



MINUTES

Hybrid Meeting Via Zoom
and at MVCA Office

Policy and Planning Advisory
Committee Meeting

November 29, 2023

MEMBERS PRESENT

B. Holmes, Chair
D. Comley, Vice Chair (virtual/in-person)
T. Popkie (virtual)
E. Helen Yanch (virtual)
S. Lewis

MEMBERS ABSENT

C. Kelsey
C. Kelly
G. Gower

STAFF PRESENT

S. McIntyre, General Manager
S. Millard, Treasurer
M. Craig, Manager of Planning & Regulations
K. Stiles, Biologist
M. Okum, Stewardship Technician
K. Hollington, Recording Secretary

B. Holmes called the meeting to order at 1:01 p.m.

Declarations of Interest (Written)

Members were asked to declare any conflicts of interest and informed that they may declare a conflict at any time during the meeting. No declarations were received.

Agenda Review

B. Holmes noted that there were no additions to the agenda.

PPAC23/11/29-1

MOVED BY: S. Lewis

SECONDED BY: H. Yanch

Resolved, that the agenda for the November 29, 2023 Policy and Planning Advisory Committee Meeting be adopted as presented.

“CARRIED”

MAIN BUSINESS

1. Approval of Minutes: Policy and Planning Advisory Committee Meeting, May 1, 2023

PPAC23/11/29-2

MOVED BY: S. Lewis

SECONDED BY: T. Popkie

Resolved, that the minutes of the Policy and Planning Advisory Committee Meeting held on May 1st, 2023 be received and approved as printed.

“CARRIED”

2. Wetland Offsetting Policy Update, Report 3372/23, (M. Craig & K. Stiles)

K. Stiles introduced the recommended wetland offsetting policy amendments. She explained that offsetting should be the last resort when there is no other way to move forward with an otherwise approved development. She explained that offsetting is the creation or restoration of a habitat to compensate for the loss of ecological features and functions. Offsetting is designed to provide a net gain in case the new habitat does not function as designed. With this goal in mind, she recommended that encroachments into regulated wetlands be offset at a minimum area ratio of 2:1. Offsetting would not be permitted universally, particularly in complex, vulnerable and sensitive wetlands. She highlighted the challenges in quantifying the economic value of wetland functions.

S. Lewis asked if someone changes or damages a wetland, do they have to provide 2 for 1 compensation. K. Stiles responded that it is strictly based on an area of measurement, i.e. if 1 hectare of wetland is damaged, it must be replaced by 2 hectares of wetland. Asking for 2:1 helps to ensure that the actual functionality will be closer to 1:1.

S. Lewis noted that it is preferred to have the wetland created on site, and asked if it is permitted to create off-site instead. K. Stiles responded that there is a hierarchy, the preference is to be on site or in an adjacent tributary.

S. Lewis commented that if someone destroys half a wetland that it is most likely to destroy the whole thing. K. Stiles confirmed yes, due to the hydrological connection.

B. Holmes asked whether potential impacts to adjacent lands are considered during the planning of a new or restored wetland. K. Stiles responded that in the design process there will be technical studies to inform decisions and assess impacts related to hydrology and associated environmental impacts. K. Stiles added that guidelines will prescribe studies and structure the conversation.

B. Holmes asked if neighbouring land owners have a right of appeal. K. Stiles answered that appeals are possible through the municipal land use planning process.

B. Holmes expressed concern over wetlands increasing mosquito populations and causing negative health effects. K. Stiles responded that typically an increase in wetland habitat is also accompanied by an increase in insectivores like frogs, birds and bats.

D. Comley asked whether MVCA will have the authority to deny or approve the planning application. K. Stiles responded that MVCA would be part of the municipal planning consultation process. Ultimately, the municipality is the approval agency under the *Planning Act*. MVCA can ask for more information to assist with recommendations made as part of the plan review process. S. McIntyre added that it is helpful if the municipality planning department refers land-use applicants to MVCA for permitting to be completed in tandem.

B. Holmes asked if the municipality will be receiving a draft of the offsetting policy. S. McIntyre responded that once the policy is approved by the Board that MVCA staff will share with municipal planners. M. Craig added that the updated policies are in keeping with the City of Ottawa's official plan policies related to offsetting, and would be reviewed at a forum being planned with Lanark municipal planners for early 2024.

S. Lewis asked if this policy will constitute a condition of development agreements. M. Craig answered that the offsetting proposal will be approved in principle during the municipal planning application phase, with details clarified prior to receiving CA permit approval.

S. Lewis asked if neighbours would see the conditions of the offsetting agreement. M. Craig responded that the *Conservation Authorities Act* does not provide for public consultation of permit applications; but if the application is part of a municipal planning approval process, that MVCA comments related to any application are public record. K. Stiles added that it is always best to stay out of regulated areas where possible. Offsetting is an option to minimize impacts on the environment if development must occur in a wetland.

D. Comley asked how a financial dollar amount is put on a wetland and how often is it reviewed. K. Stiles responded these amounts are challenging to calculate due to fluctuating land and ecological values.

D. Comley asked if the financial compensation is on a sliding scale based on particular sites or if it is a number drawn from a particular table. S. McIntyre explained that MVCA hopes to develop detailed guidelines to inform calculations for both MVCA and permit applicant use.

S. McIntyre overviewed the changes to section 1 that introduce the concept of the mitigation hierarchy and provide for ecological offsetting plans and agreements. As the policy priority at the provincial level appears to be housing first, MVCA needs to be prepared to think about development in regulated areas.

B. Holmes commented that development in a wetland would not be for affordable housing. S. McIntyre noted that the permitting process and the proposed wetland offsetting policy process make it costly to build in a regulated wetland.

B. Holmes asked for clarification on the next steps with this report. S. McIntyre explained that policy changes will be elevated to the Board of Directors in December for approval; and operational guidelines will be developed in the new year for use by staff and applicants.

PPAC23/11/29-3

MOVED BY: S. Lewis

SECONDED BY: H. Yanch

Resolved, That the Policy and Planning Committee recommends that the Board of Directors approve revision of the wetland offsetting policy and other changes to MVCA's *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Policies*, as set out in report 3372/23.

"CARRIED"

3. **Stewardship Program Review & Update, Report 3373/23, (M. Craig & M. Okum)**

M. Okum overviewed the background of the Stewardship Program, which was approved by the Board as a part of 2021 Budget Process. She explained that the watershed is divided up into three distinct areas: upper, middle and lower watershed. She highlighted shoreline planting projects, large scale tree planting, wetland restoration, invasive plant removal, septic re-inspections, continued outreach and landowner education in each area. She added that the ALUS Lanark program was launched in 2022 for registered farmers. She noted challenges including programming and funding gaps and public interest/engagement. She described the funding sources including grants and partnerships with other Conservation Authorities, lake associations and other stewardship organizations. She outlined the next steps, including continuing efforts to secure grants for continued funding, targeting efforts on community outreach and education, and working with MVCA staff to measure outcomes.

D. Comley asked if the municipal agreements have the same timeline as the 2028 proposed. S. McIntyre responded yes.

S. Lewis asked about the septic re-inspection program. M. Craig explained the process behind a reinspection, landowners receive a letter and the septic inspectors will check on the status of the landowner's septic system and provide a comprehensive report.

S. Lewis asked if there is a work-order if there is an issue found with the septic system. M. Craig responded that if the inspection is mandatory, then the landowner is required to address the

issues. (Note, it was subsequently confirmed that this is the case regardless of whether problems are found as a result of a mandatory or optional re-inspection program.)

S. Lewis asked about the process of notifying homeowners of the inspections. M. Craig responded that the homeowners are given notice and can be present at the time of inspection if desired.

S. McIntyre commented that the septic re-inspection program is a municipal program that MVCA administers for the municipalities, it is considered a category 2 program, as septic approvals under the *Ontario Building Code* are a municipal responsibility. Some municipalities have introduced an optional reinspection program, managed separately from the mandatory reinspection programs. Most municipalities have been reticent to make the program mandatory but most see the value in pursuing them.

S. Lewis asked if the program is funded by the municipality or if the cost goes to the landowner. M. Craig responded that council members decide whether or not they want the program within their municipality.

PPAC23/11/29-4

MOVED BY: D. Comley

SECONDED BY: S. Lewis

Resolved, That the Policy and Planning Advisory Committee recommend that the Board of Directors endorse continued delivery of a year-round Stewardship Program until December 31st, 2028.

“CARRIED”

ADJOURNMENT

PPAC23/11/29-5

MOVED BY: D. Comley

Resolved, That the Policy and Planning Advisory Committee meeting of November 29, 2023 be adjourned.

“CARRIED”

The meeting was adjourned at 1:48 p.m.

K. Hollington, Recording Secretary