



Board of Directors

MINUTES

Via Zoom

September 15, 2021

MEMBERS PRESENT

J. Atkinson, Chair
J. Mason, Vice-Chair
F. Campbell
R. Darling
E. El-Chantiry
G. Gower
B. Holmes
J. Karau
C. Kelsey
B. King
C. Lowry
C. Rigelhof
P. Sweetnam

MEMBERS ABSENT

J. Inglis
P. Kehoe
A. Tennant
K. Thompson

STAFF PRESENT

S. McIntyre, General Manager
A. Millar, Treasurer
M. Craig, Manager of Planning and Regulations
J. Cunderlik, Director, Water Resource Engineering
R. Fergusson, Operations Supervisor
J. North, Water Resource Technologist
L. Williams, Recording Secretary

VISITORS PRESENT

Laura Cummings

J. Atkinson called the meeting to order at 1:01pm.

J. Atkinson respectfully recited the following Land Acknowledgement Statement:

September 30 marks our country's first National Day for Truth and Reconciliation. A day to remember, to learn, and to work for change.

As the descendant of people who settled and prospered on the lands of many First Nations I, like so many others, was raised without knowing the history of the land and the people who have cared for it since the beginning. My own path toward learning that history and the truth of my people's relationship with that land and the people we displaced remains long. But I commit to making that journey. And I know that I will not be alone.

In that spirit, I want to respectfully acknowledge that the Board of the Mississippi Valley Conservation Authority meets on the traditional and unceded territory of the Algonquin Anishinaabeg people and is charged by the Crown with the conservation of the watersheds of the Mississippi and Carp rivers, both of which flow through that land, as well as the traditional territories of the Huron-Wendat and Michi Saagiig Nishnaabeg.

We offer our gratitude to the first peoples for their care for and teachings about our earth and our relations. As we move together along the path of reconciliation, may we relearn and once again honour those teachings and bring them into the work that we do here.

As we meet today, and I reflect on the meaning behind our new National Day for Truth and Reconciliation, I observe that voices are missing from our table.

That lands of cultural significance are not included among the lands we are charged to protect and conserve by the Crown.

That vital and traditional species have and continue to be put at risk by the work that we do.

And that waterways named to recognize the first people who lived on them at the time of settlement still do not bear their true names.

We have much work to do.

Thank you and Miigwech.

R. Darling made a personal statement following the Acknowledgement.

B09/15/21-1

MOVED BY: F. Campbell

SECONDED BY: B. King

Resolved, That the Agenda for the September 15, 2021 Board of Directors meeting be adopted as presented.

“CARRIED”

B09/15/21-2

MOVED BY: E. El-Chantiry

SECONDED BY: B. King

Resolved, That the Consent Agenda for the September 15, 2021 Board of Directors meeting be adopted as presented.

“CARRIED”

BUSINESS

1. a) Approval of Minutes – Board of Directors

B09/15/21-3

MOVED BY: J. Karau

SECONDED BY: F. Campbell

Resolved, That the Minutes of the Mississippi Valley Board of Directors Meeting held on July 21, 2021 be received and approved as printed.

“CARRIED”

b) Approval of Minutes – Special Meeting of Board of Directors

B09/15/21-4

MOVED BY: C. Rigelhof

SECONDED BY: G. Gower

Resolved, That the Minutes of the Mississippi Valley Board of Directors Special Meeting held on September 9, 2021 be received and approved as printed.

“CARRIED”

2. Watershed Condition Report

J. North advised that current conditions were consistent with normal, historic levels. August was a hot and dry month, however, lake levels in the main river system flows are fairly stable and remain at normal levels for this time of year. The level at Crotch Lake levels is above average and is supplementing downstream flows. Annual draw down of some of the upper lakes has begun with most beginning after Thanksgiving weekend. The slide presentation will be circulated to members following the meeting.

3. Proposed Fee for MZO Permit Applications, Report 3157/21

M. Craig explained that the creation of a new fee for issuing regulatory permits for developments approved via Minister’s Zoning Order (MZO) under the *Planning Act*, Bill 197, 2020 is recommended due to the complexity of the requirements of these applications. It is

recommended that the MVCA Fee Schedule be updated to include a fee specifically for MZO with an additional fee for technical reviews.

E. El-Chantiry clarified that fees that are imposed by the Authority are typically set on a cost recovery basis - the fee covers the cost of providing the service. E. El-Chantiry was interested to learn how the new proposed fee would be determined as well as how many MZOs MVCA anticipates processing in the fees.

M. Craig explained that due to the complexity of the MZO processes versus a traditional application process the cost difference could be significant. The new fee will also need to be consistent with the other Conservation Authorities within our servicing area. There have been no MZO applications processed to date in MVCA's jurisdiction, although determining a fee before an application is received is recommended.

E. El-Chantiry suggested that once an MZO has been processed that staff evaluate the actual time and resources spent on the process to determine if the newly imposed fee is adequate and provide this information to the Board.

S. McIntyre agreed that the October report that will set 2020 fees will include the proposed MZO fees along with the rationale for the proposed amounts.

J. Karau made comment that the MZO process focussed on mitigation and proposed that the process consider adaptation as another means of negotiation with the developer.

M. Craig explained that MVCA would provide guidance documents and that the developer / property owner can always appeal if they are not satisfied with the recommendations. MVCA is learning from other Authorities on their experiences with MZO processes and outcomes and anticipate using this information to develop guidance documents to assist with the process.

P. Sweetnam questioned if the estimated fee would cover any future challenges of MZO processes. M. Craig responded that due to the complexity of reviewing an MZO process that it would not take long to absorb the fee as proposed.

B09/15/21-5

MOVED BY: C. Lowry

SECONDED BY: E. El-Chantiry

Resolved, That the Board direct staff to add a new fee during the next update of the MVCA Fee Schedule for the processing of applications under Section 28.0.1 of the *Conservation Authorities Act* to recover the higher costs associated with projects approved by Ministerial Zoning Order.

“CARRIED”

4. Timeline Performance Report for Section 28 Applications, Report 3158/21

Staff Report 3158/21 was provided for information. M. Craig explained that the purpose of the report is to document and publish the performance of MVCA in complying with Conservation

Ontario council-approved timelines for the issuance of permits under the *Conservation Authorities Act*. The report reflected that MVCA processed most of the permit applications within the target timelines with the exception of a few applications. Reporting of results is intended to occur twice annually with results posted and provided to Conservation Ontario.

J. Karau suggested that this positive information be shared with MVCA partners. S. McIntyre will include these positive results in her regular Board Update that is circulated to all municipal partners following each meeting.

C. Lowry asked if applications are reviewed for completeness when they are submitted to avoid delays. M. Craig encourages anyone considering building or alterations to arrange a pre-consultation meeting to review and discuss the requirements so that the applicant is clear on what is required for their application to be deemed complete. This pre-consultation meeting will identify if professional services are required for aspects of their application process at the onset.

F. Campbell enquired if there was a checklist or guideline to provide to applicants to assist with the permit process. M. Craig responded that there are checklists and guidelines, that are in the process of being updated, to aid applicants.

5. Ontario Regulation 153/06 Permit Activity, Report 3159/21

Staff Report 3159/21 was provided for information. The report showed that permit activity has been high and is anticipated to remain above normal for the balance of 2021.

J. Atkinson asked for the reasoning for the increased activity in 2021. M. Craig reported rebuilds, shoreline building, and building on properties that are marginal (adjacent to wetlands) has increased. Building on marginal lands results in more complex application review processes and increased staff time due to their complexity.

6. Drainage Grading Presentation

Provided for information. M. Craig explained that the number of rebuilds increased following the 2017 flooding of Dalhousie Lake, Mississippi Lake and Constance Bay. M. Craig described the importance of property drainage and grading as well as the impacts of adding fill to one property can impact the neighbouring properties. Grading plans that are required by each jurisdiction are completed by qualified professionals and include floodproofing requirements, access, extent of fill, drainage and swales, retaining walls, location of house/structure and septic system.

ADJOURNMENT

The meeting was adjourned at 2:01 p.m.

B09/15/21-6

MOVED BY: B. King

SECONDED BY: R. Darling

Resolved, That the Board of Directors meeting adjourned.

“CARRIED”

“L. Williams, Recording Secretary

J. Atkinson, Chair”