



**North Bay-Mattawa Conservation Authority
Members Meeting
December 15, 2021
at 5:30pm
VIA ZOOM**

AGENDA

Procedural Matters

1. Acknowledgement of Indigenous Traditional and Treaty Lands
2. Approval of the Agenda
3. Delegation(s)
4. Declaration of Pecuniary Interest
5. Adoption of Previous Minutes from November 24, 2021

Written Reports

6. Section 28 Approvals Report (**Appendix #1**)
7. Transition Plan Report (**Appendix #2**)

Other Business

8. New Business
9. Adjournment

**NORTH BAY-MATTAWA CONSERVATION AUTHORITY
MINUTES
of the**

TENTH meeting of the North Bay-Mattawa Conservation Authority held at 5:30 p.m. on December 15, 2021 as an electronic meeting via Zoom.

MEMBERS PRESENT:

Bonfield, Township of	-	Jane Lagassie	(5:30pm – 6:06 pm)
Callander, Municipality of	-	Irene Smit	(5:30pm – 6:06 pm)
Calvin, Township of	-	Sandy Cross	(5:30pm – 6:06 pm)
Chisholm, Township of	-	Nunzio Scarfone	(5:30pm – 6:06 pm)
East Ferris, Municipality of	-	Rick Champagne	(5:30pm – 6:06 pm)
Mattawan, Municipality of	-	Michelle Lahaye	(5:30pm – 6:06 pm)
North Bay, City of	-	Dave Mendicino	(5:30pm – 6:06 pm)
North Bay, City of	-	Chris Mayne	(5:30pm – 6:06 pm)
North Bay, City of	-	Ed Valenti	(5:30pm – 6:06 pm)
Papineau –Cameron, Township of	-	Shelley Belanger	(5:30pm – 6:06 pm)
Powassan, Municipality of	-	Dave Britton	(5:30pm – 6:06 pm)

MEMBERS ABSENT:

Mattawa, Town of	-	Loren Mick
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ALSO PRESENT:

Brian Tayler, CAO, Secretary-Treasurer
Paula Scott, Director, Planning and Development/Deputy CAO
Rebecca Morrow, Administrative Assistant
Sasha Fredette, Area Supervisor, On-Site Sewage Systems (North Bay)
Troy Storms, Manager, Lands and Stewardship
Valerie Murphy, Regulations Officer

1. Acknowledgement of Indigenous Traditional and Treaty Lands

The Chair read a statement acknowledging Indigenous and Treaty Lands.

2. Approval of the Agenda

The Chair welcomed everyone to the meeting and the following resolution was presented:

Resolution No. 90-21, Champagne-Lahaye

THAT the agenda be approved as presented.

Carried Unanimously

3. Delegations

No delegations.

4. Declaration of Pecuniary Interest

None declared.

5. Adoption of Previous Minutes of November 24, 2021

After discussion, the following resolution was presented:

Resolution No. 91-21, Smit-Belanger

THAT the minutes from November 24, 2021 are adopted as presented.

Carried Unanimously

6. Section 28 Approvals

Brian Tayler presented Valerie's Report to the members. After discussion the following resolution was presented:

Resolution No. 92-21, Mayne-Belanger

THAT the Development, Interference with Wetlands and Alterations to Shorelines and watercourses December 15, 2021 board report is received and appended to the minutes of this meeting.

Carried Unanimously

7. Transition Plan Report

Brian Tayler presented the report entitled "North Bay-Mattawa Conservation Authority Transition Plan" dated December 12, 2021. After discussion, the following resolution was presented:

Resolution No. 93-21, Champagne-Valenti

THAT the Members approve the North Bay-Mattawa Transition Plan. Once approved staff are to circulate the plan to clerks and heads of council before the end of the year, and;

FURTHER staff are directed to provide the plan to the Ministry of Environment, Conservation and Parks, and;

THAT this report with its attachment be appended to the minutes of this meeting.

Carried Unanimously

8. New Business

Brian Tayler reminded members that both offices will be closed from December 24th, 2021 until January 4, 2022. The members wished staff and their families a Merry Christmas.

9. Adjournment (6:06 p.m.)

As there was no further new business, the following resolution was presented:

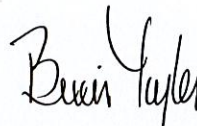
Resolution No. 89-21, Lagassie-Scarfone

THAT the meeting be adjourned, and the next meeting be held at 5:30 pm on Wednesday January 26, 2022 at in a format to be decided or at the call of the Chair.

Carried Unanimously



Dave Britton, Chair



Brian Tayler, Chief Administrative Officer, Secretary Treasurer

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

ORIGIN: Valerie Murphy, Regulations Officer

DATE: December 9, 2021

SUBJECT: Report on Development, Interference with Wetlands, and Alterations to
Shorelines and Watercourses Permits for the members information

Background:

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

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

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

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

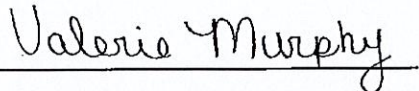
- Chief Administrative Officer, Secretary-Treasurer
- Director, Planning & Development

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

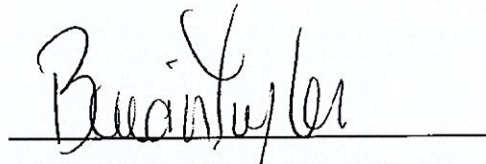
Analysis:

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

The newly issued permit was issued for the placement, removal and grading of fill material for the site preparation of a future development site.



Valerie Murphy, Regulations Officer



Brian Tayler, CAO-Secretary Treasurer

DEVELOPMENT, INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND WATERCOURSES

FOR NBMC BOARD INFORMATION ON: December 9, 2021

PERMIT YEAR: 2021

File No.	Name of Applicant	Municipality	Legal Description/Address	Name of Regulated Feature	Nature of Work	Date Complete/Application Received	Development, Interference With Wetland and Alterations to Shorelines and Watercourses Permit No./Date of Issuance
RNB-21-90	Kenalex Construction	North Bay	Vacant Lot Booth Road Lot 37 Con 16	Parks Creek Provincially Significant Wetland and Parks Creek Regulatory Floodplain	To place, remove and grade fill	November 25, 2021	#129-21 December 2, 2021

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

ORIGIN: Chief Administrative Officer

DATE: December 12, 2021

SUBJECT: North Bay-Mattawa Conservation Authority Transition
Plan

Background:

The passage of Regulation 687/21 "Transition Plans and Agreements for Programs and Services Under Section 21.1.2 of the Act" requires the development of Transition Plans by each Conservation Authority. The Transition Plans are to outline the process and timelines for the development of cost apportioning agreements with municipalities within their jurisdiction for Category 2 (non-mandated) programs and services.

Analysis:

The attached Transition Plan meets the requirements of the Regulation made under the Conservation Authorities Act.

Recommendation:

Staff recommend the approval of the Transition Plan. Once approved staff are to circulate the plan to the clerks and heads of council before the end of the year. Further, staff will provide the plan to the Ministry of Environment, Conservation and Parks as required.

RECOMMENDED RESOLUTION:

THAT the Members approve the North Bay-Mattawa Transition Plan for circulation to the clerks and heads of council before the end of the year.

FURTHER staff are directed to provide the plan to the Ministry of Environment, Conservation and Parks, and

THAT this report with its attachment be appended to the minutes of this meeting.



Brian Tayler, CAO, Secretary Treasurer



NBMCA Transition Plan

*As required for Conservation Authority Act
Amendments*

December 15, 2021

Introduction

The passage of Regulation 687/21 “Transition Plans and Agreements for Programs and Services Under Section 21.1.2 of the Act” requires the development of Transition Plans by each Conservation Authority. The Transition Plans are to outline the process and timelines for the development of cost apportioning agreements with municipalities within their jurisdiction for Category 2 (municipal) and Category 3 (other) programs and services.

Transition Plan Requirements and Timeframe

The key components and deadlines for [*Transition Plan and Agreements Regulation \(O.Reg. 687/21\)*](#) are illustrated in Figure 1 below. The purpose of the transition period is to provide conservation authorities and municipalities with the time to address changes to the budgeting and levy process based on the delivery of mandatory programs and services (Category 1), municipal programs and services (Category 2), and other programs and services (Category 3) and the need, in some cases, to reach agreements. Conservation authorities are required to develop a Transition Plan on or before December 31, 2021. There are two phases to the Transition period. The first phase is to develop and circulate an Inventory of Programs and Services. The second phase of the Transition Period includes developing and finalizing the conservation authority/municipal agreements in accordance with the regulations. These agreements must be complete by January 1, 2024.

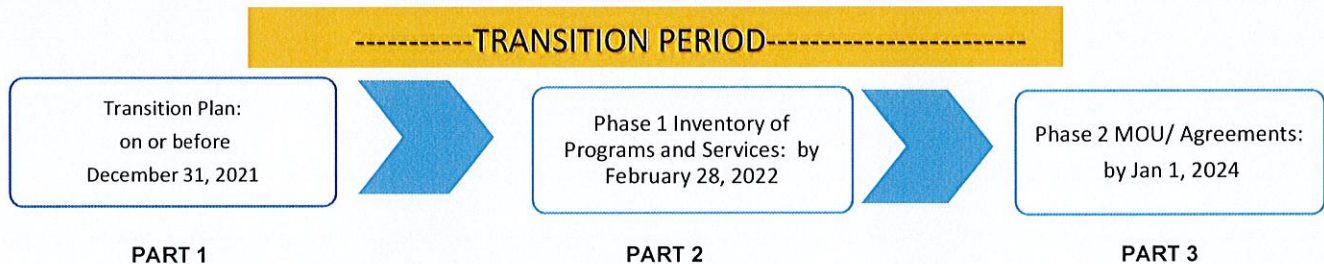


Figure 1. Key Components and deadlines for Transition Period

NBMCA Transition Plan

Part 1: Transition Plan

- NBMCA staff review of Regulatory Proposal Consultation Guide released by MECP on May 13, 2021, which included presentation to the board of directors and communication with senior staff of our Participating Municipalities to provide initial information on the proposed changes to the Act and the regulatory consultation guide
- With the final Phase 1 regulations released from MECP on October 7, 2021, NBMCA staff will develop Transition Plan based on the transition period and requirements provided by MECP
- This Transition Plan is required to be completed by **December 31, 2021** and distributed to member municipalities and the Ministry of the Environment, Conservation and Parks (MECP).
- Prior to this distribution, the NBMCA Members (Board) will receive and approve the plan. The Transition Plan will be circulated to the Clerks of the Participating Municipalities, Heads of Council and posted on the HCA website before December 31, 2021.

Part 2: Inventory of Programs and Services (Phase 1 of the Transition Period)

- NBMCA will utilize Conservation Ontario template to complete an inventory of programs and services which is required to be completed by **February 28, 2022**, circulated to Participating Municipalities and posted on the NBMCA website
- Prior to this distribution, the NBMCA Members will receive and approve the inventory
- The inventory of programs and services will be classified as either Category 1 (Mandatory), Category 2 (Municipal) or Category 3 (Other CA). These categories are identified in Section 21 of the *Conservation Authorities Act*.
- The inventory will include an estimate of the annual cost of the service, sources of funding and the percentage attributed to each funding source
- In addition, a record of the municipal distribution of the inventory is to be forwarded to the MECP. Any changes to the inventory after February 28, 2022 will be documented and forwarded to MECP.

Part 3 – Consultation on Inventory and Cost Apportioning Agreements/Memoranda of Understanding (Phase 2 of the Transition Period)

- NBMCA will consult with its participating municipalities on the inventory of programs and services. Further, NBMCA

will negotiate with the participating municipalities to develop agreements for non-mandated but important watershed wide programs and services (category 2 and 3 programs and services where municipal levy is required) and prepare amendments and internal drafts of existing municipal agreements, consistent with the requirements for non-mandatory municipal services for municipal review

- All municipal agreements for non-mandated services are to be in place by and sent to MECP by **January 1, 2024**.
- NBMCA will meet the required quarterly MECP reporting requirements as per the regulation and submit six quarterly progress reports to MECP. The progress reports will include any comments received/changes to the inventory, an update on the progress of negotiations of cost apportioning agreements, and any difficulties that the authority is experiencing with concluding the requirements prior to the end of the Transition Period.

Timeline Summary

ITEMS	DUE DATE	TIMELINE FOR DELIVERY
Development and Member approval of Transition Plan	December 31, 2021	November 15, 2021 to December 15, 2021
Circulation of approved Transition Plan to participating municipalities and post to website	December 31, 2021	December 31, 2021
Development and Member approval of Inventory	February 28, 2022	December 15, 2021 to February 22, 2022
Circulation of approved Inventory to participating municipalities and post to website	February 28, 2022	February 23, 2022 to February 28, 2022
Consult on Inventory and Negotiate municipal agreements	January 1, 2024	January 1, 2022 to December 31, 2023
Extension of Transition Date	October 1, 2023	September 1, 2023 (if required)
Prepare Final Report for MECP & Municipalities	January 31, 2024	January 31, 2021
Quarterly Reporting to MECP	July 1, 2022	July 1, 2022
	October 1, 2022	October 1, 2022
	January 1, 2023	January 1, 2023
	April 1, 2023	April 1, 2023
	July 1, 2023	July 1, 2023
	October 1, 2023	October 1, 2023