



March LRCA Board Meeting
 Lakehead Region Conservation Authority
 130 Conservation Road/Microsoft Teams
 Mar 27, 2024 4:30 PM - 6:00 PM EDT

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1. CALL TO ORDER

Declaration: “The Lakehead Region Conservation Authority respectfully acknowledges that the lands on which we live and work are the traditional lands of the Anishinabek Nation and the traditional territory of Fort William First Nation, signatory to the Robinson-Superior Treaty of 1850. As partners in the conservation and protection of the Lakehead Watershed along with First Nations communities, the Métis Nation of Ontario, and other Indigenous peoples, the LRCA is committed to the common vision of a healthy, safe and sustainable Lakehead Watershed.”

2. ADOPTION OF AGENDA

THAT: the Agenda be adopted as published.

3. DISCLOSURE OF INTEREST

4. MINUTES OF PREVIOUS MEETING.....3

THAT: the Minutes of the Lakehead Region Conservation Authority 2nd Regular Meeting held on Wednesday, February 28, 2024 be adopted as published.

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5. IN-CAMERA AGENDA

No in-camera Meeting will be held.

6. BUSINESS ARISING FROM PREVIOUS MINUTES

7. CORRESPONDENCE

8. STAFF REPORTS

8.1. 2022/2023 Asset Management Plan Strategy Update.....9

THAT: Staff Report LM-02-2024 be received for information.

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THAT: Staff Report CORP-06-2024 be received for information.

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9. CHIEF ADMINISTRATIVE OFFICER'S REPORT

9.1. Monthly Treasurer's Report.....19

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9.2. Legislative and Regulatory Changes Affecting Development Permitting.....20

THAT : Rules of Procedure for Permit Application Review and Approval Version 5.0 be adopted with an effective date of April 1, 2024. THAT : Policy DEVREG-02: Interim Guidelines for the Administration and Implementation of Ontario Regulation 41/24

be approved. THAT : Policy DEVREG-03: Transitional Procedures and Guidelines (O. Reg. 180/06 to O. Reg. 42/14) be approved. THAT : Lakehead Region Conservation Authority Screening Maps 1 to 15 depicting the approximate area subject to Prohibited Activities, Exemptions and Permits Ontario Regulation 41/24 be approved with an effective date of April 1, 2024.

DEVREG-02-2024_Legislative Changes and Regulatory Changes Affecting
Development Permitting.pdf.....20

10. PASSING OF ACCOUNTS

THAT: having examined the accounts for the period February 1, 2024 to February 29, 2024 cheque #3155 to #3182 for \$127,513.60 and preauthorized payments of \$121,855.77 for a total of \$229,369.37, we approve their payment.

11. REGULATORY ROLE.....65

Plan Input and Review program comments and Section 28 permits issued since last meeting summaries.

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11.1. Plan Review Commenting Summary.....66

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11.2. Section 28 Permit Summary.....68

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12. PROJECTS UPDATE

12.1. Communications Manager Projects Update.....69

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12.2. Lands Manager Projects Update

None.

12.3. Watershed Manager Projects Update.....70

Watershed Manager March 2024 Agenda Project Update.pdf.....70

13. NEW BUSINESS

14. NEXT MEETING

Wednesday, April 24, 2024 at 4:30 p.m.

15. ADJOURNMENT

THAT: the time being _____ p.m. AND FURTHER THAT there being no further business we adjourn.



February LRCA Board Meeting
Lakehead Region Conservation Authority
February 28, 2024 at 4:30 PM
130 Conservation Road/Microsoft Teams

Members Present:

Albert Aiello, Grant Arnold, Donna Blunt, Rudy Buitenhuis, Dan Calvert, Sheelagh Hendrick, Brian Kurikka, Jim Vezina

Members Present (Remote):

Robert Beatty, Trevor Giertuga

Members Absent:

Greg Johnsen

Also Present:

Tammy Cook, Chief Administrative Officer
Mark Ambrose, Finance Officer
Ryne Gilliam, Lands Manager
Melissa Hughson, Watershed Manager
Ryan Mackett, Communications Manager
Melanie O'Riley, Administrative Clerk/Receptionist, recorder of Minutes
Michelle Willows, Environmental Planner, part of meeting

1. CALL TO ORDER

The Chair called the meeting to order at 4:30 p.m.

2. ADOPTION OF AGENDA

THAT: the Agenda be adopted as published.

Motion: #30/24

Motion moved by Sheelagh Hendrick and motion seconded by Albert Aiello. **CARRIED.**

3. DISCLOSURE OF INTEREST

None.

4. MINUTES OF PREVIOUS MEETING

THAT: the Minutes of the Lakehead Region Conservation Authority 70th Annual Meeting held on Wednesday, January 31, 2024 be adopted as published.

Motion: #31/24

Motion moved by Albert Aiello and motion seconded by Sheelagh Hendrick. **CARRIED.**

5. IN-CAMERA AGENDA

No In-Camera Meeting was held.

6. BUSINESS ARISING FROM PREVIOUS MINUTES

None.

7. CORRESPONDENCE

7.1. Proclamation of Provisions of the *Conservation Authorities Act* and approval of O. Reg. 41/24 and update of O. Reg. 686/21

Members reviewed and discussed correspondence received from Jennifer Keyes, Director of Resources Planning and Development Policy Branch for the Ministry of Natural Resources and Forestry (MNRF). Ms. Keyes was informing all Conservation Authorities of the proclamation of provisions of the *Conservation Authorities Act* as well as the approval of Ontario Regulation (O. Reg.) 41/24: Prohibited Activities, Exemptions and Permits, and amendments to O. Reg. 686/21: Mandatory Programs and Services made under the Act, all of which come into effect on April 1, 2024.

8. STAFF REPORTS

8.1. Conservation Areas Survey

Michelle Willows, Environmental Planner, presented to the Board the results of the online Conservation Areas Survey that was conducted between November 8, 2023 to December 8, 2023. It was noted that 866 responses to the survey were received. Most comments and suggestions were very positive. The survey will be used in the development of the Conservation Areas Strategy which is mandated to be completed by December 31, 2024.

THAT: Staff Report CONAREA-01-2024 be received.

Motion: #32/24

Motion moved by Sheelagh Hendrick and motion seconded by Albert Aiello. **CARRIED.**

8.2. Victor Street Erosion 2023 Summary

Members reviewed and discussed Staff Report KAMEC-01-2024 which summarized the 2023 Victor Street Erosion Program.

THAT: Staff Report KAMEC-01-2024 be received.

Motion: #33/24

Motion moved by Albert Aiello and motion seconded by Dan Calvert. **CARRIED.**

8.3. 2023 Victor Street Monitoring Reports

Members reviewed and discussed Staff Report KAMEC-02-2024 related to the Victor Street Slope Monitoring Report.

THAT Staff Report KAMEC-02-2024 and the Victor Street Slope Monitoring Report, dated August 10, 2023, and the Victor Street Slope Monitoring Report, dated November 24, 2023 be received.

Motion: #34/24

Motion moved by Dan Calvert and motion seconded by Albert Aiello. **CARRIED.**

8.4. 2023 Hazard Tree Removal Program

Members reviewed and discussed Staff Report LM-01-2024 which summarized the 2023 Hazard Tree Removal Program.

THAT: Staff Report LM-01-2024 be received for information.

Motion: #35/24

Motion moved by Grant Arnold and motion seconded by Rudy Buitenhuis. **CARRIED.**

8.5. 2023 Forest Management Plan: Annual Summary

Members reviewed and discussed Staff Report FORMG-01-2024 which summarized the 2023 Forest Management Program.

THAT: Staff Report FORMG-01-2024 be received.

Motion: #36/24

Motion moved by Brian Kurikka and motion seconded by Grant Arnold. **CARRIED.**

9. CHIEF ADMINISTRATIVE OFFICER'S REPORT

9.1. Monthly Treasurer's Report

Members were provided with the monthly Treasurer's Report for January's Administration and Capital.

9.2. Remuneration of Members 2024 Update

Members reviewed and discussed Staff Report CORP-05-2024 which provided the remuneration rate for Members per Policy BOD-06.

THAT: Staff Report CORP-05-2024 Remuneration of Members 2024 Update be received.

Motion: #37/24

Motion moved by Grant Arnold and motion seconded by Jim Vezina. **CARRIED.**

10. PASSING OF ACCOUNTS

THAT: having examined the accounts for the period January 1, 2024 to January 31, 2024 cheque #3131 to #3154 for \$108,647.08 and preauthorized payments of \$115,728.87 for a total of \$224,375.95, we approve their payment.

Motion: #38/24

Motion moved by Rudy Buitenhuis and motion seconded by Grant Arnold. **CARRIED.**

11. REGULATORY ROLE

Members were provided with the summaries of the Plan Input Review program and Section 28 permits issued since the last meeting.

12. PROJECTS UPDATE

12.1. Communications Manager Projects Update

Members were advised that the 2024 Conservation Dinner & Auction raised \$21,000 in profit after expenses.

Members were advised that Ryan Mackett, Communications Manager and Michelle Willows, Environmental Planner, successfully completed Part I and Part II of the Joint Health and Safety Committee certification training.

The Tree Seedling Program is scheduled to start on April 5, 2024. It was noted that Hill's Greenhouse had offered to donate the trees for the program in 2024 and requested that all earned revenue be used to fund Educational Programming.

It was noted that on August 24, 2024 the LRCA will be co-hosting along with the Municipality of Neebing a Fishing Derby on August 4th which coincides with the LRCA “Little Trout Day by the Bay” event.

12.2. Lands Manager Projects Update

None.

12.3. Watershed Manager Projects Update

It was noted that the February 15, 2024 snow surveys indicated that the snow survey locations continued to be below average for snow depth and water content, when compared to the historical averages for February 15, and that the Level II low water advisory was still in effect.

It was noted that the LRCA’s Watershed Biologist presented at the 2024 Invasive Species Forum about the Thunder Bay Regional Phragmites Collaborative, which was a virtual, week-long event that brought attention to invasive species issues, research, and advances in prevention and management occurring across Canada.

It was noted that seeds collected by LRCA’s Environmental Technician and Watershed Biologist from the LRCA’s Conservation Areas are growing at the City of Thunder Bay’s Centennial Conservatory to an effort to provide City of Thunder Bay, Lakehead University and LRCA restoration projects with accessible native plants which have been adapted to the region and ecotype.

Members were provided an update on Stewardship Projects with secured funding for 2024; funding from Environment and Climate Change Canada (ECCC) will be used to restore riparian habitat along the Neebing-McIntyre Floodway; the last year of a 4-year funding agreement with the Ministry of Natural Resources and Forestry will be used to revegetate ten sites along the Lake Superior shoreline; Ministry of Environment Conservation and Park’s (MECP) funding will be used to create, in partnership with the City of Thunder Bay, an engineered wetland at Boulevard Lake to manage stormwater, improve water quality and offer fish habitat; MECP and ECCC funding will continue to restore habitat at Fisherman’s Park West; mature shoreline plantings will be installed along the Lake Superior shoreline and surrounding the new Water Street Overlook (installed by the City); and the Department of Fisheries and Oceans has contracted the LRCA to service the sea lamprey traps on the Neebing and McIntyre Rivers.

13. NEW BUSINESS

Members were advised that Tammy Cook, CAO, and Jessie McFadden, Watershed Biologist, presented to the Thunder Bay District Municipal League on February 29, 2024 in Nipigon related to challenges in Conservation.

Members were advised that office space has been rented to the Nature Conservancy of Canada (NCC). The NCC employee will work from the LRCA Office 3 days a week in the winter months and 1 day a week in the summer months. The agreement ends on December 31, 2024.

14. NEXT MEETING

Wednesday, March 27, 2024 at 4:30 p.m.

15. ADJOURNMENT

THAT: the time being 5:30 p.m. AND FURTHER THAT there being no further business we adjourn.

Motion: #39/24

Motion moved by Brian Kurikka and motion seconded by Rudy Buitenhuis. **CARRIED.**

Chair

Chief Administrative Officer



PROGRAM AREA	LAND MANAGEMENT	REPORT NO.	LM-02-2024
DATE PREPARED	March 5, 2024	FILE NO.	
MEETING DATE	March 27, 2024		
SUBJECT	2022/2023 Asset Management Plan Strategy Update		

RECOMMENDATION

“THAT: Staff Report LM-02-2024 be received for information.”

LINK TO STRATEGIC PLAN

Connect and Explore:

- *Manage and enhance recreational areas for current and future generations through robust land management, efficient maintenance programs and reinvestment into the land.*
- *Manage land holdings through systemic evaluations, inventories, and strategies.*

Govern and Enhance

- *Continue to commit to accountable and transparent organizational governance.*
- *Find and implement efficiencies and streamline processes across all program areas.*
- *Maintain a stable model of financial resiliency based on capacity, capabilities, and public expectations by maximizing new funding opportunities, fundraising and self-generated revenue.*

EXECUTIVE SUMMARY

Per the 2021 Asset Management Plan Strategy, LRCA staff have completed various projects in an effort to maintain the LRCA’s Office Facility and assets in the Conservation Areas. This report summarizes projects completed in 2022 and 2023.

DISCUSSION

In 2016, as part of long-term planning for the LRCA, the Board approved completing an Asset Management Plan (AMP) that detailed the organizations assets in their current state and provided a long-term outlook for replacement and rehabilitation. In 2021, the LRCA engaged KGS to complete the first five-year update of the AMP. The next five-year update will be scheduled in 2026.

The updated AMP completed by KGS was developed to prioritize needs, minimize future repair and rehabilitation costs, and maintain assets. The AMP is used to guide investment decisions and ensure that sufficient financial planning is undertaken to afford future asset repair, maintenance,

rehabilitation, replacement, or expansion to maintain acceptable levels of service for users over a 20-year planning period.

Using the recommendations from the AMP, a five-year AMP Strategy was approved by the Board per resolution #104/21. Going forward, staff will bring forward an annual staff report, outlining all work completed in the previous year, as recommended in the AMP Strategy. This report will summarize all work completed in 2022 and 2023.

Summary of Completed Work		
Administrative Office and Grounds		
2022		No Major Repairs
2023	Electrical Distribution and Power	Updated 200AMP service to 400AMP service and brought everything up to code
		All interior lighting updated to LED lighting
		Installation of back up generator
		Installation of EV charging station (not planned, new asset, CEDC funding)
	Mechanical/Plumping	All domestic water lines updated to PEX lines and insulated
		Recirculation line and pump installed
		New downsized water meter installed
	Greenhouse	Install circulation fan (not planned, RBC funding)
Exterior Garage	Replacement of man door entrance	
Conservation Areas		
2022	Little Trout Bay	AODA outhouse installation (new asset)
	Silver Harbour	Additional section of floating dock installed (new asset)
2023	Cascades	AODA trail and parking lot re-paving and drainage improvements (partially funded by NOHFC)
		Installation of AODA compliant outhouse (not planned, new asset, NOHFC funding)
	Little Trout Bay	Dock re-decking
	Hazelwood	Floating dock and kayak launch installation (new asset)
		Removal of log picnic shelter at beach
	Silver Harbour	Install Pay and Display (new asset)
Dive Park Established (not planned, donations)		

Planned work in 2024 includes:

Office Building		
2024	Exterior	Repair and repoint areas around brick and louvers where needed
		Repair cracks in parking where needed
		Repair identified damage to front stairs
		Repair identified damage to base of LED sign
Conservation Areas		
2024	Cascades	Main entrance signage
	Little Trout Bay	Floating dock and kayak installation (new asset)
		Repair damage to pavilion roof
	Hazelwood Lake	Top parking lot rock border delineation installation (new asset)
Hurkett Cove	Repair damage to pavilion roof	

Estimated costs as outlined in the AMP Strategy for short- and long-term work is summarized in the attached tables. Additionally, actual costs for completed work have been summarized.

FINANCIAL IMPLICATIONS

The LRCA's AMP provides the information required by the LRCA to strategically plan to have the funds available to complete all required maintenance, rehabilitation and replace assets in the long term. Staff will continue to include in the levy the required funds needed to maintain all assets, as well as seek and apply for applicable funding when available.

Over the period (2022/2023) outside additional funding was acquired from:

- NOHFC - \$130,000 (Cascades parking lot, trail and outhouse project)
- CEDC - \$13,038 (Office EV Charging Station)
- Steve Ward Contracting in-kind and private donation - \$6,000 (Silver Harbour Dive Park)
- RBC - \$1,400 (greenhouse fan)

In 2022, \$520,920 was estimated to be required for the planned work, actual costs amounted to \$37,415. Work completed in 2023 was estimated to cost \$78,850; however, cost \$589,011. Increases in actual cost to complete work was due to timing issues in 2022 that resulted in some work completed in 2023. Cost increases also were due to inflation. In 2022 only one quote was received for the Cascades paving project that was considerably over budget(\$400,000), which resulted in the Authority postponing the work until 2023.

The reserve balance for Conservation Area Capital as of December 31, 2023 was \$305,310. Estimated AMP costs to December 31, 2041 are \$1,424,300. Estimated levy for the period is \$1,705,500. Estimated reserve balance as of December 31, 2041 is projected to be \$586,510.

The Office Facility Reserve balance as of December 31, 2023 was \$352,277. Expected AMP costs to December 31, 2041 are \$877,050. Estimated levy to December 31, 2041 is \$904,300. Estimated reserve balance as of December 31, 2041 is projected to be \$379,527.

The expense estimates will be updated in the next AMP update planned in 2026. Funding for future AMP expenses will come from current reserves, deferred funds, future levies and outside funding when available.

CONCLUSION

In 2022 and 2023, LRCA staff completed upgrades as outlined in the AMP in an effort to maintain the Office Facility and Conservation Areas. Overall, it is anticipated to have adequate funds available to maintain LRCA’s assets, provided future budgets include the levy amounts as estimated in the AMP and no major unforeseen work is required. Additionally, some new assets were installed as a result of acquiring additional funding.

BACKGROUND


In 2016 the LRCA hired TBT Engineering to complete LRCA’s first Asset Management Plan (AMP), with the associated AMP Strategy approved per resolution #114/16. In 2021, KGS was hired to complete the first five-year update to the AMP, with the associated AMP Strategy approved per resolution #104/21.

REFERENCE MATERIAL ATTACHED

Attachment 1 – Conservation Area Capital Long-Term Forecast

Attachment 2 – Office Facility Long-Term Forecast

PREPARED BY: Ryne Gilliam, Lands Manager

THIS REPORT SIGNED AND VERIFIED BY:  Chief Administrative Officer	DATE: March 8, 2024
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Conservation Area Site Development

		Year 2022				2-5 Years						5-10 Years					10-20 Years										
Location	Description	Year of Purchase	Estimated Useful Life	Actual Age	Estimated Remaining Life	2022 Estimate	2022 Actuals	2023 Estimate	2023 Actuals	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041
Mills Block	Paving	40,465	1999	37	23						150,000																
Cascades	Pavilion	28,403	2001	40	21																						22,000
Cascades	Bridges (east and west)	23,386	2001	20	21							1,500															
Cascades	wooden stairs	28,573	2002	20	20	149,000		204,410																			
Cascades	Paved trail and Parking Lot					29,000		25,796																			
Cascades	Outhouse																										
Cedar Falls	steps on the trail	23,540	2011	20	11								6,200														
Hazelwood	Dock/Kayak							10,700	10,157																		
Hazelwood	Chip sealed road	83,960	2009	15	13																						
Hazelwood	Free Flow Wier Dam - Concrete	66,668	1980	78	42										146,000												
Hazelwood	Free Flow Wier Dam - Stringers/Decking/Handrails		1980	40	42																						
Hazelwood	Causeway, Culverts - Culvert	N/A	1983	75	30																						
Hazelwood	Causeway, Culverts - Guide Rail	N/A	1983	25	39																						
Hazelwood	Wood privies	N/A	1995	25	27										70,600												
Hazelwood	Garage Gate	N/A	1980	25	42			2,000																			
Hazelwood	Loa Picnic Shelter Removal						6,611	7,000																			
Hurkett	Boardwalk	17,752	2015	25	7																						
Hurkett	Pavilion	34,079	2001	37	21			6,200																			
Hurkett	Concrete Privy	N/A	2006	40	16																						
Little Trout	Gabion Baskets/Slope Stabilization	N/A	1992	75	30																						
Little Trout	Docks (North and South)/Ramp	67,002	1993	25	29				12,450	12,778																	
Little Trout	Break Wall	N/A	1992	100	30																						
Little Trout	Pavilion	38,614	2001	37	21			2,500																			
Little Trout	Wooden privy	N/A	N/A	25	N/A	36,000	25,842																				
Mission Island	Paved trail	10,000	1998	20	24																						
Mission Island	Boardwalk - over water	N/A	1987	25	35									50,000													
Mission Island	Boardwalk - on land	N/A	1987	25	35																						
Mission Island	Paved parking lot		1999	20	33						5,000					240,000											
Mission Island	Outdoor privy	39,759	1990	25	32								14,800														
Mission Island	Pavilion	43,820	1995	25	27																						
Mission Island	Entrance sign	10,000	2004	15	18																						
Silver Harbour	Concrete Privy	N/A	2004	40	18																						
Silver Harbour	Picnic Shelter	48,937	1990	30	32																						
Silver Harbour	Dock/boat launch #1	N/A	1979	25	43	7,500	4,962							6,100													49,000
Silver Harbour	Dock/boat launch #2	48,660	2002	25	20									6,100													49,000
Silver Harbour	Dock/boat launch #3																										49,000
Mills Block	Parking Lot/Deaspne																										
SUBTOTAL - Asset Management Plan						221,500	37,415	40,650	333,141	31,500	155,000	12,200	102,000	70,600	146,000	240,000	40,300										

\$ 150,000 grant from NHPFC offset costs. Outhouse costs where added for ACDA compliant Outhouse to enhance NHPFC application. Added \$100,000 to budget per resolution 65/23

Expected Completion

Garage Gate	2024
Pavilion Little Trout Roof Decking	2024
Pavilion Hurkett Roof Decking	2024

		Year	2022																																		
Asset Management Plan Review				TBT	Asset	Mgmt Plan	Estimates	2-5 years						5-10 years						10-20 years																	
Location	Description	Yer of Purchase	Useful Life	Actual Age	Effective Age	Remaining Life	2022 Estimate	2022 Actuals	2023 Estimate	2023 Actuals	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041									
Office Building	Structure	1953	110	69	63	47																															
Office Building	Roof Assembly	2012	25	10	4	21																															
Office Building	Exterior - Brick/Greenhouse	1953	86	69	63	23			12,500																											25,000	
Office Building	Exterior - Doors and Windows	N/A	25	N/A	15	10																															
Office Building	Exterior - Stairs/Ramp/Handrails	2012	25	10	10	15			2,500													20,000															
Office Building	Parking Lot	2014	20	8	3	17																															
Office Building	Patio Stone Area	2015	20	7	1	19																															
Office Building	Plumbing	1953	70	69	50	20			12,500	14,158																											
Office Building	Heating	2011	20	11	3	17	10,500	-							89,050																						
Office Building	Cooling	2011	15	11	5	10	-	-																													
Office Building	Ventilation	2013	20	9	3	17	3,000	-																													
Office Building	Insulation and Ventilation	N/A	30	N/A	20	10																															
Office Building	Interior	2014	15	8	2	13																															
Office Building	Control Systems	2011	15	11	5	10								27,500	-																						
Office Building	Fire Supresion	2011	10	11	5	5																															
Office Building	Electrical - Lighting and Service	N/A	20	N/A	20	0	285,927							239,712																							
Attached Garag	Foundation	1974	81	46	42	39																															
Attached Garag	Structure	1974	69	48	40	29																															
Attached Garag	Roof	2012	25	10	4	21																															
Attached Garag	Exterior	1974	50	48	25	25																															10,000
Garage	Detatched Garage	N/A	25	N/A	15	10				2,500	2,000																										
LED Sign	LED Sign	2015	15	7	1	10				5,000																											
Greenhouse	Greenhouse	2015	30	7	1	29																															
Office Building	Backflow valve connections	2018	5	4	1	4				3,000																											
SUBTOTAL - Asset Management Plan							299,427	-	38,000	255,870	-	-	5,500	116,550	180,250	-	66,600	55,000	-	20,000	120,000	11,650	35,000	-	25,000	-	-	-	-	-	-	-	-	-	10,000		

Additional Capital Purchases:

Heating	Expected Completion	2023
Cooling		2024
Ventilation		2024
Exterior - Brick/Greenhouse		2024
Exterior - Stairs/Ramp/Handrails		2024
LED Sign		2024



PROGRAM AREA	CORPORATE	REPORT NO.	CORP-06-2024
DATE PREPARED	March 4, 2024	FILE NO.	H&S Policy Binder
MEETING DATE	March 27, 2024		
SUBJECT	2023 Health and Safety Summary		

RECOMMENDATION

Suggested Resolutions

“THAT: Staff Report CORP-06-2024 be received for information.”

LINK TO STRATEGIC PLAN (2023-2027)

Govern and Enhance:

- Build upon and nurture a healthy, diverse, and positive workplace through a dynamic culture of learning, safety, inclusion, and mental well-being.

EXECUTIVE SUMMARY

The Lakehead Region Conservation Authority (LRCA) is committed to the health and safety of its employees and visitors to LRCA-owned properties such as the Administrative Office and Conservation Areas, etc. The LRCA continued to participate in the WSIB Health and Safety Excellence Program in 2023, resulting in the creation of four new health and safety policies, which resulted in an \$8,000.00 rebate in WSIB premiums.

In 2023, there were no lost time injuries, critical injuries, near misses or occurrences reported. Two incidents were reported, both related to vehicle and equipment damage, however no injuries resulted in association with these incidents. A total of four new health and safety policies were adopted by the Board during 2023.

DISCUSSION

The LRCA is committed to implementing and maintaining health and safety programs at all levels of its operation to a standard not less than that required by the *Ontario Occupational Health and Safety Act, R.S.O. 1990, Section 25*, and all other applicable regulations and legislation. In an effort to further the LRCA’s commitment to health and safety, staff continue to participate in WSIB’s Health and Safety Excellence program, with 2023 being the sixth year in the program (formerly Workplace Safety North Northern Ontario Safety Groups program).

The prevention of accidents, injury and occupational illness is an integral part of every job activity associated with the LRCA. There were no lost time injuries, critical injuries, near misses or

occurrences reported. Two incidents were reported, both related to vehicle and equipment damage, however no injuries resulted in association with these incidents. One incident involved a trimmer shooting a rock and damaging the driver's side window of a parked vehicle; the other incident involved damage caused to the open door of a parked vehicle by the trailer of another vehicle passing by. Both incidents resulted in alterations to procedures involving use of equipment while vehicles are present as well as retraining on circle check procedures.

Policy Development

During 2023, staff created four new policies (and began work on a fifth policy which was deferred to 2024 due to expanding scope and complexity of the policy) as part of the WSIB Health and Safety Excellence Program:

- Health and Safety Policy HS-25: First Aid
- Health and Safety Policy HS-26: Control of Hazards – Mental Health Supports [*DEFERRED*]
- Health and Safety Policy HS-27: Health and Safety Communication
- Health and Safety Policy HS-28: Health and Safety Participation
- Health and Safety Policy HS-29: Control of Hazards – Sharps

These policies were adopted by the Board on September 27, 2023, and then officially reviewed and authorized by WSIB on January 3, 2024. The LRCA's 2023 Action Plan was successfully approved by WSIB on May 2, 2023. The LRCA received an \$8,000.00 WSIB rebate for the completion of four policies under the 2023 Action Plan.

The LRCA will be submitting an action plan to the WSIB Health and Safety Excellence Program for 2024 (and has already registered for the 2024 program).

The following Health and Safety policy is planned for development and implementation for 2024, pending WSIB approval of a successful action plan:

- Health and Safety Policy HS-26: Control of Hazards – Mental Health Supports [*DEFERRED FROM 2023*]

Other potential topics being explored by staff include:

- Work Refusal Procedure
- Safe Lifting
- Safe Driving
- Violence and Harassment in the Workplace update

FINANCIAL IMPLICATIONS

By participating in the WSIB/Workplace Safety North, Safety Excellence Program the LRCA will be eligible for up to \$1,000.00 in rebates for each completed policy. In 2023, the LRCA paid \$19,645.34 in WSIB premiums and received an \$8,000.00 rebate under the WSIB Health and Safety Excellence Program framework. The annual fee paid to be part of the WSIB Excellence

program in 2023 was \$791.00. In recognition of the development of another five policies in 2024, a \$5,000 rebate is anticipated.

In general, a robust Health and Safety program will reduce the number of potential injuries to our staff, thereby reducing WSIB claims and potential increases to LRCA's WSIB premiums.

CONCLUSION

The LRCA did not report any major Health and Safety issues during 2023.

The LRCA's participation in the WSIB and the Health and Safety Policies outlined in this report are all integral parts of the LRCA's overall Health and Safety Program. The LRCA is committed to health and safety and providing its employees with a safe work environment.

BACKGROUND

Health and safety policies and procedures approved to date include:

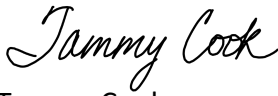
- Health and Safety Policy Statement
- HS-01: Personal Protective Equipment
- HS-02: Written Roles & Responsibilities
- HS-03: Workplace Anti-Violence and Sexual Harassment
- HS-04: Return to Work
- HS-05: Inspection Procedures
- HS-06: Slips, Trips, and Falls
- HS-07: Supervisor Competency
- HS-08: Near Miss
- HS-09: Sharps Procedure
- HS-10: Health and Safety Orientation
- HS-11: Incident Investigation
- HS-12: Return to Work Self-Assessment
- HS-13: Equipment Training
- HS-14: Occurrence Reporting
- HS-15: Wildlife Encounters Policy
- HS-16: Contractor Management Program
- HS-17: Risk Assessment and Control of Hazards
- HS-18: Working Alone
- HS-19: Workplace Health Promotion
- HS-20: Emergency Response
- HS-21: Extreme Weather
- HS-22: Lockout/Tagout
- HS-23: Ticks & Insects
- HS-24: Working Near Water
- HS-25: First Aid
- HS-27: Health and Safety Communication

- HS-28: Health and Safety Participation
- HS-29: Control of Hazards – Sharps

Approved policies related specifically to COVID-19 include:

- HS-COVID-1: Best Practices During Pandemic
- HS-COVID-2: Site Inspections During Pandemic
- HS-COVID-3: Field Staff Operations During Pandemic
- HS-COVID-4: Return to Work After Closure Due to Pandemic
- HS-COVID-5: Mandatory Use of Masks or Face Coverings within LRCA Office (rescinded)
- HS-COVID-6: Vaccines (rescinded)

PREPARED BY: Ryan Mackett, Communications Manager

THIS REPORT SIGNED AND VERIFIED BY:  Tammy Cook Chief Administrative Officer	DATE: March 8, 2024
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**2024 TREASURER'S REPORT
MONTHLY EXPENSES**

	2024 BUDGET	February	TOTAL TO DATE	BALANCE REMAINING
REVENUE				
Provincial Grants	348,732	96,595	136,595	212,137
Municipal Levy	1,854,691	-	1,854,691	-
Self Generated	341,214	60,993	145,685	195,529
Other Revenue	414,019	13,000	47,437	366,582
TOTAL REVENUE	2,958,656	170,588	2,184,408	774,248
EXPENSES				
Category 1 Mandatory Programs and Services				
Corporate Services	959,560	63,259	149,221	810,339
Risk of Natural Hazards	1,048,714	45,744	127,139	921,575
Conservation and Management of Lands owned and controlled by the Authority	455,875	27,791	54,123	401,752
Source Water Protection	68,792	3,390	8,013	60,779
Other Programs and Services	22,870	276	338	22,533
Total Category 1 Mandatory Programs and Services	2,555,811	140,459	338,833	2,216,978
Category 2 Non-Mandatory Programs and Services at the Request of a Municipality				
Mapping Services	16,000	1,526	1,526	14,474
Total Category 2 Non-Mandatory Programs and Services at the Request of a Municipality	16,000	1,526	1,526	14,474
Category 3 Non-Mandatory Programs and Services				
Education	103,882	5,676	9,362	94,520
Stewardship	272,963	8,075	13,510	259,453
Other	10,000	3,816	3,816	6,184
Total Category 3 Non-Mandatory Programs and Services	386,845	17,567	26,688	360,157
Total All Expenses	2,958,656	159,553	367,048	2,591,608



PROGRAM AREA	Development Regulations	REPORT NO.	DEVREG-02-2024
DATE PREPARED	March 12, 2024	FILE NO.	
MEETING DATE	March 27, 2024		
SUBJECT	Legislative and Regulatory Changes Affecting Development Permitting		

RECOMMENDATION

“THAT: Rules of Procedure for Permit Application Review and Approval Version 5.0 be adopted with an effective date of April 1, 2024.”

“THAT: Policy DEVREG-02: Interim Guidelines for the Administration and Implementation of Ontario Regulation 41/24 be approved.”

“THAT: Policy DEVREG-03: Transitional Procedures and Guidelines (O. Reg. 180/06 to O. Reg. 42/14) be approved.”

“THAT: Lakehead Region Conservation Authority Screening Maps 1 to 15 depicting the approximate area subject to Prohibited Activities, Exemptions and Permits Ontario Regulation 41/24 be approved with an effective date of April 1, 2024.”

LINK TO STRATEGIC PLAN

Links to the Strategic Plan (2023 – 2027):

Protect and Support:

- *Create and update policies, guidance documents and technical data to streamline the LRCA approvals process that provides transparency of process and rules of service.*
- *Prioritize and promote the protection and management of natural hazards, wetlands and natural heritage features within the LRCA Area of Jurisdiction.*

EXECUTIVE SUMMARY

On February 16, 2024, a new Minister’s regulation (Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits) under the *Conservation Authorities Act* was approved by the Province. This regulation will replace the existing individual “Development, Interference with Wetlands and Alterations to Shorelines and Watercourses” regulation [O. Reg. 180/06] held by the Lakehead Region Conservation Authority (LRCA) and moving forward, O. Reg. 41/24 will be used by all Conservation Authorities (CAs). The regulation’s effective date is April 1, 2024. The enactment of O. Reg. 41/24 will also coincide with the proclamation of associated sections within the *Conservation Authorities Act*.

Staff have updated the Screening Maps to adhere to the new regulation, updated the Rules of Procedure for Permit Application Review and Approval and drafted two policies to guide staff through the transition period. Further updates to the application forms, fact sheets, permit templates etc. are also being completed.

DISCUSSION

On February 16, 2024, a new Minister's regulation (Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits) under the *Conservation Authorities Act* was approved by the Province. This regulation will replace the existing individual "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses" regulation [O. Reg. 180/06] held by the Lakehead Region Conservation Authority (LRCA) and moving forward, O. Reg. 41/24 will be used by all Conservation Authorities (CAs). The regulation's effective date is April 1, 2024. The enactment of O. Reg. 41/24 will also coincide with the proclamation of associated sections within the *Conservation Authorities Act*.

While O. Reg. 41/24 represents a single regulation for all CAs, much of the CA regulatory process remains the same. The administration of O. Reg. 41/24 is a Mandatory Program and Service of the Conservation Authorities as per Section 21.1.1 of the *Conservation Authorities Act* and as stipulated in O. Reg. 686/21: Mandatory Programs and Services. Under section 8 of O. Reg. 686/21, Conservation Authorities shall provide programs and services to ensure that the Authority carries out its duties, functions and responsibilities to administer and enforce the provisions of Parts VI and VII of the Act and any regulations made under those Parts.

CAs will continue to require applications for a permit to undertake otherwise prohibited development, interference and alteration activities in regulated areas as defined under the *Conservation Authorities Act* and in O. Reg. 41/24.

Key Changes

While much of the CA regulatory process remains the same, key changes of interest for our municipal partners include:

- The definition of a "watercourse" has been amended from "*an identifiable depression in the ground in which a flow of water regularly or continuously occurs*" to "*a defined channel, having a bed and banks or sides, in which a flow of water regularly or continuously occurs*".
- The regulated area around wetlands ("other areas") will be consistent at 30 m, including around provincially significant wetlands (previously 120 m).
- Exceptions (no permits required) for certain low-risk activities (see Attachment #1 for further details).
- Maps will be required to be reviewed and updated annually.
- Maps must be posted on the website.
- Must advise applicants within 21 days that a permit application is deemed complete.
- If an applicant is advised that their application is complete, the authority shall not require new studies, technical information or plans unless agreed to by the authority and the

applicant. The authority can only ask for clarification or further details regarding the application.

- Permits can now be issued up to 60 months for all permits, previously 24 months, and only 60 months for certain conditions.
- Permit decision criteria changed from not likely to affect “flooding, erosion, dynamic beaches, pollution and conservation of land” to “flooding, erosion, dynamic beaches, unstable soil or bedrock, and not likely to create conditions or circumstances that, in the event of a natural hazard, might jeopardize the health and safety of persons or result in the damage or destruction of property”.
- The Minister may, by order, direct an authority to not issue a permit.
- The Minister has the power to issue a permit.
- Authority may delegate approval or cancellation of permits or the holding of hearings in relation to the permits to the authority’s executive committee (LRCA does not have one) or to any other person or body.
- O. Reg. 686/21: Mandatory Programs and Services updated to add a new requirement for the reporting on the achievement of Conservation Authority permitting standards, including the level of compliance with new regulatory requirements in O. Reg. 42/24 (i.e., meeting timelines).
- In specific circumstances the CA can now issue stop work orders.
- Penalties for offences have been increased and the ability of the court to increase penalties in the amount of any monetary benefit that was acquired as of the result of the commission of an offence.

Plan Review Services

There are no changes to CA planning services at this time. Conservation Authorities continue to provide mandatory, or Category 1 programs or services related to reviewing and commenting on applications and other matters (e.g., planning document updates) under the *Planning Act*, and for proposals under Acts referred to in Section 6 (2) of Ontario Regulation 686/21: Mandatory Programs and Services. Municipalities must continue to circulate planning applications and other matters, including technical reports to CAs so that we may review and comment on natural hazards and wetland matters per Ontario Regulation 686/21. Comments provided will reflect a watershed-based approach to the provision of mandatory programs and services.

Mapping

The legislative changes require the LRCA to review and update the regulatory mapping, to be effective April 1, 2024. Per the new regulation the Authority’s set of 15 Screening Maps (one for each geographic township) were updated with the following:

- Other areas (i.e., regulated buffer) around Provincially Significant Wetlands was reduced from 120 metres to 30 metres,
- Other areas adjacent to the Neebing-McIntyre Floodway increased from 5 metres to 15 metres. (it is noted that when the policies are developed, consideration may be given to only requiring permits for development within 5 metres of the channel),
- Legislative references to regulation (i.e., change 180/06 to 41/24),

- Map effective date of April 1, 2024.

No changes have been made related to the change in watercourse definition. When warranted during the review of a development proposal, staff will determine whether identified watercourses on the subject land meet the definition of a regulated feature and regulate accordingly. Currently, watercourses identified in MNRF's water layer are identified as a regulated feature with a 15-metre other area on each side of the watercourse identified on the Screening Maps as the approximate regulated area.

PDF versions of the maps were posted on the LRCA website on March 12, 2024, <https://lakeheadca.com/regulations/screening-maps-1> . Once approved, printed copies will be delivered to each rural Member Municipality. The GIS shapefile has been provided to the City of Thunder Bay and will be provided to other municipalities if requested. The on-line map viewer will be updated to reflect the legislated changes effective April 1, 2024.

Interim Guidelines

Permit applications submitted prior to the enactment of O. Reg. 41/24 will follow the current permitting process will. New permit applications submitted on or after April 1, 2024, will follow the processes outlined in the updated Section 28 of the *Conservation Authorities Act* and O. Reg. 41/24. The guidelines to be followed have been outlined in Attachment #2, Policy DEVREG-02: Interim Guidelines for the Administration and Implementation of Ontario Regulation 41/24.

Transitional Procedures and Guidelines

Policy DEVREG: 03 has been drafted to provide procedures and guidelines in the processing of permits and commenting on planning application both before and after April 1, 2024 (Attachment #3).

Updates to the "Rules of Procedure for Permit Application Review and Approval"

The Rules of Procedure for Permit Application Review and Approval document has been updated to reflect the legislative changes outlined in O. Reg. 41/24 and the updated Section 28.1 of the *Conservation Authorities Act*. The document outlines the procedures related to processing permits and delegates the approval authority to staff for positive permits. The refusal of permits and the Board sitting as the Hearing Board remains delegated to the Board of Directors. All changes have been indicated in red font.

The Permit Application Form and permit correspondence templates are in the process of being updated to reference the new regulation and updated Act and will be made available on the Authority's website prior to the April 1, 2024, effective date. The Fee Schedule has been updated to reference the new legislation. No changes have been made to the fees, as directed by the Minister.

Hearing Guidelines will be reviewed at a later date and updated as warranted, with approval sought from the Board of Directors at that time.

Other Tasks to be Completed

- Update website
- Update related Fact Sheets
- Adopt updated policy (currently being finalized by Conservation Ontario) to replace 2008 policy
- Update Permit Application Form
- Re-appoint Provincial Offences Officers under a new class designation (MNRF still needs to provide)

FINANCIAL IMPLICATIONS

The inclusion of exceptions in the new regulation related to low-risk activities and the reduction of the regulated area may result in fewer permit applications being processed by the LRCA, which may result in a reduction in collected fees annually.

CONCLUSION

In response to the pending April 1, 2024, enactment of O. Reg. 41/24 and the proclamation of sections of the *Conservation Authorities Act*, staff have updated the Screening Maps and drafted policies in order to be prepared to continue to administer the Section 28.1 Regulatory Mandatory Program.

BACKGROUND

The *Conservation Authorities Act* was enacted in 1946 in response to erosion and drought concerns, recognizing that these and other natural resource initiatives are best managed on a watershed basis.

In 1956, in response to the severe economic and human losses associated with Hurricane Hazel (1954), amendments to the *Conservation Authorities Act* first empowered Conservation Authorities (CAs) to make Regulations to prohibit the filling in of floodplains. These Regulations were broadened in 1960 to prohibit or regulate the placing or dumping of fill in defined areas where, in the opinion of the CA, the control of flooding, pollution or the conservation of land may be affected. In 1968, amendments to the *Conservation Authorities Act* further extended the Regulations to prohibit or control construction and alteration to waterways, in addition to filling.

In 1998, the *Conservation Authorities Act* was amended as part of the *Red Tape Reduction Act* (Bill 25), to ensure that Regulations under the Act were consistent across the province and complementary to provincial policies. Revisions were made to Section 28, which led to the replacement of the “Fill, Construction and Alteration to Waterways” Regulation with the “Development, Interference with Wetlands and Alterations to Shorelines and Watercourses” Regulation in 2006. The main change was the addition of wetlands as a regulated feature. The content of each Authority’s Regulation was made under Ontario Regulation 97/04. Under these regulations CAs were enabled to make regulations applicable to the area under their jurisdiction to prohibit, restrict, regulate or give required permission for certain activities in and adjacent to

watercourses, wetlands, shorelines of inland lakes and the Great Lakes-St. Lawrence River System and other hazardous lands.

On December 8, 2020, amendments were made to the *Conservation Authorities Act* within Bill 229, *Protect, Support and Recover from COVID 19 Act* (Budget Measures), 2020, Schedule 6. The changes included requiring a Conservation Authority to issue a permit if a zoning order under the *Planning Act* has been issued outside the Greenbelt. The Authority cannot deny the permit; however, would be able to attach conditions which would be appealable to the Minister.

REFERENCE MATERIAL ATTACHED


Attachment #1 – Ontario Regulation 41/24

Attachment #2 - Policy DEVREG-02: Interim Guidelines for the Administration and Implementation of Ontario Regulation 41/24

Attachment #3 - Policy DEVREG-03: Transitional Procedures and Guidelines (Transitioning from O. Reg. 180/06 to O. Reg. 41/24)

Attachment #4 – Rules of Procedure for Permit Application Review and Approval, Version 5.0

PREPARED BY: Tammy Cook, CAO

<p>THIS REPORT SIGNED AND VERIFIED BY:</p> <p></p> <p>Tammy Cook Chief Administrative Officer</p>	<p>DATE: March 12, 2024</p>
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Français

ONTARIO REGULATION 41/24
made under the
CONSERVATION AUTHORITIES ACT

Made: December 5, 2023
Filed: February 16, 2024
Published on e-Laws: February 16, 2024
Published in *The Ontario Gazette*: March 2, 2024

PROHIBITED ACTIVITIES, EXEMPTIONS AND PERMITS

CONTENTS

1.	Definitions
2.	Prohibited activities, subparagraph 2 iii of s. 28 (1) of the Act
3.	Applicable Flood Event Standards
4.	Maps of regulated areas
5.	Exceptions
6.	Pre-submission consultation
7.	Application for permit
8.	Request for review
9.	Conditions of permits
10.	Lake Simcoe Protection requirements
11.	Period of validity of permits and extensions
12.	Policy and procedure documents re permits
13.	Commencement
Schedule 1	Flood event standards
Schedule 2	Description of standards
Schedule 3	Water surface elevations

Definitions

1. (1) In section 28 of the Act and in this Regulation,

“development activity” 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; (“activité d’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”)

“watercourse” means a defined channel, having a bed and banks or sides, 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 have been caused by the presence of abundant water, and
- (d) has vegetation dominated by hydrophytic plants or water tolerant plants, the dominance of which have been favoured by the presence of abundant water. (“terre marécageuse”)

(2) The definition of “wetland” in subsection (1) does not include periodically soaked or wet land used for agricultural purposes which no longer exhibits a wetland characteristic referred to in clause (c) or (d) of that definition.

Prohibited activities, subparagraph 2 iii of s. 28 (1) of the Act

2. (1) For the purposes of subparagraph 2 iii of subsection 28 (1) of the Act, river or stream valleys include 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 as follows:

1. Where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of the bank, plus 15 metres, to a similar point on the opposite side.
2. Where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side.
3. Where the river or stream valley is not apparent, the valley extends,
 - (i) to the furthest of the following distances:
 - A. the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard to a similar point on the opposite side, and
 - B. the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard to a similar point on the opposite side, and
 - (ii) an additional 15-metre allowance on each side, except in areas within the jurisdiction of the Niagara Peninsula Conservation Authority.

(2) For the purposes of subparagraph 2 iv of subsection 28 (1) of the Act, areas 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 include,

- (a) the area starting from the furthest offshore extent of the authority's boundary to the furthest of the following distances:
 - (i) the 100-year flood level, plus the appropriate allowance for wave uprush, and, if necessary, for other water-related hazards, including ship-generated waves, ice piling and ice jamming, except in respect of Wanapitei Lake in the Nickel District Conservation Authority, the applicable flood event standard for that lake being the one set out in item 1 of Table 16 of Schedule 1,
 - (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, and
 - (iii) where a dynamic beach is associated with the waterfront lands, an allowance of 30 metres inland to accommodate dynamic beach movement, except in the areas within the jurisdictions of the Mattagami Region Conservation Authority, the Nickel District Conservation Authority and the North Bay-Mattawa Conservation Authority where the allowance is 15 metres inland; and
- (b) the area that is an additional 15 metres allowance inland from the area described in clause (a).

(3) For the purposes of subparagraph 2 v of subsection 28 (1) of the Act, other areas in which development activities are prohibited are the areas within an authority's area of jurisdiction that are within 30 metres of a wetland.

Applicable Flood Event Standards

3. The applicable flood event standards with respect to an authority, for the purposes of paragraph 3 of subsection 2 (1) and to determine the maximum susceptibility to flooding of lands or areas in the area of jurisdiction of an authority are the standards specified in Schedule 1 as those standards are described in Schedule 2.

Maps of regulated areas

4. (1) An authority shall develop maps depicting the areas within the authority's area of jurisdiction where development activities are prohibited under paragraph 2 of subsection 28 (1) of the Act which shall be filed at the head office of the authority and made available to the public on the authority's website, and by any other means that the authority considers advisable.

- (2) At least once annually, the authority shall,
 - (a) review the maps referred to in subsection (1) and determine if updates to the maps are required;
 - (b) make and file such updates to the maps at its head office if required; and
 - (c) make the updated maps available to the public on its website and by any other means it considers advisable.

(3) Where new information or analysis becomes available that may result in significant updates to the areas where development activities are prohibited under paragraph 2 of subsection 28 (1) of the Act, including enlargements or reductions

to such areas, the authority shall ensure that stakeholders, municipalities and the public are notified of the proposed changes in any manner that the authority considers advisable, including making any relevant information or studies available online at least 30 days prior to an authority meeting during which the proposed changes are on the agenda.

(4) Where significant changes to the areas where development activities are prohibited have been made in accordance with subsection (3), the authority shall promptly update the maps described in subsection (1).

(5) For greater certainty, in case of a conflict regarding the boundaries of the areas where development activities are prohibited under paragraph 2 of subsection 28 (1) of the Act, the description of those areas in that paragraph and in section 2 of this Regulation prevail over the depiction of the areas in the maps referred to in subsection (1) of this section.

Exceptions

5. Paragraph 2 of subsection 28 (1) of the Act does not apply to,

- (a) the construction, reconstruction, erection or placement of,
 - (i) a seasonal or floating dock that,
 - (A) is 10 square metres or less,
 - (B) does not require permanent support structures, and
 - (C) can be removed in the event of flooding,
 - (ii) a rail, chain-link or panelled fence with a minimum of 75 millimetres of width between panels, that is not within a wetland or watercourse,
 - (iii) agricultural in-field erosion control structures that are not within and that do not have any outlet of water directed or connected to a watercourse, wetland or river or stream valley,
 - (iv) a non-habitable accessory building or structure that,
 - (A) is incidental or subordinate to the principal building or structure,
 - (B) is 15 square metres or less, and
 - (C) is not within a wetland or watercourse, or
 - (v) an unenclosed detached deck or patio that is 15 square metres or less, is not placed within a watercourse or wetland and does not utilize any method of cantilevering;
- (b) the installation of new tile drains that are not within a wetland or watercourse, within 30 metres of a wetland or within 15 metres of a watercourse, and that have an outlet of water that is not directed or connected to a watercourse, wetland or river or stream valley, or the maintenance or repair of existing tile drains;
- (c) the installation, maintenance or repair of a pond for watering livestock that is not connected to or within a watercourse or wetland, within 15 metres of a wetland or a watercourse, and where no excavated material is deposited within an area where subsection 28 (1) of the Act applies;
- (d) the maintenance or repair of a driveway or private lane that is outside of a wetland or the maintenance or repair of a public road, provided that the driveway or road is not extended or widened and the elevation, bedding materials and existing culverts are not altered;
- (e) the maintenance or repair of municipal drains as described in, and conducted in accordance with the mitigation requirements set out in the Drainage Act and the Conservation Authorities Act Protocol, approved by the Minister and available on a government of Ontario website, as it may be amended from time to time; and
- (f) the reconstruction of a non-habitable garage with no basement, if the reconstruction does not exceed the existing footprint of the garage and does not allow for a change in the potential use of the garage to create a habitable space.

Pre-submission consultation

6. (1) Prior to submitting an application for a permit under section 28.1 of the Act, an authority and the applicant may engage in pre-submission consultation for the purposes of confirming the requirements of a complete application to obtain a permit for the activity in question, which may include,

- (a) requests by the authority to the applicant for,
 - (i) initial information on the proposed activity such as a description of the project and any associated plans, or
 - (ii) details about the property upon which the activities are proposed to be carried out, including copies of plans, maps or surveys; or
- (b) meetings between the authority and the applicant prior to the submission of an application, including any site visits to the property where the activities are proposed to be carried out.

(2) If the applicant requests a pre-submission consultation under subsection (1), the authority is required to engage in the pre-submission consultation.

Application for permit

7. (1) An application for a permit under section 28.1 of the Act shall be submitted to an authority and shall include,

- (a) a plan of the area showing the type and location of the proposed development activity or a plan of the area showing plan view and cross-section details of an activity to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse, or change or interfere with a wetland;
- (b) the proposed use of any buildings and structures following completion of the development activity or a statement of the purpose of an activity to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland;
- (c) the start and completion dates of the development activity or other activity;
- (d) a description of the methods to be used in carrying out an activity to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse, or change or interfere with a wetland;
- (e) the elevations of existing buildings, if any, and grades and the proposed elevations of any buildings and grades after the development activity or other activity;
- (f) drainage details before and after the development activity or other activity;
- (g) a complete description of any type of fill proposed to be placed or dumped;
- (h) a confirmation of authorization for the proposed development activity or other activity given by the owner of the subject property, if the applicant is not the owner; and
- (i) any other technical information, studies or plans that the authority requests including information requested during pre-submission consultations between the authority and the applicant.

(2) Upon receipt of the information required under subsection (1) and payment by the applicant of the fee charged by the authority under subsection 21.2 (4) of the Act, the authority shall notify the applicant in writing, within 21 days, whether or not the application complies with subsection 28.1 (3) of the Act and is deemed to be a complete application.

(3) If the authority notifies an applicant under subsection (2) that the application is complete, the authority shall not require new studies, technical information or plans under clause (1) (i) from the applicant to make a determination on the application, unless agreed to by the authority and the applicant. For greater certainty, the authority may ask the applicant for clarification or further details regarding any matter related to the application.

Request for review

8. (1) An applicant may request a review by the authority if,

- (a) the applicant has not received a notice from the authority within 21 days in accordance with subsection 7 (2);
- (b) the applicant disagrees with the authority's determination that the application for a permit is incomplete; or
- (c) the applicant is of the view that a request by the authority for other information, studies or plans under clause 7 (1) (i) is not reasonable.

(2) A review requested by an applicant under subsection (1) shall be completed by the authority no later than 30 days after it is requested and the authority shall, as the case may be,

- (a) confirm that the application meets the requirements of subsection 7 (1) and is complete or provide reasons why the application is incomplete; or
- (b) provide reasons why a request for other information, studies or plans under clause 7 (1) (i) is reasonable or withdraw the request for all or some of the information, studies or plans.

Conditions of permits

9. (1) An authority may attach conditions on a permit issued under section 28.1 of the Act only if, in the opinion of the authority, the conditions,

- (a) assist in preventing or mitigating any effects on the control of flooding, erosion, dynamic beaches or unstable soil or bedrock;
- (b) assist in preventing or mitigating any effects on human health or safety or any damage or destruction of property in the event of a natural hazard; or
- (c) support the administration or implementation of the permit, including conditions related to reporting, notification, monitoring and compliance with the permit.

(2) In addition to the conditions referred to in subsection (1), the Lake Simcoe Region Conservation Authority may attach conditions to a permit that relate to designated policies and other policies in the Lake Simcoe Protection Plan that apply to the issuance of the permit.

Lake Simcoe Protection requirements

10. For the purpose of clause 28.1 (1) (c) of the Act, a decision to issue a permit within the area of jurisdiction of the Lake Simcoe Region Conservation Authority shall,

- (a) conform with any designated policies in the Lake Simcoe Protection Plan that apply to the issuance of the permit; and
- (b) have regard to any other policies in the Lake Simcoe Protection Plan that apply to the issuance of the permit.

Period of validity of permits and extensions

11. (1) The maximum period of validity of a permit issued under sections 28.1, 28.1.1 and 28.1.2 of the Act, including any extension, is 60 months.

(2) If a permit is issued for less than the maximum period of validity, the holder of a permit may, at least 60 days before the expiry of the permit, submit an application for an extension of the permit to,

- (a) the authority that issued the permit, in the case of permits issued under section 28.1 or 28.1.2 of the Act; or
- (b) the Minister, in the case of permits issued under section 28.1.1 of the Act.

(3) An authority or the Minister, as the case may be, may approve an extension of the period of validity of a permit that was issued for a period of less than 60 months but the total period of validity of the permit, including the extension, shall not exceed 60 months.

(4) If an authority intends to refuse a request for an extension, the authority shall give notice of intent to refuse to the holder of the permit, indicating that the extension will be refused unless the holder requests a hearing under subsection (5).

(5) Within 15 days of receiving a notice of intent to refuse a request for an extension, the holder of the permit may submit a written request for a hearing to the authority.

(6) If a request for hearing is submitted under subsection (5), the authority shall hold the hearing within a reasonable time, and shall give the holder at least five days notice of the date of the hearing.

(7) After holding a hearing under subsection (6), the authority may,

- (a) confirm the refusal of the extension; or
- (b) grant an extension for such period of time as it deems appropriate, as long as the total period of validity of the permit does not exceed the applicable maximum period specified in subsection (1).

Policy and procedure documents re permits

12. Each authority shall develop policy and procedure documents with respect to permit applications and reviews that, at a minimum, include the following:

1. Additional details regarding the pre-submission consultation process described in section 6 as well as additional details related to complete permit application requirements.
2. Procedures respecting the process for a review under section 8.
3. Standard timelines for the authority to make a decision on permit applications following a notification that an application is complete under subsection 7 (2), as the authority determines advisable.
4. Any other policies and procedures, as the authority considers advisable, for the purpose of administering the issuance of permits under Part VI of the Act.
5. A process for the periodic review and updating of the authority's policy and procedure documents, including procedures for consulting with stakeholders and the public during the review and update process, as the authority considers advisable.

Commencement

13. This Regulation comes into force on the later of the day subsection 25 (2) of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* comes into force and the day this Regulation is filed.

SCHEDULE 1
FLOOD EVENT STANDARDS

1. For the following conservation authorities, the applicable flood event standards are those specified in Table 1 below:
 1. Ausable Bayfield Conservation Authority.

2. Catfish Creek Conservation Authority.
3. Credit Valley Conservation Authority.
4. Ganaraska Region Conservation Authority.
5. Grand River Conservation Authority.
6. Halton Region Conservation Authority.
7. Kettle Creek Conservation Authority.
8. Maitland Valley Conservation Authority.
9. Saugeen Valley Conservation Authority.
10. Toronto and Region Conservation Authority.

TABLE 1

Item	Areas	Applicable Flood Event Standards
1.	All areas	The Hurricane Hazel Flood Event Standard, the 100 Year Flood Event Standard and the 100-year flood level plus wave uprush

2. For the following conservation authorities, the applicable flood event standards are those specified in Table 2 below:

1. Cataraqui Region Conservation Authority.
2. Long Point Region Conservation Authority.
3. Quinte Region Conservation Authority.
4. Raisin Region Conservation Authority.
5. South Nation River Conservation Authority.

TABLE 2

Item	Areas	Applicable Flood Event Standards
1.	All areas	The 100 Year Flood Event Standard and the 100-year flood level plus wave uprush

3. For the following conservation authorities, the applicable flood event standards are those specified in Table 3 below:

1. Mississippi Valley Conservation Authority.
2. Rideau Valley Conservation Authority.

TABLE 3

Item	Areas	Applicable Flood Event Standards
1.	All areas	The 100 Year Flood Event Standard

4. For the following conservation authorities, the applicable flood event standards are those specified in Table 4 below:

1. Mattagami Region Conservation Authority.
2. Nottawasaga Valley Conservation Authority.
3. Sault Ste. Marie Region Conservation Authority.

TABLE 4

Item	Areas	Applicable Flood Event Standards
1.	All areas	The 100 Year Flood Event Standard, the Timmins Flood Event Standard, and the 100-year flood level plus wave uprush

5. For the Crowe Valley Conservation Authority, the applicable flood event standards are those specified in Table 5 below:

TABLE 5

Item	Areas	Applicable Flood Event Standards
1.	All	The 100 Year Flood Event Standard, the

	areas	Timmins Flood Event Standard, the Hurricane Hazel Flood Event Standard and the 100-year flood level
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6. For the Kawartha Region Conservation Authority, the applicable flood event standards are those specified in Table 6 below:

TABLE 6

Item	Areas	Applicable Flood Event Standards
1.	All areas	The 100 Year Flood Event Standard and the Timmins Flood Event Standard

7. For the Central Lake Ontario Conservation Authority, the applicable flood event standards are those specified in Table 7 below:

TABLE 7

Item	Areas	Applicable Flood Event Standards
1.	Pringle Creek and Darlington	The 100 Year Flood Event Standard
2.	Lake Ontario in the Great Lakes-St. Lawrence River System	The 100-year flood level plus wave uprush
3.	All other areas	The Hurricane Hazel Flood Event Standard

8. For the Essex Region Conservation Authority, the applicable flood event standards are those specified in Table 8 below:

TABLE 8

Item	Areas	Applicable Flood Event Standards
1.	The main branch and the east branch (Silver Creek) of the Ruscom River, and its tributaries within the Town of Lakeshore and the Town of Kingsville and the main and north branch of Canard River in the Town of LaSalle, Concessions I and II, and on the main branch of the Canard River in the Town of Amherstburg, Concessions I, II, III and IV	The March 1985 Flood Event Standard
2.	All other areas	The 100 Year Flood Event Standard

9. For the Grey Sauble Conservation Authority, the applicable flood event standards are those specified in Table 9 below:

TABLE 9

Item	Areas	Applicable Flood Event Standards
1.	The Sauble River Watershed	The 100 Year Flood Event Standard
2.	Lake Huron and Georgian Bay in the Great Lakes-St. Lawrence River System	The 100-year flood level plus wave uprush
3.	All other watersheds	The Timmins Flood Event Standard

10. For the Hamilton Region Conservation Authority, the applicable flood event standards are those specified in Table 10 below:

TABLE 10

Item	Areas	Applicable Flood Event Standards
1.	Watercourses WCO, WCI, WC2, 3, 4, 5.0, 5.1, 6.0, 6.1, 6.2, 6.3, 6.4, 7.0, 7.1, 7.2, 7.3, 8.0, 9.0, 10.0, 10.1, 10.2, 11.0 and 12.0 as indicated on Map Figure 1 of Project 98040-A, Stoney Creek, Stormwater Management Assessment, prepared by Philips Engineering and located at the Hamilton Region Conservation Authority head office and Hamilton Harbour in the Great Lakes-St. Lawrence River System	The 100-year flood level
2.	Lake Ontario in the Great Lakes-St. Lawrence River System	The 100-year flood level plus wave uprush
3.	All other areas	The Hurricane Hazel Flood Event Standard

11. For the Lake Simcoe Region Conservation Authority, the applicable flood event standards are those specified in Table 11 below:

TABLE 11

Item	Areas	Applicable Flood Event Standards
1.	Bunker's Creek and Sophia Creek	The 100 Year Flood Event Standard
2.	Talbot River and the Trent-Severn waterway	The Timmins Flood Event Standard
3.	Lake Simcoe	The 100-year flood level plus wave uprush
4.	All other areas	The Hurricane Hazel Flood Event Standard

12. For the Lakehead Region Conservation Authority, the applicable flood event standards are those specified in Table 12 below:

TABLE 12

Item	Areas	Applicable Flood Event Standards
1.	The main channel of the Kaministiquia River	The 100 Year Flood Event
2.	Lake Superior in the Great Lakes-St. Lawrence River System	The 100-year flood level plus wave uprush
3.	All other areas	Timmins Flood Event Standard

13. For the Lower Thames Valley Conservation Authority, the applicable flood event standards are those specified in Table 13 below:

TABLE 13

Item	Areas	Applicable Flood Event Standards
1.	All areas	The 1937 Regulatory Flood Event Standard and the 100-year flood level plus wave uprush

14. For the Lower Trent Region Conservation Authority, the applicable flood event standards are those specified in Table 14 below:

TABLE 14

Item	Areas	Applicable Flood Event Standards
1.	The main channels of Rice Lake and Trent River	The rainfall, snowmelt, or a combination of rainfall and snowmelt, that would produce the water surface elevations above Canadian Geodetic Datum described in Table 1 of Schedule 3
2.	Lake Ontario in the Great Lakes-St. Lawrence River System	The 100-year flood level plus wave uprush
3.	All other areas	The Timmins Flood Event Standard

15. For the Niagara Peninsula Conservation Authority, the applicable flood event standards are those specified in Table 15 below:

TABLE 15

Item	Areas	Applicable Flood Event Standards
1.	The watersheds associated with Shriner's Creek, Ten Mile Creek and Beaverdam Creek (including Tributary W-6-5) in the City of Niagara Falls	The Hurricane Hazel Flood Event Standard
2.	Lake Ontario and Lake Erie in the Great Lakes-St. Lawrence River System	The 100-year flood level plus wave uprush
3.	All other areas	The 100 Year Flood Event Standard

16. For the Nickel District Conservation Authority, the applicable flood event standards are those specified in Table 16 below:

TABLE 16

Item	Areas	Applicable Flood Event Standards
1.	Wanapitei Lake	The maximum flood allowance elevation of 267.95 metres Canadian Geodetic Datum (in accordance with Ontario Power Generation's Licence of Occupation Agreement #6168)
2.	All other areas	The Timmins Flood Event Standard and the 100 Year Flood Event Standard

17. For the North Bay-Mattawa Conservation Authority, the applicable flood event standards are those specified in Table 17 below:

TABLE 17

Item	Areas	Applicable Flood Event Standards
1.	Chippewa Creek and its tributaries below the North Bay Escarpment, Parks Creek, the Mattawa River in the Town of Mattawa and the La Vase River	The 100 Year Flood Event Standard
2.	Lake Nipissing	100-year flood level plus wave uprush
3.	All other areas	The Timmins Flood Event Standard

18. For the Otonabee Region Conservation Authority, the applicable flood event standards are those specified in Table 18 below:

TABLE 18

Item	Areas	Applicable Flood Event Standards
1.	Rice Lake, Stony Lake, Clear Lake, Lovesick Lake, Deer Bay, Buckhorn Lake, Chemong Lake, Pigeon Lake, Katchiwanooka Lake and Lower Buckhorn Lake	The rainfall, snowmelt, or a combination of rainfall and snowmelt, that would produce the water surface elevations above Canadian Geodetic Datum described in Table 2 of Schedule 3.
2.	All other areas	The Timmins Flood Event Standard

19. For the St. Clair Region Conservation Authority, the applicable flood event standards are those specified in Table 19 below:

TABLE 19

Item	Areas	Applicable Flood Event Standards
1.	Perch Creek	The 100 Year Flood Event Standard
2.	Lake Huron, Lake St. Clair and St. Clair River in the Great Lakes-St. Lawrence River System	The 100-year flood level plus wave uprush
3.	All other areas	The Hurricane Hazel Flood Event Standard

20. For the Upper Thames Region Conservation Authority, the applicable flood event standards are those specified in Table 20 below:

TABLE 20

Item	Areas	Applicable Flood Event Standards
1.	All areas	The 1937 Flood Event Standard

SCHEDULE 2 DESCRIPTION OF STANDARDS

1. The Hurricane Hazel Flood Event Standard means a storm that produces over a 48-hour period,
 - (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 1; or
 - (b) in a drainage area of more than 25 square kilometres, rainfall such that the number of millimetres of rain referred to in each case in Table 1 is modified by the percentage amount shown in Column 2 of Table 2 opposite the corresponding size of the drainage area set out Column 1 of Table 2.

TABLE 1

73 millimetres of rain in the first 36 hours
6 millimetres of rain in the 37th hour
4 millimetres of rain in the 38th hour
6 millimetres of rain in the 39th hour
13 millimetres of rain in the 40th hour
17 millimetres of rain in the 41st hour
13 millimetres of rain in the 42nd hour
23 millimetres of rain in the 43rd hour
13 millimetres of rain in the 44th hour
13 millimetres of rain in the 45th hour
53 millimetres of rain in the 46th hour
38 millimetres of rain in the 47th hour
13 millimetres of rain in the 48th hour

TABLE 2

Column 1 Drainage Area (square kilometres)	Column 2 Percentage
26 to 45 both inclusive	99.2
46 to 65 both inclusive	98.2
66 to 90 both inclusive	97.1
91 to 115 both inclusive	96.3
116 to 140 both inclusive	95.4
141 to 165 both inclusive	94.8
166 to 195 both inclusive	94.2
196 to 220 both inclusive	93.5
221 to 245 both inclusive	92.7
246 to 270 both inclusive	92.0
271 to 450 both inclusive	89.4
451 to 575 both inclusive	86.7
576 to 700 both inclusive	84.0
701 to 850 both inclusive	82.4
851 to 1000 both inclusive	80.8
1001 to 1200 both inclusive	79.3
1201 to 1500 both inclusive	76.6
1501 to 1700 both inclusive	74.4
1701 to 2000 both inclusive	73.3
2001 to 2200 both inclusive	71.7
2201 to 2500 both inclusive	70.2
2501 to 2700 both inclusive	69.0
2701 to 4500 both inclusive	64.4
4501 to 6000 both inclusive	61.4
6001 to 7000 both inclusive	58.9
7001 to 8000 both inclusive	57.4

2. The Timmins Flood Event Standard means a storm that produces over a 12-hour period,

- (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 3; or
- (b) in a drainage area of more than 25 square kilometres, rainfall such that the number of millimetres of rain referred to in each case in Table 3 is modified by the percentage amount shown in Column 2 of Table 4 opposite the corresponding size of the drainage area set out in Column 1 of Table 4.

TABLE 3

15 mm of rain in the 1st hour
20 mm of rain in the 2nd hour
10 mm of rain in the 3rd hour
3 mm of rain in the 4th hour
5 mm of rain in the 5th hour
20 mm of rain in the 6th hour
43 mm of rain in the 7th hour
20 mm of rain in the 8th hour
23 mm of rain in the 9th hour
13 mm of rain in the 10th hour
13 mm of rain in the 11th hour
8 mm of rain in the 12th hour

TABLE 4

Column 1 Drainage Area (km ²)	Column 2 Percentage
26 to 50 both inclusive	97
51 to 75 both inclusive	94
76 to 100 both inclusive	90
101 to 150 both inclusive	87
151 to 200 both inclusive	84
201 to 250 both inclusive	82

251 to 375 both inclusive	79
376 to 500 both inclusive	76
501 to 750 both inclusive	74
751 to 1000 both inclusive	70
1001 to 1250 both inclusive	68
1251 to 1500 both inclusive	66
1501 to 1800 both inclusive	65
1801 to 2100 both inclusive	64
2101 to 2300 both inclusive	63
2301 to 2600 both inclusive	62
2601 to 3900 both inclusive	58
3901 to 5200 both inclusive	56
5201 to 6500 both inclusive	53
6501 to 8000 both inclusive	50

3. The 100 Year Flood Event Standard means rainfall, snowmelt, or a combination of rainfall and snowmelt, producing at any location in a river, creek, stream or watercourse a peak flow that has a probability of occurrence of one per cent during any given year.

4. The 100-year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards for inland lakes and the Great Lakes-St. Lawrence River System that has a probability of occurrence of one per cent during any given year.

5. The March 1985 Flood Event Standard means the flood levels observed, surveyed and mapped, and located at the Essex Region Conservation Authority head office, along portions of the relevant prescribed watercourses that exceeded the 100 Year Flood Event Standard.

6. The 1937 Flood Event Standard means the historical observed 1937 flood on the Thames River. This event is equivalent to the combination of events that caused the flood event on the Thames River in April of 1937. The 1937 flood event is estimated to be equivalent to a 1 in 250-year return flood.

7. The 1937 Regulatory Flood Event Standard means the historical observed 1937 flood on the Thames River. This event is equivalent to a flow of 1,540 cubic metres per second (cms) commencing at Delaware and proportionately reducing until 1,160 cms at Thamesville and 1,125 cms at Chatham. The 1937 flood event is estimated to be equivalent to a 1 in 250-year return flood.

SCHEDULE 3 WATER SURFACE ELEVATIONS

1. The water surface elevations above Canadian Geodetic Datum applicable to Item 1 in Table 14 of Schedule 1 are shown in Table 1.

TABLE 1
LOWER TRENT REGION CONSERVATION AUTHORITY

Location	Water Surface Elevation
Rice Lake	187.9 metres
Trent River below Dam #1 (Trenton)	77.2 metres
Trent River below Dam #2 (Sidney)	81.3 metres
Trent River below Dam #3 (Glen Miller)	87.7 metres
Trent River below Dam #4 (Batawa)	95.7 metres
Trent River below Dam #5 (Trent)	101.7 metres
Trent River below Dam #6 (Frankford)	107.9 metres
Trent River below Dam #7 (Glen Ross)	113.5 metres
Trent River below Dam #8 (Meyers)	117.9 metres
Trent River below Dam #9 (Hagues Reach)	128.1 metres
Trent River below Dam # 10 (Ranney Falls)	143.4 metres
Trent River below Dam #11 (Campbellford)	148.3 metres
Trent River below Dam #12 (Crowe Bay)	154.3 metres
Trent River below Dam #13 (Healy Falls)	175.5 metres

Trent River below Dam #14 (Hastings)	186.7 metres
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2. The water surface elevations above Canadian Geodetic Datum applicable to Item 1 in Table 18 of Schedule 1 are shown in Table 2.

TABLE 2
OTONABEE REGION CONSERVATION AUTHORITY

Water Body	Water Surface Elevation
Rice Lake	187.90 metres
Stony Lake	235.95 metres
Clear Lake	235.95 metres
Lovesick Lake	242.16 metres
Deer Bay	244.31 metres
Buckhorn Lake	247.12 metres
Chemong Lake	247.12 metres
Pigeon Lake	247.12 metres
Katchiwanooka Lake	233.68 metres
Lower Buckhorn Lake	244.31 metres

Made by:
Pris par :

Le ministre des Richesses naturelles et des Forêts,

GRAYDON SMITH
Minister of Natural Resources and Forestry

Date made: December 5, 2023
Pris le : 5 décembre 2023

Français

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Section:	DEVELOPMENT REGULATIONS		
Title:	DEVREG-02: Interim Guidelines for the Administration and Implementation of Ontario Regulation 41/24 (Prohibited Activities, Exemptions and Permits)		
Resolution	Res#/24	Approval Date:	March 27, 2024
Revisions			

On April 1, 2024, Ontario Regulation 41/24 (Prohibited Activities, Exemptions and Permits) and Part VI of the *Conservation Authorities Act* came into effect. This regulation replaces the Lakehead Region Conservation Authority's previous "Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses" regulation (O. Reg. 180/06).

The proclamation of the new legislative and regulatory framework necessitates updates to existing Conservation Authority policies and procedures.

1.0 Interim Policy Guidance

As of April 1, 2024, the Lakehead Region Conservation Authority will review and make decisions on applications for permits in accordance with Part VI of the *Conservation Authorities Act* and Ontario Regulation 41/24. A full Policies/Procedures Manual will be created adhering to the amendments. Per section 12 of O. Reg. 41/24, the Lakehead Region Conservation Authority will consult with stakeholders and the public during the review and update process as the authority considers advisable.

The Lakehead Region Conservation Authority currently utilizes the "Draft Guidelines to Support Conservation Authority Administration of the "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation", dated April 21, 2008 to assess permit applications. Where discrepancies exist between the text of the legislation or regulation and the information provided within the Draft 2008 Guideline and these Interim Policy Guidelines, the text of the legislation and regulation will prevail.

Key variances from the processes in the existing Draft Guideline include, but are not limited to:

- 1) Assessing permit applications made under Section 28.1 of the *Conservation Authorities Act* to determine if the proposed works will affect the control of flooding, erosion, dynamic beaches, and **unstable soil or bedrock**.

- 2) Assessing applications to determine whether the proposed activity would 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**.
- 3) Attaching conditions to a permit only if the conditions (1) assist in preventing or mitigating any effects on the control of flooding, erosion, dynamic beaches or unstable soil or bedrock or (2) assist in preventing or mitigating any effects on human health or safety or any damage or destruction of property in the event of a natural hazard.
- 4) Reducing the regulated area surrounding provincially significant wetlands or wetlands greater than 2 hectares in size from 120 m to 30 m. The other areas in which development activities are prohibited are within 30 m of all wetlands in the Lakehead Region Conservation Authority area of jurisdiction.
- 5) Exceptions from Conservation Authority permits for specific activities outlined in section 5 of O. Reg. 41/24, when carried out in accordance with the regulation.
- 6) Updated complete application requirements (as outlined in section 7 of O. Reg. 41/24), including requirements for landowner authorization and payment of applicable fee.
- 7) A new process for applicants to request an administrative review of an application (circumstances outlined in section 8 of O. Reg. 41/24).
- 8) Updated definition of *watercourse* to a “defined channel, having a bed and banks or sides, in which a flow of water regularly or continuously occurs”.
- 9) New requirement (as outlined in subsection 7(2) O. Reg. 41/24) to notify the applicant of whether an application is complete within 21 days and provide the applicant notice of a decision within 90 days following confirmation of a complete application (as outlined in 28.1(22) of the *Conservation Authorities Act*).
- 10) A new process for pre-submission consultation (circumstances outlined in section 6 of O. Reg. 41/24).
- 11) Enforcement procedures, appeals and hearing processes described in Parts VI and VII of the *Conservation Authorities Act*.

2.0 Effective Date

This policy will become effective as of April 1, 2024.



Section:	DEVELOPMENT REGULATIONS		
Title:	DEVREG-03: Transitional Procedures and Guidelines (Transitioning from O. Reg. 180/06 to O. Reg. 41/24)		
Resolution	Res#/24	Approval Date:	March 27, 2024
Revisions			

1.0 Background

The existing Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation provided each Conservation Authority (CA) with the power to regulate development and activities in or adjacent to river or stream valleys, shorelines of the Great Lakes-St. Lawrence River system and inland lakes, watercourses, hazardous lands (e.g., unstable soil, bedrock, and slopes), wetlands and other areas around wetlands. Development taking place on these lands may require permission from the CA to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected.

On February 16, 2024 the [Prohibited Activities, Exemptions and Permits under Conservation Authorities Act](#) Regulation (Ontario Regulation 41/24) was approved by the Province under subsection 28(1) of the *Conservation Authorities Act*. The administration of O. Reg. 41/24 is a Mandatory Program and Service of the Conservation Authorities as per Section 21.1.1 of the [Conservation Authorities Act](#) and as stipulated in [O. Reg. 686/21: Mandatory Programs and Services](#). Under section 8 of O. Reg. 686/21, Conservation Authorities shall provide programs and services to ensure that the Authority carries out its duties, functions and responsibilities to administer and enforce the provisions of Parts VI and VII of the Act and any regulations made under those Parts.

The transitional policies and procedures are important in the implementation of the new regulations which will become effective as of April 1, 2024.

2.0 Purpose

The purpose of this document is to guide Authority staff through the transition from the current individual Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations to the implementation of the new O. Reg. 41/24: Prohibited Activities, Exemptions and Permits Regulation.

3.0 PERMIT APPLICATIONS

Applications Submitted Before April 1, 2024

Applications for permission to develop in a regulated area or interfere with a wetland or watercourse received prior to April 1, 2024, will be subject to the provisions of the applicable Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation in effect at the time the application was received.

If the subject application for the proposed works is not within an area or an activity regulated under the new regulation (O. Reg. 41/24), then the applicant will be advised in writing that a permit is not required for the proposed works.

Applications Submitted After April 1, 2024

All applications received on or after April 1, 2024, will be subject to the provisions of O. Reg. 41/24.

Extension of Permissions Issued under the Current Regulation

Permits issued prior to April 1, 2024, and have expiry dates beyond April 1, 2024 will remain valid for the duration identified on the permission. Inspections and conditions enforced under the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation will continue until the permission expires.

A request for extension of a permit issued before April 1, 2024, that is received prior to April 1, 2024, will be considered in accordance with the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation.

A request for extension of a permit issued before April 1, 2024, that is received after April 1, 2024, will be considered in accordance with O. Reg. 41/24. An applicant requesting an extension will be notified in writing that an extension is not required if the permit is for a development activity or interference/alteration not within a regulated area established under O. Reg. 41/24 or is otherwise subject to an exception under the same.

Requests for an extension of the existing permit must be received by the Authority prior to the date of expiry shown on the permission.

4.0 REVIEW OF PLANNING APPLICATIONS

Planning Applications Submitted Before April 1, 2024

All plan review will be conducted in accordance with the O. Reg. 686/21: Mandatory Programs and Services, O. Reg. 596/22: Prescribed Acts – Subsections 21.1.1 (1.1) and 21.1.2 (1.1) of the Act, as well as based on the provisions of the current Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation. Plan input activities will note that O. Reg. 41/24 will be in effect April 1, 2024.

Planning Applications Submitted After April 1, 2024

All plan input and review will be conducted in accordance with the O. Reg. 686/21: Mandatory Programs and Services, O. Reg. 596/22: Prescribed Acts – Subsections 21.1.1 (1.1) and 21.1.2 (1.1) of the Act, as well as based on the provisions of O. Reg. 41/24: Prohibited Activities, Exemptions and Permits Regulation.

5.0 VIOLATION NOTICES AND LEGAL ACTIONS COMMENCED BEFORE APRIL 1, 2024

Violation Notices issued prior to April 1, 2024 will be addressed and remedied by CA Provincial Offences Officers in accordance with the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation.

Violation Notices issued prior to April 1, 2024, for works in an area or activity no longer regulated under the new O. Reg. 41/24, upon satisfactory resolution of the matter, the proponent will be issued a letter advising that the works occurring in violation of the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation have remedied/rectified and the violation notice is revoked.

Violation notices issued and prosecutions commenced on or after April 1, 2024, will confirm with Parts VI and VII of the Act and O. Reg. 41/24.

Legal actions that commenced prior to April 1, 2024, may proceed where appropriate under consultation with legal counsel.

6.0 Other Agency Approvals

Issuance of a permit does not relieve the applicant from the responsibility of acquiring approval from other agencies or relieve the applicant from compliance with any conditions that other agencies may impose on the work.

Rules of Procedure for Permit Application Review and Approval

Policy: DEVREG-01

in Accordance with Ontario Regulation 41/24
made under Section 28 of the
Conservation Authorities Act

Version 5.0



Version	Approval Date	Resolution #
1.0	June 25, 2014	91/14
2.0	August 26, 2015	82/15
2(a)	February 6, 2017 (General Manager/Secretary-Treasurer Title, Fee Schedule & Formatting Changes)	
2(b)	July 18, 2018 (Hearing Procedures updated with Mining and Lands Tribunal)	
2(c)	January 14, 2019 (Water Resources Technologist Title)	
3.0	April 29, 2020 (Applicant Requirements-Timeline Guide)	40/20
4.0	February 24, 2021 (MZO permit approval)	30/21
5.0	March 27, 2024 (O. Reg. 41/24)	#/24

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1 Introduction

This document outlines the Rules of Procedure for Permit Application Review and Approval by the Lakehead Region Conservation Authority (LRCA) in accordance with Ontario Regulation 41/24: **Prohibited Activities, Exemptions and Permits** (Appendix A), made under Section 28 of the *Conservation Authorities Act*.

This document has been prepared referencing the Ministry of Natural Resources documents entitled *Policies and Procedures for Conservation Authority Plan Review and Permitting Activities*, dated May 2010 and the *Draft Guidelines to Support Conservation Authority Administration of the "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation"* dated April 21, 2008.

This document will be made available to Staff, Member Municipalities, Board of Directors of the LRCA and members of the public upon request.

1.1 Approval of Document

This document was adopted by the LRCA Board of Directors on June 25, 2014, by Resolution # 91/14. Version 2.0 of this document was adopted on August 26, 2015, by Resolution #82/15. Version 3.0 of this document was adopted on April 29, 2020, by Resolution #40/20. Version 4.0 was adopted on February 24, 2021, by Resolution 30/21. **Version 5.0 was adopted on March 27, 2024, by Resolution ##/24.**

1.2 Effective Date of Document

The procedures in version 5.0 of this document will come into effect on April 1, 2024. Permits received on or after this date at the Authority office will be reviewed and approved according to this Procedure.

Amendments to this document will be required to be approved by the LRCA Board of Directors and will come into effect at the time of approval **or as otherwise stated.**

This document, once in effect, will replace any previous procedures and protocols related to Permit review and approval and Hearings.

1.3 Interpretation

Unless the context requires otherwise in these Rules or in the Hearing Guidelines, reference to the "Authority" or the "Authority Members" means the Lakehead Region

Conservation Authority as a corporate body carrying out its mandate, including when sitting as a Hearing Board hearing applications for permission.

Reference to “Staff” in these procedures and in the Hearing Guidelines means those employees at the Authority who have been designated by the Authority to exercise the powers and perform the duties referred to.

2 Background

2.1 *Conservation Authorities Act*

The *Conservation Authorities Act* was enacted in 1946 in response to erosion and drought concerns, recognizing that these and other natural resource initiatives are best managed on a watershed basis.

In 1956, in response to the severe economic and human losses associated with Hurricane Hazel (1954), amendments to the *Conservation Authorities Act* first empowered Conservation Authorities (CAs) to make Regulations to prohibit the filling in of floodplains. These Regulations were broadened in 1960 to prohibit or regulate the placing or dumping of fill in defined areas where, in the opinion of the CA, the control of flooding, pollution or the conservation of land may be affected. In 1968, amendments to the *Conservation Authorities Act* further extended the Regulations to prohibit or control construction and alteration to waterways, in addition to filling.

In 1998, the *Conservation Authorities Act* was amended as part of the *Red Tape Reduction Act* (Bill 25), to ensure that Regulations under the Act were consistent across the province and complementary to provincial policies. Revisions were made to Section 28, which led to the replacement of the “Fill, Construction and Alteration to Waterways” Regulation with the “Development, Interference with Wetlands and Alterations to Shorelines and Watercourses” Regulation in 2006. The main change was the addition of wetlands as a regulated feature. The content of each Authority’s Regulation was made under Ontario Regulation 97/04. Under these regulations CAs were enabled to make regulations applicable to the area under their jurisdiction to prohibit, restrict, regulate or give required permission for certain activities in and adjacent to watercourses, wetlands, shorelines of inland lakes and the Great Lakes-St. Lawrence River System and other hazardous lands.

On December 8, 2020, amendments were made to the *Conservation Authorities Act* within Bill 229, *Protect, Support and Recover from COVID 19 Act* (Budget Measures), 2020, Schedule 6. The changes included requiring a Conservation Authority to issue a permit if a zoning order under the *Planning Act* has been issued outside the Greenbelt.

The Authority cannot deny the permit; however, would be able to attach conditions which would be appealable to the Minister.

On February 16, 2024, a new Minister's regulation (Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits) under the *Conservation Authorities Act* was approved by the Province. This regulation replaced the existing individual "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses" regulation [O. Reg. 180/06] held by the Lakehead Region Conservation Authority (LRCA) and is applicable to all Conservation Authorities (CAs). The regulation's effective date of April 1, 2024, also coincided with the proclamation of associated sections within the *Conservation Authorities Act*.

The administration of O. Reg. 41/24 is a Mandatory Program and Service of the Conservation Authorities as per Section 21.1.1 of the *Conservation Authorities Act* and as stipulated in O. Reg. 686/21: Mandatory Programs and Services. Under section 8 of O. Reg. 686/21, Conservation Authorities shall provide programs and services to ensure that the Authority carries out its duties, functions and responsibilities to administer and enforce the provisions of Parts VI and VII of the Act and any regulations made under those Parts.

2.2 History of LRCA Administration of the Regulation

The LRCA has been administering Regulations under Section 28 of the *Conservation Authorities Act* since 1974. Initially the Regulation was known as the Fill, Construction and Alteration to Waterways Regulation, O. Reg. 515/73 as amended by O. Reg. 158/74, which was replaced in 1991 by O. Reg. 152/91. In 2006, as a result of the Red Tape Commission, the Province of Ontario required all Conservation Authorities to replace the "Fill, Construction and Alteration to Waterways Regulation" with the Generic Regulation entitled "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses". The Regulation was changed to ensure all Conservation Authorities were regulating with a consistent Regulation. This was primarily to ensure abutting Authorities in Southern Ontario with common watersheds were administering the same Regulation. This was not an issue in the north.

The LRCA regulation was approved under O. Reg. 180/06. The regulation was amended on February 12, 2013, under O. Reg. 63/13. This amendment primarily clarified wording within the regulation; provided the ability of the Authority to delegate positive Permit decisions to Staff; extended Permit validity to a maximum of 60 months under specific circumstances; and enabled Conservation Authorities to require technical studies to support Permit applications.

Prior to this document taking effect, all Regulation Permits at the Lakehead Region Conservation Authority were processed through a Hearing held at the monthly Authority Board Meetings, and were approved or denied, with or without conditions, by the Authority Members, through the passing of a Resolution. The decision was based on provided Staff Reports which included recommendations to either permit or deny the application. Permits were then prepared by Staff and signed by the Chair of the Authority.

On April 1, 2024, O. Reg. 180/06 was revoked and replaced with O. Reg. 41/24 and various sections within the *Conservation Authorities Act* were proclaimed.

3 Applicant Requirements

3.1 Application and Fees

All applicants must submit a signed Application Form (Appendix B) and associated drawings, site plans, etc. for permission to undertake development within the regulated area. All applicable sections must be completed on the application form including a clear description of the proposed development and shall include all information as outlined in Section 7 of O. Reg. 41/24.

Application for permit

7. (1) An application for a permit under section 28.1 of the Act shall be submitted to an authority and shall include,

- (a) a plan of the area showing the type and location of the proposed development activity or a plan of the area showing plan view and cross-section details of an activity to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse, or change or interfere with a wetland;
- (b) the proposed use of any buildings and structures following completion of the development activity or a statement of the purpose of an activity to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland;
- (c) the start and completion dates of the development activity or other activity;
- (d) a description of the methods to be used in carrying out an activity to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse, or change or interfere with a wetland;
- (e) the elevations of existing buildings, if any, and grades and the proposed elevations of any buildings and grades after the development activity or other activity;
- (f) drainage details before and after the development activity or other activity;
- (g) a complete description of any type of fill proposed to be placed or dumped;
- (h) a confirmation of authorization for the proposed development activity or other activity given by the owner of the subject property, if the applicant is not the owner; and
- (i) any other technical information, studies or plans that the authority requests including information requested during pre-submission consultations between the authority and the applicant.

The prescribed fee must also be submitted to the Authority. The Schedule of Fees is attached as Schedule B to the Application Form. In addition, any other technical studies or plans as required by Staff will be required to be submitted.

3.1.1 Permission on land not owned by the Applicant

If the applicant is not the owner (i.e. agent, consultant, etc.) of the property, Schedule A – Letter of Authorization, found attached to the Application Form (Appendix B) must be submitted with the application, **as required in Section 7(h) of O. Reg. 41/24.**

If the work is to be carried out by a Campers Association or any other type of group ownership, a letter authorizing the work must be provided that is signed by the legal representative of the Association or group.

If work is to be carried out on a Municipal right-of-way, a letter authorizing the work must be provided that is signed by an authorized representative of the Municipality.

All applications are considered incomplete until the appropriate Letter of Authorization is received at the Authority, if applicable.

3.2 Pre-consultation

Pre-consultation with Authority Staff prior to submitting an application is encouraged to provide clarity and direction, to facilitate receipt of complete applications and to streamline the review and decision-making process. Required information or studies can be discussed related to the specific project. **Pre-consultation will be conducted as outlined in Section 6 of O. Reg. 41/24.**

Pre-submission consultation

6. (1) Prior to submitting an application for a permit under section 28.1 of the Act, an authority and the applicant may engage in pre-submission consultation for the purposes of confirming the requirements of a complete application to obtain a permit for the activity in question, which may include,

- (a) requests by the authority to the applicant for,**
 - (i) initial information on the proposed activity such as a description of the project and any associated plans, or**
 - (ii) details about the property upon which the activities are proposed to be carried out, including copies of plans, maps or surveys; or**
- (b) meetings between the authority and the applicant prior to the submission of an application, including any site visits to the property where the activities are proposed to be carried out.**

(2) If the applicant requests a pre-submission consultation under subsection (1), the authority is required to engage in the pre-submission consultation.

4 Review of Permits

Authority Staff will receive all Permit applications and associated fees at the Authority office.

4.1 Complete Application

Upon receipt of an application, and payment by the applicant of the fee charged by the Authority under Section 21.2 (4) of the Act, the Authority shall notify the applicant in writing, within 21 days, whether or not the application complies with subsection 28.1 (3) of the Act and is deemed to be a complete application (per Section 7(2) of O. Reg. 41/24).

If the application is deemed complete, the Authority shall not require new studies, technical information or plans from the applicant to make a determination on the application, unless agreed to by the Authority and the applicant. For greater certainty, the authority may ask the application for clarification or further details regarding any matter related to the application (Section 7(3) O. Reg. 41/24).

4.2 In-Complete Application

If the application is deemed to be incomplete within 21 days, the applicant will be notified in writing, and will be provided with a written list of missing or needed information.

Staff may request additional information if it has been deemed that the application does not contain sufficient technical analysis. Delays in timelines for decision making may occur due to requests for additional information to address errors or gaps in information submitted for review. Thus, an application may be put in abeyance or returned to the applicant pending the receipt of further information. If necessary, this could be confirmed between both parties as an “Agreement to Defer Decision”.

4.3 Decision Timelines for Permits

The Authority (either Staff or Authority Members) will provide the applicant notice of a decision within 90 days following the confirmation of a complete application (as outlined in 28.1(22) of the *Conservation Authorities Act*).

4.4 Request for Review

If the applicant has not received notice of a complete application within the legislated 21 days, or the applicant disagrees with the determination of the permit being

incomplete or considers the request for additional information to be unreasonable, a review can be requested by the applicant per Section 8 of O. Reg. 41/24, to which the Authority must respond within 30 days.

The request must be made in writing, addressed to the Chief Administrative Officer, outlining the reasons for the request for review. The review will be conducted by the Chief Administrative Officer. If the applicant continues to be dissatisfied, they can request in writing that the review be brought to the Authority Members.

Request for review

- 8.** (1) An applicant may request a review by the authority if,
- (a) the applicant has not received a notice from the authority within 21 days in accordance with subsection 7 (2);
 - (b) the applicant disagrees with the authority's determination that the application for a permit is incomplete; or
 - (c) the applicant is of the view that a request by the authority for other information, studies or plans under clause 7 (1) (i) is not reasonable.
- (2) A review requested by an applicant under subsection (1) shall be completed by the authority no later than 30 days after it is requested and the authority shall, as the case may be,
- (a) confirm that the application meets the requirements of subsection 7 (1) and is complete or provide reasons why the application is incomplete; or
 - (b) provide reasons why a request for other information, studies or plans under clause 7 (1) (i) is reasonable or withdraw the request for all or some of the information, studies or plans.

5 Issuance and Extension of Permits

Permits will either be issued or extended by delegated Authority Staff or the LRCA Members. Permits can only be refused by Authority Members through the Hearing process.

5.1 Delegated Approval Authority to Staff

The Development Regulations Officer or designate will receive and process all Permit applications. Staff reports and recommendations will be reviewed by the Watershed Manager prior to Permit issuance.

The Chief Administrative Officer and the Watershed Manager have the delegated authority to issue positive Permits, under Section 28 of the *Conservation Authorities Act* and O. Reg. 41/24.

Permits will be reviewed and signed by the Chief Administrative Officer or in his/her absence, will be reviewed and signed by the Watershed Manager. The Chief Administrative Officer will be advised of all permits signed by the Watershed Manager.

5.1.1 Approval process to be used by Delegated Staff

Permit applications will be reviewed and if in Staff's opinion, as provided in **Section 28.1 or the Conservation Authorities Act and O. Reg. 41/24**, the control of flooding, erosion, dynamic beaches and **unstable soil or bedrock** will not be affected, **or that the development would create conditions or circumstances that, in the event of a natural hazard might jeopardize the health and safety of persons or result in damage or destruction of property** by the development or alteration, Staff will process the Permit, with or without conditions.

For each Permit a Permit Summary will be completed outlining the proposal, summary of investigative procedure and recommendation to approve the Permit with or without conditions. The Permit will be reviewed and signed by the Staff person delegated the Permit approval authority. Approved Permits will be circulated at the next scheduled Board Meeting, along with a monthly summary table outlining all approved Permits in the circulating binder.

The applicant will be provided with a cover letter, Permit Summary and the Permit personally or **by email and** regular or registered mail.

Per Section 28.1(22) of the Act, the Authority has 90 days to issue a notice of decision with respect to an application. If no decision is made, the applicant can appeal the application directly to the Ontario Land Tribunal.

5.1.2 Conditions of Permits

Conditions may be attached to permits by either staff or LRCA Members provided they meet Section 9 of O. Reg. 41/24.

Conditions of permits

9. (1) An authority may attach conditions on a permit issued under section 28.1 of the Act only if, in the opinion of the authority, the conditions,

- (a) assist in preventing or mitigating any effects on the control of flooding, erosion, dynamic beaches or unstable soil or bedrock;**
- (b) assist in preventing or mitigating any effects on human health or safety or any damage or destruction of property in the event of a natural hazard; or**
- (c) support the administration or implementation of the permit, including conditions related to reporting, notification, monitoring and compliance with the permit.**

Per Section 28.1(5) of the Act the 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 through the Hearing process. When warranted, conditions will be included in an issued permit. Within 15 days of receiving the issued permit, the applicant must request in writing to the Chief Administrative Officer a request for a Hearing to review the conditions, if desired.

Per Section 28.1(8) of the Act, the applicant has 15 days of receiving the Authority's decision related to issued conditions to submit a request to the Minister for the Minister to review the authority's decision. Per Section 28.1(20), the applicant can appeal within 90 days to the Ontario Land Tribunal, provided they have not submitted a request for review to the Minister; the Minister refused to conduct the review; or 30 days have elapsed following the day the applicant submitted the request for Minister's review and Minister had not replied.

5.2 *Mandatory Permits related to an issued Minister's Zoning Order (MZO)*

Permits issued under Section 28.1.2 (Mandatory Permits, Zoning Orders) of the *Conservation Authorities Act* related to an issued Minister's Zoning Order (MZO) under the *Planning Act* authorizing the development project under that Act, where an authority shall not refuse to grant permission (Section 28.2.1 (4)), will be issued by the Authority Members.

Staff will review the Permit application and complete a Permit Summary report outlining: the proposal, summary of investigative procedure, summary of the MZO and Staff recommended conditions (if warranted). The Permit will be summarized in a Staff Report and included in a regular Board Meeting agenda. Permits issued related to an MZO will be signed by the Chair of the Authority.

If conditions are attached to the permit, the applicant must be given the opportunity to be heard by the Authority through the Hearing process, following the Authority's Hearing Procedures. If after holding a Hearing, conditions are attached to a permit, the Authority shall give the permit holder written reasons for deciding to attach the conditions. A permit holder who objects to the conditions proposed in the reasons given by the Authority, may within 15 days of the reasons being given, submit a request to the Minister for the Minister to review the proposed conditions. A permit holder who objects to the conditions may within 90 days of the reasons given appeal to the Ontario Land Tribunal to review the conditions provided no request has been submitted to the Minister; or 30 days have elapsed following the day the permit holder submitted the request to the Minister with no reply; or the Minister replied that the Minister refused to conduct the review. If the Minister indicates that a review will be conducted

and no decision is made within 90 days, the permit holder may within the next 30 days appeal the conditions directly to the Ontario Land Tribunal.

Per Section 28.1.2 (17), an Authority that issues a permit to carry out a development related to an MZO 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. The agreement 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.

5.3 Permits Issued by the Minister

Per Section 28.1.1 (1) of the Act, the Minister may issue an Order that directs an authority to not issue a permit either before or after an application for a permit has been submitted to an authority, and even if decisions are pending. The Minister also has the power to issue a permit.

5.4 Types of Permits to be approved by formal Hearing

The following list of circumstances will require that the Application be brought to the Authority Members for a Hearing:

- the Authority Members refer an application to a Hearing;
- Applications where Staff are recommending refusal;
- the Authority intends to cancel a permit and the applicant within 15 days requests a Hearing;
- the Authority intends to refuse a permit extension and applicant within 15 days requests a Hearing;
- the Applicant is advised of proposed conditions attached to a permit and requests a Hearing.

Refer to Section 6 and Appendix C for procedures related to Hearings.

5.5 Permit Amendments

Amendments to Permits that are not anticipated to substantially change the original purpose of the Permit and will not materially impact flooding, erosion, dynamic beaches, unstable soil or bedrock, or that the development would create conditions or circumstances that, in the event of a natural hazard might jeopardize the health and safety of persons or result in damage or destruction of property will be approved by the Staff delegated approval authority. If the amendment is related to a permit approved by the LRCA Members, the proposed amendment will be considered by the LRCA

Members and either granted or denied by Resolution. Applicants would be advised in writing of the approved or denied amendment request.

Permit amendments will be subject to the applicable Permit Amendment fee prescribed in the current LRCA Schedule of Fees attached to the Application Form (Appendix B).

Applicants that are denied a Permit amendment or who choose instead of the amendment process to re-apply for a new Permit through the regular application process would have such application subject to all rules and regulations in force at the time of application.

6 Hearings

Per Section 28.2 (5) of the Act an Authority shall not refuse an application for a permit or attach conditions to a permit unless the applicant has been given an opportunity to be heard by the Authority through the Hearing process.

If a person has been issued a permit related to an MZO and the Authority has attached conditions, the applicant must be given the opportunity for a Hearing related to the conditions (*Conservation Authorities Act* Section 28.1.2(7)).

Within 15 days of receiving the notice of intent to cancel a permit from the Authority, the permit holder may request a Hearing with the Authority.

When Hearings are required, the LRCA Members sitting as the Hearing Board will act as the decision-making tribunal. Hearings will be held during the LRCA's regularly scheduled Meetings or at a Special Meeting of the Board of Directors.

All Hearings will be conducted according to the current version of the *Section 28.1 Conservation Authorities Act Hearing Guidelines*.

7 Period of Validity for Permits

Per Section 11(1) of O. Reg. 41/24, permits may be issued for a maximum period of 60 months by Staff or the Authority Members. By regulation, a Permit shall not be extended beyond the maximum period of validity being 60 months. If the works covered by the application are not completed within the legislated timeframe, the applicant must reapply and delays in approval may result. Typically, the policies in place at the time of re-application will apply.

Permits will normally be issued for a period of 24 months; however, Staff may use their discretion to shorten or **lengthen** the period of validity if warranted. If a Permit is issued for a period less than the maximum period of validity, the Chief Administrative Officer or

Authority Members may extend the Permit up to the maximum allowed period of 60 months. The granting of an extension for a different period of time other than the period of time requested does not constitute a refusal of an extension.

7.1 Permit Extensions

Extensions will be subject to the applicable Permit Extension Fee prescribed on the current Authority's Schedule of Fees (Appendix B).

Per Section 11(2) of O. Reg. 41.24, for a Permit to be extended the Applicant must request in writing that their approved Permit be extended at least 60 days before the expiry of the Permit. Requests must be made to the LRCA's Chief Administrative Officer for permits issued by the Authority and to the Minister for permits issued by the Minister. Permit validity can only be extended to a total validity period of 60 months, including the original approved validity timeframe.

If the Authority intends to refuse a request for extension of a Permit, the Authority shall give notice of intent to refuse the Permit holder, indicating that the extension will be refused unless the Permit holder within 15 days, submits a written request for a Hearing. The Authority must then hold a Hearing in a reasonable time and shall give the holder at least five days' notice of the date of the Hearing, which will typically be the next regularly scheduled Board Meeting.

After holding the Hearing, the Authority shall:

- Confirm refusal of the extension, or
- grant an extension for such period of time as it deems appropriate, as long as the total period of validity of the permission does not exceed the applicable maximum period allowed.

All extension requests, whether approved or not, will be notified in writing of the approval or refusal of extension.

Period of validity of permits and extensions

11. (1) The maximum period of validity of a permit issued under sections 28.1, 28.1.1 and 28.1.2 of the Act, including any extension, is 60 months.

(2) If a permit is issued for less than the maximum period of validity, the holder of a permit may, at least 60 days before the expiry of the permit, submit an application for an extension of the permit to,

- (a) the authority that issued the permit, in the case of permits issued under section 28.1 or 28.1.2 of the Act; or
- (b) the Minister, in the case of permits issued under section 28.1.1 of the Act.

(3) An authority or the Minister, as the case may be, may approve an extension of the period of validity of a permit that was issued for a period of less than 60 months but the total period of validity of the permit, including the extension, shall not exceed 60 months.

(4) If an authority intends to refuse a request for an extension, the authority shall give notice of intent to refuse to the holder of the permit, indicating that the extension will be refused unless the holder requests a hearing under subsection (5).

(5) Within 15 days of receiving a notice of intent to refuse a request for an extension, the holder of the permit may submit a written request for a hearing to the authority.

(6) If a request for hearing is submitted under subsection (5), the authority shall hold the hearing within a reasonable time, and shall give the holder at least five days notice of the date of the hearing.

(7) After holding a hearing under subsection (6), the authority may,

- (a) confirm the refusal of the extension; or
- (b) grant an extension for such period of time as it deems appropriate, as long as the total period of validity of the permit does not exceed the applicable maximum period specified in subsection (1).

7.2 Permit Cancellations

Per Section 28.3 of the Act, the Authority may cancel a Permit 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.

If a Permit holder has not met the conditions of the Permit, Staff will provide a Staff Report to the Authority at a regular Authority Meeting with a recommendation to cancel the Permit. If the Authority concurs, the Permit holder will then be notified in writing of the recommendation to cancel the Permit. Within 15 days of receiving the notice of intent to cancel a permit from the Authority, the permit holder may request for a Hearing to the Authority. The Permit holder will be given at least five days' notice of the Hearing, in accordance with O. Reg. 41/24.

After holding the Hearing, the Authority shall:

- cancel the Permit, or
- provide additional time for the Permit holder to meet the conditions, or
- allow the Permit to remain in effect.

8 Appeals

Per Section 28.1 (8) of the Act, where the Authority refuses a permit or imposes conditions on a permit to which the applicant objects, the applicant may, within 15 days of receiving the reasons for the Authority's decision, submit a request to the Minister for the Minister to review the Authority's decision.

Per Section 28.1(20) of the Act, within 90 days after receiving the reasons for the authority's decision, the applicant may appeal the authority's decision to the Ontario Land Tribunal, provided that the no request has been submitted to the Minister; or 30 days had elapsed following the day the permit holder submitted the request to the Minister with no reply; or the Minister replied that the Minister refused to conduct the review. If the Minister indicates that a review will be conducted and no decision is made within 90 days, the permit holder may within the next 30 days appeal the conditions directly to the Ontario Land Tribunal.

If an application for a permit is made to the Authority in accordance with the regulations and includes the information required by regulation, and the Authority fails to give the applicant a notice of decision within 90 days after the application is made, the applicant can appeal directly to the Ontario Land Tribunal.

A notice of appeal shall be sent to the Ontario Land Tribunal and to the Authority by registered mail by the applicant.

9 Municipal Drains – *Drainage Act* and *Conservation Authorities Act* Protocol

Municipalities are responsible for managing, maintaining, repairing and improving drainage systems that have been constructed under the authority of the *Drainage Act*. Generally, Municipal Drains are designed by a drainage engineer and constructed by the municipality. The *Conservation Authorities Act* does not exempt the creation, or modifications/extensions of Municipal Drains from requiring approval under O. Reg. 41/24; therefore, municipalities are required to obtain approval from the Authority for those activities concerning Municipal Drains. Procedures related to the approval of activities related to Municipal Drains will follow the *Drainage Act* and *Conservation Authorities Act* Protocol (Protocol for Municipalities and Conservation Authorities in Drain Maintenance and Repair Activities), MNRF, dated 2012.

9.1 Maintenance and Repairs to Existing Municipal Drains

Per O. Reg. 41/24 the maintenance or repair of municipal drains as described in, and conducted in accordance with the mitigation requirements set out in the *Drainage Act* and the *Conservation Authorities Act* Protocol, approved by the Minister and on a government of Ontario website, as it may be amended from time to time does not require a permit from the Authority (i.e., listed as an exception in Section 5(e)).

9.2 New Municipal Drains and the Extension of Existing Drains

New Municipal Drain works, including new sections of existing drains, will require permits supported by appropriate study under O. Reg. 41/24 if the proposed works are located within the regulated area.

Approval of permit applications for new drains and extensions of existing drains will follow the procedures outlined in the *Rules of Procedure for Permit Application Review and Approval*.

9.3 Potential Study Requirements Where Permits Are Required

Where proposals to maintain, repair, improve, modify, or create a municipal drain require a permit under O. Reg. 41/24, the LRCA may require related studies be undertaken in order to quantify anticipated impacts and recommend mitigation measures. The extent of such studies will depend on the nature of anticipated impacts of the works. The applicant should pre-consult with Authority staff in this regard.

10 Hydro One Memorandum of Understanding

As Hydro One is no longer considered a crown corporation as of May 2017 any development within the regulated area requires permission from the Conservation Authority. All proposed work will be processed using the 2021 Memorandum of Understanding between Conservation Ontario and Hydro One Networks Inc. Written permission can be achieved either by adhering to Standard Compliance Requirements (SCRs), Standard Best Practices (SBRs) issued by the Authority or through the regular process of obtaining a *Conservation Authorities Act* Section 28 permission. Both approaches are considered to represent a form of written permission under Section 28 of the Act.

Permits will be approved per the delegated approval authority outlined in Section 5.1. Standard Compliance Requirements and Standard Best Practices will be issued by the Development Regulations Officer, Watershed Manager or Chief Administrative Officer.

Appendix A:

Ontario Regulation 41/24

Appendix B:

LRCA Permit Application

Form

Appendix C: Section 28.1

Conservation Authorities

***Act* Hearing Guidelines,**

LRCA



LAKEHEAD REGION
CONSERVATION AUTHORITY

March 27, 2024

Moved By

Seconded By

*" **THAT:** having examined the accounts for the period February 1, 2024 to February 29, 2024 cheque #3155 to #3182 for \$127,513.60 and preauthorized payments of \$121,855.77 for a total of \$229,369.37, we approve their payment."*

3155	Allied Air Systems	Boiler repairs	3,565.50
3156	City of Thunder Bay	First and Second Tax installments	21,169.18
3157	Conservation Ontario	On Board program	2,486.00
3158	Lowery's	Office Supplies	134.39
3159	Mark Ambrose	Petty Cash	236.95
3160	McKitricks	Re: Ward File #5-11028	338.94
3161	Minister of Finance..	First and Second tax installments	252.70
3162	Municipality Of Neebing	First and Second tax installments	54.88
3163	Municipality Of Oliver Paipoonge	First and Second tax installments	360.18
3164	Municipality Of Oliver Paipoonge	First and Second tax installments	1,332.04
3165	Void	Void	
3166	Pioneer Construction	Sand for plow truck	31.55
3167	Rachael Z Bezanson	Hot chocolate for Christmas Bird Count event Jan 27	146.90
3168	Roman Augustyn	Glasses reimbursed	385.50
3169	Shout Media	1st payment Website Development	15,066.29
3170	Thunder Bay Answering Service Inc.	Answering Service February 2024	258.72
3171	Township of O'Connor	1st and Second tax installments	42.35
	Water's Edge Environmental Solutions		
3172	Team Ltd.	Management of Floodplain Models & Mapping	51,253.98
3173	Willis Technical Services	Waterfront Shoreline Project	1,452.05
3174	Conservation Ontario	CA Maps subscription 2024	1,695.00
3175	Davinci Centre	2024 Dinner Auction	9,863.29
3176	Innovated Solutions	Firewall, Server, Labour	974.63
3177	KGS Group Consulting Engineers	Neebing McIntyre Floodway Integrity Evaluation Study - December 2023	14,484.21
3178	Lowery's	Photocopy Charges January 2024	241.49
3179	Municipality Of Shuniah	Property Tax Installments 1 and 2	844.92
3180	Northern Turf Equipment	Equipment supplies	126.73
3181	RAS Maintenance Services	Janitorial Services for January 2024	515.23
3182	Ryne Gilliam	Eyewear allowance 2024 - Jessica Gilliam	200.00
			127,513.60
PA	Payroll and Per Diems		88,150.86
PA	Royal Bank Group Retirement RRSP and TFSA		2,665.12
PA	RWAM and Lifeworks Benefits		3,687.96
PA	Enbridge		1,871.69
PA	Synergy North		575.49
PA	Esso		1,059.26
PA	Visa Routine Monthly Expenses		11,676.32
PA	Banking and Visa Fees		793.93
PA	Postage		-
PA	OMERS February		11,088.24
PA	Photocopier Lease		286.90
			121,855.77
			249,369.37

Chair

Res# _____/24

Monthly Plan Input/Review and Fill Regulations Administration
February 1 to 29, 2024

Municipality	Minor Variance (A)	Consent (B)	Official Plan	Official Plan Comprehensive Review	Zoning By-Law (Z)	Subdivisions	Clearances	Reality Services	Lawyer Inquiries	Letter of Opinion (Other)	Total
City of Thunder Bay									1805 Arthur Street W		
Total	0	0	0	0	0	0	0	0	1	0	1
Oliver Paipoonge					ZBLA01-2024						
Total	0	0	0	0	1	0	0	0	0	0	1
O'Connor											
Total	0	0	0	0	0	0	0	0	0	0	0
Neebing		B01-2024			Z01-2024				0 Margaret Street South	Pine River Bridge Highway 595	
Total	0	1	0	0	1	0	0	0	1	1	4
Shuniah		B23-6	OPA23-2		Z23-2						
Total	0	1	1	0	1	0	0	0	0	0	3
Conmee											
Total	0	0	0	0	0	0	0	0	0	0	0
Gillies											
Total	0	0	0	0	0	0	0	0	0	0	0
Dorion											
Total	0	0	0	0	0	0	0	0	0	0	0
Rural Planning Board											
Total	0	0	0	0	0	0	0	0	0	0	0
Monthly Total	0	2	1	0	3	0	0	0	2	1	9

Monthly Plan Input/Review and Fill Regulations Administration
March 1 to 19, 2024

Municipality	Minor Variance (A)	Consent (B)	Official Plan	Official Plan/ Zoning By-Law Comprehensive Review	Zoning By-Law (Z)	Subdivisions	Clearances	Reality Services	Lawyer Inquiries	Letter of Opinion (Other)	Total
City of Thunder Bay											
Total	0	0	0	0	0	0	0	0	0	0	0
Oliver Paipoonge		1B/07/24									
		1B/05/24									
		1B/06/24									
Total	0	3	0	0	0	0	0	0	0	0	3
O'Connor											
Total	0	0	0	0	0	0	0	0	0	0	0
Neebing		B02-2024			Z02-2024						
Total	0	1	0	0	1	0	0	0	0	0	2
Shuniah	A23-3										
Total	1	0	0	0	0	0	0	0	0	0	1
Conmee											
Total	0	0	0	0	0	0	0	0	0	0	0
Gillies											
Total	0	0	0	0	0	0	0	0	0	0	0
Dorion											
Total	0	0	0	0	0	0	0	0	0	0	0
Rural Planning Board											
Total	0	0	0	0	0	0	0	0	0	0	0
Monthly Total	1	4	0	0	1	0	0	0	0	0	6



Development, Interference with Wetlands and Alterations to Shorelines and Watercourses O.Reg. 180/06

Year: 2024

Permit #	Category	Fee	Applicant Name	Municipality	Subject Property Address	Type of Work	Key Dates				
							Rec'd at LRCA	Permit Issued	Days to Issue Permit	Reason for Timeline	Approved by:
#1/24	Major	\$1,000.00	Forum Thunder Bay Inc	City of Thunder Bay	0 Innovation Dr.	Fill & Stormwater Pond	15/01/2023	9/1/2024	17		Staff
#2/24	Standard Works	\$300.00	Andrew Perger	City of Thunder Bay	134 Bruin Crescent- Parkdale	Dwelling & Garage Construction	15/1/2024	23/01/24	12		Staff
#3/24	Standard Works	\$150.00	B.J. Halow	Municipality of Oliver Paipoonge	3437 Rosslyn Road	Bank Repair, Erosion Protection	22/1/2024	25/01/24	3		Staff
#4/24	Standard Works	\$300.00	Shawn Reid	Municipality of Shuniah	1027 Cedar Bay Road	Constructed Rock Groynes	8/1/2024	29/01/24	21		Staff
#5/24	Standard Works	\$300.00	Rory Prezio	City of Thunder Bay	190 Bruin Cres.	Dwelling	25/1/2024	30/01/24	5		Staff
#6/24	Standard Works	\$300.00	Lomar Construction	City of Thunder Bay	159 Bruin Cres.	Dwelling	6/2/2024	13/02/24	6		Staff
#7/24	Standard Works	\$300.00	Lomar Construction	City of Thunder Bay	181 Bruin Cres.	Dwelling	6/2/2024	13/2/2024	6		Staff
#8/24	Standard Works	\$300.00	Lomar Construction	City of Thunder Bay	183 Bruin Cres.	Dwelling	6/2/2024	13/2/2024	6		Staff
#9/24	Standard Work	\$300.00	Lomar Construction	City of Thunder Bay	202 Bruin Cres.	Dwelling	2/6/2024	13/2/2024	6		Staff
#10/24	Standard Work	\$300.00	Lomar Construction	City of Thunder Bay	203 Bruin Cres.	Dwelling	6/2/2024	13/2/2024	6		Staff
#11/24	Standard Work	\$300.00	Lomar Construction	City of Thunder Bay	205 Bruin Cres.	Dwelling	2/6/2024	13/2/2024	6		Staff
#12/24	Standard Work	\$600.00	Mark Kotz	City of Thunder Bay	129 Bruin Cres.	Dwelling	8/2/2024	13/2/2024	6		Staff
#13/24	Large Works	\$600.00	J.W. Michieli Construction	City of Thunder Bay	198 Bruin Cres.	Dwelling	21/02/24	26/02/24	5		Staff
#14/24	Standard Works	\$300.00	Justin Deanielewski	City of Thunder Bay	925 Balsam St	Garage	27/02/24	06/03/24	9		Staff
#15/24	Large Works	\$600.00	North Star Holdings	Municipality of Oliver Paipoonge	Cooper Rd	Culvert Replacement	4/3/2024	09/03/24	7		Staff
#16/24	Standard Works	\$300.00	L. Sebastianis Contracting	City of Thunder Bay	Lot 20 Bruin Cres.	Dwelling	8/3/2024	11/03/24	4		Staff



Monthly Project Update

MEETING DATE	March 27, 2024
STAFF NAME	Ryan Mackett
POSITION	Communications Manager

2023 Annual Report

The DRAFT 2023 Annual Report will be provided at the Meeting for your review. If you have any comments or changes, please notify Ryan Mackett, Communications Manager, at the Meeting. The final annual report will be provided at the April Board Meeting for Board approval, and then will be sent to the printers. It is tentatively scheduled to be distributed by the Chronicle Journal on Saturday, May 25, 2024.

CLE Spring Home & Garden Show

For your information the event will be running on Friday, April 5 from 4:00 p.m. – 9:00 p.m., Saturday, April 6 from 10:00 a.m. – 6:00 p.m., and Sunday, April 7 from 11:00 a.m. – 4:00 p.m. Shifts are approximately 1.5 hours. Please speak with Ryan Mackett, Communications Manager, if you are interested in working any of the proposed volunteer shifts that weekend.



Monthly Project Update

MEETING DATE	March 27, 2024
STAFF NAME	Melissa Hughson
POSITION	Watershed Manager

Source Protection Committee Meeting

The Source Protection Committee (SPC) held a meeting on March 11, 2024, to discuss the 9th Annual Progress Report, which is due to the MECP on May 1, 2024 as well as general items of interest concerning source water protection in our area of jurisdiction.

Annual Report – Staff have completed the mandated standardized forms and the 2023 annual progress reporting as required on the Electronic Annual Reporting online tool (EAR), as well as the update to the annual report in LRCA’s format. The LRCA’s format will be posted to the source protection website as it provides a more comprehensive summary of the source protection program.

The SPC members reviewed the annual reports, and it was the consensus that the Lakehead Source Protection Plan was meeting its objectives. The SPC has until April 12, 2024, to provide any additional comments to staff, which will then be incorporated into the final report, prior to the next Source Protection Authority Meeting.

Source Protection Authority Meeting

A Source Protection Authority Meeting will be held immediately after the April 24, 2024 Board Meeting. This meeting will receive and adopt the 9th Annual Progress Report, which is prepared annually by the Source Protection Authority and submitted to the Director of the Ministry of the Environment, Conservation and Parks (MECP) prior to May 1st, as required in the *Clean Water Act*.

This meeting will also receive and adopt the updated Drinking Water Source Protection Lakehead Source Protection Committee Procedural Manual. The Manual was last updated in 2017 in Version 2.0. New updates include the allowance of members to participate electronically in SPC meetings and administrative changes related to the source protection website, notice of meetings and member term appointment.

Snow Surveys and Lake Levels

The March 15, 2024, snow surveys indicated that the snow survey locations are well below average for snow depth and water content, when compared to the historical averages for March 15. The snow depth results were:

- McVicar Creek – 2.5 cm (7% of normal or average snow depth)
- Pennock Creek – 0.0 cm (0% of normal or average snow depth) and
- Current River – 5.6 cm (11% of normal or average snow depth)

This averages to 94% below the historical average for depth for March 15th. The water content results were on average 93% below average for the three snow courses, with an equivalent water content ranging from 8.06 mm at McVicar Creek, 0.0 mm at Pennock Creek and 17.0 mm at Hazelwood (Current River). The next snow survey measurements will be taken on April 2, 2024 (as the 1st of the month falls on Easter Monday).

Lake Superior's beginning of March level was 2 cm below its period-of-record (1918-2021) beginning of month average, and 21 cm below last years level in March. The current water level is approximately 70 cm lower than the 100-year flood level for Lake Superior. Ice cover on Lake Superior as of March 18, 2024, was less than 1%, which is well below the average of approximately 40% coverage for this time of year.

35th Annual Spring Melt Meeting

The Authority will be holding the 35th Annual Spring Melt Meeting in April (day and time to be determined). Each Member Municipality will receive an invitation. Updating municipalities flood contact information was underway at the time of writing this report.

The annual meeting is held to discuss the spring melt conditions and to keep the lines of communication open with staff and personnel who may be involved during a flood emergency. The updated Flood Warning Booklet will be distributed and mailed to those in attendance and others on the flood contact list not in attendance. All Flood Warning System Binder holders will be receiving their annual update by mail as well. Board Members are welcome to attend the meeting.