the dam is 603 square kilometers.

Purpose of the Dam

Clendenan Dam is a flood control structure built in 1975 to provide sheet ice storage. Prior to its construction, ice jams downstream in the Village of Clarksburg resulted in flooding almost annually during ice breakup in the springtime.

The dam was constructed with an enclosed fish way to allow the passage of migrating salmonoid fish upstream in the spring and fall. The reservoir also provides water to adjacent orchards for irrigation by way of pumps.

In order to accommodate these various functions, water levels are fluctuated. From mid - April through mid - October the level is raised to allow flow through the fish way. In the winter months the level is lowered to allow for ice storage in the spring and to increase discharge capacity to pass spring freshet flows.

Description of Dam

The dam is approximately 10.3 m high at the spillway. It has a crest length of 365 m and a top width of about 6 m. The control structure consists of 4 stop log bays each with a width of 4.26 m and a height of 5.18 m. The maximum control level is 8 stop logs with a total height of 8 ft. (2.43 m) above the sill. However, only 6 logs per bay are set for summer levels and 4 logs are left in place for winter/spring operation. These 4 logs are rarely removed unless complete drawdown is required. The total head is approximately 4.6 m. The reservoir covers an area of approximately 0.03 sq. km.

The dam is founded on very dense silt till and sand. The embankments comprise a central impervious core with a core cutoff trench extending down into the silt till foundation. The upstream and downstream shells of the embankment are granular fill and are founded on natural sandy silt and gravel till deposits.

The stop log lifting mechanism consists of two electric chain hoists mounted on trolleys that move across the dam on rails. The trolleys are stored in a small building at the south end of the concrete control structure. Lifting hooks or spuds are attached to the end of the chain hoist. These spuds or hooks run within tracks in the bay gains.

Immediate Repair Requirements

The bottom sets of logs (4 per bay) were last replaced between 1986 and 1988. These logs are not part of the regular annual maintenance cycle. In 2020, one of the logs was lifted and inspected. It was determined that it was in poor condition. It is assumed that all these logs are the same vintage and need to be replaced. Failure of any of these logs would be problematic and will impair our ability to manage proper water levels for this structure.

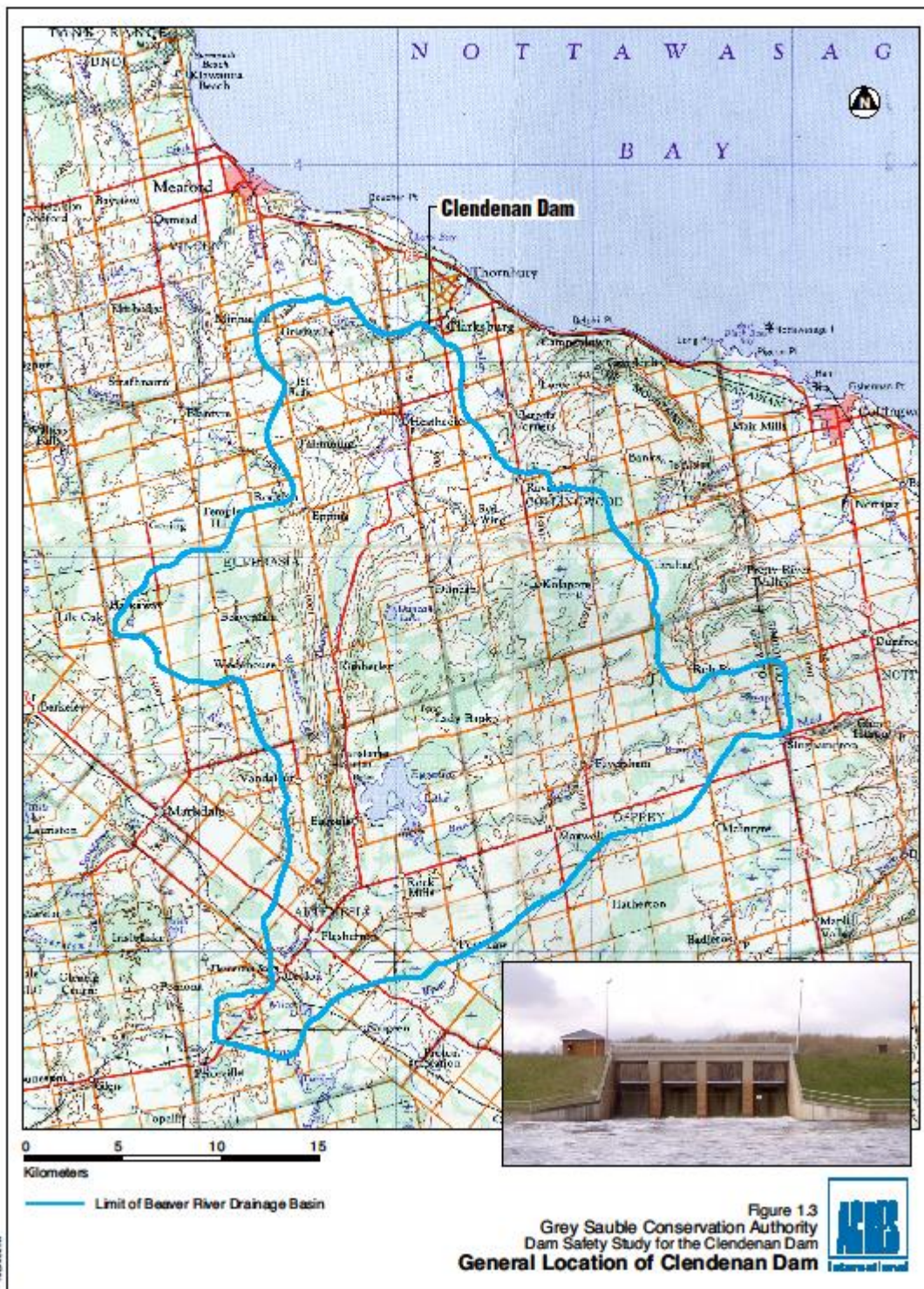
Proposal

Due to the design of logs, GSCA field staff need to customize each log. This takes about 1.5 – 2 man-days per log. GSCA staff are prepared to complete the remaining 12 logs during the 2023-24 budget year. In 2022-23, 4 logs were purchased and customized as part of “Phase 1” and received WECI funding approval.

Due to the water depth and pressure associated with the opening of only one bay, it is recommended that a minimum of two bays be replaced at a time to ensure a good seal.

Estimate for Phase 2 (R.23.029)

12 logs and metal accessories = \$22,000
Staff time to customize the logs = \$7,200
Total estimate = \$29,200



File photo of customized log ends





Grey Sauble Authority Board of Directors

M O T I O N

DATE: June 28, 2023

MOTION #: FA-23-068

MOVED BY: _____

SECONDED BY: _____

WHEREAS GSCA estimates the total cost for Staff time and capital items to replace the remaining 12 logs will be \$29,200,

WHEREAS GSCA has successfully applied to the Province of Ontario WECl program for 50% of the eligible costs (staff time and materials) for the 12 remaining log replacements at Clendenan Dam,

WHEREAS the submission for 50% matched funding exceeds the 2023 approved capital budget,

WHEREAS the Province of Ontario WECl program requires Board approval to match provincial funding,

THAT the GSCA Board of Directors approve matching 50% of the approved Capital and Eligible Staff costs up \$14,600.



STAFF REPORT

Report To: Board of Directors
Report From: Rebecca Anthony, Manager of Conservation Lands
Meeting Date: June 28, 2023
Report Code: 023-2023
Subject: Land Disposal at Arran Lake Conservation Area

Recommendation:

WHEREAS, the Grey Sauble Conservation Authority (GSCA) under Section 21(c) has the power to acquire by purchase, lease or otherwise any land that it may require, and, subject to subsection (2), to sell, lease or otherwise dispose of land so acquired;

THAT the GSCA Board of Directors approve GSCA staff moving forward with a land disposal of 0.005 ha (0.01 acres) at Arran Lake Conservation Area. This disposition will further the objects of the Conservation Authority, pursuant to Section 20 of the Conservation Authorities Act.

Background:

The Issue

On April 14, 1967, The Township of Arran sold the Arran Lake property to Sauble Valley Conservation Authority for one dollar. Following Section 32 of the Land Titles Act, the Government of Ontario switched land ownership records from the registry system to the land titles system. When this change happened, some parcels were left behind in the registry system, which has resulted in land claims. In Appendix #1 and 2, Concession 11, Part Lot 10 Reference Plan 3R-6595 Part 3 is an example of a parcel that remains in the registry system.

Within the land titles system there are two levels of qualification, Land Titles Conversion Qualified (LTCQ) and Land Titles Absolute Plus (LT+). Part Lot 10, which is the main Arran Lake parcel was successfully converted to a Land Titles Conversion Qualified

parcel. Land titles can be upgraded to LT+ for more guarantee of ownership and to resolve title disputes or adverse claims.

On October 21, 2022, GSCA's Manager of Conservation Lands received a letter from Loucks and Loucks Barristers and Solicitors requesting GSCA transfer Part Lot 10 Reference Plan 3R-6595 Part 3 to their client, the Schauber's to correct their title (Appendix #3). Included in the letter is a survey that appears to be from 1996 and a copy of the Arran Lake property deed.

As part of this request, Loucks and Loucks also enclosed a Declaration of Possession for Part Lot 10 Reference Plan 3R-6595 Part 3 which was submitted to the Land Registrar in 2004 (Appendix #4). The declaration states that the Schauber's have been in actual, peaceable, continuous, exclusive, open, undisturbed and undisputed possession and occupation of the buildings on the property since December 24, 1962, when they received transfer of the property from their father. It states that in 1945 their father erected a barbed wire fence along the boundaries which has been maintained since then. True land title owners do not need to be notified when a Declaration of Possession is made on their land, therefore this is the first time GSCA has learned of this claim.

Land Disposition

As per Section 21(2) of the Conservation Authorities Act, for properties that were acquired using a grant under Section 39, GSCA cannot sell, lease or otherwise dispose of land without providing written notice of disposition to the Minister at least 90 days before disposition. If proposing to dispose of a property purchased using Section 39 funding, public consultation is required for a minimum of 45 days if the property includes:

- (a) areas of natural and scientific interest, lands within the Niagara Escarpment Planning Area or wetlands as defined in section 1 of the Conservation Land Act;
- (b) the habitat of threatened or endangered species;
- (c) lands in respect of which the authority has entered into an agreement with the Minister in relation to forestry development under section 2 of the Forestry Act; or
- (d) land that is impacted by a type of natural hazard listed in subsection 1 (1) of Ontario Regulation 686/21 (Mandatory Programs and Services) made under this Act. 2022, c. 21, Sched. 2, s. 2 (2).

Within GSCA's Acquisition and Disposition Policy (2006), it states that in instances where GSCA is not required to follow the policies and procedures in the Conservation Authorities Act (properties not acquired with Section 39 grants), they will still be used as a guideline for land disposal. All disposals require approval from the GSCA Board of Directors and notice must be submitted to the Ministry of Natural Resources and

Subject: Land Disposal at Arran Lake Conservation Area

Report No: 023-2023

Date: June 28, 2023

Forestry. GSCA will also notify the local municipality in writing regarding the land disposition prior to disposal.

The Arran Lake property was purchased from the Township of Arran by a 50% grant from the Province which covered acquisition and development costs in the amount of \$350.

Analysis:

Due to the Declaration of Possession that has been filed on this parcel and that it remains in the registry system, GSCA staff recommend transferring Concession 11, Part Lot 10 Reference Plan 3R-6595 Part 3 (0.005 ha) to the Schauber's. It would become their responsibility to update the parcel into the land titles system.

Financial/Budget Implications:

Legal fees of approximately \$1,600.

Communication Strategy:

Communicate results with GSCA legal counsel and Loucks and Loucks. As mentioned previously in this report, written notice will be provided to the Minister, and there will be a 45-day commenting period for the public.

Consultation:

CAO, legal counsel, Minister of Natural Resources and Forestry

Appendices:

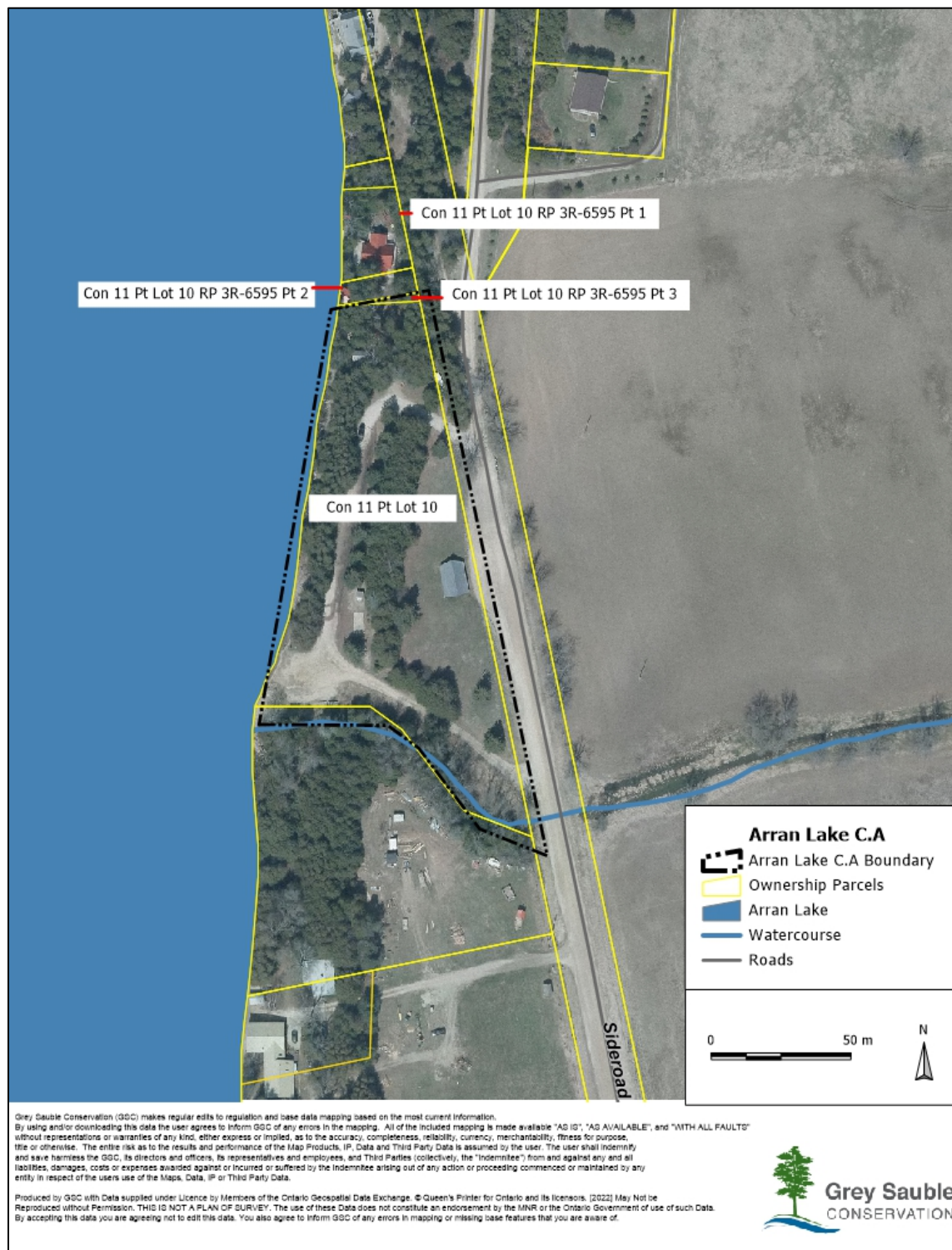
Appendix 1. Zoomed out property map

Appendix 2. Zoomed out property map

Appendix 3. Letter from Loucks and Loucks

Appendix 4. Declaration of Possession

APPENDIX 1



APPENDIX 2



LOUCKS & LOUCKS

PETER LOUCKS PROFESSIONAL CORPORATION
BARRISTERS & SOLICITORS
Email: admin@louckslaw.ca
Phone: 519-363-3223
Fax: 519-363-2133

GEORGE C. LOUCKS, B.A., LL.B., Q.C. (1920-2011)
PETER E. LOUCKS, B.A., LL.B.
TETYANA IVANINA, B.A., J.D.
ANDREW P. LOUCKS, B.A., LL.B., LL.M.
EMMA M.S. FORBES, B.A., J.D.

CHESLEY, ONTARIO
84 FIRST AVE. S.
P.O. BOX 430
N0G 1L0

Please reply to bmackinnon@louckslaw.ca

October 19, 2022

Via email: r.anthony@greysauble.on.ca

Grey Sauble Conservation Authority
237897 Inglis Falls Road
Owen Sound, ON
N4K 5N6

Attention: Rebecca Anthony

Dear Sir/Madam:

Re: Schauber first mortgage to Manulife Bank of Canada
1071 Siderd 10 South Arran, RR#3, Tara
Pt Lt 10, Conc 11 Arran
Pt 1, 2, 3 Ref Plan 3R6595
Our File No.: R29141

We have been asked by Manulife Bank of Canada to prepare and register a mortgage on behalf of Patricia Schauber and James Schauber. Their property remains in the registry system because of an overlap with a property owned by the Authority; in particular, Part 3 on Reference Plan 3R-6595.

We enclose herewith a copy of the Reference Plan and Deed whereby the Authority acquired title to the property. The Authority's Deed commences 1,320 feet northerly from the south easterly angle, then continues northerly 665 feet, which takes you to the northeasterly angle on Part 3 on the enclosed Reference Plan.

Your property goes westerly parallel to the southerly limit 132 feet to Arran Lake, and then southerly along Arran Lake, to a point which is parallel to the southerly limit of the lot and runs a distance of 330 feet approximately to the point of commencement.

I have outlined the approximate location of the Authority's property in yellow on the enclosed Reference Plan.

We also enclose a Declaration of Possession by the Schaubers'. I draw your attention to Paragraph 1, which indicates that James Schaub and his father occupied Part 3. This makes sense because as there is remains of the old post and wire fence along the southerly limit of Part 3.

It would appear logically that Part 3 is owned by the Schaubers' in addition to Parts 1 and 2. Would the Authority be prepared to transfer Part 3 to the Schaubers' in order to correct their title?

Yours very truly,

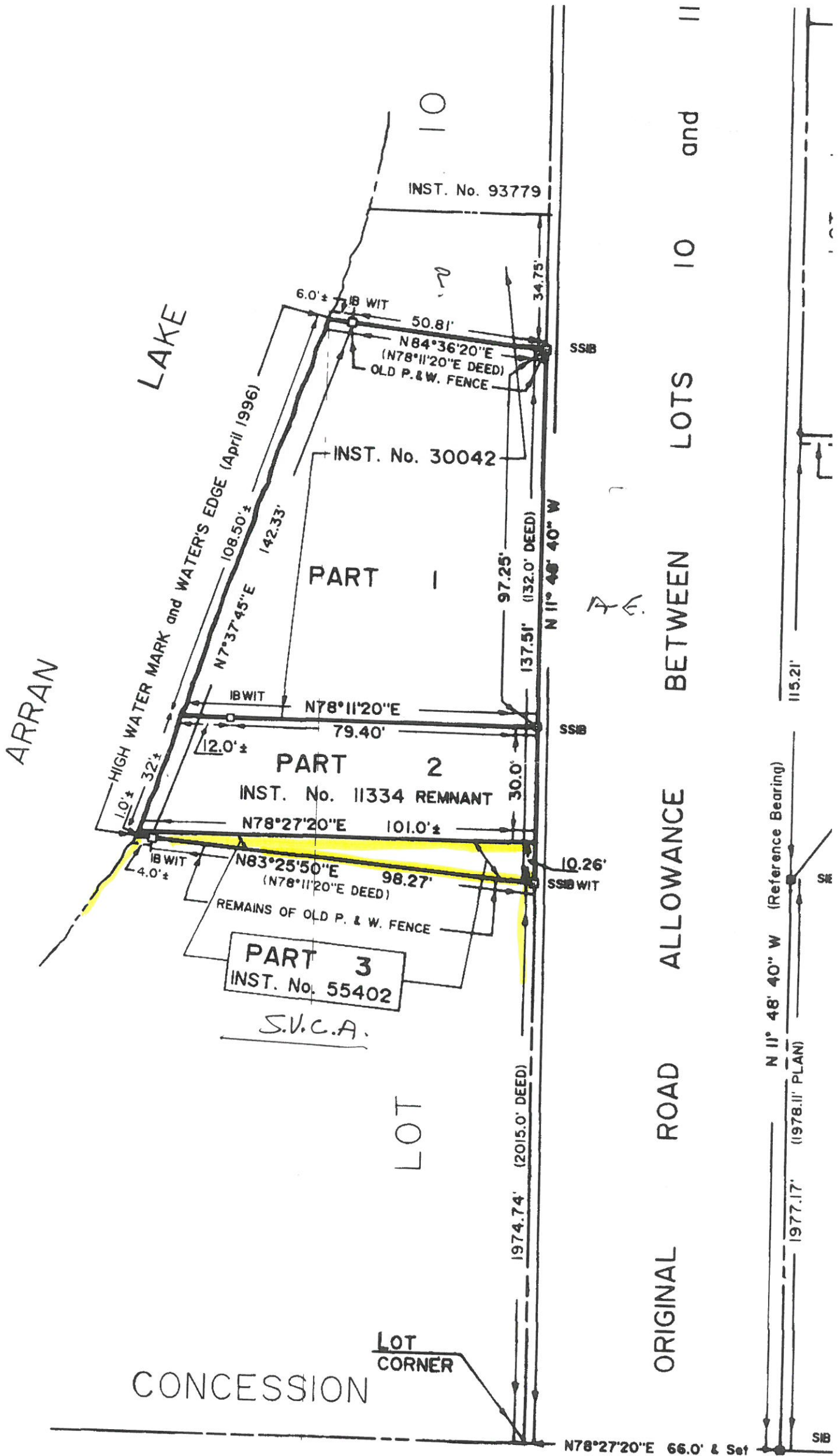
Loucks & Loucks



Andrew P. Loucks

AL:bim

Encls.



ORIGINAL ROAD ALLOWANCE

55402. ✓
ARRAN.

Dated APRIL 14TH 19 67

Number 55402

I certify that the within instrument
is registered in the Registry Office for
this Registry Division of the County of
Druce at 12¹⁰ o'clock P. M. of the
11 day of May 1967.

THE MUNICIPAL CORPORATION OF
THE TOWNSHIP OF ARRAN

—TO—

SAUBLE VALLEY CONSERVATION
AUTHORITY

Address: 715-3rd Ave. East
Owen Sound, Ont

Deed of Land

81⁰⁰ 1/2 ACRES SITUATE

TOWNSHIP OF ARRAN

REG'N FEE	United Stationery Co. Limited, Toronto <u>8/00</u>	<u>12¹⁰</u>
LAND TAX	—	

BRUCE REG. OFFICE

George C. Loucks
GEORGE C. LOUCKS
BARRISTER AND SOLICITOR
CHESLEY, ONTARIO

THIS INSTRUMENT IS THE
PROPERTY OF THE REGISTRY
OFFICE OF THE COUNTY OF
DRUCE, WALKERTON, ONT.

55402. ✓
ARRAN.

Dated APRIL 14TH 19 67

THE MUNICIPAL CORPORATION OF
THE TOWNSHIP OF ARRAN

—TO—

SAUBLE VALLEY CONSERVATION
AUTHORITY

Address:

715-3rd Ave. East
Owen Sound, Ont

Deed of Land

8/10 1/2 Acre SITUATE

TOWNSHIP OF ARRAN

United Stairbury Co. Limited, Toronto
12-10

REGN	LAND
FEE	TAX

ARRAN REG. OFFICE

GEORGE C. LOUCKS
BARRISTER AND SOLICITOR
CHEBEEY, ONTARIO

Number 55402

I certify that the within instrument
is registered in the Registry Office for
the Registry Division of the County of
Bruce at 12:10 o'clock P. M. of the
11 day of May 1967.

REGISTRAR

[Signature]

THIS SPACE TO BE RESERVED FOR REGISTRY OFFICE CERTIFICATES

THIS INSTRUMENT IS THE
PROPERTY OF THE REGISTRY
OFFICE OF THE COUNTY OF
BRUCE, WALKERTON, ONT.

OF

I,
of the

of
of

in the

TO WIT:

make oath and say:

1. THAT I was personally present and did see the within or annexed Instrument and a duplicate thereof duly signed, sealed and executed by

of the parties thereto.

2. THAT the said Instrument and duplicate were executed by the said part at the of

3. THAT I know the said part

4. THAT I am a subscribing witness to the said Instrument and duplicate.

SWORN before me at the

of

in the

of

this

day of

A.D. 19

A Commissioner for taking Affidavits, etc.

OF

I,
of the

of
of

in the

TO WIT:

make oath and say:

1. THAT I was personally present and did see the within or annexed Instrument and a duplicate thereof duly signed, sealed and executed by

of the parties thereto.

2. THAT the said Instrument and duplicate were executed by the said part at the of

3. THAT I know the said part

4. THAT I am a subscribing witness to the said Instrument and duplicate.

SWORN before me at the

of

in the

of

this

day of

A.D. 19

A Commissioner for taking Affidavits, etc.

This Indenture

made (in duplicate) the fourteenth day of April
one thousand nine hundred and sixty-seven

In Pursuance of the Short Forms of Conveyances Act.

Between

THE MUNICIPAL CORPORATION OF THE
TOWNSHIP OF ARRAN, hereinafter
called the Grantor,

OF THE FIRST PART

A
N
D

SAUBLE VALLEY CONSERVATION AUTHORITY,
hereinafter called the Grantee,

OF THE SECOND PART

Witnesseth that in consideration of ---- ONE -----

----- Dollars
of lawful money of Canada now paid by the said Grantees to the said
Grantor (the receipt whereof is hereby by it acknowledged), it
the said Grantor doth Grant unto the said Grantees in fee simple ~~and~~
~~joint tenants and not as tenants in common.~~

All and Singular that certain parcel or tract of land and premises
situate lying and being in the Township of Arran in the County of
Bruce and being composed of that portion of Lot Number Ten in
the Eleventh Concession of the said Township, more particularly
described as follows:

COMMENCING at a point in the easterly boundary of said Lot
distant 1320 feet northerly from the southeasterly angle
thereof;

THENCE northerly along said easterly limit a distance of 665
feet to a point;

THENCE westerly parallel to the southerly limit of said Lot
a distance of 132 feet to the water's edge of Arran Lake;

THENCE southerly following said water's edge of Arran Lake a
distance of 520 feet;

THENCE in an easterly direction in a straight line to the point
of commencement (which is a distance of approximately 330 feet).

To have and to hold unto the said Grantee its ^{successors} ~~heirs~~ and assigns to
and for its and their sole and only use forever.
Subject nevertheless to the reservations, limitations, provisos and conditions
expressed in the original grant thereof from the Crown.

The said Grantor Covenants with the said Grantee That ~~he~~ it has the
right to convey the said lands to the said Grantee notwithstanding any act
of the said Grantor.

And that the said Grantee shall have quiet possession of the said lands, free
from all incumbrances.

And the said Grantor Covenants with the said Grantee that ~~it~~ he will
execute such further assurances of the said lands as may be requisite.

And the said Grantor Covenants with the said Grantee that ~~it~~ he has
done no act to incumber the said lands.

And the said Grantor Releases to the said Grantee All its
claims upon the said lands.

~~And the said~~

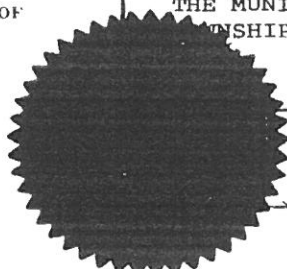
~~And the said~~

~~Grantor hereby releases to the said Grantee all its claims upon the said lands.~~

In Witness Whereof the said parties hereto have hereunto set
their hands and seals.

Signed, Sealed and Delivered
IN THE PRESENCE OF

THE MUNICIPAL CORPORATION OF THE
TOWNSHIP OF ARRAN



Alex. Sim
Reeve

H. E. Monkman
Clerk

COMBINED AFFIDAVIT AS TO LEGAL AGE AND MARITAL STATUS

Province of Ontario
COUNTY of BRUCE
I of the of
in the of
TO WIT:
in the within instrument named, make oath and say that at the time of the execution of the within instrument.
1. I was of the full age of twenty-one years;
2. And that
who also executed the within instrument of the full age of twenty-one years
3. I was legally married to the person named therein as my wife/husband;
4. I was unmarried/divorced/widower.

SWORN before me at the
of
in the
of
this day of
19

A Commissioner for taking Affidavits, etc.
NOTE: If Attorney, substitute in space provided "I am Attorney for (State name) one of the parties named therein and he/she was of the full age of twenty-one years".

AFFIDAVIT UNDER LANDS TRANSFER TAX ACT

In the Matter of The Land Transfer Tax Act

Province of Ontario
COUNTY of BRUCE
I, GORDON MONKMAN
of the Township of Arran
in the County of Bruce

To Wit: Clerk of the Township of Arran

make oath and say:

1. I am named in the within (or annexed) transfer.
2. I have a personal knowledge of the facts stated in this affidavit
3. The true amount of the monies in cash and the value of any property or security included in the consideration is as follows.

(a) Monies paid in cash	\$ 1.00
(b) Property transferred in exchange Equity value \$	\$ nil
Encumbrances	\$ nil
(c) Securities transferred to the value of	\$ nil
(d) Balances of existing encumbrances with interest owing at date of transfer	\$ nil
(e) Monies secured by mortgage under this transaction	\$ nil
(f) Liens, annuities and maintenance charges to which transfer is subject	\$ nil
Total consideration	\$ 1.00

All blanks must be filled in

Clause 4, 5 and 6 should be struck out if not applicable or necessary

1. If consideration is nominal, is the transfer for natural love and affection? No
2. If so, what is the relationship between Grantor and Grantee? None
3. Other remarks and explanations, if necessary

Grantor for construction purposes

SWORN before me at the Village
of Tara
in the County
of Bruce
this 2nd day of May
19 67

A Commissioner for taking Affidavits, etc.

GORDON MONKMAN

Total	60.00
-------	-------

2

CANADA	)	IN THE MATTER OF THE TITLE
)	
PROVINCE OF ONTARIO	)	to 1071 Sideroad 10 S
)	
	)	being Pt. Lot 10, Conc. 11,
	)	Formerly Township of Arran,
	)	now Municipality of Arran-
	)	Elderslie, County of Bruce
	)	being Pts. 1,2 & 3, on 3R6595
)	
	)	AND THE SALE THEREOF
)	
	)	FROM Ralph Schaubert
)	
TO WIT:	)	TO James Ralph Schaubert and
	)	Patricia Anne Schaubert
)	

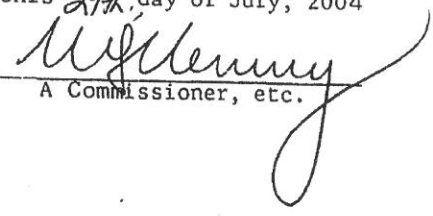
I, Ralph Schaubert of the Township of Perth East, in the County of Perth,

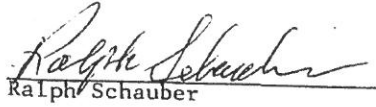
DO SOLEMNLY DECLARE:

1. THAT I am the absolute owner of the above mentioned lands and either personally and have personally been in actual, peaceable, continuous, exclusive, open, undisturbed and undisputed possession and occupation thereof, and of the cottage and other buildings used in connection therewith since on or about the 24th day of December, 1962 when I obtained a conveyance or transfer thereof by Instrument No. 30042 from the Estate of my father, Henry Schaubert. My father Henry Schaubert had acquired the land from Neil Carson Cowan in October 1944. In the spring of 1945 my father erected a barbed wire fence along the northerly limit and the southerly limit of the property. The fence has been continuously maintained in the same location by my father from 1945 to 1962 and by me from 1962 to the present. The northerly boundary of the property has always been considered to be what is shown as the northerly limit of Part 1 on Plan 3R6595 and the southerly boundary of the property has always been considered to be what is shown as the southerly limit of Part 3 on Plan 3R6595.
2. THAT save and except any taxes and local improvement rates charged thereon there is no encumbrance or easement whatsoever affecting the said lands, except as the records of the Land Registry Office disclose.
3. THAT my possession and occupation of the above mentioned lands has been undisturbed throughout by any action, suit or other proceedings or adverse possession or otherwise on the part of any person whomsoever and during such possession and occupation, and my father's occupation and possession, no payment has ever been made or acknowledgment of title given by me or by my father, so far as I know, by anyone else, to any person in respect of any right, title, interest or claim upon the said lands.
4. THAT to the best of my knowledge and belief the buildings used in connection with the premises are situate wholly within the limits of the lands above described, and that there is no dispute as to the boundaries of the said lands and that I have never heard of any claim of easement affecting the lands, either for light, drainage, or right of way or otherwise except as the Records of the Land Registry Office disclose. The cottage buildings are all on Part 1, the Well was installed in 1945 on Part 2 and the Boat house was constructed on Part 2 in 1970.

5. THAT there are no unregistered leases, agreements to lease or options to purchase the said lands.
6. THAT all taxes on the said lands have been paid up to the 30th day of July, 2004.

AND I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the "Canada Evidence Act."

DECLARED before me at the)
Township of Perth East, in the)
County of Perth)
this 29th day of July, 2004)
)
A Commissioner, etc.)


Ralph Schaubert



Grey Sauble Authority Board of Directors

M O T I O N

DATE: June 28, 2023

MOTION #: FA-23-069

MOVED BY: _____

SECONDED BY: _____

WHEREAS, the Grey Sauble Conservation Authority (GSCA) under Section 21(c) has the power to acquire by purchase, lease or otherwise any land that it may require, and, subject to subsection (2), to sell, lease or otherwise dispose of land so acquired;

THAT the GSCA Board of Directors approve GSCA staff moving forward with a land disposal of 0.005 ha (0.01 acres) at Arran Lake Conservation Area. This disposition will further the objects of the Conservation Authority, pursuant to Section 20 of the Conservation Authorities Act.



STAFF REPORT

Report To: Board of Directors
Report From: Michael Fry, RPF, Forestry Coordinator
Meeting Date: June 28, 2023
Report Code: 024-2023
Subject: Exception to Wood Products Tendering Policy

Recommendation:

WHEREAS, GSCA maintains a Wood Products Tendering Policy which provides direction to staff about the sale of wood products from GSCA lands;

AND WHEREAS, the Bognor Marsh – B property (Compartment 25, Property Location – Pt Lot 14, Concession 3, Municipality of Meaford (former Sydenham Township)) is scheduled for harvest in 2024 and is landlocked;

THAT the Board of Directors authorize an exception to the Wood Products Tendering Policy to allow staff to engage in a direct sale of standing timber.

Strategic Initiative:

This initiative applies to the GSCA Strategic Plan goal of 'Enhance Land Management and Natural Heritage Preservation.' It also falls under GSCA's Overall Desired Outcome of Healthy and Enough Forests and Habitats.

Background:

Staff assess and conduct sustainable forest management operations (harvests) in forests owned by GSCA. These operations are part of GSCA's overall Forest Management Plan (FMP).

Since 2017, GSCA has maintained a Wood Products Tendering Policy (Appendix A) that provides direction for the sale of wood products from GSCA lands. An update was approved by the Board of Directors in 2021.

This policy details the processes to follow to sell wood products and when to use a Tender process or a Request for Quotation (RFQ) Process. For planned harvest operations with an estimated value of less than \$10,000, staff can utilize the RFQ process. This process requires staff to prepare an RFQ package and contact at least two (2) contractors (Section 5.1 – Wood Products Tendering Policy). These quotes are reviewed by the Forestry Coordinator and CAO prior to being accepted. Accepted quotes are presented to the Board of Directors at the next Full Authority meeting for information purposes.

GSCA maintains an FMP and conducts sustainable forest management operations annually. Within the FMP, a 'harvest schedule' has been developed that details what stands are expected to be harvested each year. Each year, staff review this schedule for upcoming stands and, for suitable stands, will complete a site visit to determine if a harvest operation is feasible. This site visit includes completion of an inventory. Inventories provide stand-level information such as species composition, basal area, stand height, areas of concerns, etc. From this, a Tree Marking Prescription is developed detailing stand-level objectives (both long- and short-term), the current state of the forest, the amount of basal area to be removed, and the desired future state of the forest. These prescriptions are reviewed and approved (stamped) by a member of the Ontario Professional Foresters Association.

In 2023, forestry staff were approached by a landowner who borders GSCA's Bognor Marsh – B property (Compartment 25, Property Location – Pt Lot 14, Concession 3, Municipality of Meaford (former Sydenham Township) – Appendix B) indicating they are planning a harvest operation and wondered if a portion of this property would be suitable for a harvest operation. This property is landlocked and only accessible via this landowner's property. Forestry staff completed an inventory of the stand over the winter and concluded the stand would benefit and support an operation. This stand was most recently harvested in 2009 and was scheduled to be harvested again in 2024.

Analysis / Discussion:

The most recent operation was conducted in 2009 and accessed via private property to the north. With this neighbour planning another operation, they have indicated GSCA would be able to access its property while the operation on their property is occurring. As this is a landlocked property, staff may not be able to secure access to this section of the property next year, which is when the stand is scheduled to be harvested.

Staff have developed an internal estimate of the value of the standing timber. The sale price of the standing timber will be negotiated with the contractor harvesting the neighbour's property. Once an agreement with the operator has been reached, staff will provide an update to the Board of Directors at the next Full Authority meeting indicating the marked volume and the value received. Staff will also enter into an agreement with the neighbouring landowner to cross over their property.

Financial/Budget Implications:

Revenues raised through the sale of wood products from GSCA properties are used to offset the operating and capital expenses of GSCA.

Communication Strategy:

During the operation, the property will be closed to ensure the safety of the public and the operators. Closures will be posted on GSCA's website and social media channels. For known affected groups, they will be notified directly by staff.

Consultation:

- GSCA Forestry staff
- Chief Administrative Officer



Wood Products Tendering Policy

This policy is intended to provide direction for the sale of wood products from Grey Sauble Conservation Authority lands.

Created: August 9, 2017

Updated: April 28, 2021



PROTECT. RESPECT. CONNECT.

237897 Inglis Falls Road, Owen Sound ON, N4K 5N6

519-376-3076

www.greysauble.on.ca

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4.0 TENDER PACKAGES 3

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6.0 AWARD PROCESS..... 4

1.0 PRINCIPLES

- 1.1 Obtain the best value for the wood products by ensuring open, transparent, and competitive bidding on all wood products, while supporting and adhering to GSCA's Forest Management Plan.
- 1.2 Support local contractors and businesses.
- 1.3 Allow flexibility in the tendering process depending on the size, scope and nature of the operation being tendered.
- 1.4 The Forestry Committee and local forest industry personnel will have the opportunity to annually review the tender policy, and the tendering plan for the work available.
- 1.5 To inform potential future updates to this policy, in consultation with industry, the Full Authority may make exceptions to this policy to pilot new tendering approaches such as, but not limited to, live auctions.

2.0 ANNUAL TENDERING AND REQUEST FOR QUOTATION PLAN

- 2.1 Efforts will be made to combine or break up the wood products for sale from different stands to create a bidding package that is attractive to local forestry-related businesses.
- 2.2 All packages of wood products with an estimated value of more than \$10,000 shall be sold through the Tendering Process (as defined in 4.0 below).
- 2.3 Work packages with an estimated value of \$10,000 or less may be sold through a Request for Quotation (RFQ) Process (as defined in 5.0 below). RFQ's may also be used where a public tender has not produced a decision to award the work.
- 2.4 The Forestry Committee and/or the Full Authority may decide to adjust the \$10,000 tender value threshold and may also decide on exceptions to the use of Tenders and RFQ's.
- 2.5 The forestry tendering plan will be maintained by the Forestry Department. The tendering plan will contain detailed inventory information for the stands scheduled in the annual operating periods. The inventory information will include species, basal area by size class and total basal area of the stand.
- 2.6 A list of all known interested forestry industry parties shall be continuously updated and reviewed annually with the Forestry Committee to support efforts to engage all known interested parties.

3.0 TENDERING PROCESS

- 3.1 Notice of tenders shall be posted on the GSCA website, mailed, or provided electronically to all known interested parties, and advertised across the watershed. All tender packages will be made available on the website in electronic form, and available in hard copy at the front desk of the Administration Centre.

4.0 TENDER PACKAGES

4.1 The package shall include the Property name, Compartment Number(s), location, and type of operation being offered for bids. The package shall include a map of the area being tendered. The package shall also include the species, number of trees marked, estimated volume marked, and average diameter of marked trees for the tender. Any special terms and conditions of the operation shall be included in the package as well as the tender closing date.

4.2 The tender package shall include a notice that the successful bidder shall be required to show proof of registration with the Workplace Safety Insurance Board and shall hold liability insurance in the minimum amount of \$2,000,000 and show GSCA as additional insured. A tender bid form shall be included in the package for the contractor to submit their bid.

4.3 Unless otherwise agreed to by the Forestry Committee and/or the Full Authority, full payment for all wood products sold shall be due by the end of the agreement period specified in the tender. At the end of the agreement, all operations must cease and all uncut, cut and/or piled wood products will revert to GSCA and may be resold.

4.4 The documents shall indicate that the “highest or any tender not necessarily accepted”. Instances where the highest or any tender may not be accepted include but are not limited to the bid not meeting the minimum reserve bid or past performance by the bidder.

4.5 All tender packages shall allow at least two (2) weeks from the date of initial public notice before the deadline for submitting the bids.

4.6 All bids shall be submitted in a sealed envelope, clearly marked with the property name and/or compartment number(s), as identified in the tender package, and be accompanied by a ten per cent (10%) deposit. The envelope shall be date stamped and initialled with the time of receipt. In the event of a tie, the bid received earliest shall be accepted.

4.7 Any bids received after the deadline shall be initialled, dated including the time, and returned unopened to the bidder. A letter advising that the bid was received after the deadline shall accompany the return.

4.8 A bid may be withdrawn, provided such withdrawal is done in writing, and provided it is requested before the closing date and time. Bids confirmed as withdrawn shall be returned unopened to the bidder after the opening of bids has been completed. Withdrawn notices shall be read at the time the bids are opened.

4.9 Prior to the tender opening, forestry staff shall prepare a confidential internal estimate, including a minimum reserve bid for the wood products being tendered.

5.0 REQUEST FOR QUOTATION PROCESS

5.1 Forestry staff will contact at least two (2) contractors and provided them with an RFQ package.

5.2 Criteria for choosing a contractor to submit a quotation shall be based on qualifications, past performance, and proximity to the operation.

5.3 RFQ packages will contain as much information as necessary to reach an agreement with the chosen contractor.

5.4 All Quotations shall be reviewed by the Forestry Coordinator and CAO prior to acceptance. Accepted quotations shall be presented to the Board of Directors at the next Full Authority meeting for information purposes. Staff shall include the contractors contacted and the bids received.

6.0 AWARD PROCESS

6.1 All tendered bids shall be opened publicly by at least the Chair or Vice-chair, and the CAO and/or at least two (2) forestry staff present, at the date and time specified on the bid form.

6.2 After opening tendered bids, GSCA may ask clarifying questions to bidders and will record the questions and answers formally in the tender file (for example, if a bid looks about one hundred times too high, the official could ask the bidder if he or she forgot the decimal and \$6000.00 was written as \$600000).

6.3 Forestry staff will rank each received bid and present this to the Full Authority.

6.4 Award recommendations will be made by forestry staff to the Full Authority, and will include information such as the internal estimate and minimum reserve bid, all the quotations received (if applicable), withdrawn bids (if any), and any clarifying questions and responses.

6.5 The Full Authority shall make the decision on whether to award the tender and this will be documented in the Full Authority Meeting Minutes and on the GSCA website.

6.6 All unsuccessful bidders shall receive a letter detailing all bids received, and if requested shall have their deposit cheque returned. In instances where a request is not made to return a deposit cheque, GSCA shall maintain a record of the cheque and then destroy it.

6.7 The successful bidder shall be notified by staff of the tender results within 72 hours of the awarding of the tender. Arrangements shall be made to have the agreements signed and to review the terms of the agreement.

6.8 If the successful bidder fails to enter into an agreement for the tendered wood products, the Full Authority may recommend one of the following:

That the tender be offered to the second ranked bidder;

That the tender be cancelled and retendered at another time.

In either case, the deposit of the successful bidder shall be forfeited.



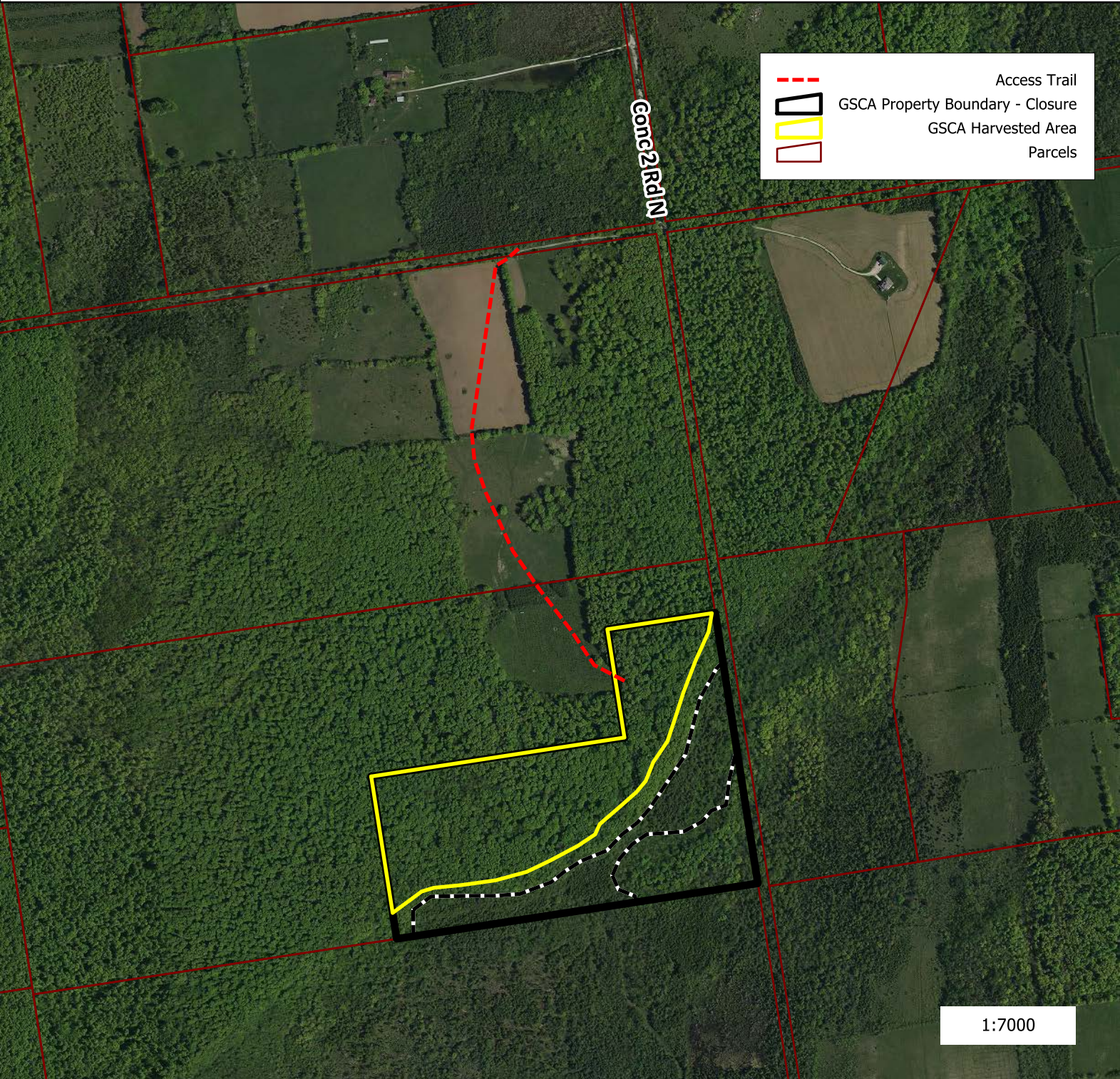
Appendix B

Bognor Marsh Management Area - Compartment 25

Proposed Harvest Areas



Comp	Assessment Roll #	Lot	Concession	Municipality	Former Twp	County
25	421051000300101	PT.14	3	Municipality of Meaford	Sydenham	Grey



The included mapping has been compiled from various sources and is for information purposes only. Grey Sauble Conservation Authority (GSC) is not responsible for, and cannot guarantee, the accuracy of all the information contained within the map. By accepting this map you agree not share or edit the map or disclaimer without the explicit written permission of GSC. You also agree to inform GSC of any errors in mapping or missing base features that you are aware of. Produced by GSC with Data supplied under Licence by Members of the Ontario Geospatial Data Exchange. Includes Material [2023] of the © Queen's Printer for Ontario and its licensors. All rights reserved. May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY. The use of this Data does not constitute an endorsement by the MNR or the Ontario Government of use of such Data. This mapping contains products of the South Western Ontario Orthophotography Project (SWOOP). These images were taken in 2010 at 20 cm resolution. They are the property of Grey Sauble Conservation.



Grey Sauble Authority Board of Directors

M O T I O N

DATE: June 28, 2023

MOTION #: FA-23-070

MOVED BY: _____

SECONDED BY: _____

WHEREAS, GSCA maintains a Wood Products Tendering Policy which provides direction to staff about the sale of wood products from GSCA lands;

AND WHEREAS, the Bognor Marsh – B property (Compartment 25, Property Location – Pt Lot 14, Concession 3, Municipality of Meaford (former Sydenham Township)) is scheduled for harvest in 2024 and is landlocked;

THAT the Board of Directors authorize an exception to the Wood Products Tendering Policy to allow staff to engage in a direct sale of standing timber.