

NOTICE TO CLOCA BOARD OF DIRECTORS

Please find enclosed the **agenda** and supporting documents for the **CLOCA Board of Directors Meeting** on **Tuesday, March 21, 2023, at 5:00 p.m.** This meeting will be a **Hybrid meeting**. Members can join either virtual through zoom or attend in-person at the Authority’s Administrative Office - 100 Whiting Avenue, Oshawa. Please advise if you will be joining virtually through zoom.

The list below outlines upcoming meetings and events for your information.

UPCOMING MEETINGS & EVENTS

DATE	TIME	EVENT	LOCATION
March 10-12/23 March 15-19/23 March 25-26/23 April 1-2/23	9:30 a.m. to Noon or Noon to 2:30 p.m.	Annual Maple Syrup Festival Purchase tickets online: cloca.com/maple-syrup-festival	Purple Woods Conservation Area 38 Coates Road East, Oshawa
Tuesday, March 21/23	5:00 p.m.	CLOCA Board of Directors Meeting	Hybrid Meeting
Tuesday, April 18/23	5:00 p.m.	CLOCA Board of Directors Meeting	Hybrid Meeting
Tuesday, May 16/23	5:00 p.m.	CLOCA Board of Directors Meeting	Hybrid Meeting
Tuesday, June 20/23	5:00 p.m.	CLOCA Board of Directors Meeting	Hybrid Meeting
Tuesday, July 18/23	5:00 p.m.	CLOCA Board of Directors Meeting	Hybrid Meeting
Tuesday, September 19/23	5:00 p.m.	CLOCA Board of Directors Meeting	Hybrid Meeting
Tuesday, October 17/23	5:00 p.m.	CLOCA Board of Directors Meeting	Hybrid Meeting
Tuesday, November 21/23	5:00 p.m.	CLOCA Board of Directors Meeting	Hybrid Meeting
Tuesday, December 19/23	5:00 p.m.	CLOCA Board of Directors Meeting	Hybrid Meeting

LATEST NEWS

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“Healthy Watersheds for Today and Tomorrow”

CENTRAL LAKE ONTARIO CONSERVATION AUTHORITY

A G E N D A

AUTHORITY MEETING

Tuesday, March 21, 2023 - 5:00 P.M.

HYBRID MEETING LOCATION: VIRTUAL THROUGH ZOOM (ACCESS DETAILS TO BE PROVIDED)
OR 100 WHITING AVENUE, OSHAWA, AUTHORITY'S ADMINISTRATIVE OFFICE, BOARDROOM

CIRCULATION LIST

Authority Elizabeth Roy, Chair
Members: Bob Chapman, Vice Chair
Marilyn Crawford
Sami Elhajjeh
Bruce Garrod
Ron Hooper
Rick Kerr
Chris Leahy
Tito-Dante Marimpietri
Ian McDougall
Rhonda Mulcahy
John Neal
David Pickles
Corinna Traill
Steve Yamada

Authority C. Darling, Chief Administrative Officer
Staff: B. Boardman, Executive/Accounting Administrator
R. Catulli, Director, Corporate Services
J. Davidson, Director, Watershed Planning & Natural Heritage
L. Hastings, Communications Specialist
D. Hope, Conservation Lands & Education Manager
C. Jones, Director, Planning & Regulation
P. Sisson, Director, Engineering, Field Operations & Education
L.Vaja, Executive Assistant/Health & Safety Administrator/ Recording Secretary
R. Wilmot, Information Management & Technology Manager

Others:

AGENDA ITEM:

SUPPORTING DOCUMENTS

1. CHAIR'S WELCOME

Central Lake Ontario Conservation Authority works within the traditional territory of the Huron-Wendat, Haudenosaunee, Mississauga, and Chippewa Nations and within the jurisdiction of the Williams Treaties. We are grateful for the continued work of many First Nations, Métis, and Inuit Peoples who are the original caretakers of the land and waters. In our local watershed, we have a responsibility to work collaboratively with the neighbouring communities of Scugog Island, Hiawatha, Alderville, and Curve Lake First Nations.

2. DECLARATIONS of interest by members on any matters herein contained.

3. ADOPTION OF MINUTES of January 17, 2023

pg. 1

4. PRESENTATIONS – None

5. CORRESPONDENCE – None

6. DIRECTOR, PLANNING & REGULATION

(1) Staff Report #5818-23

pg. 7

Re: Permits Issued for Development, Interference with Wetlands, and Alteration to Shorelines and Watercourses – January 1 to February 28, 2023

Cont'd

7. DIRECTOR, WATERSHED PLANNING & NATURAL HERITAGE

- (1) Staff Report #5821-23 pg. 9
Re: Final Provincial Updates to the Ontario Wetland Evaluation System

- (2) Staff Report #5822-23 pg. 10
Re: Restoration and Stewardship Program - 2022 in Review

- (3) Staff Report #5823-23 pg. 14
Re: Durham Meadoway – Vision Study

8. DIRECTOR, ENGINEERING, FIELD OPERATIONS & EDUCATION

- (1) Staff Report #5820-23 pg. 16
Re: Trillium Community Building Fund – Capital Stream Grant
Stephen’s Gulch, Enniskillen, and Long Sault Conservation Areas

- (2) Purple Woods Maple Syrup Festival - Verbal Update

9. DIRECTOR, CORPORATE SERVICES – None

10. CHIEF ADMINISTRATIVE OFFICER

- (1) Staff Report #5819-23 pg. 35
Re: Administrative and Meeting Procedural By-Law

11. CONFIDENTIAL MATTERS – None

12. NEW AND UNFINISHED BUSINESS – None

13. ADJOURNMENT

A G E N D A
SUPPORTING DOCUMENTS

MEETING OF: Authority

DATE: Tuesday, March 21, 2023

TIME: 5:00 p.m.

LOCATION: Hybrid – Virtual through Zoom
or 100 Whiting Avenue,
Oshawa

CENTRAL LAKE ONTARIO CONSERVATION AUTHORITY

MINUTES NO. 1

AUTHORITY ANNUAL MEETING

Tuesday, January 17, 2023 - 5:00 P.M.

MEETING LOCATION: IN PERSON – 100 WHITING AVENUE, OSHAWA

Authority Members: Elizabeth Roy – Chair
Bob Chapman – Vice Chair
Marilyn Crawford
Sami Elhajjeh
Bruce Garrod
Ron Hooper
Rick Kerr
Chris Leahy
Tito-Dante Marimpietri
Ian McDougall
Rhonda Mulcahy
John Neal
David Pickles
Steve Yamada

Authority Staff: C. Darling, Chief Administrative Officer
B. Boardman, Executive/Accounting Administrator/ Recording Secretary
R. Catulli, Director, Corporate Services
J. Davidson, Director, Watershed Planning & Natural Heritage
L. Hastings, Communications Specialist
D. Hope, Conservation Lands & Education Manager
C. Gregory, Coordinator, Conservation Education
L. Hastings, Communications Specialist
C. Jones, Director, Planning & Regulation
P. Sisson, Director, Engineering & Field Operations & Education
L.Vaja, Executive Assistant/Health & Safety Administrator
R. Wilmot, GIS Systems Supervisor

Absent: Corinna Trill

Others:

The Chair called the meeting to order at 5:00 p.m.

LAND ACKNOWLEDGEMENT STATEMENT

Chair Chapman recited the Land Acknowledgement Statement.

DECLARATIONS of interest by members on any matters herein contained - *None*

ADOPTION OF MINUTES (Agenda pg. 1)

Res. #1 Moved by S. Yamada
Seconded by C. Leahy

THAT the Authority minutes of November 23, 2022, be adopted as circulated.

CARRIED

R. Mulcahy arrived at 5:03 p.m.

CHAIR'S REMARKS

B. Chapman thanked the Board and congratulated Staff on CLOCA's 2022 Highlights and Accomplishments.

M. Crawford arrived at 5:05 p.m.

PRESENTATIONS - None

ELECTION OF OFFICERS

The 2022 elected officers vacated their positions.

C. Darling, Chief Administrative Officer, officiated the 2023 election of Chair.

Res. #2 Moved by D. Pickles
Seconded by C. Leahy

THAT in the event of a vote by ballot, Perry Sisson and Jamie Davidson be designated as scrutineers; and further that all election ballots be destroyed.

CARRIED

Authority Chair

C. Darling made three calls for nominations, noting no seconder was required.

Nominations: B. Chapman nominated Elizabeth Roy

Res. #3 Moved by T.D Marimpietri
 Seconded by C. Leahy

THAT nominations for the position of Authority Chair be closed.
CARRIED

E. Roy “accepts”.

E. Roy was declared Authority Chair for 2023 and conducted the remainder of the meeting.

Authority Vice-Chair

E. Roy made three calls for nominations.

Nominations: T. D. Marimpietri nominated Bob Chapman

Res. #4 Moved by R. Mulcahy
 Seconded by S. Yamada

THAT nominations for the position of Authority Vice-Chair be closed.
CARRIED

B. Chapman “accepts”.

B. Chapman was declared Authority Vice Chair for 2023.

SIGNING OFFICERS

Res. #5 Moved by R. Hooper
 Seconded by C. Leahy

THAT the Signing Officers of the Authority be any two of the following: The Chair, Vice-Chair, Chief Administrative Officer/Secretary-Treasurer, and Director of Corporate Services.
CARRIED

SOLICITORS

Central Lake Ontario Conservation Authority utilizes the services of six (6) legal firms:

- Borden Ladner Gervais – property tax and related matters
- Boychyn & Boychyn – real estate and property transactions
- Fogler, Rubinoff – land related matters – planning and regulation matters
- Gardiner, Roberts – land related matters – planning and regulation matters
- Hicks, Morley – employment and labour related matters
- Littler Canada - legal matters for personnel/human resources

Res. #6 Moved by B. Chapman
 Seconded by S. Elhajjeh

THAT the firms Borden Ladner Gervais, Toronto; Boychyn & Boychyn, Oshawa; Fogler Rubinoff, Toronto; Gardiner, Roberts, Toronto; Hicks Morley, Toronto; and Littler Canada be appointed Solicitors for the Authority, as required.
CARRIED

BORROWING BY-LAW

Res. #7 Moved by D. Pickles
Seconded by I. McDougall

THAT the Central Lake Ontario Conservation Authority's signing officers are hereby authorized on behalf of the Central Lake Ontario Conservation Authority to borrow from time to time, from the banking institution under agreement with the Central Lake Ontario Conservation Authority, up to \$1,000,000 to meet current expenditures until Provincial grants and/or Regional funding are received, with interest as may be determined by agreement between the bank and the Central Lake Ontario Conservation Authority.

CARRIED

CONSERVATION ONTARIO COUNCIL

Res. #8 Moved by B. Garrod
Seconded by R. Kerr

THAT the Chair be appointed as the Authority's representative on the Conservation Ontario Council. Alternative designates are the Vice-Chair and the Chief Administrative Officer.

CARRIED

ENFORCEMENT OFFICERS

- (i) Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation #42/06

Res. #9 Moved by M. Crawford
Seconded by R. Hooper

THAT L. Bulford, E. Cameron, D. Cheng, J. Hetherington, C. Jones, S. Nejad, P. Sisson be appointed Enforcement Officers under the Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation #42/06.

CARRIED

ENFORCEMENT OFFICERS

- (ii) Conservation Areas Regulation #101/90

Res. #10 Moved by B. Chapman
Seconded by C. Leahy

THAT T. Backus, B. De Waal, H. Hirschfeld, D. Hope, J. Maas and A. Cooper be appointed Enforcement Officers under the Conservation Areas Regulation #101/92.

CARRIED

CORRESPONDENCE

- (1) Letter from the Ministry of Natural Resources & Forestry (Agenda pg. 7)
Re: Legislative and regulation changes affecting conservation authorities
- (2) Letter from the Ministry of Natural Resources & Forestry (Agenda pg. 10)
Re: Minister's direction for conservation authorities regarding fee changes associated with planning, development, and permitting fees
- (3) Letter from C. Jones (CLOCA) to Watershed Planning Departments (Agenda pg. 26)
Re: Conservation Authority Legislative and Regulatory Changes (Bill 23)

Res. #11 Moved by C. Leahy
Seconded by R. Mulcahy

THAT the above correspondence items be received for information.

CARRIED

DIRECTOR, PLANNING & REGULATION

- (1) Staff Report #5811-23 (Agenda pg. 28)
Re: Permits Issued for Development, Interference with Wetlands, and Alteration to Shorelines and Watercourses – November 1 to December 31, 2022

Res. #12 Moved by S. Yamada
Seconded by C. Leahy

THAT Staff Report #5811-23 be received for information.
CARRIED

- (2) Staff Report #5815-23 (Agenda pg. 30)
Re: 2022 Timeline Report for Section 28 Applications

Res. #13 Moved by M. Crawford
Seconded by S. Elhajjeh

THAT Staff Report #5815-23 be received for information.
CARRIED

DIRECTOR, WATERSHED PLANNING & NATURAL HERITAGE - NONE

DIRECTOR, ENGINEERING AND FIELD OPERATIONS

- (1) Staff Report #5813-23 (Agenda pg. 33)
Re: Lynde Creek Floodplain Mapping

Res. #14 Moved by C. Leahy
Seconded by S. Yamada

THAT Staff Report 5813-23 be endorsed subject to funding approval through the Region of Durham
CARRIED

DIRECTOR, CORPORATE SERVICES

- (1) Staff Report #5817-23 (Agenda pg. 35)
Re: BDO Canada Audit of Financial Statements for the Year Ended December 31, 2022

Res. #15 Moved by I. McDougall
Seconded by D. Pickles

THAT the letter from Nigel A.C. Allen, BDO Dunwoody Canada LLP be received;
THAT the attached BDO publication, CAS 315R (revised) - Identifying and assessing risk of material misstatement for clients, be received for information;
THAT the attached BDO publication, Upcoming changes in Standards: Helping you understand the impact, be received for information; and
THAT Nigel A.C. Allen, BDO Dunwoody Canada, be advised that the Board of Directors is not aware of any matters related to increased risk, fraud, or errors on behalf of management processes.
CARRIED

CHIEF ADMINISTRATIVE OFFICER

(1) Staff Report #5812-23 (Agenda pg. 51)
Re: Common Memberships – Different Boards

Res. #16 Moved by B. Chapman
Seconded by C. Leahy

THAT the Chair, Vice Chair, and members of the Central Lake Ontario Conservation Authority for 2023 be the Chair, Vice Chair, and members of the Central Lake Ontario Conservation Fund for 2023 and the Chair, Vice Chair, and members of the Central Lake Ontario Source Protection Authority for 2023.
CARRIED

(2) Staff Report #5814-23 (Agenda pg. 52)
Re: 2022 Annual Report & Strategic Plan Implementation

Res. #17 Moved by R. Hooper
Seconded by C. Leahy

THAT the Board of Directors endorse the 2022 Annual Report.
CARRIED

CONFIDENTIAL MATTERS

Res. #18 Moved by C. Leahy
Seconded by R. Mulcahy

THAT the meeting convenes “In Camera”.
CARRIED

Res. #19 Moved by B. Chapman
Seconded by S. Yamada

THAT the meeting reconvenes.
THAT the discussion of the “In Camera” session be received for information.
CARRIED

NEW AND UNFINISHED BUSINESS – None

ADJOURNMENT

Res. #21 Moved by R. Kerr
Seconded by C. Leahy

THAT the meeting adjourns.
CARRIED

The meeting adjourned at 5:22 p.m.

2022 Highlights and Accomplishments

Central Lake Ontario Conservation Authority accomplished the following as part of our ongoing commitment to the goals of our Strategic Plan.

Strategic Plan Goal: Conserve, restore and enhance natural resources through integrated watershed management.

- We continued to implement our integrated watershed monitoring program increasing our understanding of impacts from environmental stressors and guiding our restoration and management efforts.
- We have made considerable progress in environmental restoration and stewardship across our watersheds such as tree planting, invasive species management, stream restoration and forest management planning.
- The Oak Ridges Moraine Groundwater Program continued to improve our understanding of the groundwater resources in and around the Oak Ridges Moraine.
- Updated our Wildlife Corridor Protection and Enhancement Plan.
- Partnered with the Region of Durham on a new subsidized tree-planting program for private landowners.
- Completed several restoration projects such as invasive species management, wetland enhancements, and riparian restoration.

Strategic Plan Goal: Support healthy communities and the protection of people and property from flooding and erosion.

- Issued over 250 permits for various development activities under Ontario Regulation 42/06, reviewed 576-land use planning submissions from municipalities, consultants, and landowners; entered 7731 documents into our electronic records management system and hosted 160 virtual pre-application consultation meetings with development proponents.
- Completed the Lake Ontario Shoreline Hazard Summary, Risk Assessment and Management Plan
- Completed an assessment of road crossings within the CLOCA watershed to determine vulnerability to flooding and potential impacts to transportation and emergency services.

Strategic Plan Goal: Protection, management, and safety of conservation areas.

- Made improvements to the public use infrastructure in our conservation areas with trail enhancements at Lynde Shores, Long Sault and Enniskillen and interpretive signage.
- Carried out extensive restoration of tree damage due to high wind events.
- Acquired an ecologically important 102-acre parcel of land as an additional land holding to the Stephen's Gulch Conservation Area.
- Expanded our volunteer Conservation Area Trail Stewards (CATS) program supporting our land management activities.


Strategic Plan Goal: Create a more knowledgeable and connected watershed community through engagement and education.

- Introduced the Moccasins Across the Watershed Program that focuses on local Indigenous art installations, outreach events, and visual signage that will incorporate interactive technology to enrich the visitor experience.
- Hosted several community engagement events raising awareness of environmental management.

Strategic Plan Goal: Demonstrate business excellence through effective customer service, engaged employees and innovation.

- Continued to comment, respond, and adapt to changes to the Conservation Authorities Act.
- Our Planning staff continued to implement the Client Service Standards for our Plan Review and Permit Review with over 90% of permits issued within the timelines.
- We made amendments to the Corporate Administration and Meeting Procedural bylaw to improve governance.
- We continued to improve the processes to support working remotely and have adapted technology to align administration services, and fully utilize our state-of-the-art information management systems to create efficiencies and move toward electronic record keeping.

DATE: March 21, 2023
FILE: RPRG3974
S.R.: 5818-23
TO: Chair and Members, CLOCA Board of Directors
FROM: Chris Jones, Director, Planning & Regulation
SUBJECT: **Permits Issued for Development, Interference with Wetlands and Alteration to Shorelines and Watercourses – January 1 to February 28, 2023**

APPROVED BY C.A.O. 

Attached are Development, Interference with Wetlands and Alterations to Shorelines and Watercourses applications, pursuant to Ontario Regulation 42/06, as approved by staff and presented for the members' information.

RECOMMENDATION:

THAT Staff Report #5818-23 be received for information.

Attach.


PERMITS TO BE RATIFIED, FROM 1 JAN 2023 TO 28 FEB 2023

Row	Municipality	Owner Applicant	Street Lot Con	Permit No	Description
1	AJAX	PROPERTY OWNER	2896 AUDLEY ROAD NORTH / LOT 03 / CON 04	A23-027-GRBW	DEVELOPMENT ACTIVITIES ASSOCIATED WITH INTERIOR ALTERATIONS, CONSTRUCTION OF A 2ND STOREY ADDITION AND CONSTRUCTION OF A NEW ON-SITE SEPTIC SYSTEM
2	AJAX	PROPERTY OWNER/R.J. BURNSIDE & ASSOCIATES LTD.	537 KINGSTON ROAD EAST / LOT 03 / CON 01	A23-001-GHW	DEVELOPMENT ACTIVITIES ASSOCIATED WITH RE: FINAL GRADING WORKS OF DEVELOPMENT SITE/ CONSTRUCT OF A STORMWATER MANAGEMENT POND
3	AJAX	TOWN OF AJAX/R.J. BURNSIDE & ASSOCIATES LTD.	AUDLEY ROAD / LOT / CON	A23-002-GHAW	DEVELOPMENT ACTIVITIES ASSOCIATED WITH THE FINAL GRADING WORKS OF AUDLEY ROAD EXTENSION WHICH INCLUDE A WATERCOURSE RELOCATION AND NEW WATERCOURSE CROSSING
4	AJAX	ROGERS COMMUNICATIONS	ROSSLAND ROAD EAST / LOT 01 & 35 / CON 02 & 03	A23-024-GBH	DEVELOPMENT ACTIVITIES ASSOCIATED WITH PROPOSED NEW UNDERGROUND CONDUIT AND CABLE REPLACEMENT
5	CLARINGTON DARLINGTON	PROPERTY OWNER/BLAZING STAR ENVIRONMENTAL	2033 NASH ROAD / LOT 23 / CON 02	C23-026-GBH	DEVELOPMENT ACTIVITIES ASSOCIATED WITH THE CONSTRUCTION OF A RESIDENTIAL BUILDING, IN-GROUND POOL, GAZEBO, 2 GARAGES & SEPTIC SYSTEM
6	CLARINGTON DARLINGTON	NASH DEVELOPMENTS LIMITED	1836 NASH ROAD / LOT 27 / CON 03	C23-012-W	DEVELOPMENT ACTIVITIES ASSOCIATED WITH WETLAND RELATED TREE TOPPING WORKS IN SUPPORT OF DRAFT PLAN OF SUBDIVISION
7	CLARINGTON DARLINGTON	ENBRIDGE GAS INC.	1878 TAUNTON ROAD / LOT 26 / CON 05	O23-011-G	DEVELOPMENT ACTIVITIES ASSOCIATED WITH ENBRIDGE PIPELINE INTEGRITY PREVENTATIVE MAINTENANCE DIG
8	CLARINGTON DARLINGTON	PROPERTY OWNER/ENBRIDGE	SOLINA ROAD / LOT 24 / CON 05	C23-010-G	DEVELOPMENT ACTIVITIES ASSOCIATED WITH ENBRIDGE PIPELINE INTEGRITY PREVENTATIVE MAINTENANCE DIG
9	CLARINGTON DARLINGTON	ENBRIDGE/DILLON CONSULTING LIMITED	VARIOUS PROPERTIES ALONG ENBRIDGE PIPELINE EASEMENT / LOT / CON	C23-017-W	DEVELOPMENT ACTIVITIES ASSOCIATED WITH RE: ENBRIDGE VEGETATION MAINTENANCE
10	CLARINGTON DARLINGTON	ONTARIO POWER GENERATION/ WSP	1 HOLT ROAD SOUTH / LOT 20 / CON	C23-029-SH	DEVELOPMENT ACTIVITIES ASSOCIATED WITH PHASE 2 RECONSTRUCTION AND REALIGNMENT OF HOLT ROAD
11	CLARINGTON DARLINGTON	PROPERTY OWNER	86 EAST BEACH ROAD / LOT 08 / CON BFC	C23-025-GBH	DEVELOPMENT ACTIVITIES ASSOCIATED WITH GRANULAR FILL AND ENGINEERED CONCRETE SLAB IN BACKYARD AND CONSTRUCTION OF A NEW GARAGE
12	CLARINGTON DARLINGTON	POLLARD CONTRACTING	1800 CONCESSION ROAD 10 / LOT 27 / CON 10	C23-028-GBH	DEVELOPMENT ACTIVITIES ASSOCIATED WITH RE: CONSTRUCTION OF A SINGLE DWELLING
13	CLARINGTON DARLINGTON	BELL CANADA/PLANVIEW UTILITIES	TAUNTON ROAD & BOWMANVILLE AVENUE / LOT 14 & 15 / CON 04	C23-031-GBH	DEVELOPMENT ACTIVITIES ASSOCIATED WITH THE INSTALLATION OF UNDERGROUND TELECOMMUNICATION CABLES
14	OSHAWA	BELL CANADA	HILLCROFT STREET & CENTRAL PARK BOULEVARD / LOT 7 & 8 / CON 02	O23-030-GBFH	DEVELOPMENT ACTIVITIES ASSOCIATED WITH THE RELOCATION OF BELL ASSETS DUE TO CULVERT REPLACEMENT
15	OSHAWA	CITY OF OSHAWA	625 RALEIGH AVENUE / LOT 04 & 05 / CON BFC	O23-015-GW	DEVELOPMENT ACTIVITIES ASSOCIATED WITH MINOR SITE GRADING WORK
16	OSHAWA	ENBRIDGE GAS INC.	385 ARCTIC RED DRIVE / LOT 10 / CON 05	O23-025-GBH	DEVELOPMENT ACTIVITIES ASSOCIATED WITH THE INSTALLATION OF A GAS SERVICE
17	OSHAWA	2580727 ONTARIO INC./PROPERTY OWNER	82 WAVERLY STREET SOUTH / LOT 16 / CON 01	O23-004-GFH	DEVELOPMENT ACTIVITIES ASSOCIATED WITH THE WIDENING OF AN EXISTING DRIVEWAY
18	OSHAWA	PROPERTY OWNER/ACOVCA POOLS/WHITBY SHORES LANDSCAPING	1956 DON WHITE COURT / LOT 03 / CON 04	O23-019-GBH	DEVELOPMENT ACTIVITIES ASSOCIATED WITH THE INSTALLATION OF AN INGROUND POOL, RETAINING WALL, INTERLOCK AND FENCING
19	OSHAWA	PROPERTY OWNER/NORTHBROOK CONSTRUCTION	345 COATES ROAD WEST / LOT 12 / CON 09	O23-021-GBH	DEVELOPMENT ACTIVITIES ASSOCIATED WITH THE CONSTRUCTION OF AN ADDITION ONTO EXISTING GARAGE
20	OSHAWA	ENBRIDGE PIPELINES INC./ENBRIDGE	THORNTON ROAD NORTH / LOT 16 & 17 / CON 05	O23-009-G	DEVELOPMENT ACTIVITIES ASSOCIATED WITH ENBRIDGE PIPELINE INTEGRITY PREVENTATIVE MAINTENANCE DIG
21	OSHAWA	ROGERS COMMUNICATIONS	GIBB STREET AND WAVERLY STREET / LOT 14 / CON 01	O23-007-GBH	DEVELOPMENT ACTIVITIES ASSOCIATED WITH THE DIRECTIONAL BORE 46M / OPEN TRENCH AND INSTALL NEW CONDUIT
22	OSHAWA	ENBRIDGE/DILLON CONSULTING LIMITED	GARRARD ROAD & THORNTON ROAD NORTH / LOT 17 & 18 / CON 05	W23-016-W	DEVELOPMENT ACTIVITIES ASSOCIATED WITH VEGETATION REMOVAL (BRUSHING) WITHIN ENBRIDGE PIPELINES RIGHT OF WAY AT TWO LOCATIONS IN WHITBY AND OSHAWA
23	OSHAWA	CITY OF OSHAWA/AMTEC ENGINEERING LTD.	ERIE STREET, LOT 11, BFC / LOT 11 / CON BFC	O23-003-CH	DEVELOPMENT ACTIVITIES ASSOCIATED WITH REPLACEMENT/RECONSTRUCTION OF BRIDGE
24	OSHAWA	THE CITY OF OSHAWA/THE ROBERT MCLAUGHLIN GALLERY	72 QUEEN STREET / LOT 11 / CON 01	O23-014-GBFH	DEVELOPMENT ACTIVITIES ASSOCIATED WITH RE: DEVELOPMENT OF A COMMUNITY ARTS GREEN SPACE
25	OSHAWA	ROGERS COMMUNICATIONS	HWY 401 WBL PAVEMENT REHAB / LOT 11 / CON 01	O23-023-GBH	DEVELOPMENT ACTIVITIES ASSOCIATED WITH DIRECTIONAL BORE 256M AND INSTALL NEW CONDUIT
26	OSHAWA	THE BROCK HOUSE	237 GLENWOOD CRESCENT / LOT 12 / CON 03	O23-006-GBH	DEVELOPMENT ACTIVITIES ASSOCIATED WITH AN ADDITION AND INTERIOR RENOVATIONS TO EXISTING RESIDENTIAL HOME
27	OSHAWA	PROPERTY OWNER/THE ROCHFORD GROUP INC.	191 WOODLEA CRESENT / LOT 12 / CON 03	O23-013-RH	DEVELOPMENT ACTIVITIES ASSOCIATED WITH THE RENOVATION OF AN EXISTING HOME
28	OSHAWA	ENBRIDGE GAS INC.	ALONG 2630 HARMONY ROAD NORTH / LOT 4 & 5 / CON 05	O23-018-GBH	DEVELOPMENT ACTIVITIES ASSOCIATED WITH THE INSTALLATION OF A GAS MAIN
29	PICKERING	THE CITY OF PICKERING/ TELECON DESIGN INC.	7TH CONCESSION ROAD / LOT 01, 02, 03 / CON 06 & 07	P23-020-GBH	DEVELOPMENT ACTIVITIES ASSOCIATED WITH THE INSTALLATION OF A PROPOSED CONDUIT & EQUIPMENT UNDER FIBRE-TO-THE-HOME SERVICE TO HOMES
30	PICKERING	ROGERS COMMUNICATIONS/TELECON DESIGN INC.	LAKERIDGE ROAD / LOT 01 / CON 06 & 07	P23-032-GBH	DEVELOPMENT ACTIVITIES ASSOCIATED WITH PLACEMENT OF A PROPOSED CONDUIT & EQUIPMENT UNDER FIBRE-TO-THE-HOME TO SERVICE HOMES
31	WHITBY	ELEXICON ENERGY/NBM ENGINEERING	THICKSON ROAD SOUTH / LOT 20 / CON BFC	W23-005-C	DEVELOPMENT ACTIVITIES ASSOCIATED INSTALLATION OF CONCRETE ENCASED DUCT BANKS
32	WHITBY	BELL CANADA/TELECON	VICTORIA STREET EAST, TO BLOOR STREET WEST TO THORNTON ROAD / LOT 18 & 19 / CON BFC	W23-008-GBFH	DEVELOPMENT ACTIVITIES ASSOCIATED WITH THE PLACING AND RELOCATION OF NEW BELL STRUCTURES
33	WHITBY	PROPERTY OWNER	5580 HALLS ROAD NORTH / LOT 35 / CON 05	W22-182-BGF	DEVELOPMENT ACTIVITIES ASSOCIATED WITH THE CONSTRUCTION OF A 2 STOREY ADDITION ON AN EXISTING RESIDENTIAL BUILDING, NEW DRIVEWAY AND REPLACEMENT ON-SITE SEPTIC SYSTEM
34	WHITBY	TOWN OF WHITBY	COLUMBUS ROAD WEST / LOT 30 / CON 6 & 7	W23-022-CH	DEVELOPMENT ACTIVITIES ASSOCIATED WITH REPAIR OF EXISTING CULVERT LOCATED ON A TRIBUTARY TO LYNDE CREEK - 70 METERS EAST OF COUNTRY LANE ON COLUMBUS ROAD

REPORT

CENTRAL LAKE ONTARIO CONSERVATION AUTHORITY

DATE: March 21, 2023
FILE: ASLA3
S.R.: 5821-23
TO: Chair and Members, CLOCA Board of Directors
FROM: Jamie Davidson, Director, Watershed Planning & Natural Heritage
SUBJECT: **Final Provincial Updates to the Ontario Wetland Evaluation System**

APPROVED BY C.A.O. 

Background

As part of the Housing Supply Action Plan 3.0 released in October 2022, the Provincial Government proposed several significant changes to the Ontario Wetland Evaluation System (OWES). The OWES has traditionally been seen as a science-based ranking system, that was developed by the Province of Ontario to provide a standardized approach to evaluate wetlands and determine provincial status. High value wetlands within the CLOCA jurisdiction have been evaluated and designated as provincially significant through OWES and are commonly referred to as "provincially significant wetlands" (PSW). CLOCA staff reviewed the proposed changes and provided an analysis of the potential impacts that these changes could have on wetlands within the CLOCA jurisdiction if fully implemented in a November 2022 staff report (S.R.5806-22). The results of that initial analysis suggested that the proposed changes to the OWES could facilitate the loss of provincial significance status to 98.5% of existing Provincially Significant Wetlands in the CLOCA jurisdiction if re-evaluated, which means these wetlands would also lose the strong protections currently afforded to PSWs under the Provincial Policy Statement. Wetlands provide essential natural functions, such as mitigating floods, controlling erosion, conserving and purifying water, supporting biodiversity, and carbon sequestration. The cumulative impact of these changes together with the many other negative policy changes being implemented under Bill 23 could put 96.3% of wetland area in the CLOCA jurisdiction at serious risk of degradation or complete removal

The proposed changes were posted on the Environmental Registry of Ontario (ERO #019-6160) for review and comment, and CLOCA did submit comments as directed in the staff report resolutions. CLOCA received correspondence from the Ministry of Natural Resources and Forestry (OMNRF) on January 4, 2023 (Attachment 1) indicating that they have now updated the OWES as initially proposed with additional clarifications. Despite significant concern being expressed in the majority of the 14,848 comments received and posted to the Environmental Registry of Ontario (Attachment 2), OMNRF has implemented all the changes as originally proposed without addressing any of those concerns.

Conclusions

The collective changes to the OWES, as recently implemented by OMNRF, will significantly weaken the OWES framework by removing centralized oversight and consistent decision making for the program, erode the scientific basis of the system, no longer recognize the value of wetland complexing, and place the final designation of wetland significance into the hands of evaluators who are often working on behalf of the development community.

Unfortunately, this proposed shift in policy by the Province does not align with responsible watershed planning, or with the goal of achieving complete, liveable communities. CLOCA staff will continue to assess the impact that the recent amendments to the OWES have on wetlands across our jurisdiction.

RECOMMENDATION:

THAT Staff Report #5821-23 be received for information.


DATE: March 21, 2023

FILE: APJB8

S.R.: 5822-23

TO: Chair and Members, CLOCA Board of Directors

FROM: Jamie Davidson, Director, Watershed Planning & Natural Heritage
Roy Mosher, Restoration Coordinator

APPROVED BY C.A.O. 

SUBJECT: Restoration and Stewardship Program - 2022 in Review

Background

CLOCA has been working diligently in recent years to turn its watershed planning and management recommendations into action. A particular focus of this work has been placed on re-assembling the necessary building blocks of an active Restoration and Stewardship Program so that ecological enhancement and restoration projects are being actively implemented across the jurisdiction on conservation authority lands, public lands, and private lands. Since 2020, with funding support from Durham Region, CLOCA has been building its capacity to design and implement projects on its own Conservation Area lands; provide a wide range of technical supports to interested landowners; develop strong relationships with a range of funding partners to help incentivize project uptake; and actively reach out and engage with landowners and stakeholders to find appropriate sites to implement projects that help achieve key watershed health objectives.

This report reviews the alignment of the Restoration and Stewardship Program with corporate priorities, highlights some of the key program building blocks that are in place or being developed, and provides a brief update on work completed during 2022.

Strategic Plan, Watershed Planning and Restoration Program Alignment

Strategic Plan: The Restoration and Stewardship Program is helping CLOCA deliver directly or indirectly on all of its five strategic plan goals, including restoring and enhance natural resources in our watersheds, supporting healthy communities, managing our conservation areas, engaging and educating our watershed community, and demonstrating excellence through customer service and data analysis.

Watershed Planning: CLOCA is a leader in watershed management and has ambitious strategies, goals, and objectives that demonstrate its commitment to “conserve, enhance and restore ecosystems of the watershed”. CLOCA intends to continue to make progress toward achieving the objectives outlined in its Watershed Plans in part through this program, including:

- Restoring forest cover in the watersheds through reforestation and natural succession,
- Restoring wetland cover in the watersheds,
- Restoring riparian cover and stream morphology in the watersheds,
- Removing instream barriers,
- Restoring natural cover within 1km of Lake Ontario,
- Restoring natural cover in the wildlife corridor system.

Highlighting Key Program Building Block

Staff Capacity:

Dedicated staff resources are a critical building block for the Restoration and Stewardship Program, as it requires a staff with a range of technical field skills, it requires constant engagement with funders, private landowners, and other partners and stakeholders, and requires constant adjustments to adapt the program to changes in scientific knowledge, political changes that alter the funding landscape, and the changing needs and interests of clients and partners.

Consistent annual funding support from Durham Region for this program has made it possible to allocate appropriate staff resources to this important work. With this critical building block in place, CLOCA has been able to capitalize on opportunities with partnership building, accessing external funding, educating, and engaging with landowners and other stakeholders. Being able to engage in all of these activities contribute to the ultimate goal of implementing restoration and enhancement projects around the jurisdiction.

Technical Expertise:

Another key program building block is the technical expertise of restoration staff. Restoration and enhancement work require staff with a broad understanding of ecological processes and a range of technical skills given the diversity of projects that get implemented. For example, CLOCA's Restoration Coordinator is a Certified Managed Forest Plan Approver for the Managed Forest Tax Incentive Program (MFTIP) that is administered by the Ministry of Natural Resources and Forestry (MNR). As a result, CLOCA now offers a managed forest planning service to eligible landowners within its jurisdiction. Eligible landowners who have at least 4 hectares of forested area and have a Managed Forest Plan prepared by CLOCA and approved by MNR, will benefit from a 75% tax rebate on their property taxes. CLOCA's MFTIP Approver will consult with eligible landowners about their objectives for their forest and ensure that they use "Good Forestry Practices" when managing their woodlot, conduct an inventory of the forest, prepare a custom plan, and submit the plan to MNR for approval and enrollment in the program. In addition to renewing CLOCA's own Managed Forest Plan for eligible conservation area lands, CLOCA has completed a number of renewals and new plans for private landowners in the last two years, many of which have come as a result of CLOCA implementing planting projects on their properties.

Restoration staff also hold Pesticide Exterminator certificates. This allows CLOCA to actively engage in invasive species management on CLOCA owned lands and allows them to confidently educate and instruct private landowners on how to manage invasive species on their own lands.

Partnership Building, Accessing External Project Funding, and Engagement:

Restoration staff work tirelessly to build and maintain relationships with private landowners, municipal partners and other stakeholders. This ongoing effort helps to build confidence and trust, secure project sites, and often results in access to limited external funding or technical support. Projects can sometimes take years to come to fruition, so fostering these relationships is a critical building block to a successful program. An example of this ongoing collaboration was the successful launch of the Durham Tree Program in 2022 in partnership with Durham Region and its five conservation authorities.

One way that CLOCA supports its work through the Durham Trees Program is through its designation as a Planting Delivery Agent with Forests Ontario. This designation allows CLOCA to access funding and technical support provided through their 50 Million Tree Program. Also, this partnership allows CLOCA to access significant financial assistance for private landowners wishing to plant trees on their property in addition to CLOCA's technical support to implement the projects on the ground. CLOCA now conducts site visits with interested landowners, prepares planting plans that meet landowner and watershed restoration objectives, coordinates with nursery growers to procure seedling stock, and oversees the installation of the trees by a private contractor. Under this program, CLOCA also conducts 5-year survival monitoring of the trees and provides ongoing technical advice to landowners for the care and management of their trees.

Ongoing municipal partnerships include CLOCA restoration staff supporting the Municipality of Clarington in the delivery of their Trees for Rural Roads Program. This program encourages landowners with property frontage along a rural road to plant trees along their road frontage. Participation in this program has accounted for the planting of over 500 trees through rural Clarington in the last 2 years alone.

Project Design, Coordination, Implementation:

Leveraging all of the program building blocks outlined above, restoration staff have played an active role in the design, coordination and implementation of a range of large scale restoration projects on conservation area lands, including a recent stream and wetland restoration project at Heber Down CA, a large upland forest restoration project at Lynde Shores CA, and a wetland naturalization project at the Rogers Tract.

Restoration staff have also been able to support CLOCA with community planting events, partnering with agencies such as Tree Canada and TD Bank to fund and host volunteer groups such as Scouts Canada and Ontario Power Generation.

Progress Update - 2022

Building off of the previous year's successes in putting the key program building block in place for the Restoration and Stewardship Program, restoration staff implemented and supported a wide range of projects across the jurisdiction. The following is a brief overview of the main accomplishments achieved through 2022:

Private Lands:

- Continued to develop program offerings through the CLOCA Private Landowner Stewardship Program.
- Worked closely with Durham Region and the other four Conservation Authorities within the Region to develop, fund, and implement the Durham Tree Program, a Region wide tree planting initiative.
- Continued work as a Planting Delivery Agent with Forests Ontario and helped to implement their 50 Million Tree Program in the CLOCA jurisdiction.
- Completed private landowner outreach and stewardship project planning services across the jurisdiction as part of the Durham Tree Program.
- Coordinated the planting, tending, and monitoring of 26,750 tree seedlings on 37 acres (15 hectares) in 2022 on private lands through the 50 Million Tree Program in partnership with Forest Ontario and The Highway of Heroes.
- Conducted ongoing tree survival monitoring at plantings sites from previous years.
- Coordinated the new Managed Forest Planning service to help private landowners apply to the Provincial Managed Forest Tax Incentive Program (MFTIP) and completed new plans and plan renewals for landowners.
- Coordinated CLOCA's portion of the Municipality of Clarington's Trees for Rural Roads Program accounting for the planting of 210 trees along Clarington's rural roads.

CLOCA Conservation Areas:

- Monitored and actively managed invasive species in some of CLOCA's conservation areas including Dog-Strangling Vine, Common Buckthorn, Phragmites, and Autumn Olive.
- Worked with Trees For Life to carry out terrestrial restoration at Lynde Shores Conservation Area, including the planting and associated tending work of an additional 3,500 trees on top of the ~4,000 planted in 2021.
- Coordinated the planting of 2,767 tree seedlings to remove manicured areas within the riparian zone and enhance and restore approximately 3.5 acres of forest in Heber Down Conservation Area.
- Assisted with the donation, delivery, and grading of topsoil for restoration works at Heber Down CA.
- Implemented a wetland naturalization project (control structure removal and berm modification) at the Rogers Tract in partnership with Ducks Unlimited Canada.

Funding and Partnerships:

- Coordinated the planting of 425 trees and shrubs in CLOCA's Conservation Areas, leveraging contributions from TD Bank (\$5,000) and Tree Canada (\$4,000). Engaged approximately 30 volunteers in these events.
- Established a partnership with One Tree Planted and received additional funding support for every tree planted by CLOCA in 2022.
- Secured a partnership with Camp Samac (Scouts Canada) to prepare a Managed Forest Plan for the property and to accept funding contributions for the planting of up to 6,500 trees 2023.
- Secured a microgrant of \$1,000 from the Ontario Invasive Species Centre to deliver 2 public workshops on the Hemlock Woolly Adelgid (HWA) and assemble 2 sets of sampling equipment for monitoring this invasive pest.

Project Goals for 2023

In 2023, CLOCA will continue to implement what have now become the core Restoration Services in addition to further program development. Program development include new services related to Naturalization projects, Grassland Restoration, Wetland and Stream Restoration, Invasive Species Management, among others. Private landowner stewardship will continue with enhanced technical advice and services to affect engagement and action on the landscape. Projects within our Conservation Areas will continue to be advanced, including restoration works at Heber Down CA, reforestation of forest areas impacted by the May 2022 storm damage and on newly acquired conservation land. A Restoration Tracking Tool will be developed using GIS to manage all relevant current and future restoration data. This will be an invaluable tool to track CLOCA's work on the ground and to monitor project performance in collaboration with the Integrated Watershed Monitoring Program.

Private Lands:

- Continue the development and implementation of the CLOCA Private Landowner Stewardship Program, with a focus on adding additional stewardship services, including stream/riparian, wetland, and grassland restoration/enhancement. Technical guidance on invasive species management and agricultural best management practices will also be explored through this program development.
- Continue to implement the Durham Tree Program, and secure new tree planting projects in partnership with private landowners. Based on current project planning discussions landowners, CLOCA is aiming to plant an additional 20,000 new trees in 2023.

CLOCA Conservation Areas:

- Additional projects are being planned on CLOCA conservation areas in 2023 including Reforestation, Afforestation on newly acquired lands, Naturalization projects at Heber Down CA Stephen's Gulch CA and Bowmanville/Westside Marshes CA,
- Treatment will continue on Dog-strangling Vine on over 7 acres at the Rogers Tract, Common Reed (Phragmites) at Heber Down CA, and Autumn Olive at the Bowmanville Westside CA.

Urban Stewardship:

- Continue to support Durham Region's work on the Durham Meadoway project.
- Collaborate with municipalities to protect and enhance urban forests and natural spaces.

Funding and Partnerships:

- Continue to identify funding opportunities for the work that CLOCA does and prepare funding applications to secure much needed financial resources.
- Continue to work with both community and municipal partners to implement mutually beneficial stewardship projects throughout the jurisdiction.


Conclusion

CLOCA has made a commitment through its Strategic Plan, Watershed Plans, and Conservation Areas Management Plans, to "conserve, enhance, and restore" the ecosystems within its watersheds. To achieve this goal, active restoration and enhancement work must take place across the jurisdiction. To this end, CLOCA continues to develop its Restoration and Stewardship Program in a way that ensures CLOCA "walks the talk" by implementing projects on its own conservation area lands. However, CLOCA cannot achieve watershed plan goals on its own, and has been putting the key building blocks in place to ensure municipal partners, private landowners, and other stakeholders feel supported and empowered to contribute to achieving healthy watersheds. Leading by example, CLOCA will continue to improve its restoration programming to improve watershed health, improve ecosystem resiliency to climate change, and reduce risk to life and property through a watershed wide management approach.

RECOMMENDATION:

THAT Staff Report #5822-23 be received for information.

DATE: March 21, 2023
FILE: HREB10
S.R.: 5823-23
TO: Chair and Members, CLOCA Board of Directors
FROM: Jamie Davidson, Director, Watershed Planning & Natural Heritage
SUBJECT: **Durham Meadoway – Vision Study**

APPROVED BY C.A.O. 

Background

CLOCA staff have been actively engaged with Durham Region staff since 2019 to develop and advance the concept of a “made in Durham” approach to the Meadoway. With Durham Region Council support, the Durham Region Planning Division (Transportation Planning Section) is continuing to move the concept forward by coordinating the Durham Meadoway Visioning Study. Proposed as an active transportation corridor and enhanced greenspace connecting Rouge National Urban Park in the City of Pickering to Simcoe Street in the City of Oshawa, the Durham Meadoway will connect four municipalities along 27 kilometres of the Gatineau Hydro Corridor. The Durham Meadoway will be an easterly extension of the existing 16 kilometre Meadoway (project coordinated by Toronto and Region Conservation Authority) that has transformed the hydro corridor in Scarborough and which currently terminates at the Rouge National Park.

From CLOCA’s perspective, the Durham Meadoway concept presents a suite of opportunities that align with our strategic priorities, including connecting people and communities to greenspace, creating opportunities to learn and actively engage in the protection of our natural heritage, being the catalyst to ecological restoration and enhancement in otherwise heavily manicured spaces, and creating new partnership opportunities with communities, municipalities, landowners and provincial agencies.






Visioning Study

In mid-2022, SvN Architects + Planners (SvN) was retained by Durham Region as the lead consultant to support the development of the Visioning Study. The Visioning Study will be the first of several initiatives that will be needed to take the Durham Meadoway from concept to construction. The scope of the study includes:

- Develop a coordinated vision and guiding principles to support decision-making.
- Confirm a functional alignment for a multi-use trail.
- Articulate potential experiences, activities, amenities and gateways that could be programmed or evolve over time at locations along the corridor.
- Develop illustrations that will inform the overall look of the future Durham Meadoway.

The following draft principles were created by the project team to help scope the Durham Meadoway Visioning Study.

Cont’d

Principle		Description
	Natural Environment	<ul style="list-style-type: none"> • Protect sensitive habitat • Enhance biodiversity • Support educational opportunities and stewardship
	Health, Active Lifestyles	<ul style="list-style-type: none"> • Provide active and passive recreational opportunities
	Community	<ul style="list-style-type: none"> • Accommodate gathering and socialization areas • Minimize negative neighbourhood impacts
	Connectivity and Accessibility	<ul style="list-style-type: none"> • Create a continuous, safe and easy to navigate trail • Connect to adjacent communities • Minimize use conflicts • Allow for emergency and maintenance access
	Identity	<ul style="list-style-type: none"> • Showcase cultural and environmental heritage • Create a distinct identity through public art, wayfinding and gateways

Stakeholder and Public Consultation

CLOCA was invited to participate in a number of Stakeholder Consultation sessions in late 2022 that were run by the Durham Meadoway Visioning Study project team. Input was invited on the draft guiding principles, on initial route options, and on some initial design criteria and concepts. The input received from these stakeholder sessions was used by the project team to refine some of the draft material. The refined material was then presented to the public through a series of in person consultation sessions that were run by the project team in early 2023.

Conclusion

CLOCA will continue to collaborate with Durham Region and the rest of the project team during this Visioning Study process. CLOCA staff will be able to contribute valuable technical expertise regarding route options, trail and infrastructure design and placement, and natural heritage restoration and enhancement opportunities along the route.

RECOMMENDATION:

THAT Staff Report #5823-23 be received for information.

REPORT

CENTRAL LAKE ONTARIO CONSERVATION AUTHORITY

DATE: March 21, 2023
FILE: LSGC4, LLSC8, LENC15
S.R.: 5820-23
TO: Chair and Members, CLOCA Board of Directors
FROM: R. Perry Sisson, Director, Engineering, Field Operations & Education
SUBJECT: **Trillium Community Building Fund – Capital Stream Grant
Stephen’s Gulch, Enniskillen, and Long Sault Conservation Areas**

APPROVED BY C.A.O. 

Purpose:

The following information is provided to provide an update from the previous report 5776-22, and inform the Board of Directors of completion of the parking lot improvements at CLOCA Conservation Areas in Clarington.

Background:

The CLOCA Conservation Areas have experienced significant increases in attendance in recent years, and our ability to accommodate visitors is often limited by the capacity of our parking lots. In recent years, we have experienced full parking lots and overflow of vehicles onto nearby roadways.

In the fall of 2021, CLOCA staff applied to the Ontario Trillium Foundation Community Building Fund – Capital stream. This program supports non-profit organizations with the repair, renovation or retrofitting of existing community sport and recreation facilities. In particular, the fund is intended to address local community need by maximizing the use of existing facilities. The application was based upon modest expansion of the existing parking lots at Stephen’s Gulch, Enniskillen, and Long Sault Conservation Areas, and can be completed with minimal disturbance to natural features.

CLOCA was successful in receiving a grant for \$184,700 towards the proposed improvements. The grant funding is intended to cover 100% of construction costs with CLOCA covering all other administrative services as in-kind contribution.

Design, Tendering, and Construction:

CLOCA staff completed design plans for the improvements, prepared tender documents, and posted the tender publicly. Staff also contacted local contractors to advise them of the posting. One bid was received for the tender, and was well beyond the project budget. CLOCA staff worked with the bidder and reached a mutually agreeable proposal for the completion of the Stephen’s Gulch Conservation Area parking lot work. With the remaining grant funding, CLOCA retained local contractors on a time and material basis and completed parking improvements at Enniskillen Conservation Area. Using this approach, the two parking lot expansions were completed within the budget.

A final report has been prepared for the Ontario Trillium Foundation and is attached for information.

RECOMMENDATION:

THAT Staff Report #5820-23 be received for information.

Attach.

Final Report

OTF Contract Number CC117101

Community Building Fund – Capital stream grant

**Trillium Community Building Fund – Capital Stream Grant for Stephen’s Gulch, Enniskillen,
and Long Sault Conservation Areas**

Expanding parking lots and improving access to Conservation Areas



1.0 Introduction

Our conservation areas are the places where we protect ecologically significant land and educate and inspire future generations by encouraging broader resource conservation through experience and appreciation. Being out in nature not only benefits physical health, but increases creativity, provides stress relief, and helps improve memory and mood.

Central Lake Ontario Conservation (CLOCA) owns and manages over 2,700 hectares of environmentally sensitive land across our watershed. With population growth, the demand for our greenspaces, trails and opportunities for nature appreciation has increased significantly.

Within our eight conservation areas, we offer over 45 km of trails. Hidden within these natural gems are streams, wetlands, forests, beaches, views and vistas within locally significant natural heritage sites, just waiting to be explored.

The CLOCA Conservation Areas have experienced significant increases in attendance in recent years, and our ability to accommodate visitors is often limited by the capacity of our parking lots. In recent years we have experienced full parking lots and overflow of vehicles onto nearby roadways. The problem has been exacerbated during the Covid pandemic, as greater volumes of visitors turned to Conservation Areas as safe destinations that provide healthy experiences. Parking expansions have recently been

completed at Lynde Shores and Heber Down Conservation Areas, however our Conservation Areas in Clarington have not been improved. In the fall of 2021, CLOCA staff applied to the Ontario Trillium Foundation Community Building Fund – Capital stream. This program supports non-profit organizations with the repair, renovation or retrofitting of existing community sport and recreation facilities. In particular, the fund is intended to address local community need by maximizing the use of existing facilities.

The application was based upon expansion of the existing parking lots at these three Conservation Areas and can be completed with minimal disturbance to natural features. CLOCA biologist reviewed the areas to be disturbed by the proposed works, and confirmed that no plant or animal species of concern would be impacted.

The work will provide an additional benefit by providing stormwater management treatment for runoff from the parking lots with a bioswale. The bioswale will receive and filter runoff, and reduce runoff and enhance infiltration.

The application was submitted in September 2021 and was approved by the Ontario Trillium Foundation in January 2022 under the Community Building Fund Capital Stream.

2.0 Design

After receiving the notice of grant funding approval, CLOCA began designing the parking lot expansions.

Base plans were prepared by CLOCA’s Geographic Information System (GIS) team, providing scalable drawings with a topographic layer based on recent Lidar acquisition. The plans also included property limits and an orthophoto background so that property features could be viewed.

Surveying of the existing parking lots and proposed expansion areas was completed by CLOCA staff in March of 2022. Surveyed elevations were added to the base plan and topographic layer to confirm elevation accuracy of the topographic information and provide greater accuracy.

Proposed parking limits and grading were added to the plan, and bioswales were sized and designed to receive and retain the runoff from the parking lots for all rain events up to a 15mm rainfall depth. Although the project construction timing did not align with college schedules, CLOCA will continue to engage with the Fleming College School of Environmental and Natural Resources program to use the biofilter swales as teaching opportunities for infiltration testing, bioswale design, and performance monitoring.

Design plans are appended to this report. The plans were circulated to the Municipality of Clarington, and it was confirmed that municipal approvals were not required for the work.

Tendering and Contract Administration

A tender document was drafted for the project to provide contractors with all information necessary to provide a bid. The tender was posted publicly on the Bidingo on-line portal tendering site. Five contractors that have worked on similar projects with CLOCA were contacted to advise them of the posting. The tender was posted for a three week bidding period. Contractors were encouraged to visit the sites at their convenience, to ensure they were fully aware of all site conditions. At the conclusion of the bidding period, only one bid was received. This is consistent with results from municipal tenders at this time. The bid was more than double the estimated cost for the project and grant amount. CLOCA engaged the bidder, and negotiated an acceptable arrangement for the bidder to reduce the scope of work to the Stephen’s Gulch Conservation Area parking lot only.

A contract was drafted by CLOCA and executed with Melrose Paving Ltd. For the completion of the Stephen’s Gulch Conservation Area parking lot.

With the remaining budget, CLOCA worked toward completing another parking lot expansion through acting as contractor and securing products and services on time and material basis.

Using this approach, the Enniskillen Conservation Area parking lot and bioswale was able to be completed. Boyle Excavating was retained to provide heavy equipment services.

3.0 Design

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4.0 Tendering and Contract Administration

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5. Construction

A pre-construction meeting was held at the Stephen’s Gulch Conservation Area parking lot on October 28th, 2022, and construction work was completed between October expansion was completed between October 31st and November 9th. The parking lot capacity has been increased from 18 to 30 spaces. Topsoil and woody debris cleared from the parking lot expansion area was placed on a disturbed abandoned aggregate extraction area on another portion of the Stephen’s Gulch CA property. The topsoil and woody material were leveled and seeded and have advanced the restoration of this disturbed site.

Construction at the Enniskillen Conservation Area commenced on November 14th and was completed on November 18th. The parking lot capacity has been increased from 26 to 42 spaces. Excess topsoil and woody material were trucked off-site and deposited at the Enniskillen Conservation Area Storoschuk Tract pit. This is an abandoned aggregate extraction area that is being restored with

placement of topsoil on exposed soils, and regrading of steep pit slopes.

6. Post Construction Monitoring

Monitoring will be completed to ensure performance of the parking lot improvements. In particular, spring monitoring will be completed after frost has lifted, to ensure the parking surface remains firm and level. Any issues will be reported to the contractor and appropriately addressed through warranty with the contractors.

The bioswales will be monitored by inspecting them after significant rain events (15mm or more of rain), and inspection for capture of the runoff, and possible ponding on the surface of the bioswale. The ability to filter back-to-back events will also allow for determination of draw-down time for the bioswales.

Restoration areas will also be monitored to ensure disturbed areas are covered with appropriate vegetation, and to ensure invasive plant species do not invade the sites. CLOCA staff will inspect and treat sites, as required.

Our partnership with Fleming College will continue, and students will be invited to work on the existing bioswales by installing monitoring ports to enable water level monitoring. Similarly, excavations can be completed to allow for infiltration testing of the native soils. Students can complete independent sizing, design, and comparison to the existing facilities.

The success of the project is the increased capacity for visitors at the Stephen’s Gulch Conservation Area and Enniskillen Conservation Area. CLOCA will be installing traffic counters at our trail entrances to provide a tally of attendance at these sites. It is anticipated that the expanded parking areas will greatly increase our capacity for visitors.

7. Conclusions

Although CLOCA was not able to complete the planned three Conservation Area parking lot expansions, the two most important Areas were completed using the OTF grant funding. CLOCA in-kind services included:

- base plan development using GIS department resources,
- site surveying by engineering staff
- completion of design plans by engineering staff and GIS services
- environmental review of sites by biologists to ensure disturbance of natural areas was acceptable
- preparation of tender documents and public tender administration
- contract negotiation and award
- financial administration
- general contractor services for the Enniskillen parking lot project

Melrose Paving Ltd. Was contracted and completed the Stephen’s Gulch Conservation Area parking lot expansion, providing twice the

existing capacity for visitor parking. Topsoil and woody debris from the site was used to accelerate restoration of a disturbed former aggregate extraction area on a nearby tract of Stephen’s Gulch Conservation Area. A bioswale has been constructed and now provides treatment of parking lot runoff for this site.

Boyle Excavation provided heavy equipment services at the Enniskillen Conservation Area. The parking area was expanded and a bioswale constructed to treat runoff from the parking area. CLOCA completed the placement of barrier curbs and mulching of the bioswale.

A partnership between CLOCA and Fleming College will continue, and the recently constructed bioswales provide opportunity for student field research and learning using a real-life application of stormwater management systems.

Although the project fell short of the intended three Conservation Area improvements, the grant funding was sufficient to complete the two most important projects. The expanded parking space at these two Conservation Areas provides greater capacity for visitors, and increases the community use of these Areas. These public natural spaces provide important opportunities for passive recreation to improve physical and mental well being.

Appendices

Appendix 1: Summary of Project Costs

Summary of Project Costs

Trillium Community Building Fund - Capital Stream Grant for Stephen's Gulch, Enniskillen and Long Sault Conservation Areas

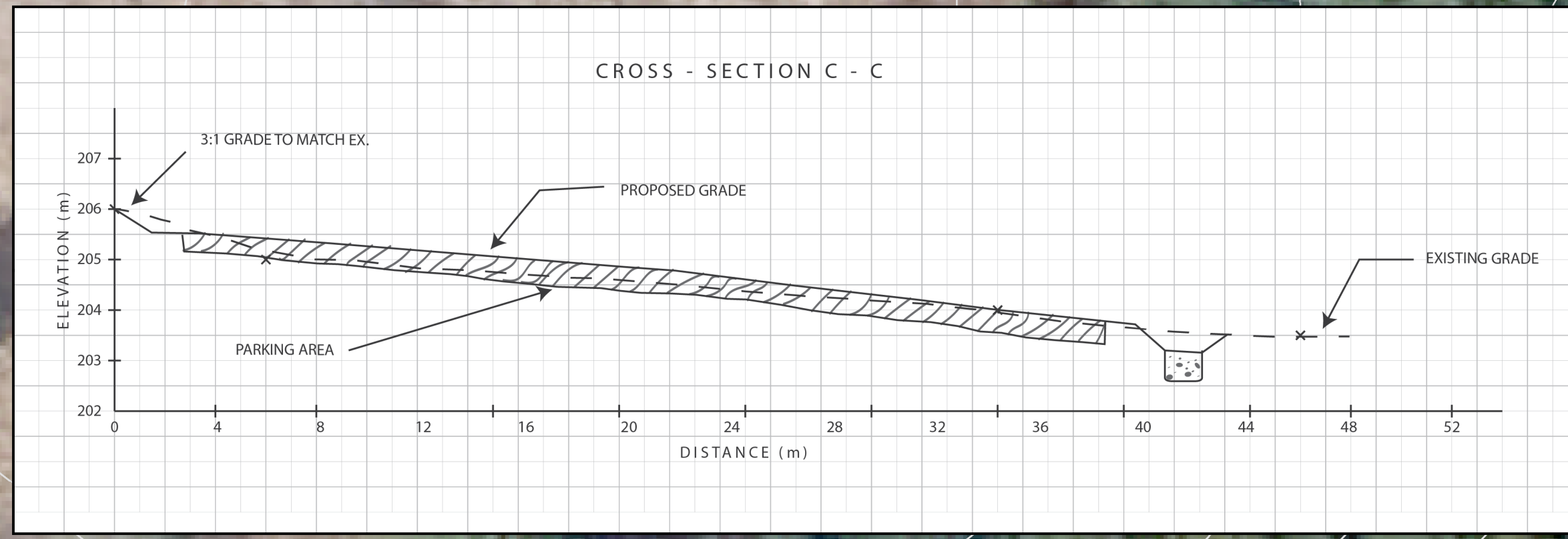
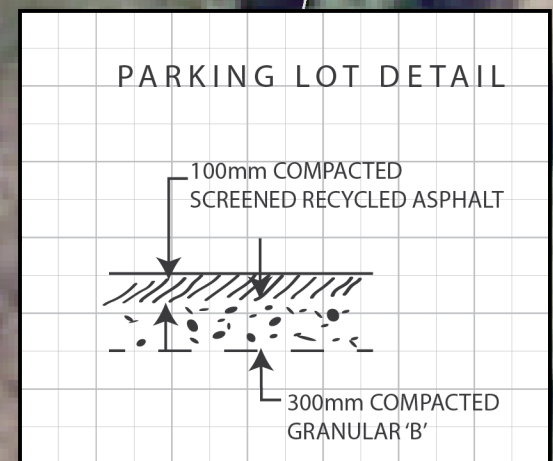
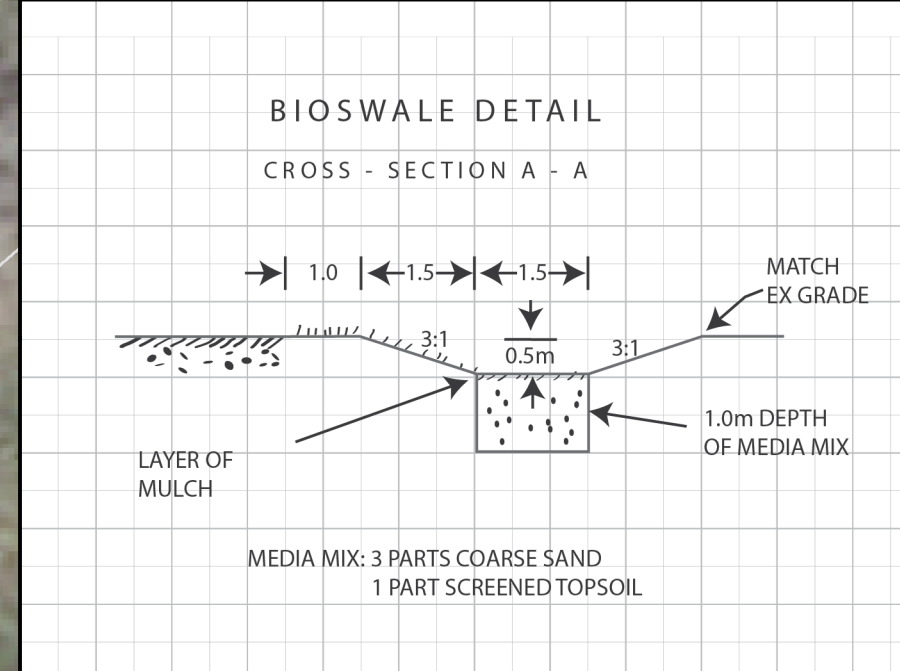
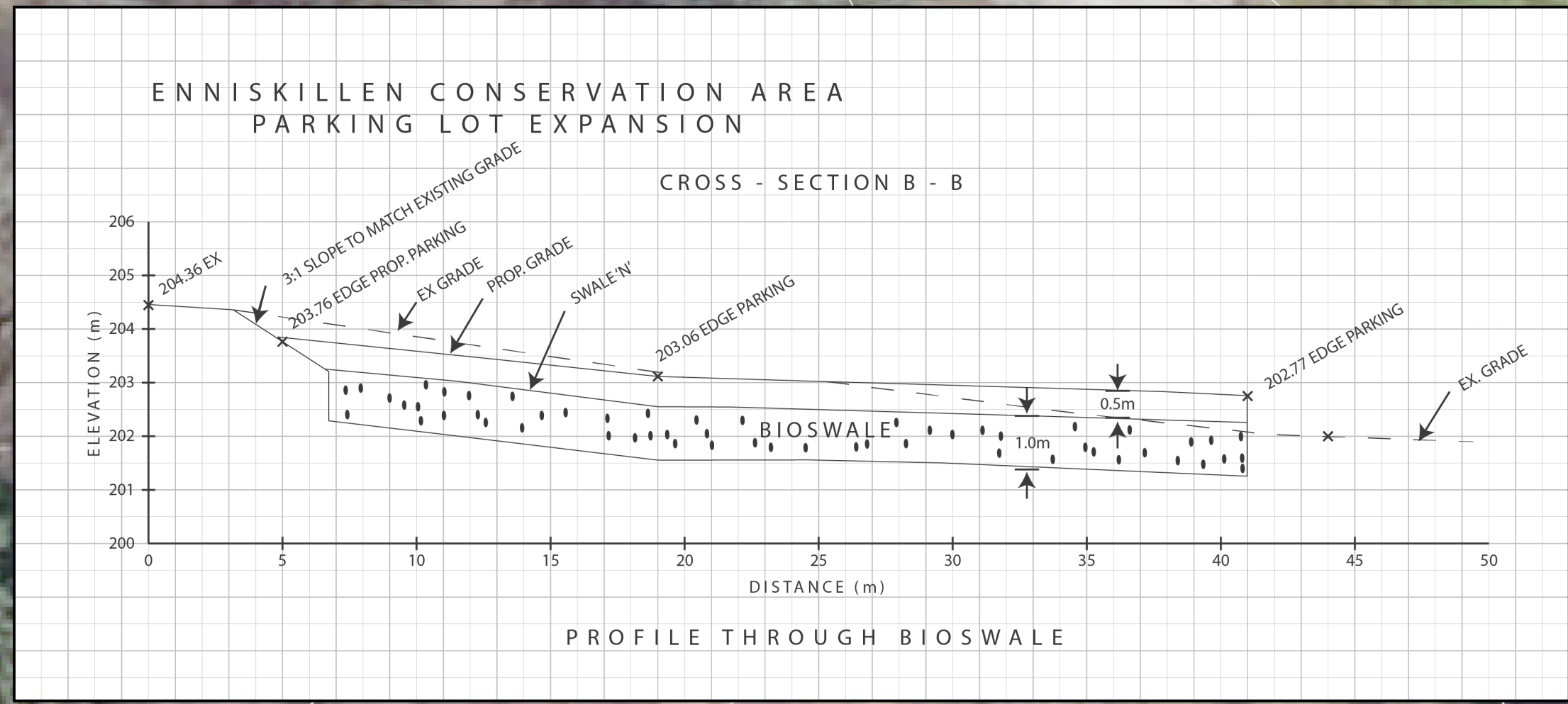
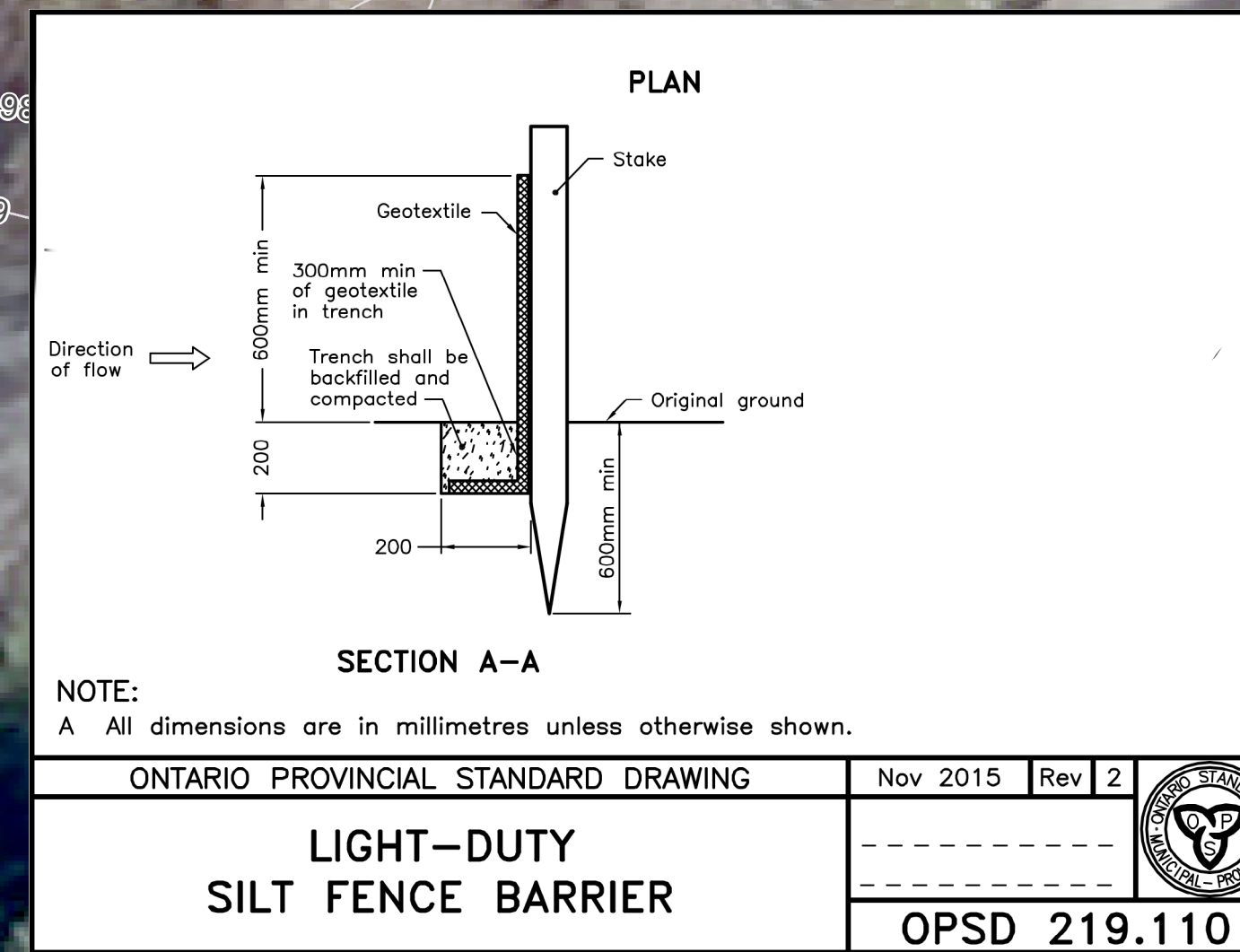
Date	Vendor	Description	Amount *
28-Nov-22	Boyle Excavating	ECA Parking Lot	\$ 34,645.41
21-Nov-22	Melrose Paving	SGCA Parking Lot	\$ 140,457.77
06-Dec-22	Hard-Co	Cedar Mulch	\$ 1,078.66
			\$ 176,181.84

* Amount provided as net of GST

Appendix 2: Engineering Plans

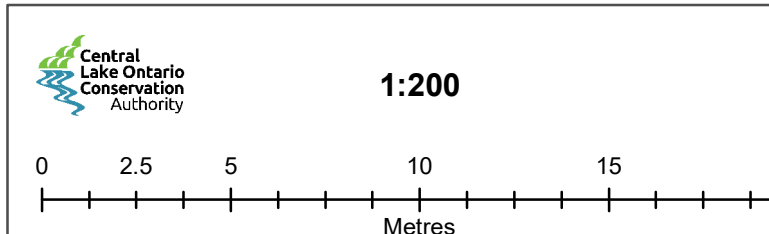
- Enniskillen Conservation Area
- Stephen's Gulch Conservation Area
- Long Sault Conservation Area

- Legend**
- 203.47 Existing Grade From Survey Points (Elevation in metres) (CGVD 2013)
 - Contours 1m Interval
 - 203.47 Proposed Grade
 - Temporary Silt Fence



REVISIONS AND UPDATES

NO.	DATE	REVISION



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The elevation data on the drawings is approximate and must be confirmed during construction.

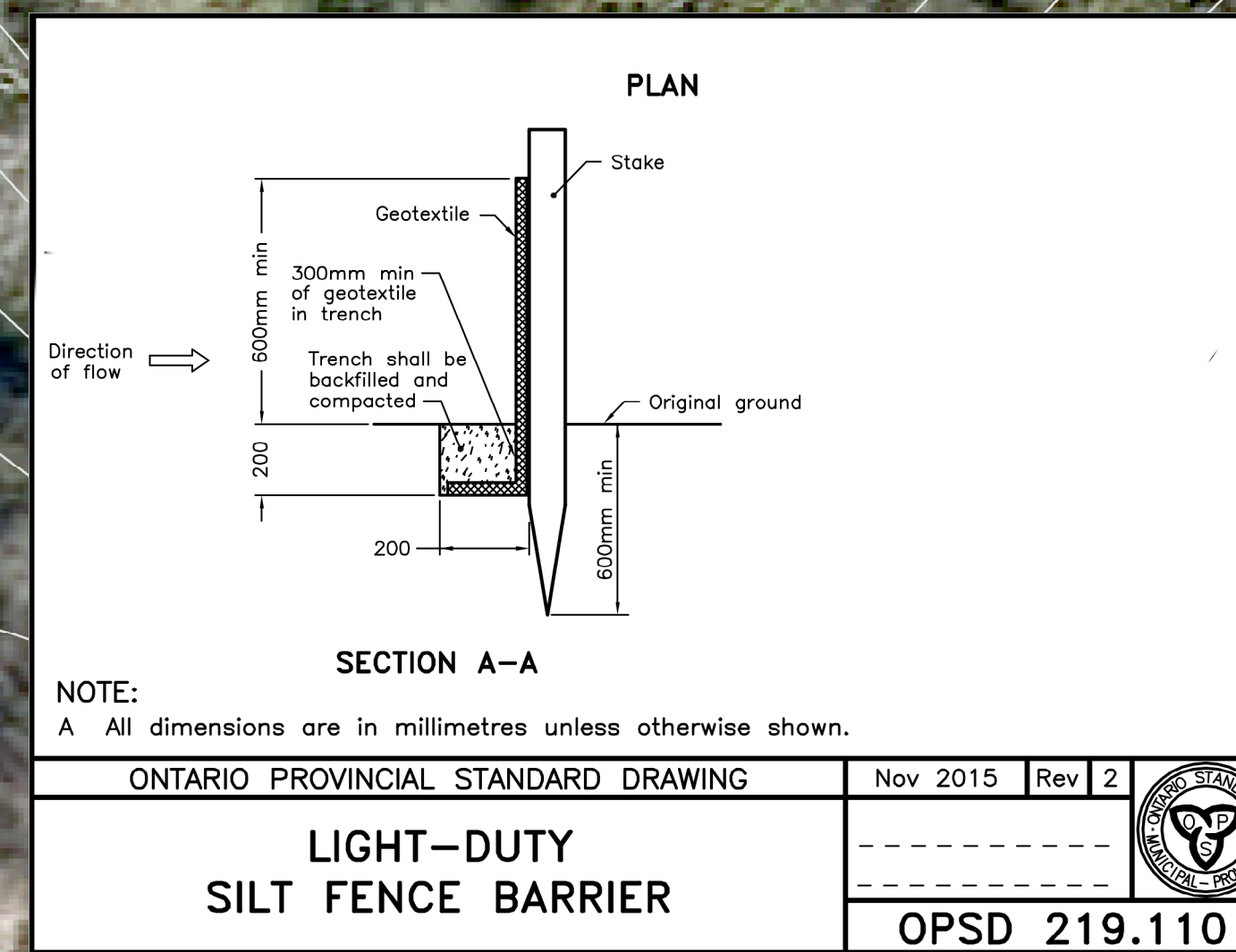
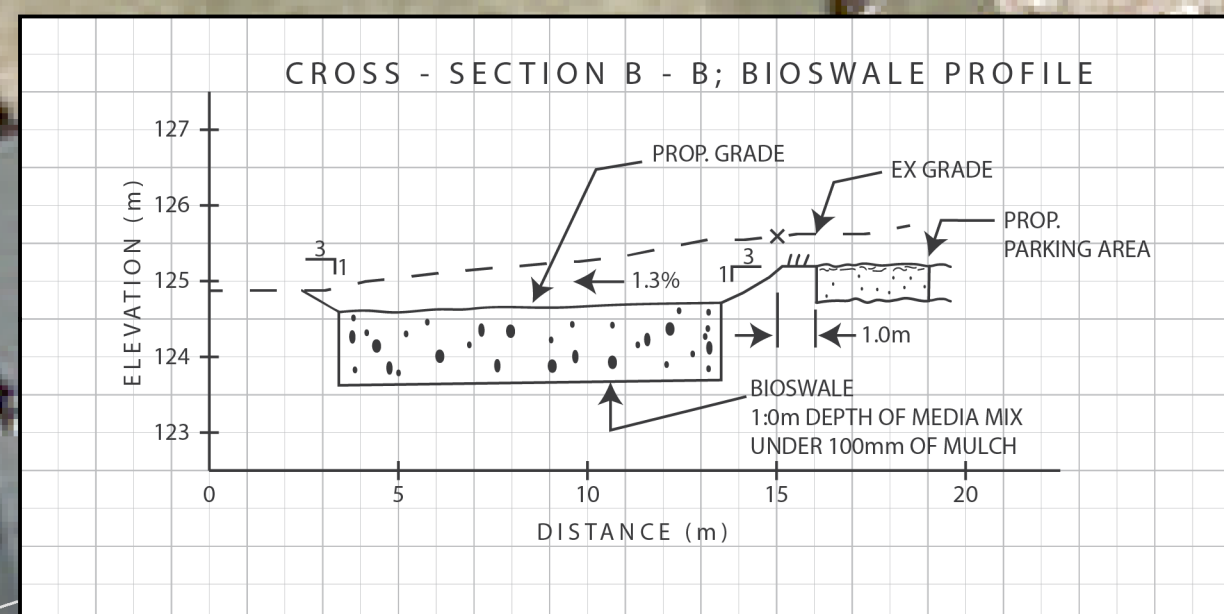
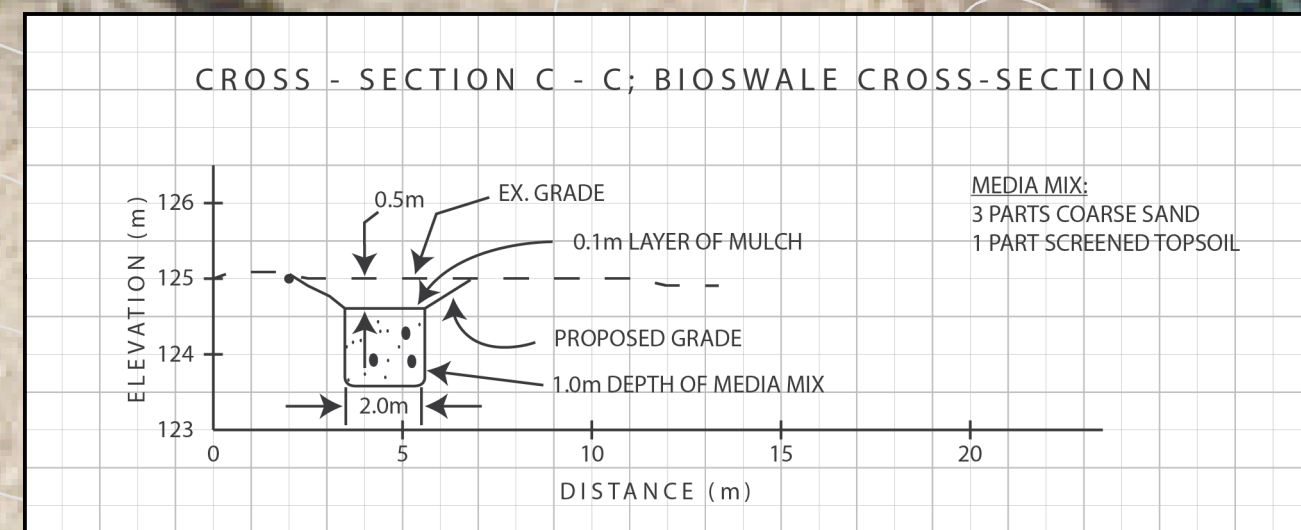
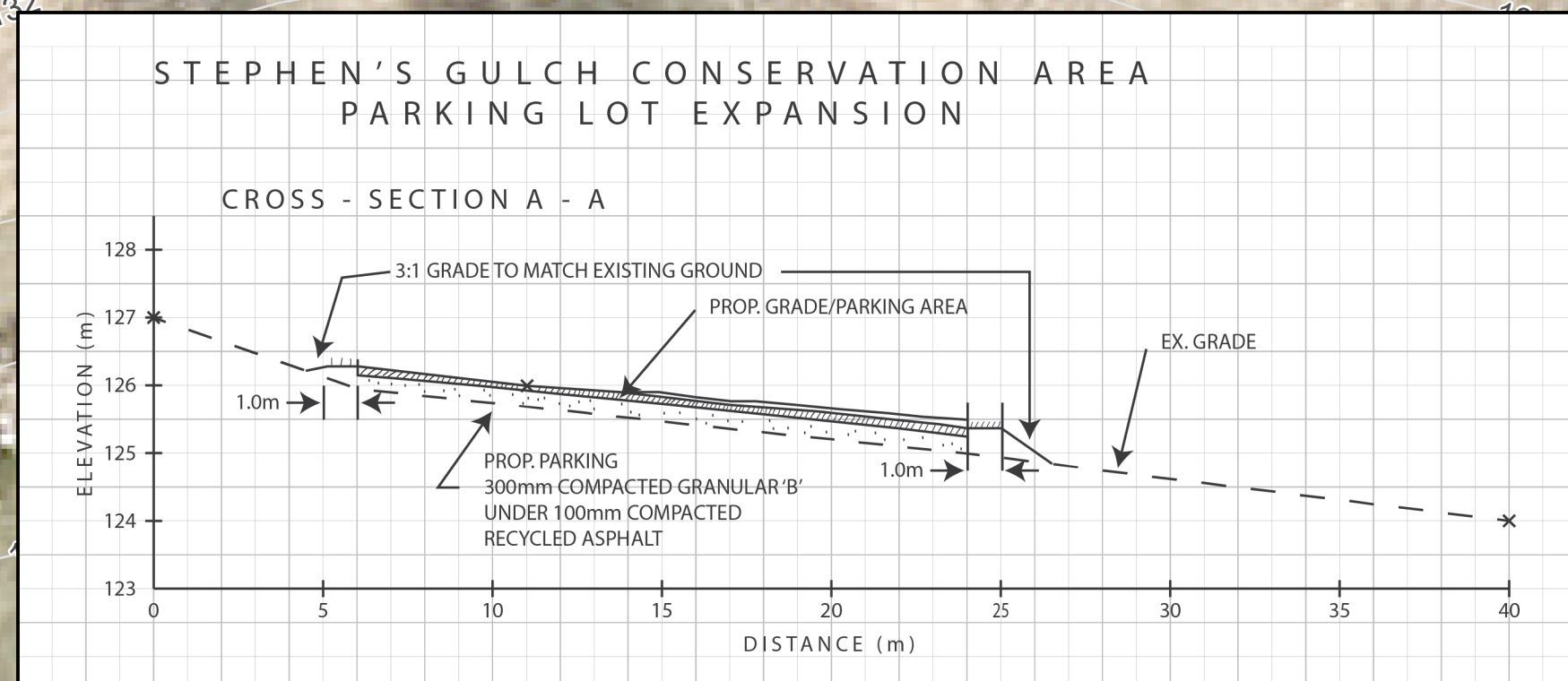
Source: CLOCA, 2022; Regional Municipality of Durham, 2022; MNR, 2022; Orthophoto: First Base Solutions, April 2021; Contours from Digital Elevation Model (CGVD 2013)

Projection: NORTH AMERICAN DATUM 1983 UNIVERSAL TRANSVERSE MERCATOR (6 DEGREES) PROJECTION, ZONE 17, CENTRAL MERIDIAN (81 DEGREES WEST)

Date Printed: July 26, 2022

Enniskillen Conservation Area Parking Lot

Grading Plan G-101



ONTARIO PROVINCIAL STANDARD DRAWING

Nov 2015 Rev 2

LIGHT-DUTY SILT FENCE BARRIER

OPSD 219.110

- Legend**
- 203.47 Existing Grade From Survey Points (Elevation in metres) (CGVD 2013)
 - Contours 1m Interval
 - Property Line
 - 203.47 Proposed Grade
 - Temporary Silt Fence

REVISIONS AND UPDATES

NO.	DATE	REVISION

Central Lake Ontario Conservation Authority

1:200

0 2.5 5 10 15 20 Metres

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Projection: NORTH AMERICAN DATUM 1983 UNIVERSAL TRANSVERSE MERCATOR (6 DEGREES) PROJECTION, ZONE 17, CENTRAL MERIDIAN (81 DEGREES WEST)

Date Printed: July 26, 2022

Stephen's Gulch Conservation Area Parking Lot

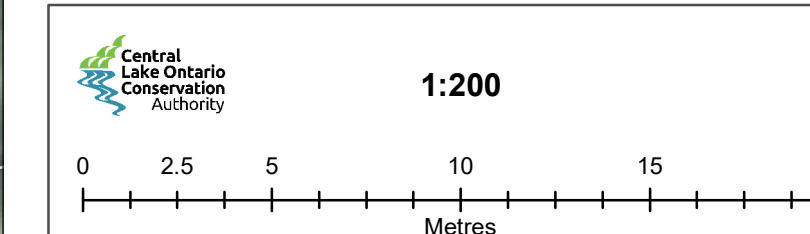
Grading Plan G-101



- Legend**
- 203.47 Existing Grade From Survey Points (Elevation in metres) (CGVD 2013)
 - Contours 1m Interval
 - 203.47 Proposed Grade
 - Temporary Silt Fence

REVISIONS AND UPDATES

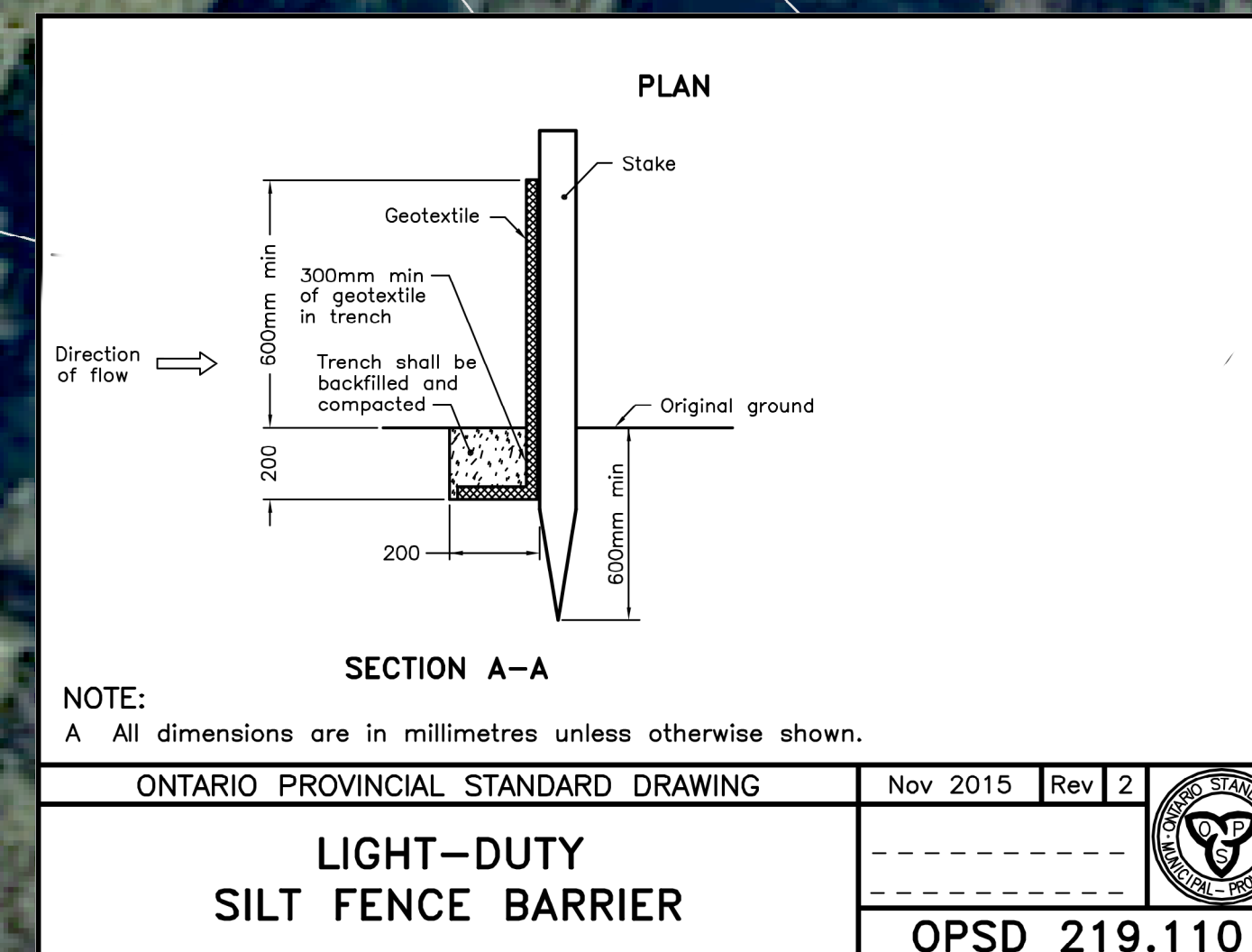
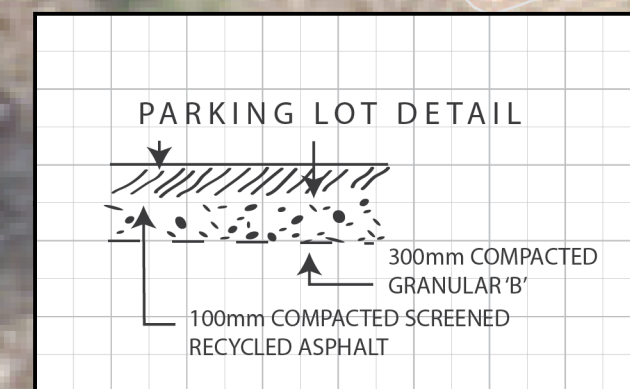
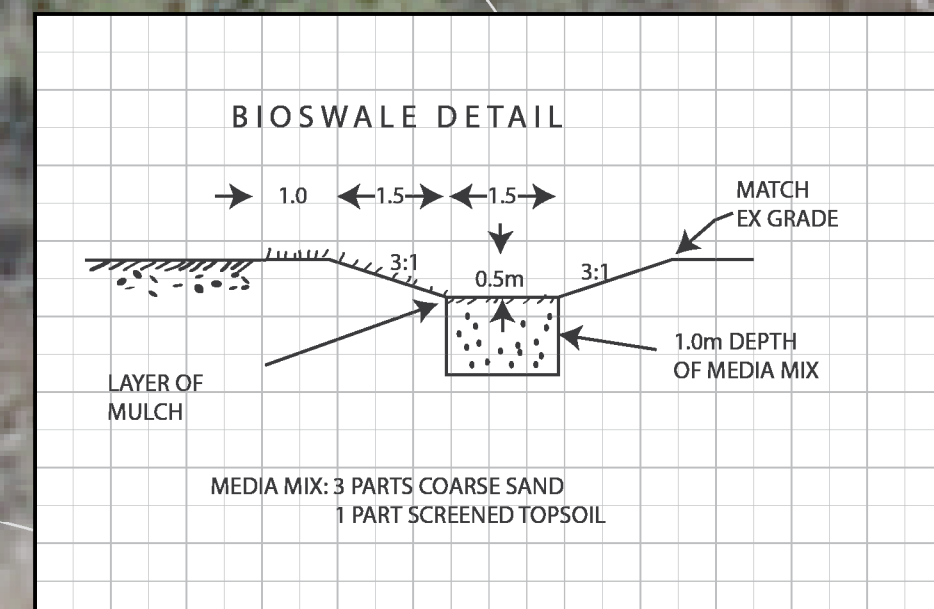
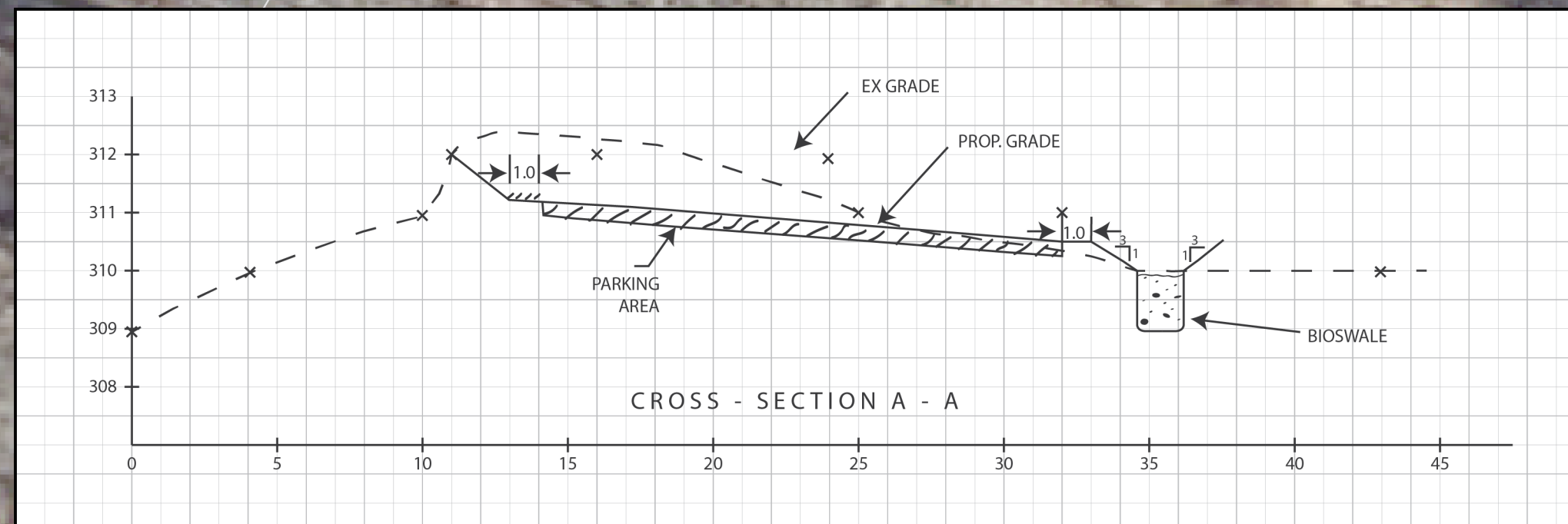
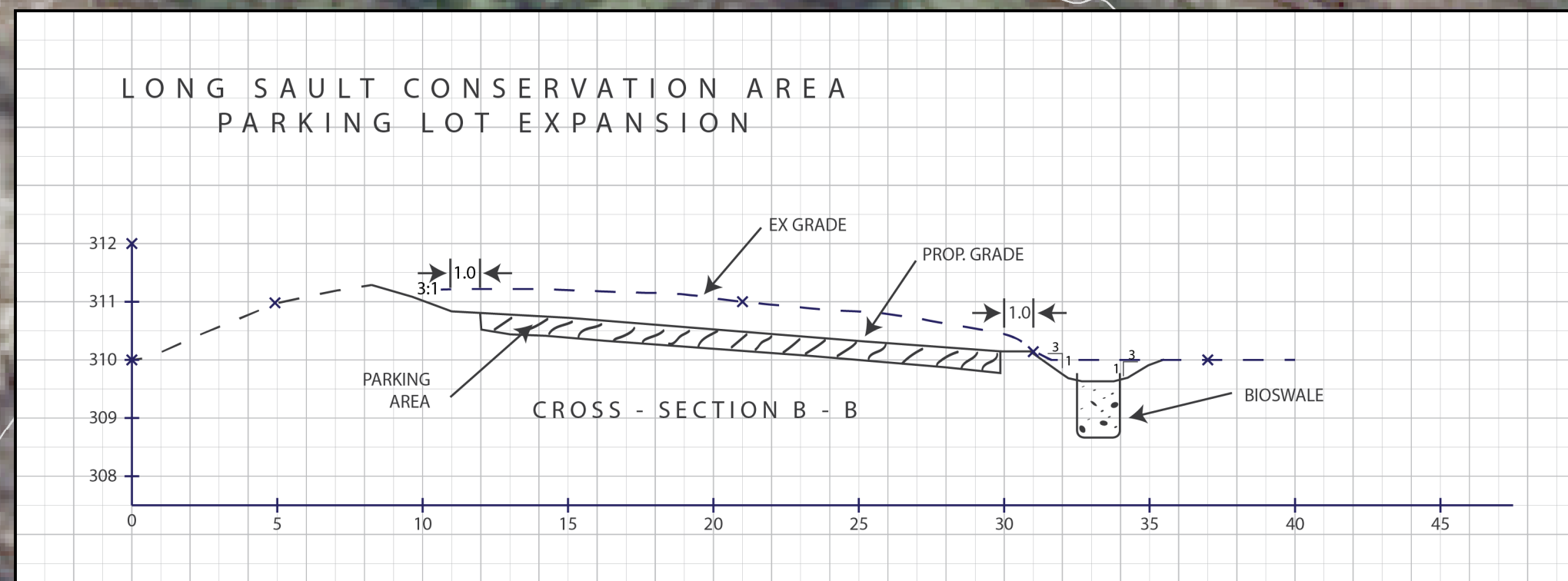
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 Date Printed: July 26, 2022

Long Sault Conservation Area Parking Lot

Grading Plan G-101



Appendix 3: Construction Photographs

- Enniskillen Conservation Area
- Stephen's Gulch Conservation Area

Enniskillen Conservation Area Parking Lot Expansion – Construction photos



November 2022 – Granular B base compacted and Granular A arriving



Completed parking lot and Bioswale during 15mm rain event – November 30, 2022



Bioswale after mulch application – December 2022



Stephen's Gulch Conservation Area
Parking lot Expansion; November, 2022



Photo 1: Removing woody material and topsoil from expansion area and starting proof roll of base



Photo 2; Surplus topsoil and woody material dumped and graded in abandoned pit area

Stephen's Gulch Conservation Area

Photo 3 media mix being conveyed into bioswale



Photo 4 completed parking lot



Photo 5 completed bioswale




Photo 6, graded pit restoration area



REPORT

CENTRAL LAKE ONTARIO CONSERVATION AUTHORITY

DATE: March 21, 2023
FILE: APOA3
S.R.: 5819-23
TO: Chair and Members, CLOCA Board of Directors
FROM: Chris Darling, Chief Administrative Officer
SUBJECT: **Administrative and Meeting Procedural By-Law**

APPROVED BY C.A.O. 

Purpose

To amend CLOCA's Administrative and Meeting Procedural By-Law to comply with legislative changes and reflect CLOCA's administrative practices and procedures.

Background

In 2017, the Conservation Authorities Act was amended to include Section 19 (1) which provided direction for conservation authorities to make by-laws for its administration. Conservation Ontario led the creation of a template By-law that complied with the Act and in June 2018, CLOCA adopted a new Administrative and Meeting Procedural By-law.

Analysis

CLOCA has updated its Administrative Bylaw several times to reflect evolving administrative practices and procedures. Attached is an amended version of CLOCA's Administrative and Meeting Procedural By-law (additions shown in red, deletions shown in strikeout) that reflects changes to ensure compliance with relevant legislation and CLOCA's practices and procedures.

RECOMMENDATION:

THAT the Board of Directors of the Central Lake Ontario Conservation Authority approves the attached amended Administrative and Meeting Procedural By-Law.

Attach.

CD/lv
s:\reports\2023\sr5819_23.docx



By-Law 2018-1
Central Lake Ontario Conservation Authority
Administrative and Meeting Procedural By-Law

Consolidated: Auth. Res.# 19/22
JANUARY 18, 2022

By-law 2018-1

Central Lake Ontario Conservation Authority

Administrative and Meeting Procedural By-Law

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1. Introduction

Central Lake Ontario Conservation Authority is a non-share corporation, established under the *Conservation Authorities Act (Act)*, with the objects to provide, in the area over which it has jurisdiction, programs and services designed for the purpose of ~~to~~ furthering the conservation, restoration, development and management of natural resources ~~other than gas, coal and minerals~~.

Under the Act, municipalities within a common watershed are enabled to petition the province to establish a conservation authority. The purpose of the Act is to provide for the organization and delivery of programs and services that further the conservation, restoration, development, and management of natural resources in watersheds in Ontario. In addition to the many further provincial laws that reference a 'conservation authority' in a manner applicable to CLOCA, the organization's governance is also determined by supplemental legislation, including the Ontario Corporations Act and the Not-for-Profit Corporations Act.

The Authority is comprised of its Members, appointed as representatives by the Region of Durham. An additional member may also be appointed by the Minister as a representative of the agricultural sector.

The Members of the Conservation Authority form the General Membership of the Conservation Authority. The Members are bound by the Act and other applicable legislation. The Authority must always act within the scope of its powers.

The powers of a conservation authority to accomplish its objects are set out in the Act, including those identified under subsection 21(1)

Powers of Authorities

Section 21 (1) of the Act provides for the purposes of accomplishing its objects, an authority has power,

- a) to research, study and investigate the watershed and to ~~determine support the development and implementation of~~ programs and services whereby the natural resources of the watershed may be conserved, restored, developed and managed;
- b) for any purpose necessary to any project under consideration or undertaken by the authority, to enter into and upon any land with consent of the occupant or owner, and survey and take levels of it and make such borings or sink such trial pits as the authority considers necessary;
- c) to acquire by purchase, lease or otherwise any land that it may require, and, subject to subsections (2) and (4), to sell, lease or otherwise dispose of land so acquired;
- d) despite subsection (2), to lease for a term of five years or less land acquired by the authority;
- e) to purchase or acquire any personal property that it may require and sell or otherwise deal therewith;
- f) to enter into agreements for the purchase of materials, employment of labour and other purposes as may be necessary for the due carrying out of any project or to further the authority's objects;
- g) to enter into agreements with owners of private lands to facilitate the due carrying out of any project;
- h) to determine the proportion of the total benefit afforded to all the participating municipalities that is afforded to each of them;

- i) to erect works and structures and create reservoirs by the construction of dams or otherwise;
- j) to control the flow of surface waters in order to prevent floods or pollution or to reduce the adverse effects thereof;
- k) to alter the course of any river, canal, brook, stream or watercourse, and divert or alter, as well temporarily as permanently, the course of any river, stream, road, street or way, or raise or sink its level in order to carry it over or under, on the level of or by the side of any work built or to be built by the authority, and to divert or alter the position of any water-pipe, gas-pipe, sewer, drain or any telegraph, telephone or electric wire or pole;
- l) to use lands that are owned or controlled by the authority for purposes, not inconsistent with its objects, as it considers proper;
- m) to use lands owned or controlled by the authority for park or other recreational purposes, and to erect, or permit to be erected, buildings, booths and facilities for such purposes and to make charges for admission thereto and the use thereof;
- ~~m.1) to charge fees for services approved by the Minister;~~
 - Note: On a day to be named by proclamation of the Lieutenant Governor, clause 21 (1) (m.1) of the Act is repealed. (See: 2017, c. 23, Sched. 4, s. 19 (3))*
- n) to collaborate and enter into agreements with ministries and agencies of government, municipal councils and local boards and other organizations and individuals;
- o) to plant and produce trees on Crown lands with the consent of the Minister, and on other lands with the consent of the owner, for any purpose;
- p) generally to do all such acts as are necessary for the due carrying out of any project or as may be desirable to further the objects of the authority.

CLOCA's Vision:

Healthy watersheds for today and tomorrow

CLOCA's Mission

Advancing integrated watershed health through engagement, science, and conservation.

2. Definitions

“Authority” means the Central Lake Ontario Conservation Authority

“Act” means the *Conservation Authorities Act*, R.S.O. 1990, chapter C.27

“Chair” means the Chairperson as referenced in the Act as elected by the Members of the Authority.

“Chief Administrative Officer” means the Chief Administrative Officer/Secretary-Treasurer of the Authority.

“Fiscal Year” means the period from January 1 through December 31.

“General Membership” means all of the Members, collectively. The General Membership is also the Board of Directors of the Corporation.

“Majority” means half of the votes plus one.

“Members” shall mean the members appointed to the Authority by the Region of Durham on the recommendations of the area municipality. Members of the Authority are also the Directors of the Corporation.

“Minister” means the Minister as defined in the Act.

“Officer” means an officer of the Authority empowered to sign contracts, agreements, and other documents on behalf of the Authority in accordance with section 19.1 of the Act, which shall include the Chair, Vice-Chair(s) the Chief Administrative Officer and Director of Development Services.

“Pecuniary Interest” includes the financial or material interests of a Member and the financial or material interests of a member of the Member’s immediate family.

“Staff” means employees of the Authority as provided for under Section 18(1) of the Act.

“Vice-Chair” means the Vice-Chairperson as elected by the Members of the Authority.

3. Governance

3.1 Members

Appointments

Membership of the Central Lake Ontario Conservation Authority includes seven municipalities: Town of Ajax, Municipality of Clarington, City of Oshawa, City of Pickering, Township of Scugog, Township of Uxbridge, Town of Whitby.

The Central Lake Ontario Conservation Authority Board of Directors comprises all Members appointed by the Regional Municipality of Durham, in accordance with the Conservation Authorities Act.

Appointed Members must reside in the Region of Durham

Collectively, the appointed Members comprise the Authority, and for the purposes of this by-law are also referred to as the General Membership.

The Region must ensure that at least 70 percent of its appointees are selected from among the members of Regional Council or apply to the Minister for permission to appoint less than this percent. Additional appointees may include citizens as well as an additional member who may be appointed by the Minister as a representative of the agricultural sector.

An additional agricultural sector representative may be appointed to the Authority by the Minister.

On October 4, 2006, the Region of Durham adopted the following policy “that only elected officials be appointed to Conservation Authorities and further only members of Regional Council be appointed unless the municipalities have insufficient Regional Council representation, they shall be permitted to appoint a local councillor or appoint a citizen representative to the Conservation Authority.

a) Term of Member Appointments

In accordance with the Act, a Member shall be appointed for a term of up to four years at the discretion of the Durham Regional Council; such term beginning at the first meeting of the Authority following his or her appointment and ending immediately before the first meeting of the Authority following the appointment of his or her replacement. The CAO shall notify the appropriate municipality in advance of the expiration date of any Member’s term, unless notified by the municipality of the Member’s reappointment or the appointment of his or her replacement. A Member is eligible for reappointment. A Member can be replaced by the Region of Durham at their discretion prior to the end of their term. The Minister will define the term for any Member they appoint as a representative of the agriculture sector.

b) Powers of the General Membership

Subject to the Act and other applicable legislation, the General Membership is empowered without restriction to exercise all the powers prescribed to the Authority under Section 21(1) and Section 28 of the Act. In addition to the powers of an authority under s.21 of the Act for the purposes of accomplishing its objects, as referenced in Section 1 above, the powers of the General Membership include but are not limited to:

- i. approving by resolution, the creation of Committees and/or Advisory Boards, the Members thereof and the terms of reference for these Committees and/or Advisory Boards;
- ii. appointing a Chief Administrative Officer;
- iii. evaluating the Chief Administrative Office;
- iv. terminating the services of the Chief Administrative Officer;
- v. approving establishing and implementing regulations, policies and programs;
- vi. awarding contracts or agreements where the approval of the Authority is required under the Authority's purchasing policy.
- vii. appointing an Executive Committee and delegate to the Committee any of its powers except:
 - i. the termination of the services of the Chief Administrative Officer,
 - ii. the power to raise money, and
 - iii. the power to enter into contracts or agreements other than those contracts or agreements as are necessarily incidental to the works approved by the Authority.
- viii. approving by resolution, any new capital project of the Authority;
- ix. approving by resolution, the method of financing any new capital projects;
- x. approving details on budget allocations on any new or existing capital projects;
- xi. approving of the total budget for the ensuing year, and approving the levies to be paid by the Participating Municipalities;
- xii. receiving and approving the Financial Statements and Report of the Auditor for the preceding year;
- xiii. authorizing the borrowing of funds on the promissory note of the Authority in accordance with subsection 3(5) of the Act;
- xiv. approving by resolution, any proposed acquisition of land or disposition of land, subject to the requirements under the Act;
- xv. approving permits or refusing permission as may be required under any regulations made under Section 28 of the Act: including the delegation of this responsibility to Authority enforcement staff;
- xvi. holding hearings required for the purpose of reviewing permit applications and advising every applicant of their right to appeal the decision to the Minister of Natural Resources and Forestry through Ontario Lands Tribunal.

c) Member Accountability

Members have the responsibilities of Directors of the corporation that is the Authority. While the CAO is responsible for the day-to-day operations, the General Membership is responsible for matters of governance, ensuring compliance with applicable legislation, and ensuring appropriate policies are in place and for financial soundness of the Authority.

All Members have the responsibility to be guided by and adhere to the Code of Conduct (Appendix 1) and Conflict of Interest Policy (Appendix 2), as adopted by the Authority.

Members are responsible for:

- i. attending all meetings of the Authority;
- ii. understanding the purpose, function and responsibilities of the authority;
- iii. being familiar with the Authority's statutory and other legal obligations;
- iv. setting the strategic direction for the Authority.

d) Applicable Legislation

In addition to the Act, the Members are subject to other legislation including, but not limited to:

- *Municipal Conflict of Interest Act*

- *Municipal Freedom of Information and Protection of Privacy Act*

If any part of the by-law conflicts with any provision of the Municipal Conflict of Interest Act or the Municipal Freedom of Information and Protection of Privacy Act or a provision of a regulation made under one of those acts, the provision of that act or regulation prevails.

e) Relationship Between Members and Staff

The General Membership relies on the Chief Administrative Officer to manage the operations of the organization, including all employees of the Authority. The Chief Administrative Officer is accountable to the Authority, working cooperatively to achieve the goals established by the Authority.

The following guidelines should be followed:

- If a Member has questions on a project or report, such questions should be referred through the CAO for him/her to invite the appropriate staff to explain the project and answer questions.
- If a Member would like to volunteer to assist in a project, such action should be taken in consultation with the CAO to organize the process.
- If a Member receives a complaint about a staff person or would like to acknowledge a staff person, such information should go through the CAO.
- If a Member receives a complaint from a staff person, such information should go through the CAO.

3.2 Officers

The Officers of the Authority, and their respective responsibilities, shall be:

a) Chair

- Is a Member of the Authority;
- Presides at all meetings of the General Membership ;
- Calls special meetings if necessary;
- Acts as a public spokesperson on behalf of the General Membership;
- Serves as signing officer for the Authority;
- Ensures relevant information and policies are brought to the Authority's attention;
- Keeps the General Membership apprised of significant issues in a timely fashion;
- Performs other duties when directed to do so by resolution of the Authority.
- Assists CAO in preparing agenda for Board meetings where required;
- Represents the Authority at Conservation Ontario Council meetings.

b) Vice-Chair(s)

- Is/are a Member(s) of the Authority;
- Attends at all meetings of the Authority (and Executive Committee if applicable);
- Carries out assignments as requested by the Chair;
- Understands the responsibilities of the Chair and acts as Chair immediately upon the death, incapacity to act, absence or resignation of the Chair until such time as a new Chair is appointed or until the Chair resumes his/her duties;
- Serves as a signing officer for the Authority.

c) Chief Administrative Officer (CAO)

Responsibilities of the CAO as assigned by the Authority include, but are not limited to the following:

- Is an employee of the Authority;
- Attends all meetings of the General Membership (and Executive Committee if applicable) or designates an acting CAO if not available;
- Works in close collaboration with the Chair and Vice-Chair(s) and keeps them apprised of relevant information and significant issues in a timely fashion;
- Develops a strategic plan for approval by the General Membership and Implements short and long-range goals and objectives;
- Is responsible for the management of the operations of the Authority, including all staff and programs of the Authority;
- Ensures resolutions of the Authority are implemented in a timely fashion;
- Develops and maintains effective relationships and ensures good communications with stakeholders, including Participating Municipalities, federal and provincial government ministries/agencies, indigenous communities, other conservation authorities, Conservation Ontario and community groups and associations;
- Makes recommendations to the Board regarding suggested policy changes;
- Acts as spokesperson for the Authority in the absence of the Chair and Vice Chair;
- Represents the Authority at Conservation Ontario Council meetings;
- Assessing staffing requirements;
- Recruiting, hiring and dismissing staff;
- Providing staff direction;
- Approving staff evaluations;
- Implementing approved salary schedule and salary plan by setting individual salaries;
- Designing the organizational structure;
- Setting of human resource and personnel policies, which have no dollar impact on the budget;
- Serves as a signing officer for the Authority.

3.3 Absence of Chair and Vice-Chair(s)

In the event of the absence of the Chair and Vice-Chair(s) from any meeting, the Members shall appoint an Acting Chair who, for the purposes of that meeting has all the powers and shall perform all the duties of the Chair.

3.4 Election of Chair and Vice-Chairs

The election of the Chair and one or more Vice-Chairs shall be held at the Annual Meeting in accordance with the Authority's Procedures for Election of Officers (Appendix 3).

Both the Chair and Vice-Chair shall hold office for a term of one year and shall serve for no more than two consecutive terms. Notwithstanding these terms, the Minister may grant permission (upon application by an Authority or a participating municipality) for a Chair or Vice-Chair to serve for a term of more than one year or to hold office from more than two consecutive terms.

3.5 Appointment of Auditor

The General Membership shall appoint an auditor for the coming year in accordance with Section 38 of the Act. Subject to satisfactory performance and reasonable fees, the Authority will annually appoint the same auditor.

3.6 Appointment of Financial Institution

The General Membership shall appoint a financial institution to act as the Authority's banker by Resolution at the Annual Meeting. Subject to satisfactory performance and reasonable fees, the Authority will annually appoint the same banker.

3.7 Appointment of Solicitor

The General Membership shall appoint a solicitor(s) to act as the Authority's legal counsel by Resolution at the Annual Meeting. Subject to satisfactory performance and reasonable fees, the Authority will annually appoint the same solicitor.

3.8 Financial Statements and Report of the Auditor

The General Membership shall receive and approve the Audited Financial Statements and Report of the Auditor annually for the previous year within four months following year-end.

The Authority shall forward copies of the Audited Financial Statements and Report of the Auditor to the Region of Durham and the Minister and will within 60 days of receiving the Audited Report, post the Report on the Authority's website.

3.9 Borrowing Resolution

The Authority shall establish a borrowing resolution by March 31 of each year and such resolution shall be in force until it is superseded by another borrowing resolution.

3.10 Signing Officers

Any two of the following officers are designated and empowered to sign contracts, agreements, and other documents on behalf of the Authority:

- Chair
- Vice-Chair
- CAO
- Director of Corporate Services

All deeds, transfers, assignments, contracts, and obligations entered into by the Authority must be signed by the signing officers of the Authority and these signing officers are empowered to sign such documents as are necessary for works approved by the Authority.

3.11 Remuneration of Members

The Authority shall establish a per diem rate from time to time and this rate will apply to the Chair, Vice-Chair and Members for service to the Authority in attendance at Authority Board of Director meetings, and at such other business functions as may be from time to time requested by the Chair, through the Chief Administrative Officer. A per diem will be paid for each separate meeting attended. The Authority will reimburse Members' travel expenses incurred for attending meetings and/or functions on behalf of the Authority.

3.12 Revocation

Upon approval of this by-law, all other such previous administrative policies and procedures shall be revoked.

3.13 Records Retention

The Authority shall keep full and accurate records including, but not limited to:

- i. Minutes of all meetings of the Authority, including registries of statements of interests in accordance with the *Municipal Conflict of Interest Act*,

- ii. Assets, liabilities, receipts and disbursements of the Authority and Financial Statements and Reports of the Auditors;
- iii. Human Resources Files for all employees and Members as applicable;
- iv. Workplace Health and Safety documents including workplace inspections, workplace accidents, investigations, etc.;
- v. Electronic Communications including emails
- vi. Contracts and Agreements entered into by the Authority;
- vii. Strategic Plans and other documents providing organizational direction
- viii. Projects of the Authority;
- ix. Technical Studies and data gathered in support of Programs of the Authority;
- x. Legal Proceedings involving the Authority;
- xi. Incidents of personal injury or property damage involving the Authority and members of the public.

Such records shall be retained and protected in accordance with all applicable laws and the Records Retention Policy of the Authority as approved by the General Membership from time-to-time.

3.14 Records Available to Public

Records of the Authority shall be ~~made~~ available to the public as required pursuant to Ontario Regulation 400/22 Information Requirements and , subject to requirements of the Municipal Freedom of Information and Protection of Personal Privacy Act (MFIPPA). The records shall include written and alternative formats in accordance with the Accessibility for Ontarians with Disabilities Act (AODA) if requested by a member of the public.

3.15 By-law Review

In accordance with the Act, this By-law shall be reviewed by the Authority to ensure it is in compliance with the Act and any other relevant law. The General Membership shall review the By-laws at a minimum of every five years to ensure best management practices in governance are being followed

3.16 By-law Available to Public

In accordance with the Act, the Authority shall make the By-law available to the public, including written and alternative formats, in accordance with the *Accessibility for Ontarians with Disabilities Act*, if requested by a member of the public.

3.17 Enforcement of By-laws and Policies

The Members shall respect and adhere to all applicable By-law and policies (for example, the Code of Conduct and Conflict of Interest). The Authority may take reasonable measures to enforce its By-law and policies, including the enforcement mechanisms under the Municipal Conflict of Interest Act. The procedure for enforcement shall be as follows:

Complainants (which includes any Board Member, CLOCA staff member, or any other member of the general public) may use two different complaint procedures to indicate concerns regarding perceived breaches of the By-law, policies and Code of Conduct: a) Informal Complaint Procedure b) Formal Complaint Procedure

- a) The Informal Complaint Procedure will provide an opportunity to immediately identify and address behaviours and activities which are considered to be in contravention of the Policies. The Complainant shall:
 - i) Advise the Board Member that his/her behaviour or activity contravenes the Policies. This may or may not be in writing;

- ii) Request that the Board Member immediately discontinue the prohibited behaviour or activity;
- iii) Keep a written record of the incident including date, time, location, other persons present and any other relevant information;
- iv) If applicable, advise the Board Member of his/her satisfaction or dissatisfaction with the response;
- v) In the event of a dissatisfactory or no response, consider the need to pursue the matter in accordance with the formal complaint procedure.

Board Members are encouraged to initially pursue the informal complaint procedure as a means of stopping and remedying a behaviour or activity contrary to the Policies. However, it is not a precondition or a prerequisite that the informal complaint procedure be initiated or completed prior to pursuing the formal complaint procedure as described in the Formal Complaint Procedure option.

- b) The Formal Complaint Procedure shall be as follows:
 - i) A dated signed written complaint detailing the relevant particulars shall be submitted to the Chief Administrative Officer or designate;
 - ii) Upon receipt of the complaint, the Chief Administrative Officer shall prepare an information package that shall include the following:
 - The Complaint;
 - A copy of the Policies that are relevant;
 - Such other information or documentation that the Chief Administrative Officer deems relevant.
 - iii) The Chief Administrative Officer shall retain the services of an Integrity Commissioner who, subject to reasonable fees, shall be the same Integrity Commissioner that is retained by the Region of Durham. The Integrity Commissioner will assess and investigate where appropriate the complaint respecting an alleged breach of the Code of Conduct. The Integrity Commissioner shall make recommendation(s) in accordance with the *Municipal Act, 2001*.
 - iv) The Board of Directors shall receive the report and recommendations from the Integrity Commissioner and may determine the appropriate action(s) to be taken, if any. Following such determination by the Board of Directors the appointing municipality shall be notified of such determination.

3.18 Indemnification of Members, Officers and Employees

The Authority undertakes and agrees to indemnify and save harmless its Member and their heirs and legal representatives, respectively, from and against all costs, charges and expenses, including all amounts paid to settle an action or satisfy any judgement, reasonably incurred by any such Member in respect of any civil, criminal or administrative action or proceeding to which any such Officer, Employee or Volunteer is made a party by reason of being a Member (except in respect of an action by or on behalf of the Authority to procure a judgment in its favour) if;

- such Member acted honestly, in good faith with a view to the best interests of the Authority and within the scope of such Officer's, Employee's or Volunteer's duties and responsibilities, and,
- in the case of a criminal or administrative action or proceeding that is enforced by a monetary penalty that such Member had reasonable grounds for believing that the conduct was lawful.

4. Meeting Procedures

The Meeting Procedures below governing the procedure of the Authority shall be observed in Executive Committee and Advisory Board meetings, as far as they are applicable, and the words Executive Committee or Advisory Board may be substituted for the word Authority as applicable

4.2 Notice of Meeting

The General Membership shall approve an annual schedule for regular meetings. The CAO, or alternate, shall send Notice of regular meetings to all Members at least five calendar days in advance of a meeting.

The Chair shall call regular meetings of the Authority. Notice of regular meetings will be sent out from the Authority office at least five calendar days prior to the meeting date.

Notice of any meeting shall indicate the time and place of that meeting and the agenda for the meeting.

All material and correspondence to be dealt with by the Authority at a meeting will be submitted to the CAO at least seven (7) days in advance of the meeting in question.

Written notice of motion may be given by any Member of the Authority and shall be forthwith placed on the agenda of the next meeting.

The Chair may call a special meeting of the Authority on three days written notice. That notice shall state the business of the special meeting and only that business shall be considered unless permission is granted by two-thirds of the Members present.

With the exception of any municipal planning, or regulation matter that requires an immediate decision of the Board of Directors, all matters will be dealt with "in person" at a Board of Directors meeting. For those planning and regulation matters requiring immediate attention, the Chair may call a meeting of the Board of Directors via telephone conference or other conferencing technology. Such a telephone conference meeting must have 2/3 of the Directors participating and voting will be as outlined under the Vote Section of this Procedure. Normally confidential matters will not be handled by teleconference.

Any Member of the Board of Directors, with 50% support of the other Members, may request the Chair to call a meeting of the Board and the Chair will not refuse.

A meeting that has been interrupted through the loss of a quorum may be reconvened without notice provided that the meeting is reconvened on the same day.

The Chair or the CAO may, by notice in writing or email, deliver to the Members so as to be received by them at least 12 hours before the hour appointed for the meeting, postpone or cancel any meeting until the next scheduled date.

The Chair or the CAO may, if it appears that a storm or like occurrence will prevent the Members from attending a meeting, postpone that meeting by advising as many Members as can be reached or, hold the meeting electronically provided quorum and public attendance can be met. Postponement shall not be for any longer than the next regularly scheduled meeting date.

4.3 Meetings Open to Public

All meetings of the General Membership shall be open to the public.

A meeting or part of a meeting may be closed to the public if the subject matter being considered is identified in the closed meeting section of the Agenda and the subject matter meets the criteria for a closed meeting as defined in this by-law.

4.4 Agenda for Meetings

Authority staff, under the supervision of the CAO, shall prepare an agenda for all regular meetings of the Authority that shall include, but not necessarily be limited to, the following headings:

- 1) Declarations
- 2) Adoption of Minutes of Previous Meeting
- 3) Correspondence
- 4) Presentation of written reports (where applicable)
- 5) Verbal Reports (where applicable)
- 6) Confidential Matters
- 7) New and Unfinished Business
- 8) Adjournment

The agenda for special meetings of the Authority shall be prepared as directed by the Chair.

Agendas for meetings shall be forwarded to all Members at least five days in advance of the meeting. Such agendas shall be made available to the public on the Authority's website at the same time, unless the meeting is closed to the public in accordance with this by-law. Such agendas shall also be available in alternative formats, in accordance with the *Accessibility for Ontarians with Disabilities Act*, if requested by interested parties.

4.5 Quorum

At any meeting of the General Membership, a quorum consists of one-half of the Members appointed by the Region of Durham

If there is no quorum within one half hour after the time appointed for the meeting, the Chair for the meeting shall declare the meeting adjourned due to a lack of a quorum, or shall recess until quorum arrives, and the recording secretary shall record the names of the Members present and absent.

If during an Authority meeting a quorum is lost, then the Chair shall declare that the meeting shall stand recessed or adjourned, until the date of the next regular meeting or other meeting called in accordance with the provisions of this by-law. Alternatively, the Chair may allow agenda items including delegations present to be covered and presented and issues discussed, but no formal decisions may be taken by the remaining Members which do not constitute a quorum.

Where the number of Members who are disabled from participating in a meeting due to the declaration of a conflict of interest is such that at that meeting the remaining Members are not of sufficient number to constitute a quorum, the remaining number of Members shall be deemed to constitute a quorum, provided such number is not less than two.

4.6 Order of Business

The business of the Authority shall be taken up in the order in which it stands on the agenda unless otherwise decided by a majority of those Members present.

No Member shall present any matter to the Authority for its consideration unless the matter appears on the agenda for the meeting of the Authority or leave is granted to present the matter by the affirmative vote of a majority of the Members present.

4.7 Meeting Discussion/Debate

The Authority shall observe the following procedures for discussion/debate on any matter coming before it:

- a) A Member shall be recognized by the Chair prior to speaking;
- b) Where two or more Members rise to speak, the Chair shall designate the Member who has the floor, who shall be the Member who in the opinion of the Chair was first recognized;
- c) All questions and points of discussion shall be directed through the Chair;
- d) Where a motion is presented, it shall be moved and seconded before debate;
- e) No Member shall speak more than once to the same question without leave from the Chair, except in explanation of a material part of the speech;
- f) No Member shall speak more than ten minutes without leave of the Chair;
- g) Any Member may ask a question of the previous speaker through the Chair;
- h) The Member who has presented a motion, other than a motion to amend or dispose of a motion, may speak again to the motion immediately before the Chair puts the motion to a vote;
- i) When a motion is under debate, no motion shall be received other than a motion to amend, to defer action, to refer the question, to take a vote, to adjourn, or to extend the hour of closing the proceedings;
- j) When a motion is under consideration, only one amendment is permitted at a time;
- k) Where there is an amendment to a motion, the amendment shall be voted on prior to the main motion.

4.8 Matters of Precedence

The following matters shall have precedence over the usual order of business:

- a) a point of order;
- b) matter of privilege;
- c) a matter of clarification;
- d) a motion to suspend a rule of procedure or to request compliance with the rules of procedure;
- e) a motion that the question be put to a vote;
- f) a motion to adjourn.

4.9 Members' Attendance

The Authority shall provide a listing of Members' attendance at scheduled meetings of the Authority to the Region of Durham at least annually. Members' attendance will be recorded at all meetings. A member will be recorded as absent if not in attendance.

Upon a Member's vacancy due to death, incapacity or resignation occurring in any office of the Authority, the Authority shall request the municipality that was represented by that Member appoint a Member replacement.

If a Member is unable to attend any meeting and wishes to bring any additional information or opinion pertaining to an agenda item to the General Membership, the Member shall address in writing or email to the Chair or CAO such correspondence prior to the start of the meeting. The correspondence shall be read aloud by the CAO without comment or explanations.

4.10 Electronic Meetings and Participation

Electronic meetings shall be permitted during any period of time and must follow/accommodate all Section 4 Meeting Procedures identified in this by-law, or in the case of Hearing Boards, the CLOCA Hearing Guidelines.

A Board Member shall be permitted to participate electronically in any Board of Directors meeting and shall have the ability to:

- a) register a vote;
- b) be counted towards determining quorum;
- c) participate in meetings closed to the public;

A Board Member who wishes to participate in a meeting electronically shall provide the CAO or recording secretary a minimum of 24 hours' notice, or as much time that is practically required to ensure appropriate preparations for an electronic meeting.

Members attending an electronic meeting that is closed to the public electronically shall declare at the start of the closed session that they will maintain the confidentiality of the closed session through ensuring that they are alone and that any discussions cannot be overheard.

Voting by a Member participating electronically shall be indicated verbally, unless otherwise determined by the Chair.

Electronic meetings must permit all participants to communicate adequately with each other during the meeting. For open electronic meetings, the public must be able to attend the meeting electronically and be able to observe all that Members can hear and see at the meeting.

Should a member of the public request to provide their delegation through electronic participation and the CAO believes that electronic participation by the public can be facilitated, they will be requested to provide their comments in writing to the CAO prior to the meeting and the comments will be distributed to Members.

4.11 Delegations

Any person or organization who wishes to address the Authority may make a request in writing or email to the CAO. The request should include a brief statement of the issue or matter involved and indicate the name of the proposed speaker(s). If such request is received five days in advance of a scheduled meeting, the delegation shall be listed on the published agenda.

All requests to address the Authority will be reviewed by the CAO and Chair for completeness, relevance and appropriateness. The requests may be refused where:

- a) The subject matter is unrelated to or beyond the purview of the Authority's mandate; or
- a)b) The issue or subject matter relates to or qualifies as a matter suitable for a closed meeting.

Any person or organization requesting an opportunity to address the Authority but not having made a written request to do so in the timelines specified above, may appear before a meeting of the Authority but will be heard only if approved by a majority of the Members of the meeting.

Any person or organization wishing to address the Board on an item that appears on the agenda must provide written notice to the attention of the CAO, 24 hours prior to the meeting. The request should comprise of a brief statement of the issue or matter involved and indicate the name of the speaker, contact information, including municipal address. Except by leave of the Chair or appeal by the leave of the meeting, delegations shall be limited to one (1) speaker for not more than ten minutes.

Speakers will be requested not to repeat what has been said by previous speakers at the meeting. A returning delegation will only be allowed to speak again if new, relevant information has become available since their previous presentation. The Chair may choose to end a returning delegation's presentation if, in the opinion of the Chair, the new information being presented is not relevant to a decision facing the General Membership.

4.12 Annual Meeting

The Authority shall designate one meeting of the General Membership each year as the annual meeting and shall include the following items on the agenda, in addition to the normal course of business the election of a Chair and Vice Chair, and annual appointment of the solicitor(s), and banker.

4.13 Meetings with Closed "In Camera" Sessions

Every meeting of the General Membership shall be open to the public as per Section 15(3) of the Act, subject to the exceptions set out below.

Meetings may be closed to the public if the subject matter being considered relates to:

- d) the security of the property of the Authority;
- e) personal matters about an identifiable individual, including employees of the Authority;
- f) a proposed or pending acquisition or disposition of land by the Authority;
- g) labour relations or employee negotiations;
- h) litigation or potential litigation, including matters before administrative tribunals (e.g. Local Planning Appeal Tribunal), affecting the Authority;
- i) advice that is subject to solicitor-client privilege;
- j) a matter in respect of which the General Membership may hold a closed meeting under another act;
- k) information explicitly supplied in confidence to the Authority by Canada, a province or territory or a Crown agency of any of them;
- l) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the Authority, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- m) a trade secret or scientific, technical, commercial or financial information that belongs to the Authority and has monetary value or potential monetary value; or,
- n) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the Authority.

The Authority shall close a meeting if the subject matter relates to the consideration of a request under MFIPPA, and the Authority is the head of an institution for the purposes of MFIPPA.

Before holding a meeting or part of a meeting that is to be closed to the public, the Members shall state by resolution during the open session of the meeting that there will be a meeting closed to the public and the general nature of the matter to be considered at the closed meeting. Once matters have been dealt with in a closed meeting, the General Membership shall reconvene in an open session.

The General Membership shall not vote during a meeting that is closed to the public, unless:

- a) the meeting meets the criteria outlined in this by-law to be closed to the public; and,
- b) the vote is for a procedural matter or for giving directions or instructions to Officers, employees or agents of Authority.

Any materials presented to the General Membership during a closed meeting shall be returned to the CAO prior to departing from the meeting.

Minutes shall be kept of closed in-camera sessions describing decisions made and/or direction or instruction given to officers, employees or agents.

A meeting of the Authority may also be closed to the public if:

- a) the meeting is held for the purpose of educating or training the Members, and
- b) at the meeting, no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the authority, the executive committee, advisory board or other committee.

4.14 Voting

In accordance with Section 16 of the Conservation Authorities Act:

- a) each Member is entitled to one vote, and
- b) a majority vote of the Members present at any meeting is required upon all matters coming before the meeting.

Notwithstanding, where a member has been appointed by Minister as a representative of the agricultural sector, the member shall not vote on: a resolution to enlarge an authority's area of jurisdiction; a resolution to amalgamate the Authority with another conservation authority; a resolution to dissolve the Authority; or, a resolution related to any budgetary matter.

If any Member abstains from voting, they shall be deemed to have voted neither in favour nor opposed to the question.

On a tie vote, the motion is lost, and the Chair, if a member of the assembly, may vote to make it a tie unless the vote is by ballot. The Chair cannot however vote twice, first to make a tie and then give the casting vote.

Interrelated motions shall be voted on in the following order:

- a) motions to refer the matter, and
- b) if no motion under clause (a) is carried, the order for voting on the remaining motions shall be:
 - i) amending motion
 - ii) the original motion

Unless a Member requests a recorded vote, a vote shall be by a show of hands or such other means as the Chair may call. No question shall be voted upon more than once at any meeting, unless a recorded vote is requested.

If a member present at a meeting at the time of the vote requests immediately before or after the taking of the vote that the vote be recorded, each member present taken by alphabetical surname with the Chair voting last, except a member who is disqualified from voting by any Act, shall announce his or her vote openly answering “yes” or “no” to the question, and the recording secretary shall record each vote.

Where a question under consideration contains more than one item, upon the request of any Member, a vote upon each item shall be taken separately.

A vote on any planning or regulation matter dealt with through a telephone conference meeting shall be a recorded vote.

Except as provided for in the Election of Chair and Vice-Chair, no vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect.

Where a Member has been appointed by Minister as a representative of the agricultural sector, the member shall not vote on:

- a) A resolution to enlarge an authority’s area of jurisdiction;
- b) A resolution to amalgamate the Authority with another conservation authority;
- c) A resolution to dissolve the Authority; or d) A resolution related to any budgetary matter.

4.15 Notice of Motion

Written notice of motion to be made at an Authority meeting may be given to the CAO by any Member of the Authority not less than seven business days prior to the date and time of the meeting and shall be forthwith placed on the agenda of the next meeting. The CAO shall include such notice of motion in full in the agenda for the meeting concerned.

Recommendations included in staff reports that have been included in an agenda for a meeting of the General Membership shall constitute notice of motion for that meeting.

Notwithstanding the foregoing, any motion or other business may be introduced for consideration of the Authority provided that it is made clear that to delay such motion or other business for the consideration of an appropriate advisory board or committee would not be in the best interest of the Authority and that the introduction of the motion or other business shall be upon an affirmative vote of two-thirds of the Members of the Authority present.

4.16 Motion to Reconsider

If a motion is made to reconsider a previous motion, a 2/3 majority vote shall be required in order for reconsideration to take place. If a motion to reconsider is passed, the original motion shall then be placed on the agenda at a future meeting to be debated and voted upon, and the result of that vote, based on a simple majority, shall supersede.

4.17 Duties of the Meeting Chair

It shall be the duty of the Chair, with respect to any meetings over which he/she presides, to:

- a) Preserve order and decide all questions of order, subject to appeal; and without argument or comment, state the rule applicable to any point of order if called upon to do so;
- b) Ensure that the public in attendance does not in any way interfere or disrupt the proceedings of the Members;
- c) Receive and submit to a vote all motions presented by the Members, which do not contravene the rules of order or regulations of the Authority;

- d) Announce the results of the vote on any motions so presented;
- e) Adjourn the meeting when business is concluded.

4.18 Conduct of Members

Members shall maintain a high standard for conduct and at all times comply with applicable laws and the Authority's Code of Conduct (Appendix 1).

No Member at any meeting of the Authority shall:

- a) Speak in a manner that is discriminatory in nature based on an individual's race, ancestry, place of origin, citizenship, creed, gender, sexual orientation, age, colour, marital status, family status or disability;
- b) Leave their seat or make any noise or disturbance while a vote is being taken or until the result is declared;
- c) Interrupt a Member while speaking, except to raise a point of order or a question of privilege;
- d) Speak disrespectfully or use offensive words against the Authority, the Members, staff, or any member of the public;
- e) Speak beyond the question(s) under debate;
- f) Resist the rules of order or disobey the decision of the Chair on the questions, order, or practices or upon the interpretation of the By-laws.

4.19 Minutes of Meetings

The recording secretary shall make a record in the form of minutes of the Authority meeting proceedings and in particular shall record all motions considered at the meeting. Minutes of all Authority meetings shall include the time and place of the meeting and a list of those present and shall state all motions presented together with the mover and seconder and voting results. If a recording secretary is not present in a closed session, the CAO shall take notes of any direction provided, for endorsement by the Chair and Vice-Chair.

Within 30 days after any meeting of the Authority, a copy of the unapproved minutes of the Authority meeting shall be sent to each member of the authority.

Subject to the Municipal Freedom of Information and Protection of Privacy Act the Authority shall:

- a) Within 30 days after the meeting make the unapproved minutes of the Authority meeting available to the public and post them on the Authority's website; and
- b) include unapproved minutes of the previous meeting in the next regularly scheduled Meeting of the Authority for approval.
- c) After the unapproved minutes have been approved by resolution, original copies shall be signed by the CAO and Chair and posted in the Authorities website.

The CAO shall be authorized to make minor corrections to minutes to eliminate technical or typographic errors.

5. Approval of By-law

~~That Administrative Policies and Meeting Procedures dated April 16, 2013 be repealed and replaced with By-law Number 2018-1.~~

~~By-law Number 2018-1 shall come into force on the _____ day of _____, 20_____~~

Signed: _____

Chair

Chief Administrative Officer

6.5. Appendices to the Administrative By-law

Appendix 1 - Code of Conduct

Background

The Central Lake Ontario Conservation Authority demands a high level of integrity and ethical conduct from its General Membership. The Authority's reputation has relied upon the good judgement of individual Members. A written Code of Conduct helps to ensure that all Members share a common basis for acceptable conduct. Formalized standards help to provide a reference guide and a supplement to legislative parameters within which Members must operate. Further, they enhance public confidence that Members operate from a base of integrity, justice and courtesy.

The Code of Conduct is a general standard. It augments the laws that govern the behaviour of Members, and it is not intended to replace personal ethics.

This Code of Conduct will also assist Members in dealing with confronting situations not adequately addressed or that may be ambiguous in Authority resolutions, regulations, or policies and procedures.

General

All Members are expected to conduct themselves in a manner that reflects positively on the Authority.

All Members shall serve in a conscientious and diligent manner. No Member shall use the influence of office for any purpose other than for the exercise of his/her official duties.

It is expected that Members adhere to a code of conduct that:

- i. upholds the mandate, vision and mission of the Authority;
- ii. considers the Authority's jurisdiction in its entirety, including their appointing municipality;
- iii. respects confidentiality;
- iv. approaches all Authority issues with an open mind, with consideration for the organization as a whole;
- v. exercises the powers of a Member when acting in a meeting of the Authority;
- vi. respects the democratic process and respects decisions of the General Membership;
- vii. declares any direct or indirect pecuniary interest or conflict of interest when one exists or may exist; and
- viii. conducts oneself in a manner that reflects respect and professional courtesy and does not use offensive language in or against the Authority or against any Member or any Authority staff.

Gifts and Benefits

Members shall not accept fees, gifts, hospitality or personal benefits that are connected directly or indirectly with the performance of duties, except compensation authorized by law.

Confidentiality

The Members shall be governed at all times by the provisions of the Municipal Freedom and Information and Protection of Privacy Act.

All information, documentation or deliberations received, reviewed, or taken in a closed meeting are confidential.

Members shall not disclose or release by any means to any member of the public, in verbal or written form, any confidential information acquired by virtue of their office, except when required by law to do so.

Members shall not permit any persons, other than those who are entitled thereto, to have access to information that is confidential.

In the instance where a member vacates their position on the General Membership, they will continue to be bound by MFIPPA requirements.

Particular care should be exercised in protecting information such as the following:

- i. Human Resources matters;
- ii. Information about suppliers provided for evaluation that might be useful to other suppliers;
- iii. Matters relating to the legal affairs of the Authority;
- iv. Sources of complaints where the identity of the complainant is given in confidence;
- v. Items under negotiation;
- vi. Schedules of prices in tenders or requests for proposals;
- vii. Appraised or estimated values with respect to the Authority's proposed property acquisitions or dispositions;
- viii. Information deemed to be "personal information" under MFIPPA.

The list above is provided for example and is not exhaustive.

Use of Authority Property

No Member shall use for personal purposes any Authority property, equipment, supplies, or services of consequence other than for purposes connected with the discharge of Authority duties or associated community activities of which the Authority has been advised.

Work of a Political Nature

No Member shall use Authority facilities, services or property for his/her election or re-election campaign to any position or office within the Authority or otherwise.

Conduct at Authority Meetings

During meetings of the Authority, Members shall conduct themselves with decorum. Respect for delegations and for fellow Members requires that all Members show courtesy and not distract from the business of the Authority during presentations and when others have the floor.

Influence on Staff

Members shall be respectful of the fact that staff work for the Authority as a whole and are charged with making recommendations that reflect their professional expertise and corporate perspective, without undue influence.

Business Relations

No Member shall borrow money from any person who regularly does business with the Authority unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money.

No Member shall act as a paid agent before the Authority, except in compliance with the terms of the Municipal Conflict of Interest Act.

Encouragement of Respect for the Authority and its Regulations

Members shall represent the Authority in a respectful way and encourage public respect for the Authority and its Regulations.

Harassment

It is the policy of the Authority that all persons be treated fairly in the workplace in an environment free of discrimination and of personal and sexual harassment. Harassment of another Member, staff or any member of the public is misconduct. Members shall follow the Authority's Harassment Policy as approved from time-to-time.

Examples of harassment that will not be tolerated include: verbal or physical abuse, threats, derogatory remarks, jokes, innuendo or taunts related to an individual's race, religious beliefs, colour, gender, physical or mental disabilities, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation. The Authority will also not tolerate the display of pornographic, racist or offensive signs or images; practical jokes that result in awkwardness or embarrassment; unwelcome invitations or requests, whether indirect or explicit and any other prohibited grounds under the provisions of the Ontario Human Rights Code.

Breach of Code of Conduct

Should a Member breach the Code of Conduct, they shall advise the Chair and Vice-Chair, with a copy to the CAO, as soon as possible after the breach.

Should a Member of the Authority allege that another Member has breached the Code of Conduct, the said breach shall be communicated to the Chair, with a copy to the CAO, in writing. In the absence of the Chair, or if a Member alleges that the Chair has breached the Code of Conduct, the said breach shall be communicated the Vice-Chair, with a copy to the CAO, in writing.

Any breach, or alleged breach, of the Code of Conduct shall be investigated in accordance with the Enforcement of By-laws and Policies procedure outlined or referred to in the Authority's Administrative By-law.

Appendix 2 - Conflict of Interest

Municipal Conflict of Interest Act

The Authority Members commit themselves and the Authority to ethical, businesslike, and lawful conduct when acting as the General Membership. The Authority shall adhere to the Municipal Conflict of Interest Act. This by-law assists Members in understanding their obligations. Members are required to review the Municipal Conflict of Interest Act on a regular basis.

Disclosure of Pecuniary Interest

Where a Member, either on their own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Authority at which the matter is the subject of consideration, the Member:

- a) shall, prior to any consideration of the matter at the meeting, disclose the pecuniary interest and the general nature thereof;
- b) shall not take part in the discussion of, or vote on any question in respect of the matter; and,
- c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.

Chair's Conflict of Interest or Pecuniary Interest

Where the Chair of a meeting discloses a conflict of interest with respect to a matter under consideration at a meeting, another Member shall be appointed to chair that portion of the meeting by Resolution.

Closed Meetings

Where a meeting is not open to the public, a Member who has declared a conflict of interest shall leave the meeting for the part of the meeting during which the matter is under consideration.

Member Absent

Where the interest of a Member has not been disclosed by reason of their absence from the particular meeting, the Member shall disclose their interest and otherwise comply at the first meeting of the Authority attended by them after the particular meeting.

Disclosure Recorded in Minutes

The recording secretary shall record in reasonable detail the particulars of any disclosure of conflict of interest or pecuniary interest made by Members and whether the Member withdrew from the discussion of the matter. Such record shall appear in the minutes/notes of that particular meeting of the General Membership.

Breach of Conflict of Interest Policy

Should a Member breach the Conflict of Interest Policy, they shall advise the Chair and Vice-Chair, with a copy to the CAO, as soon as possible after the breach.

Should a Member of the General Membership allege that another Member has breached the Code of Conduct, the said breach shall be communicated to the Chair, with a copy to the CAO, in writing. In the absence of the Chair, or if a Member alleges that the Chair has breached the Conflict of Interest Policy, the said breach shall be communicated the Vice-Chair, with a copy to the CAO, in writing.

Any breach, or alleged breach, of the Conflict of Interest Policy shall be investigated in accordance with the Enforcement of By-laws and Policies procedure outlined or referred to in the Authority's Administrative By-law.

Appendix 3 - Procedure for Election of Officers

Chair for Election of Officers

An individual other than a Member of Central Lake Ontario Conservation will assume the position of Chair for the purpose of Election of Officers. The CAO, or designate, assumes this position.

Appointment of Scrutineers

The appointment of scrutineers is required for counting ballots should an election be required. All ballots will be destroyed by the scrutineers afterwards. The appointment of scrutineers requires a mover and seconder by Members of the Authority.

Election of Officers

The CAO or designate advises that the election will be conducted as follows:

- only current members of the Authority may vote;
- nominations will be called three (3) times and will only require a mover;
- the closing of nominations will require both a mover and a seconder;
- each member nominated will be required to accept the nomination. The member must be present to accept the nomination or an affidavit of acceptance, signed by the member nominated, must be provided to the CAO to indicate acceptance of the nomination.
- in the event of an election, each nominee will be permitted not more than three (3) minutes to speak for the office, in the order of the alphabetical listing of his or her surnames;
- upon the acceptance by nominees for the position of office, ballots will be distributed to the Members for the purpose of election;
- a Member's choice for a nominee will be written on the ballot and the appointed scrutineers for the counting of the ballots will collect the ballots.

A majority vote will be required for election. If there are more than two nominees, and upon the first vote, no nominee receives the majority required for election, the name of the person with the least number of votes will be removed from further consideration for the office and new ballots will be distributed. In the case of a vote where no nominee receives the majority required for election and where two or more nominees are tied with the least number of votes, a special vote shall be taken to decide which one of such tied nominees' names shall be dropped from the list of names to be voted on in the next vote.

Should there be a tie vote between two remaining candidates, new ballots will be distributed and a second vote held. Should there still be a tie after the second ballot a third vote shall be held. Should there be a tie after the third vote, the election of the office shall be decided by lot drawn by the CAO or designate.

7.6. Common Motions

7.1 Motion to Adjourn

- A Motion to Adjourn:
 - a) is always in order except as provided by this policy;
 - b) is not debatable;
 - c) is not amendable;
 - d) is not in order when a member is speaking or during the verification of the vote;
 - e) is not in order immediately following the affirmative resolution of a motion to close debate; and,
 - f) when resulting in the negative, cannot be made again until after some intermediate proceedings have been completed by the Authority.
- A motion to adjourn without qualification, if carried, brings a meeting or a session of the Authority to an end.
- A motion to adjourn to a specific time, or to reconvene upon the happening of a specified event, suspends a meeting of the Authority to continue at such time.

7.2 Motion to Recess

- A motion to amend recess when other business is before the meeting:
 - a) shall specify the length of time of the recess;
 - b) shall not be debatable and shall only be amendable with respect to the length of the recess;
 - c) shall not have a motion to reconsider applied to it; and,
 - d) a motion to recess at a future time shall have no privilege and shall be treated as a main motion.

7.3 Point of Privilege

- When a Member considers that his integrity or the integrity of the Authority has been impugned, the Member may, as a matter of personal privilege and with the leave of the Chair, draw the attention of the Authority to the matter by way of a point of personal privilege. When a point of personal privilege is raised, it shall be considered and decided by the Chair immediately. The decision of the Chair on a point of privilege may be appealed to the Authority.

7.4 Motion to Appeal

- A motion to appeal from the decision of the Chair:
 - a) Shall be made only at the time the ruling is made by the Chair on a point of order;
 - b) Shall not be debated, amended or reconsidered; and,
 - c) Shall yield to a privileged motion and a motion to lie on the table.

7.5 Point of Order

- The Chair shall decide points of order. When a Member wishes to raise a point of order, the Member shall ask leave of the Chair and after leave is granted, the Member shall state the point of order to the Chair, after which the Chair shall decide on the point or order. Thereafter, the Member shall only address the Chair for the purpose of appealing the decision to the Authority. If the Member does not appeal, the decision of the Chair shall be final. If the Member appeals to the Authority, the Authority shall decide the question without debate and the decision shall be final.

7.6 Motion to Withdraw

- A request to withdraw a motion:
 - a) shall only be made by the mover of the motion;
 - b) may be made without the consent of the seconder of the motion;
 - c) shall be in order anytime during debate; and,
 - d) if a member objects to the withdrawal of a motion, withdrawal motion may be entertained and becomes a main motion, is debatable, requires a seconder and a majority vote. If no member objects to the withdrawal of the motion, the motion shall be considered withdrawn without the necessity of a seconder and a vote.

7.7 Motion to Suspend the Rules (Waive the Rules)

- A motion to suspend the rules:
 - a) is not debatable;
 - b) is not amendable; and
 - c) requires a 2/3 majority to carry;
 - d) takes precedence over any motion if it is for a purpose connected with that motion and yields to a motion to table.

7.8 Motion to Table/Take from the Table

- A motion to table:
 - a) is not debatable;
 - b) is not amendable.
- A motion to table a matter with some condition, opinion or qualification added to the motion shall be deemed to be a motion to postpone.
- The matter tabled shall not be considered again by the Authority until a motion has been made to take up the tabled matter at the same time or subsequent meeting of the Authority.
- A motion to take up a tabled matter is not subject to debate or amendment.
- A motion that has been tabled at a previous meeting of the Authority cannot be lifted off the table unless notice thereof is given in accordance with the Notice of Motion section of this policy.
- A motion that has been tabled and not taken from the table for six (6) months shall be deemed to be withdrawn and cannot be taken from the table.

7.9 Motion to Close Debate (Previous Question)

- A motion to close debate:
 - a) is not debatable;
 - b) is not amendable;
 - c) cannot be moved with respect to the main motion when there is an amendment under consideration;
 - d) should be moved by a member who has not already debated the question;
 - e) can only be moved in the following words: "I move to close debate"
 - f) requires a two-thirds (2/3) majority of Members present for passage; and,
 - g) when resolved in the affirmative, the question is to be put forward without debate or amendment.