



February LRCA Board Meeting

Lakehead Region Conservation Authority
130 Conservation Road/Microsoft Teams
2025-02-26 16:30 - 18:00 EST

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1. CALL TO ORDER

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

2. ADOPTION OF AGENDA

THAT: the Agenda be adopted as published.

3. DISCLOSURE OF INTEREST

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THAT: the Minutes of the Lakehead Region Conservation Authority 71st Annual Meeting held on Wednesday, January 29, 2025 be adopted as published.

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5. IN-CAMERA AGENDA

THAT: we now go into Committee of the Whole (In-Camera) at _____ p.m. THAT: we go into Open Meeting at _____ p.m. THAT: the In-Camera Minutes of the Lakehead Region Conservation Authority January 29, 2025 meeting be adopted as published.

6. BUSINESS ARISING FROM PREVIOUS MINUTES

None.

7. CORRESPONDENCE

None.

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13. NEW BUSINESS	

14. NEXT MEETING

Wednesday, March 26, 2025 at 4:30 p.m.

15. ADJOURNMENT

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



71st Annual LRCA Board Meeting Minutes

Lakehead Region Conservation Authority

January 29, 2025 at 4:30 p.m.

130 Conservation Road/Microsoft Teams

Members Present:

Albert Aiello, Grant Arnold, Robert Beatty, Donna Blunt, Rudy Buitenhuis, Trevor Giertuga, Sheelagh Hendrick, Brian Kurikka, Jim Vezina

Members Present (Remote):

Dan Calvert, Greg Johnsen

Also Present:

Tammy Cook, Chief Administrative Officer

Mark Ambrose, Finance Manager

Ryne Gilliam, Lands Manager

Melissa Hughson, Watershed Manager

Ryan Mackett, Communications Manager

Melanie O'Riley, Administrative Clerk/Receptionist, recorder of Minutes

1. CALL TO ORDER

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

2. ADOPTION OF AGENDA

***THAT:** the Agenda be adopted as published.*

Motion: #1/25

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

3. DISCLOSURE OF INTEREST

None.

4. ELECTION OF OFFICERS

Members were provided with Staff Report CORP-01-2025 related to the annual election for Chair and Vice-Chair. It was noted that the Minister of Natural Resources had granted an

exception (in response to the Authority's request) that permitted the current Chair and Vice-Chair to continue in their respective positions if so elected for 2025 and 2026.

As outlined in the Administrative By-Law, Tammy Cook, CAO, assumed the position of Chair for the purpose of the election of the Chair and Vice-Chair.

Per the Administrative By-Law, the Chair, Vice-Chair and CAO are the signing officers and Conservation Ontario representatives until the 2026 Annual General Meeting.

4.1. APPOINTMENT OF SCRUTINEERS

In the event of an election, members appointed Mark Ambrose, Finance Manager and Ryan Mackett, Communications Manager as scrutineers.

***THAT:** Mark Ambrose, Finance Manager and Ryan Mackett, Communications Manager, be appointed as scrutineers of the Lakehead Region Conservation Authority 2025 elections.*

Motion: #2/25

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

4.2. ELECTION OF AUTHORITY CHAIR

The CAO, Election Chair, requested nominations for the position of Chair.

Jim Vezina nominated Donna Blunt for the position of Chair.

Nominations for the position of Chair were called three times.

Donna Blunt agreed to let her name stand.

***THAT:** the nominations for Chair be closed.*

Motion: #3/25

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

***THAT:** Donna Blunt is appointed as Chair of the Lakehead Region Conservation Authority until the Annual General Meeting of 2026.*

Motion: #4/25

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

4.3. ELECTION OF AUTHORITY VICE-CHAIR

The Election Chair requested nominations for the position of Vice-Chair.

Grant Arnold nominated Jim Vezina for the position of Vice-Chair.

Nominations for the position of Vice-Chair were called three times.

Jim Vezina agreed to let his name stand.

***THAT:** the nomination for Vice-Chair be closed.*

Motion: #5/25

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

***THAT:** Jim Vezina is appointed as Vice-Chair of the Lakehead Region Conservation Authority until the Annual General Meeting of 2026.*

Motion: #6/25

Motion moved by Trevor Giertuga and motion seconded by Albert Aiello. **CARRIED.**

4.4. BALLOTS

Since both the Chair and Vice-Chair were acclaimed, there was no election; therefore, no motion was required to destroy ballots.

Donna Blunt, Chair, resumed Chairing the Meeting.

5. MINUTES OF PREVIOUS MEETING

***THAT:** the Minutes of the Lakehead Region Conservation Authority Tenth Regular Meeting held on Wednesday, November 27, 2024 be adopted as published.*

Motion: #7/25

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

6. APPOINTMENT OF AUDITORS

THAT: *the audit firm of Doane Grant Thornton LLP is appointed as auditors of the Lakehead Region Conservation Authority for the year 2025.*

Motion: #8/25

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

7. APPOINTMENT OF SOLICITORS

THAT: *the legal firm of McKittricks is appointed as solicitors of the Lakehead Region Conservation Authority for the year 2025.*

Motion: #9/25

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

8. APPOINTMENT OF AUTHORITY BANK

THAT: *the Royal Bank of Canada, Business Centre, is appointed as the bank with which the Lakehead Region Conservation Authority will conduct its financial business during 2025.*

Motion: #10/25

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

9. BORROWING RESOLUTION

THAT: *Whereas it may be necessary for the Lakehead Region Conservation Authority (herein under referred to as the "Authority") to borrow a sum not to exceed in the aggregate, Four Hundred Thousand Dollars (\$400,000) required for its purposes in the year 2025, until payment to the Authority of any grants and of sums to be paid to the Authority by the participating municipalities designated as such under the Conservation Authorities Act, R.S.O. 1990, Chapter C.27,*

BE IT THEREFORE RESOLVED:

THAT: *the Authority may borrow from a bank, the sum not to exceed in the aggregate Four Hundred Thousand Dollars (\$400,000) necessary for its purposes in the year 2025, on the promissory note or notes of the Authority until payment to the Authority of any grants and of sums to be paid to the Authority by the participating municipalities.*

THAT: *the Chair or Vice-Chair together with the Chief Administrative Officer of the Authority be and are hereby authorized to execute for and on behalf of the Authority a promissory note or*

notes for the sum to be borrowed under paragraph numbered 1 hereof and to affix thereto the corporate seal of the Authority.

THAT: *the amount borrowed pursuant to this resolution is a charge upon the whole of the moneys received or to be received by the Authority by way of grants and when such moneys are received.*

THAT: *the Chair or the Vice-Chair or the Chief Administrative Officer of the Authority be and is hereby authorized and directed to apply in payment of the moneys borrowed pursuant to this resolution, together with interest thereon, all of the moneys received by the Authority by way of grants or sums received by the Authority from the participating municipalities.*

Motion: #11/25

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

10. IN-CAMERA AGENDA

THAT: *we now go into Committee of the Whole (In-Camera) at 4:42 p.m.*

Motion: #12/25

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

THAT: *we go into Open Meeting at 4:48 p.m.*

Motion: #13/25

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

THAT: *the In-Camera Minutes of the Lakehead Region Conservation Authority October 30, 2024 meeting be adopted as published.*

Motion: #14/25

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

THAT: *Staff Report CORP-02-2025 is received **AND FURTHER THAT** the recommendations contained therein are approved.*

Motion: #15/25

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

11. BUSINESS ARISING FROM PREVIOUS MINUTES

None.

12. CORRESPONDENCE

12.1. Extension of Minister's direction for conservation authorities regarding fee changes associated with planning, development and permitting fees

Correspondence received from the Minister of Natural Resources related to the extension of the Minister's previous direction for Conservation Authorities to make no fee changes associated with planning, development, and permitting fees effective January 1, 2025 to December 31, 2025 was noted.

12.2. 2023 - 2024 Lakehead University - Arthur Shewchuk Memorial Bursary

It was noted that the recipient of the 2023/2024 Lakehead University - Arthur Shewchuk Memorial Bursary was Robert Tyska, Bachelor of Engineering (Mechanical) year 2 Diploma.

13. STAFF REPORTS

13.1. Traffic Counter Report – 2023

Members reviewed and discussed Staff Report CONAREA-01-2025 related to the 2023 Traffic Counter Report.

***THAT:** the Staff Report CONAREA-01-2025 be received.*

Motion: #16/25

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

13.2. 2024 Flood Forecasting Summary

Members reviewed and discussed Staff Report FLFOR-01-2025 which summarized the 2024 Flood Forecasting and Warning Program.

***THAT:** Staff Report FLFOR-01-2025 be received.*

Motion: #17/25

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

13.3. 2024 Neebing-McIntyre Floodway Summary

Members reviewed and discussed Staff Report NMFC-01-2025 which summarized the 2024 Neebing-McIntyre Floodway Program.

***THAT:** Staff Report NMFC-01-2025 be received.*

Motion: #18/25

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

13.4. 2024 Plan Review Summary

Members reviewed and discussed Staff Report PIR-01-2025 which summarized the 2024 Plan Input and Review Program.

***THAT:** Staff Report PIR-01-2025 be received.*

Motion: #19/25

Motion moved by Rudy Buitenhuis and motion seconded by Robert Beatty. **CARRIED.**

13.5. 2024 Development Regulations Summary & Annual Report: Permit Timelines and Compliance Summary

Members reviewed and discussed Staff Report DEVREG-01-2025 which summarized the Development Regulations and Annual Report: Permit Timelines and Compliance Program.

***THAT:** Staff Report DEVREG-01-2025 be received **AND FURTHER THAT** the Annual Report: Permit Timelines and Compliance Summary, 2024 be approved.*

Motion: #20/25

Motion moved by Robert Beatty and motion seconded by Rudy Buitenhuis. **CARRIED.**

13.6. Maps of Regulated Areas under Section 4 of O. Reg. 41/24

Members reviewed and discussed Policy DEVREG-08-2025 related to Maps of Regulated Areas.

***THAT:** Development Regulations Policy DEVREG-08-2025, Maps of Regulated Areas under Section 4 of O. Reg. 41/24 be adopted.*

Motion: #21/25

Motion moved by Brian Kurikka and motion seconded by Robert Beatty. **CARRIED.**

13.7. LM-01-2025 2024 Hazard Tree Removal Program

Members reviewed and discussed Staff Report LM-01-2025 which summarized the 2024 Hazard Tree Removal Program.

THAT: *Staff Report LM-01-2025 be received for information.*

Motion: #22/25

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

13.8. LM-02-2025 2024 Lands Maintenance Summary

Members reviewed and discussed Staff Report LM-02-2025 which summarized the 2024 Lands Maintenance Program.

THAT: *Staff Report LM-01-2025 be received for information.*

Motion: #23/25

Motion moved by Grant Arnold and motion seconded by Robert Beatty. **CARRIED.**

13.9. FORMG-01-2025 Forest Management Plan Annual Summary 2024

Members reviewed and discussed Staff Report FORMG-01-2025 which summarized the 2024 Forest Management Plan Program. Brian Kurikka asked Staff to include overall Forest Health and check for any diseases or invasive species (i.e. Emerald ash borer etc.) in the next Forest Management Plan update.

THAT: *Staff Report FORMG-01-2025 be received.*

Motion: #24/25

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

13.10. CORP-03-2025: 2024 Health and Safety Summary

Members reviewed and discussed Staff Report CORP-03-2025 which summarized the 2024 Health and Safety Program.

THAT: *Staff Report CORP-03-2025 be received for information.*

Motion: #25/25

Motion moved by Robert Beatty and motion seconded by Brian Kurikka. **CARRIED.**

13.11. ENVEDU-01-2025

Members reviewed and discussed Staff Report ENVEDU-01-2025 which summarized the Environmental Education Program.

***THAT:** Staff Report ENVEDU-01-2025 be received for information.*

Motion: #26/25

Motion moved by Jim Vezina and motion seconded by Rudy Buitenhuis. **CARRIED.**

14. CHIEF ADMINISTRATIVE OFFICER'S REPORT

14.1. Monthly Treasurer's Report - November and December

Members were provided with the monthly Treasurer's Report for November and December's 2024 Administration and Capital.

14.2. 2025 Board Meeting Schedule

Members reviewed and discussed the 2025 Board Meeting Schedule. It was noted that the monthly meetings are scheduled the last Wednesday of the month except for June's meeting which will be held the last Thursday of the month as it conflicts with another Meeting.

***THAT:** the 2025 Board Meeting Schedule be approved.*

Motion: #27/25

Motion moved by Jim Vezina and motion seconded by Robert Beatty. **CARRIED.**

14.3. 2024 Investment Summary

Members reviewed and discussed Staff Report FIN-04-2025 which summarized the Authority's 2024 investments.

***THAT:** Staff Report FIN-04-2025 be received.*

Motion: #28/25

Motion moved by Jim Vezina and motion seconded by Brian Kurikka. **CARRIED.**

14.4. 2024 Donations Summary

Members reviewed and discussed Staff Report FIN-05-2025 which summarized the donations that the Authority received in 2024.

THAT: Staff Report FIN-05-2025 be received.

Motion: #29/25

Motion moved by Rudy Buitenhuis and motion seconded by Robert Beatty. **CARRIED.**

14.5. 2025 Fee Schedule

Members reviewed and discussed Staff Report FIN-06-2025 related to the 2025 Fee Schedule. It was noted that per the Minister's Direction extending prohibiting changing Plan Review and Development Regulations fees, no changes were made to those Fee Schedules. Changes made included adding new available merchandise.

THAT: the 2025 Fee Schedule be adopted.

Motion: #30/25

Motion moved by Robert Beatty and motion seconded by Brian Kurikka. **CARRIED.**

14.6. Enactment of O. Reg. 474/24: Minister's Reviews under Sections 28.1 and 28.1.2 of the Act and Minister's Orders under Section 28.1.1 of the Act

Members reviewed and discussed Staff Report DEVREG-02-2025 related to the new regulation (O. Reg. 474/24) for Minister's Reviews and Minister's Orders under the *Conservation Authorities Act*.

THAT: Staff Report DEVREG-02-2025 be received.

Motion: #31/25

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

15. PASSING OF ACCOUNTS

THAT: having examined the accounts for the period November 1, 2024 to November 30, 2024 cheque #3412 to #3440 for \$62,742.03, and preauthorized payments of \$117,770.78 for a total of \$180,512.81 we approve their payment.

Motion: #32/25

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

THAT: having examined the accounts for the period December 1, 2024 to December 31, 2024 cheque #3441 to #3458 for \$116,022.29 and preauthorized payments of \$136,695.59 for a total of \$252,717.88 we approve their payment.

Motion: #33/25

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

16. REGULATORY ROLE

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

17. PROJECTS UPDATE

17.1. Communications Manager Projects Update

It was noted Staff have applied for an Ontario Seniors Community Grant for funding towards outdoor education programming geared towards senior Veterans.

17.2. Lands Manager Projects Update

None.

17.3. Watershed Manager Projects Update

It was noted that the Watershed Manager attended the Climate Resilient Coastal Communities (CRCC) Project Steering Committee Workshop. The focus was regarding the 3.1 million in funding from Natural Resources Canada (NrCan) for four pilot projects in the Great Lakes-St. Lawrence region, one of which is LRCA's Lakehead Resilience Coastal Management Plan, which will focus on completing a technical analysis to determine the existing natural hazards (flooding and erosion) along the Lake Superior shoreline within LRCAs area of jurisdiction as well as modelling and mapping the future natural hazards due to climate change. It was also noted that the LRCA's project had received \$651,500 in funding over four years (2024-2027) from NrCan which provides 75% funding, with the other 25% coming from the Authority.

It was noted that Staff are currently working on the tenth annual Source Water Protection Report.

It was noted that the January 15, 2025 snow surveys indicated that the snow survey locations were below average for snow depth and water content, when compared to the historical averages for January 15. It was also noted that MNR's snow monitoring data is available to the public through the Ontario GeoHub. The site contains information including a list of all active and historical snow survey locations, mapping of snow survey locations as well as historic and current snow survey data (1933-2024).

It was noted that LRCA's area of jurisdiction remains in a Level 1 Low Water advisory.

18. NEW BUSINESS

None.

19. NEXT MEETING

The next meeting will be held on Wednesday, February 26, 2025 at 4:30 p.m.

20. ADJOURNMENT

***THAT:** the time being 5:22 p.m. **AND FURTHER THAT** we have no further business we adjourn.*

Motion: #34/25

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

Chair

Chief Administrative Officer



PROGRAM AREA	Operation and Maintenance of Water Control Structures	REPORT NO.	KAMEC-01-2025
DATE PREPARED	February 6, 2025	FILE NO.	26-15-1
MEETING DATE	February 26, 2025		
SUBJECT	Kam River Erosion Control, Victor Broadway, Operation, Maintenance and Surveillance Plan – 2025		

RECOMMENDATION

Suggested Resolution:

“THAT: Staff Report KAMEC-01-2025 be received.”

LINK TO STRATEGIC PLAN (2023 – 2027)

Protect & Support:

- *Continue maintaining and enhancing flood control infrastructure in an effort to minimize the impacts of riverine flooding, erosion, and sedimentation.*
- *Prioritize and promote the protection and management of natural hazards, wetlands, and natural heritage features within the LRCA Area of Jurisdiction.*

EXECUTIVE SUMMARY

On behalf of the City of Thunder Bay, the LRCA has studied and remediated sections of Victor Street which are located on City of Thunder Bay owned land in an effort to address erosional issues that have the potential to impact homes and access and egress to residents on Victor Street.

The Kaministiquia River Operation, Maintenance and Surveillance Plan for the Victor-Broadway area has been updated for 2025. The Plan outlines completed major works, anticipated and completed maintenance, surveillance plan, and lists past studies and reports.

The City of Thunder Bay will be completing a drainage improvements project along the eastern side of Victor Street from #1620 to #1384 in 2025. Improvements will consist of installation of a 700 metre long subdrain with catchbasin inlets, new driveway entrance culverts and ditching to ensure positive drainage. The drainage improvements are being completed as a result of recommendations from the 2021 Bank Stability Study completed by Hatch to help direct surface water runoff away from the steep bank of the Kam River and help to minimize further erosion. No other major maintenance is planned in 2025 on the Kaministiquia River (Kam River).

Minor maintenance and inspections will be completed in 2025, including inspections at 1620 Broadway Avenue, at the 2014/2015 and 2005 Victor Street soil nailed sites, and continuing inspection of the recently identified slump on LRCA owned property at 1610 Broadway Avenue.

DISCUSSION

The Kaministiquia River Operation, Maintenance and Surveillance Plan for Victor Broadway has been updated for 2025. The Plan outlines completed major works, anticipated, and completed maintenance, surveillance plan, and lists past studies and reports.

The City of Thunder Bay will be completing a drainage improvements project along the eastern side of Victor Street from #1620 to #1384 in 2025. Improvements will consist of installation of a 700 metre long subdrain with catch basin inlets, new driveway entrance culverts and ditching to ensure positive drainage. The drainage improvements are being completed as a result of recommendations from the 2021 Bank Stability Study completed by Hatch to help direct surface water runoff away from the steep bank of the Kam River and help to minimize further erosion. No other major maintenance is planned in 2025 on the Kaministiquia River (Kam River).

Englobe completed two inspections in 2024 of the soil nailed sites and concluded that the overall performance of the treated slopes continues showing generally stable conditions; after 13 years of inspection, no significant movement has been detected with the instruments on the treated areas. The soil nail monitoring cable at Site #1 (1510 Victor Street) was observed to be damaged during 2023 inspections; the cable was replaced by Englobe in 2024. Minor maintenance of existing erosion controls in place at several of the soil nail monitoring sites has been recommended. Englobe drafted a design repair plan proposal; LRCA staff will complete the recommended maintenance when feasible.

In reviewing updated imagery (2022 NWOOP aerial imagery) at the beginning of January 2024, LRCA staff noticed a significant slump on the bank of the Kaministiquia River on LRCA owned property at 1610 Broadway Avenue on the corner of Victor and Broadway. Englobe inspected the area in 2024 and suggested that stormwater runoff flows from 1610 Broadway down the riverbank and during storm events, runoff may further erode the slope. The slope will continue to be monitored by Englobe during biannual inspections.

In 2022, LRCA attempted to hire an engineering firm to conduct an inspection of the retaining wall. No firms bid as they indicated that the retaining wall was all underground and the only way to inspect the integrity of the structure was to dig it up, which was not considered to be feasible. The necessity of the inspection will be discussed with the City of Thunder Bay.

A Memorandum of Understanding (MOU) was signed between the City of Thunder Bay and the Authority in February 2025 regarding annual inspections, reporting and agency responsibilities regarding Victor Street erosion. Part of the agreement is to meet at least annually to discuss erosion concerns on Victor Street.

Subsequent to the Victor/Broadway Bank Stabilization Assessment Study Report in March 2021, LRCA staff met with City of Thunder Bay Engineering staff in April 2021 and in February 2022 to

develop an action plan based on the recommendations from the Report. The LRCA/City action plan items that were completed in 2022, 2023, 2024, and items that have been carried forward to 2025 are as follows:

Completed in 2022

- LRCA and City set up an annual meeting to discuss progress (February).

Completed in 2023

- City inspect drainage outlets on Victor Street.
- City develop a plan and drainage assessment for road re-ditching and reshaping.
- Discussion with City engineering the necessity of inspecting the existing underground retaining wall.
- LRCA increased the surveillance of the property at 1620 Broadway Avenue, and at the 2014/2015 and 2005 Victor Street soil nailed sites to biannual monitoring (spring and fall) and on an as-needed basis (i.e., after significant rainfall)
- LRCA and City met to discuss the drainage improvements project and also discussed including minor maintenance of erosion controls in the drainage improvement project if time and funding permitted.

Completed in 2024

- Met with City and Hatch on site to discuss drainage improvements project.
- Meeting with City, Hatch and Eglobe to discuss drainage improvements project and impacts to the slope monitoring equipment in place (reference pins on the east side of Victor Street).

Carried forward to 2025

- The City's drainage improvement project is scheduled to be completed during the spring/summer of 2025; LRCA Permit #2/25 under O. Reg. 41/24 was issued to the City permitting the work.
- LRCA to implement the revegetation plan for soil nail sites and install hazard signs.
- LRCA to develop resources for landowners to monitor the slope on their own property (self-assessment), and
- City to investigate additional funding to the LRCA to support additional work for Victor Street.
- City/LRCA to meet (annually) to discuss Victor Street monitoring and any future required remedial work.

FINANCIAL IMPLICATIONS

The City of Thunder Bay is designated as sole benefitting municipality for the Victor Street monitoring and any required remedial work. Available budgeted funds and deferred funds will be used for the required minor maintenance, and the action plan items required by LRCA staff.

CONCLUSION

The City of Thunder Bay is completing a drainage improvements project along the eastern side of Victor Street during the spring/summer of 2025; no other major maintenance is planned in 2025 on the Kaministiquia River within the Victor Street – Broadway Avenue area. Biannual monitoring of the Victor Street soil nailed sites will be completed by Englobe engineering consultants (provided inspections do not conflict with the construction of the drainage improvements project). Englobe will also continue to inspect and report on the slump identified on LRCA owned property at 1610 Broadway. Minor maintenance to the existing erosion controls in place at the soil nail monitoring sites will continue to be monitored, and recommended repairs will be implemented as timing and funding allow. A MOU as signed in February 2025 between the LRCA and the City of Thunder Bay concerning the ongoing monitoring and maintenance of Victor Street erosion and erosion controls. As stated in the MOU, the LRCA and City staff will meet in the fall of 2025 to discuss Victor Street erosion concerns. The Operation, Maintenance and Surveillance Plan has been updated for 2025.

BACKGROUND


The Kaministiquia River watershed is partially located within the area of jurisdiction of the LRCA. Major erosion control projects have been undertaken by the Authority over the years on City of Thunder Bay owned land in order to protect City infrastructure including water mains and roads, mainly in the Victor Street area. Erosion control projects have been funded by the City of Thunder Bay as the sole benefitting municipality with partial funding for some completed major infrastructure maintenance coming from the Water and Erosion Control Infrastructure (WECI) program administered by the Ministry of Natural Resources. Prior to 1995 funds were from transfer payments and after 1995 major maintenance funds were from the WECI program.

The LRCA administers O. Reg. 41/24 Prohibited Activities, Exemptions and Permits, within the area of jurisdiction of the Authority. Regulated areas within the Kam River watershed include all floodplain lands and fill regulated lands, all Wetlands (including Provincially Significant Wetlands) and a 30 metre buffer of adjacent lands.

REFERENCE MATERIAL ATTACHED

Kaministiquia River Operation, Maintenance and Surveillance Plan, Victor Broadway, 2025

PREPARED BY: Tammy Cook, CAO

THIS REPORT SIGNED AND VERIFIED BY:  Tammy Cook Chief Administrative Officer	DATE: February 10, 2025
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Kaministiquia River

Operation, Maintenance and Surveillance Plan, Victor Broadway – 2025

The Kaministiquia (Kam) River system is one of the largest tributaries draining into Lake Superior. The watershed drainage area is approximately 7,800 square kilometres, originating north of the City of Thunder Bay at Dog Lake. Ontario Power Generation operates dams on the Kam River at Dog Lake, Shebandowan Lake and Kakabeka Falls.

In many areas, the Kam River is contained by steep banks that range from two metres to over 25 metres in height, while other areas along the banks are considered to be low lying. In the low-lying areas, flooding periodically occurs due to intense rainfall, ice jams and frazil ice. In its lower reaches, the erosion of alluvial deposits has formed many meanders, oxbow lakes and other features commonly associated with a “mature” river. Due to the natural meandering process, erosion of the banks is continuing and is expected to continue into the future.

Erosion and slope failure on the Kam River has been studied extensively over the years. In order to protect municipal infrastructure in the Vickers Heights area, particularly Victor Street and the water main along the slope of the Kam River, extensive work has been carried out to address the on-going erosion. Monitoring of the at-risk areas is conducted annually.

Based on research and studies completed, DST Consulting Engineers determined that crest regression is likely to continue along Victor Street; however, more than six metres of crest failure at any one time was not expected and deep-seated failures below the roadway were not generally expected. Hazards have been managed by utilizing cautionary zones along facilities to be protected, namely Victor Street with its water main (6 metre zone) and nearby residence (10 metre zone). Flood and fill line mapping is utilized to manage development within the regulated area of the Kam River.

Speed limit restrictions on the Kam River are outlined in the Vessel Operation Restriction Regulations which state that in the City of Thunder Bay between the 20th Side Road downstream to the western boundary of Lot 14, Concession 1, south of the Kam River is restricted to 10 kilometers per hour, as shown on the attached map. The City of Thunder Bay is responsible for erecting and maintaining the signage advising of the speed limit. The City of Thunder Bay Police are responsible to enforce the speed limit.

Kaministiquia River

Operation, Maintenance and Surveillance Plan, Victor Broadway – 2025

Victor Street/Broadway Avenue – Completed Erosion Protection Works

Major undertakings have been completed by the Lakehead Region Conservation Authority to address the on-going erosion along the banks of the Kam River in the Vickers Heights/Victor Street/Broadway Avenue area.

Completed major works to date include (see attached map):

Table 1 – Completed Major Works	
Year	Description of Work
1980	Test drain installed at North Victor Street. Drain failed in 1981.
1981	600 metres of rip rap blanket toe protection on east side of channel of west river channel section, South Victor Street.
1982	LRCA purchased six homes that were within 10 metres of the top of bank along Broadway Avenue (i.e. within cautionary zone). All homes were then demolished, thereby removing the residents from the hazard. One home remains to be purchased, however is not presently within the 10 metre cautionary zone.
1984	1,200 metres of the toe of the slope along Broadway Avenue/ North Victor Street was armoured with 38,000 metric tonnes of rip rap.
1985	350 metres of sheet pile wall installed along a section of Victor Street.
2004-2005	Five sites secured with Soil Nail and Root Technology (SNART) as erosion was within 6 metres of the watermain along North Victor Street.
2011	Slope re-grading and rip rap placement across from 1420 Victor Street. After the May 2012 rainfall event the treated slope failed.
2013	Slope re-grading, benching and rip rap placement across from 1420 Victor Street. Short Term Solution.
2013	Slope re-grading and erosion control blanket placement across from 1470 Victor Street. Short Term Solution.
2013	Slope re-grading and erosion control blanket placement across from 1480 Victor Street. Short Term Solution.
2014	Three sites (across from 1420, 1470 and 1480 Victor Street) secured Soil Nail and Root Technology (SNART).
2015	Site across from 1470 Victor Street required additional SNART installation on south side of remediation due to additional failure in the spring of 2015. Rip rap was also added to site.

Kaministiquia River

Operation, Maintenance and Surveillance Plan, Victor Broadway – 2025

Anticipated and Completed Maintenance

The following table provides a summary of anticipated and completed maintenance.

Table 2 – Anticipated and Completed Maintenance				
Area of Work	Description of Activity	Completion Date	*Provincial Funds Provided	Estimated Required Recurrence
Victor Street – South end, west channel	600 metres of rip rap blanket toe protection	1981	Yes	2031 (50 years)
Broadway near Victor Street	Purchase of six homes and demolition, which were at risk due to erosion on bank	1982	Yes Project 416	n/a
	Consider purchase of 1620 Broadway Avenue when home is less than 10 metres from top of slope.			Within next 10 years
Broadway/ Victor Street	Phase I - Rip Rap Rock Protection 40,000 metric tonnes of rip rap and 38,000 square metres of filter cloth placed along the toe of 1,200 metres of shoreline.	1984	Yes	2034 (50 years)
	Phase II – 350 metres of sheet pile wall installed. Panels were lowered between vertical H-beams embedded in concrete and anchored for stability. The area was backfilled, and the road was rebuilt.	1985		2035 (50 years)
King Road	Repair of Slope Failure on bank of Kam on King Road north of entrance into Fort William Historical Park. Filter fabric overlain with rip rap (14,000 tonne) to elevation 187.0 (1.5:1 slope), compacted granular (300 tonne) to toe of berm (1.8:1 slope). Mulching and hydraulic seeding of area.	1987	Yes	2037 (50 years)

Kaministiquia River

Operation, Maintenance and Surveillance Plan, Victor Broadway – 2025

Table 2 – Anticipated and Completed Maintenance

Area of Work	Description of Activity	Completion Date	*Provincial Funds Provided	Estimated Required Recurrence
1400, 1420, 1460, 1480, 1510 Victor Street	Five sites stabilized with DST's proprietary soil nail stabilization system "Soil Nail and Root Technology (SNART)".	2004-2005	Yes R.04.093	2055 – 2105 (Design life of 50 to 100 years)
1420, 1470, 1480 Victor Street	Short term stabilization completed	2013	No	2064 – 2114 (Design life of 50 to 100 years)
	Long term stabilization (i.e., soil nailing SNART technology)	2014	Yes R.14.060	
1470 Victor	Additional failure south of 2014 soil nailed site, additional nails installed in June 2015 along with rip rap in the section and hydro-seeding of entire site	2015	No	
1620 to 1384 Victor Street	Drainage Improvements Project – CTB (ditching along eastern side of Victor Street, installation of subdrains, catch-basin inlets and entrance culverts). Recommendation from Victor/Broadway Bank Stabilization Assessment Study Report, Hatch 2021	Anticipated 2025	No	Maintenance as required.
1610 Broadway (LRCA Property)	Hydroseed bank (significant slump noticed in 2024 from 2022 imagery)	Anticipated 202		
1400 to 1480 Victor Street	Minor maintenance/repair of existing erosion treatments at the following monitoring locations: Site #2, #3, #4 and #5	Anticipated 2026	No	As required.

*Pre-1995 funds were from transfer payment and post 1995 were WECI funds.

Surveillance Plan

The following table summarizes the completed and on-going Surveillance along the Kaministiquia River.

Kaministiquia River

Operation, Maintenance and Surveillance Plan, Victor Broadway – 2025

Table 3 – Surveillance Plan			
Area of Monitoring	Description of Monitoring	Date of Monitoring	Estimated Recurrence
1620 Broadway Avenue	Monitor slope to ensure structures are less than 10 metres from top of slope. (as of 2020, measurement is <u>12.45m</u> from top of slope).	Annual	Biannually – spring & fall (Starting in 2022)
	LRCA to consider purchasing home once dwelling is within 10 metres of crest of slope.		
1400, 1420, 1460, 1480, 1510 Victor Street	Annual horizontal underground monitoring of slope using SPUD devices (dry well with an installed anchored cable that has markings that is spread across Victor Street to a corresponding flush mount casing which is used as a reference point)	Plan established August 7, 2003 and initial inspection by DST. LRCA monitored 2003 to 2007. DST (Englobe) monitored 2008 to present	Biannually – spring & fall (Starting in 2022)
	Repairs to SPUDS by DST Fall 2008. Repairs to SPUDS by DST Fall 2013.		
	Replacement of the damaged cable of the soil nail monitoring system at Site #1 (1510 Victor Street)	2024	No
1420, 1470 and 1480 Victor Street	Inclinometers, settlement plates and piezometers monitoring for slope movement.	October 2014 to March 2015 (weekly)	Biannually – spring & fall (Starting in 2022)
		April to September 2015 (bi-weekly)	
		October 2015 to June 2016 (monthly)	
		Fall 2016 going	

Kaministiquia River

Operation, Maintenance and Surveillance Plan, Victor Broadway – 2025

Table 3 – Surveillance Plan			
Area of Monitoring	Description of Monitoring	Date of Monitoring	Estimated Recurrence
		forward	
Kam River (City to Rosslyn Village)	Floodplain Mapping	1979 2018 - 2020	TBD
Kam River within City of Thunder Bay	Erosion Sites Inventory	1987 2017 - 2019	TBD
Vegetation Assessment	Victor Street Area	2021	TBD
Victor Street Sheet Pile Retaining Wall	Structural inspection, including inspection of drainage system	TBD	TBD

Past Studies/Reports

Table 4 – Past Studies & Reports		
Area of Study	Title of Study	Date
Kam River Lakehead Expressway to boundary of City of Thunder Bay	Bank Erosion on the Kam River in the City of Thunder Bay, VB Cook Ltd.	August 1973
Kam River and Tributaries	Report on the Sept. 8-9, 1977 Flood, MNR	November 1977
Broadway – North Victor and South Victor	Benefit Cost Study of Erosion Control on the Kam River in Thunder Bay, Andrew Brodie Associates Inc.	December 1978
Lake Superior to Rosslyn Village	Kam River Floodline Mapping, James F. MacLaren Ltd.	October 1979
South Victor Avenue	Stability Analysis Kam River, South Victor Avenue, Robert Dodds Ltd.	November 1979
Vickers Heights Area	Erosion Study, Vickers Heights Area, Kam River, Dominion Soil Investigation Ltd.	January 1982
Vickers Heights Area	Review of Report on Erosion Study, Vickers Heights Area, Golder Associates	February 1982
Vickers Heights Area	Preliminary Design for Remedial Works to the banks of the Kam River, Binnie & Partners	October 1982
Vickers Heights Area	Addendum to Report Erosion Study, Vickers Heights Area, Kam River, Dominion	December 1982

Kaministiquia River

Operation, Maintenance and Surveillance Plan, Victor Broadway – 2025

Table 4 – Past Studies & Reports

Area of Study	Title of Study	Date
	Soil Investigations Ltd.	
Broadway Avenue and North Victor Street	Preliminary Design Report, Kam River Bank – Toe Erosion Protection, DeLCan, DeLeuw Cather, Canada Ltd.	January 1984
Kam River	Flood Risk Map, Flood Damage Protection Program	1984
Broadway Avenue and North Victor Street	Kam River Bank Toe Erosion Protection, DeLCan, DeLeuw Cather, Canada Ltd.	January 1984
Victor Street	Kam River Erosion Control Bank Stabilization Feasibility and Preliminary Design, Dominion Soil Investigation Inc.	October 1984
Victor Street	Geotechnical Design Brief Soldier Pile and Lagging Retaining Wall, Kam River Erosion Control, Bank Stabilization, Dominion Soil Investigation Inc.	October 1984
Fort William Historical Park	Old Fort William, Kam River Frontage Sand Bar Removal Study, Proctor and Redfern Ltd.	June 1985
King Road	Site Investigation, Bank Failure on Kam River, King Road, Robert Dodds Ltd.	November 1986
Kam River Hwy 61 to City Limits	Kam River Erosion Sites Inventory Study, Robert Dodds Limited	April 1987
Kam River Watershed	Kam River Watershed Management Study, Acres International Ltd.	November 1990
CP Rail Underpass to Lake Superior	Kam River Bank Clean Up Study, Proctor and Redfern Ltd.	October 1991
Lake Superior to Westfort Turning Basin	Kam River Property Assessment, LRCA	August 1994
Broadway Avenue / South Victor Street	Kam River Bank Stability Assessment Broadway Avenue / South Victor Street Area, DST	November 15, 2002
Victor Street	Instrumentation and Monitoring Plan, Kam River Bank Stability, DST	August 7, 2003
Victor Street	“First Step” Action Plan Kam River Bank Stability Assessment Broadway Avenue/ South Victor Street, DST	November 10, 2003

Kaministiquia River

Operation, Maintenance and Surveillance Plan, Victor Broadway – 2025

Table 4 – Past Studies & Reports

Area of Study	Title of Study	Date
Kam River System	Water Management Plan, OPG	August 2004
Victor Street soil nailed area	Design Report Soil Nail Stabilization System for Five Locations along Victor Street, DST	March 2, 2005
Victor Street soil nailed area	Construction Report 2004 Design-Build Contract Kam River Bank Stabilization, DST	December 2006
1420 Victor Street	Victor Street Slope Failure Site No. 4 (1420 Victor Street), DST	January 8, 2013
1470/1480 Victor Street	1470-1480 Victor Street Slope Failures between Sites #2 and #3	June 2013
1420 Victor Street	1420 Victor Street Slope Survey Monitoring, DST	August 6 to September 2013
1470 Victor Street	Construction Report, Slope Failures Temporary Solutions, 1470 Victor Street, DST	December 20, 2013
1480 Victor Street	Construction Report, Slope Failures Temporary Solutions, 1480 Victor Street, DST	December 20, 2013
Victor Street 2005 soil nailed areas	Victor Street Monitoring Report, DST	Annual Reports 2009 to 2015 and 2017
1420/1470/1480 Victor Street	Construction Report, 2014 Design-Build Contract	December 2014
1420/1470/1480	Victor Street Monitoring Report, DST	September 29 to December 25, 2014
1420/1470/1480	Victor Street Monitoring Report, DST	Monthly reports 2015
1420/1470/1480	Victor Street Monitoring Report, DST	Fall 2015
1420/1470/1480	Instrumentation Monitoring Report, DST	2016
1420/1470/1480	Victor Street Monitoring Report, DST	May 2017
1420/1470/1480	Victor Street Monitoring Report, DST	Spring 2018
1420/1470/1480	Victor Street Monitoring Report, DST	Spring/Summer 2019
Kam River within City of	Kaministiquia River Erosion Sites Inventory	June 2019

Kaministiquia River

Operation, Maintenance and Surveillance Plan, Victor Broadway – 2025

Table 4 – Past Studies & Reports		
Area of Study	Title of Study	Date
Thunder Bay	Report, KGS Group	
Victor Street and Broadway Avenue	Victor/Broadway Bank Stabilization Assessment Study Report, Hatch	March 2021
Sites 1 to 5	Victor Street Monitoring Report(s) DST/Englobe	Spring/Summer Reports 2020 – 2024
1610 Broadway (LRCA Property)	Biannual Monitoring included in Englobe Victor Street Monitoring Reports	2024

Attachments: Broadway Avenue/ Victor Street Erosion Projects Map
Kam River Speed Limit Restriction Area Map

**Broadway Avenue /
Victor Street
Erosion Projects**



- Legend**
- 2015 Soil Nailing Site
 - 2014 Soil Nailing Sites
 - Rip Rap Erosion Protection, 1984
 - Retaining Wall, 1985
 - Bank Stabilization
 - Rip Rap Erosion Protection, 1981
 - Soil Nailing Sites, 2004-2005
 - City Owned Property
 - LRCA Owned Property
 - 100 Year Erosion Hazard Limit

0 50 100 150 200 m

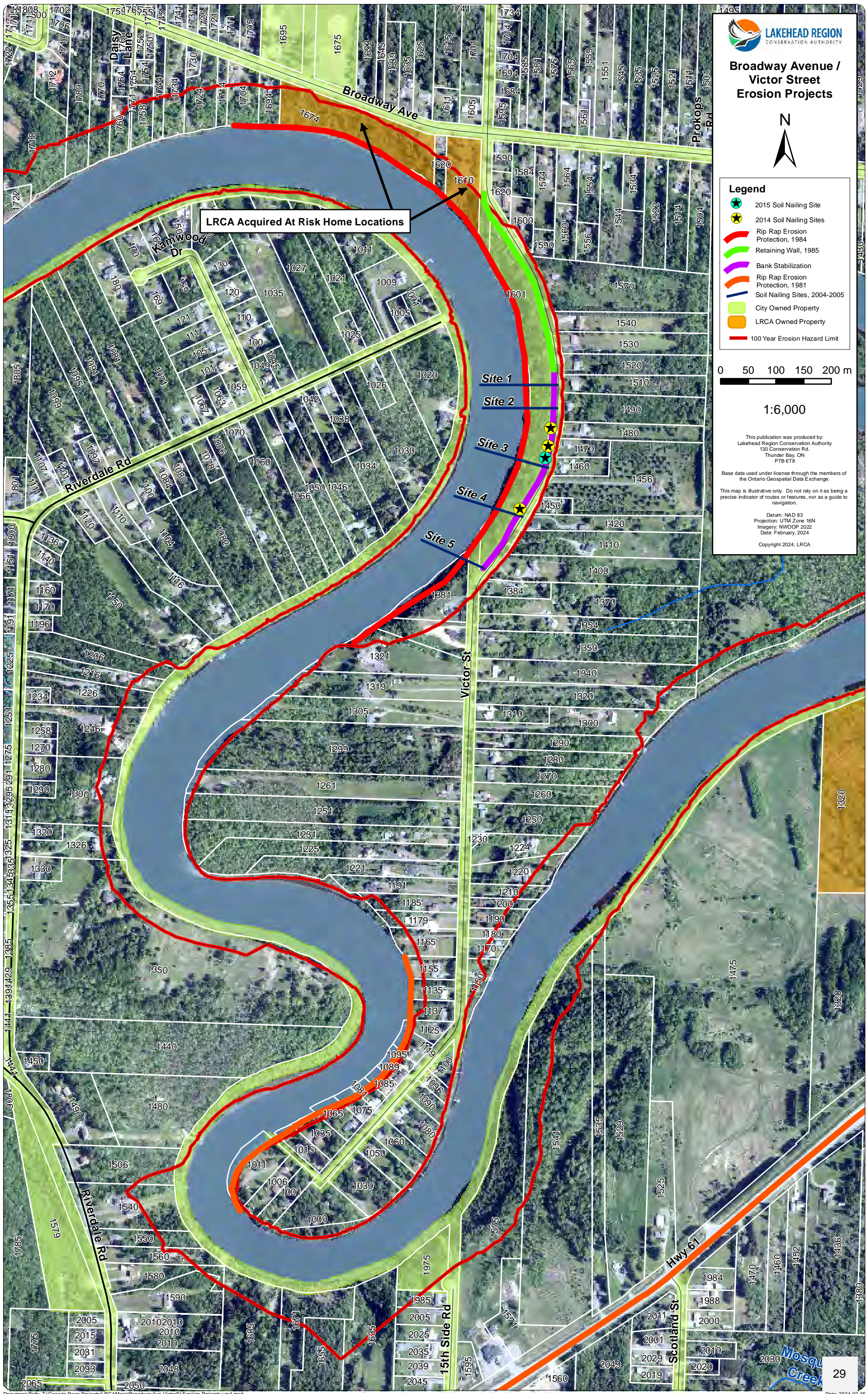
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Kaministiquia River Restricted Speed Area



Legend

- Restricted Speed Area
- Parcels
- Drainage**
- Water Body
- Wetland
- Provincially Significant Wetland
- Stream
- River
- Ditch
- Roads**
- Highway
- Road
- Street

0 250 500 750 m

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PROGRAM AREA	Operation and Maintenance of Erosion Control Structures	REPORT NO.	KAMEC-02-2025
DATE PREPARED	February 9, 2025	FILE NO.	9-15-1
MEETING DATE	February 26, 2025		
SUBJECT	2024 Victor Street Monitoring Reports		

RECOMMENDATION

Suggested Resolution:

“THAT Staff Report KAMEC-02-2024 and the Victor Street Slope Monitoring Report, dated October 4, 2024, and the Victor Street Slope Monitoring Report, dated December 5, 2024 be received.”

LINK TO STRATEGIC PLAN (2023 – 2027)

Protect & Support:

- *Continue maintaining and enhancing flood control infrastructure in an effort to minimize the impacts of riverine flooding, erosion, and sedimentation.*

EXECUTIVE SUMMARY

In 2024, Englobe Corporation (formerly DST Consulting Engineers) completed the annual monitoring of the banks of the Kaministiquia River at 1620 Broadway Avenue and the five (5) soil nail sites across from 1510, 1480, 1460, 1420 and 1400 Victor Street, in the City of Thunder Bay and LRCA owned property at 1610 Broadway Avenue. Two separate site inspections were completed, and two separate reports were received. The site inspection dates were as follows: August 20, 2024 and a fall inspection was carried out on October 24 and 25, 2024.

Both reports indicate that all monitoring sites are in good condition and no horizontal nor vertical movement was detected. Minor erosion was observed on the slopes at several of the sites; Englobe has recommended that localized repairs be undertaken to improve the condition of the slopes and minimize any further erosion. Repairs in general include removing loose debris and material, filling in any depressions with appropriate granular material, placing topsoil, erosion control blanket and seeding the areas. The recommended minor repairs are not urgent; LRCA will continue to monitor the condition of the slopes and will implement the recommended repairs when feasible. The damaged monitoring cable at Site #1 (1510 Victor St.) was replaced during Englobe’s fall inspections.

LRCA owned property at 1610 Broadway Avenue was added to Englobe’s inspection tasks as a result of an identified significant slump on the property in early 2024. Englobe suggested that stormwater runoff flows from 1610 Broadway down the riverbank and during storm events,

runoff may further erode the slope. The slope will continue to be monitored by Englobe during biannual inspections.

The City of Thunder Bay will be completing a drainage improvements project along Victor Street in 2025. LRCA Permit #2/25 under O. Reg. 41/24 was issued to the City permitting the work. The work will impact the soil nail monitoring equipment (reference pins on the east side of Victor Street); the City will work with Englobe post-construction to have the reference pins reinstalled.

DISCUSSION

Site inspections for the Victor Street monitoring program for 1620 Broadway Avenue and for the five (5) soil nail sites across from 1510, 1480, 1460, 1420 and 1400 Victor Street were completed on August 20, 2024, and again on October 24-25, 2024. The Englobe Corporation (formerly DST) Victor Street Slope Monitoring Reports concluded that the treated slopes at all sites appear to be in stable condition and no significant movement has been detected with the instruments at the treated areas. Areas with asphalt roadway deterioration at the sites have been repaired with cold asphalt patch and remain in good condition.

Minor erosion was observed on the slopes at several of the sites; Englobe recommended that the condition of the slopes be improved at Sites #2, #3, #4 and #5 to minimize further erosion. Maintenance recommendations include removing any large debris, rocks, loose material, previously placed erosion control blanket or any other obstructions from the slope; fill in depressions with similar sized rockfill/granular material, followed by fresh topsoil, new erosion control blanket, topsoil and seed mix. The recommended minor repairs are not urgent; LRCA will continue to monitor the condition of the slopes and will implement the recommended repairs when feasible.

The reference cable used for slope monitoring at Site #1 (1510 Victor Street) was observed to be damaged during 2023 inspections; the cable was replaced by Englobe in 2024.

An inspection of the bank crest at the Hill's residence located at 1620 Broadway Avenue was carried out as part of the Report. The property has previously been slated for acquisition by the LRCA once the residence is less than 10 meters from the crest of the bank. Englobe was unable to measure the site during 2024 inspections as the homeowner was not present during either inspection, however, it was noted that the slope in this area did not show any significant changes compared to previous inspections.

The City of Thunder Bay will be completing a drainage improvements project (installation of a subdrain, catch basin inlets, new driveway entrance culverts, ditching to ensure positive drainage, etc.) along the eastern side of Victor Street from #1620 to #1384 in 2025. LRCA Permit #2/25 under O. Reg. 41/24 was issued to the City permitting the work. The work will impact the soil nail monitoring equipment (reference pins on the east side of Victor Street); the City will work with Englobe post-construction to have the reference pins reinstalled.

Upon reviewing updated imagery (2022 NWOOP aerial imagery) at the beginning of January 2024, LRCA staff noticed a significant slump on the bank of the Kaministiquia River on LRCA

owned property at 1610 Broadway Avenue on the corner of Victor and Broadway. Englobe inspected the area during their 2024 inspections and suggested that stormwater runoff flows from 1610 Broadway down the riverbank and during storm events and that runoff may further erode the slope. The slope will continue to be monitored by Englobe during biannual inspections.

FINANCIAL IMPLICATIONS

The City of Thunder Bay is designated as the sole benefitting municipality for the Victor Street monitoring. The 2025 budget includes funds to complete annual inspections and required minor maintenance work.

CONCLUSION

All five (5) soil nailed sites monitored along Victor Street are continuing to function as designed. Minor maintenance to existing erosion controls is recommended, but not urgent; LRCA will continue to monitor the sites and implement the minor repairs when feasible. The damaged cable at Site #1 was replaced by Englobe in 2024. LRCA property at 1610 Broadway Avenue will continue to be monitored during annual inspections. The residence at 1620 Broadway Avenue continues to be within an acceptable distance from the current crest of the bank. The City of Thunder Bay's drainage improvement project scheduled for 2025 will impact the slope monitoring equipment on the east side of Victor Street (reference pins); the City will work with Englobe post-construction to have the pins reinstalled.

BACKGROUND

In order to protect City of Thunder Bay infrastructure along Victor Street (i.e. road surface and water mains), the LRCA has completed soil nailing at several erosion sites along the Kaministiquia River banks on land owned by the City.


Five sites were treated in 2005 and three sites were treated in 2014/2015 with DST Consulting Engineer's proprietary soil nail stabilization system SNART (Soil Nail and Root Technology), which is comprised of steel bars inserted into the soil extended below all potential failure surfaces. The nails are typically installed on a 1 to 1.5 metre grid to varying depths up to 11.0 metres. Vegetation is then planted over the area. The design life of the soil nailed areas is estimated to be 50 to 100 years. Monitoring has been carried out since the 2005 installation, with minimal movement detected in the treated sections.

The soil nailing was funded partially by the City of Thunder Bay and through funds received from the Water and Erosion Control Infrastructure (WECI) fund administered by the Ministry of Natural Resources.

REFERENCE MATERIAL ATTACHED

Full reports to be circulated at the meeting.

PREPARED BY: Melissa Hughson, Watershed Manager

<p>THIS REPORT SIGNED AND VERIFIED BY:</p> <p></p> <p>Tammy Cook Chief Administrative Officer</p>	<p>DATE: February 10, 2025</p>
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PROGRAM AREA	LAND MANAGEMENT	REPORT NO.	LM-03-2025
DATE PREPARED	February 12, 2025	FILE NO.	
MEETING DATE	February 26, 2025		
SUBJECT	2024 Asset Management Plan Strategy Update		

RECOMMENDATION

“THAT: *Staff Report LM-03-2025 be received for information.*”

LINK TO STRATEGIC PLAN

Connect and Explore:

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

Govern and Enhance

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

EXECUTIVE SUMMARY

Per the 2021 Asset Management Plan Strategy, LRCA staff have completed various projects in an effort to maintain the LRCA’s Office Facility and assets in the Conservation Areas. This report summarizes projects completed in 2024.

DISCUSSION

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

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

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

Using the recommendations from the AMP, a five-year AMP Strategy was approved by the Board per resolution #104/21. Going forward, staff will bring forward an annual staff report, outlining all work completed in the previous year, as recommended in the AMP Strategy. This report will summarize all work completed in 2024.

Summary of Completed Work		
Administrative Office and Grounds		
2024	Exterior	Repoint mortar joints at all heating and cooling louvers, chimney area, precast sill units
		Repair west side parging
		Repair cracking and damage to front steps
		Repair cracks and reinstall fallen stones on base of LED sign
		Concrete repair on threshold of boiler room exterior door
Conservation Areas		
2024	Little Trout Bay	Floating dock and kayak launch installation (new asset)
	Cascades	New entrance sign
	Hazelwood	Gate relocated

Planned work in 2025 includes:

Office Building/Grounds		
2025	Grounds	Fence and gate(s) installation
Conservation Areas		
2025	Mills Block	New entrance and parking lot (new asset)
		AODA floating boardwalk trail (new asset)
		AODA loop trail (new asset)
		AODA outhouse installation (new asset)
		Pay and Display installation (new asset)
	Mission Island Marsh	Parking lot repair work

JML Engineering has been hired to develop all technical drawings and act as contract administrator for the Mills Block Conservation Area redevelopment project.

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

FINANCIAL IMPLICATIONS

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

The reserve balance for Conservation Area Capital as of December 31, 2024, was \$353,465.64. Estimated AMP costs to December 31, 2041 are \$1,424,300. Estimated levy for the period is \$1,705,500. Estimated reserve balance as of December 31, 2041 is projected to be \$586,510.

The Office Facility Reserve balance as of December 31, 2024 was \$280,651. Expected AMP costs to December 31, 2041 are \$877,050. Estimated levy to December 31, 2041 is \$904,300. Estimated reserve balance as of December 31, 2041 is projected to be \$379,527.

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

CONCLUSION

In 2024, LRCA staff completed upgrades as outlined in the AMP in an effort to maintain the Office Facility and Conservation Areas. Overall, it is anticipated to have adequate funds available to maintain LRCA's assets, provided future budgets include the levy amounts as estimated in the AMP and no major unforeseen work is required. Additionally, some new assets were installed as a result of acquiring additional funding.

BACKGROUND


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

REFERENCE MATERIAL ATTACHED

Attachment 1 – Conservation Area Capital Long-Term Forecast

Attachment 2 – Office Facility Long-Term Forecast

PREPARED BY: Ryne Gilliam, Lands Manager

THIS REPORT SIGNED AND VERIFIED BY:  Chief Administrative Officer	DATE: February 18, 2025
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Conservation Area Site Development

Conservation Area Site Development				Year	2022																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															</
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\$ 130,000 grant from NOHFC offset costs. Outhouse costs where added for AODA compliant Outhouse to enhance NOHFC application.
Added \$100,000 to budget per resolution 65/23

Expected Completion

- Pavilion Little Trout Roof Decking
- Mission Marsh Parking Lot Repairs
- Mills Block New Entrance and Parking Lot
- Mills Block New AODA Floating Boardwalk
- Mills Block New AODA Loop Trail
- Mills Block New AODA Outhouse
- Mills Block Pay and Display Unit

2025
2025
2025
2025
2025
2025
2025

Asset Management Plan Review			Year	2022																									
			TBT Asset Mgmt Plan Estimates				2-5 years										5-10 years				10-20 years								
Location	Description	Yer of Purchase	Useful Life	Actual Age	Effective Age	Reamaining Life	2022 Estimate	2022 Actuals	2023 Estimate	2023 Actuals	2024 Estimate	2024 Actuals	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041
Office Building	Structure	1953	110	69	63	47																							
Office Building	Roof Assembly	2012	25	10	4	21																							
Office Building	Exterior - Brick/Greenhouse, Exterior Office Re-Pointing, Parging, general concrete repairs																									25,000			
		1953	86	69	63	23			12,500			-	15,453																
Office Building	Exterior - Doors and Windows	N/A	25	N/A	15	10										65,000													
Office Building	Exterior - Stairs/Ramp/Handrails	2012	25	10	10	15			2,500																				
Office Building	Parking Lot	2014	20	8	3	17															20,000								
Office Building	Patio Stone Area	2015	20	7	1	19																75,000							
Office Building	Plumbing	1953	70	69	50	20			12,500	14,158														35,000					
Office Building	Heating	2011	20	11	3	17	10,500	-						5,500	89,050								11,650						
Office Building	Cooling	2011	15	11	5	10	-	-																					
Office Building	Ventilation	2013	20	9	3	17	3,000	-										66,600											
Office Building	Insulation and Ventilation	N/A	30	N/A	20	10										115,250													
Office Building	Interior	2014	15	8	2	13																							
Office Building	Control Systems	2011	15	11	5	10																							
Office Building	Fire Supresion	2011	10	11	5	5									27,500	-				55,000	-								
Office Building	Electrical - Lighting and Service	N/A	20	N/A	20	0	285,927			239,712																			
Attached Garag	Foundation	1974	81	48	42	39																							
Attached Garag	Structure	1974	69	48	40	29																							
Attached Garag	Roof	2012	25	10	4	21																							
Attached Garag	Exterior	1974	50	48	25	25																							
Garage	Detlatched Garage	N/A	25	N/A	15	10			2,500	2,000																		10,000	
LED Sign	LED Sign	2015	15	7	1	10																45,000							
Greenhouse	Greenhouse	2015	30	7	1	29																							
Office Building	Backflow valve connections	2018	5	4	1	4																							
SUBTOTAL - Asset Management Plan							299,427	-	30,000	255,870	-		-	5,500	116,550	180,250	-	66,600	55,000	-	20,000	120,000	11,650	35,000	-	25,000	-	-	10,000
Additional Capital Purchases:																													

2025 TREASURER'S REPORT - January MONTHLY EXPENSES				
	2025 BUDGET	January	TOTAL TO DATE	BALANCE REMAINING
REVENUE				
Provincial Grants	316,923	87,962	87,962	228,961
Municipal Levy	1,913,993	1,913,993	1,913,993	-
Self Generated	684,785	44,495	44,495	640,290
Other Revenue	1,659,262	14,650	14,650	1,644,612
TOTAL REVENUE	4,574,963	2,061,100	2,061,100	2,513,863
EXPENSES				
Category 1: Mandatory Programs and Services				
Corporate Services	895,324	86,964	86,964	808,360
Risk of Natural Hazards	2,085,099	38,547	38,547	2,046,552
Conservation and Management of Lands owned and controlled by the Authority	1,044,201	29,734	29,734	1,014,467
Source Water Protection	55,883	12,186	12,186	43,697
Other Programs and Services	22,104	1,823	1,823	20,281
Total Category 1 Mandatory Programs and Services	4,102,611	169,254	169,254	3,124,997
Category 2: Non-Mandatory Programs and Services at the Request of a Municipality				
Mapping Services/Mosquito and Pennock Monitoring	18,527	-	-	18,527
Total Category 2 Non-Mandatory Programs and Services at the Request of a Municipality	18,527	-	-	18,527
Category 3: Non-Mandatory Programs and Services				
Education	99,481	5,274	5,274	94,207
Stewardship	354,344	13,784	13,784	340,560
Other			-	-
Total Category 3 Non-Mandatory Programs and Services	453,825	19,058	19,058	434,767
Total All Expenses	4,574,963	188,312	188,312	3,578,291



PROGRAM AREA	Administrative By-Law	REPORT NO.	POLICY – By Law No. 1, Administrative By-Law Version 6.0
DATE PREPARED	January 24, 2025	FILE NO.	3-5-3
MEETING DATE	February 26, 2025		
SUBJECT	Amendment to Administrative By-Law, Version 6.0		

RECOMMENDATION

Suggested Resolution:

“THAT: Administrative By-Law No. 1/2018, Version 6.0 be approved.”

LINK TO STRATEGIC PLAN (2023-2027)

Govern and Enhance

- *Continue to commit to accountable and transparent organizational governance.*

EXECUTIVE SUMMARY

The Administrative By-Law has been amended to incorporate various updates as recommended by Conservation Ontario in order to improve and keep the document current.

Staff recommend adopting Version 6.0 of the Administrative By-Law.

DISCUSSION

The Administrative By-Law has been updated to incorporate recommended amendments outlined by Conservation Ontario in December 2024 in response to Ontario Regulation 402/22: Budget and Apportionment (remove reference to O. Reg. 139/96, replace the word levy with apportionment, remove reference to non-matching levy). Also, clarifying language was added in relation to the Minister’s appointed Agricultural Representatives.

All changes in the draft version 6.0 document have been highlighted in red font for ease of review.

FINANCIAL IMPLICATIONS

None.

CONCLUSION

The Administrative By-Law is recommended by staff to be amended as outlined in the attached Version 6.0.

BACKGROUND


As required in the *Conservation Authorities Act*, Section 19.1, Conservation Authorities were required before December 12, 2018 to enact by-laws related to their proper administration. As required the LRCA enacted their Administrative By-Law on September 26, 2018.

The Administrative By-Law was amended on April 26, 2020 (Version 2.0) to allow for electronic participation during an emergency declaration under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act* (EMPCA). The Administrative By-Law was amended on August 26, 2020 (Version 3.0) to permit electronic open and closed Board of Director, Source Protection Authority and Section 28 Hearings meeting participation if warranted, provided quorum and public participation in open meetings when required can be met. The By-Law was amended on November 24, 2021 (Version 4.0) to incorporate proclaimed clauses in the *Conservation Authorities Act* related to Bill 226, Schedule 6. The By-Law was amended on January 26, 2023 (Version 5.0) to clarify language related to the Agricultural Representative, updates related to O. Reg. 402/22, conflict of interest requirements and electronic participation in meetings.

REFERENCE MATERIAL ATTACHED

Lakehead Region Conservation Authority Administrative By-Law (By-Law No.1/2018), version 6.0 (as amended)

PREPARED BY: Tammy Cook, CAO

THIS REPORT SIGNED AND VERIFIED BY:  Tammy Cook Chief Administrative Officer	DATE: January 24, 2025
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LAKEHEAD REGION
CONSERVATION AUTHORITY

Administrative By-Law

By-Law No. 1/2018

February 26, 2025

VERSION	DATE	Resolution No.
First Reading	June 27, 2018	
Second Reading	August 29, 2018	
Third Reading and Approval	September 26, 2018	#108/18
2.0	April 29, 2020	#35/20
3.0	August 26, 2020	#74/20
4.0	November 24, 2021	#119/21
5.0	January 26, 2023	#21/23
6.0	February 26, 2025	##/25

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1 INTRODUCTION

Lakehead Region Conservation Authority is a non-share corporation, established under Section 3 of the *Conservation Authorities Act*, with the objects to provide, in the area over which it has jurisdiction, programs and services designed for the purpose of furthering the conservation, restoration, development and management of natural resources in watershed(s) other than gas, oil, coal and minerals.

Under the Act, municipalities within a common watershed are enabled to petition the province to establish a conservation authority. Members of the Authority are appointed as representatives by the Participating Municipalities and are effectively directors also of the Authority. Participating municipalities include: City of Thunder Bay, Municipalities of Oliver, Paipooonge, Shuniah and Neebing and Townships of O'Connor, Conmee, Dorion and Gillies. An additional member may be appointed to the authority by the Minister as a representative of the agricultural sector.

The Lakehead Region Conservation Authority has adopted the following Vision and Mission Statements:

Vision: A healthy, safe and sustainable Lakehead Watershed for future generations.

Mission: To lead the conservation and protection of the Lakehead Watershed.

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. As a non-share corporation, the Authority has the capacity and, subject to the Act and other applicable legislation, the rights, powers and privileges of a natural person. The powers of a conservation authority to accomplish its objects are set out in the Act, including those identified under subsection 21(1) thereof.

1.1 Powers of Authorities

The powers of Authorities are provided in Section 21 of the *Conservation Authorities Act*.

1.2 Definitions and Interpretations

In this By-Law,

“Apportionment” ~~“Levy”~~ means the amount of net costs apportioned to participating municipalities in accordance with the Act and Regulations under the Act.

“Authority” means The Lakehead Region Conservation Authority.

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

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

“Chief Administrative Officer” means the Chief Administrative Officer and includes the position of Secretary-Treasurer of the Authority.

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

“General Membership” means all of the Members, collectively and includes a quorum of the Members in reference to a Meeting and effectively acting as directors as specified in the *Ontario Not-for-Profit Corporations Act* (ONCA).

~~“Levy” means the amount of costs apportioned to Participating Municipalities in accordance with the Act and the Regulations thereunder.~~

“Majority” means half of the votes plus one.

“Members” shall mean the Members appointed to the Authority by the Participating Municipalities in the Authority’s area of jurisdiction and act as directors as specified in the *Ontario Not-for-Profit Corporations Act* (ONCA).

“Minister” means the Minister responsible for administration of the Act.

~~“Non-matching Levy” means that portion of an Authority’s levy that meets the definition of non-matching levy as found in Ontario Regulation 139/96.~~

“Officer” means the Chair, Vice-Chair and the Chief Administrative Officer.

“Participating Municipality” means a municipality that is designated by or under the Act as a Participating Municipality in the Authority.

“Secretary-Treasurer” means the Secretary-Treasurer of the Authority with the roles specified in the Act and which office is included in the title and roles of the Chief Administrative Officer.

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

“Vice-Chair” means the Vice-Chair as elected by the Members of the Authority. If a first and second Vice-Chair are elected, they shall be called First Vice-Chair and Second Vice-Chair.

“Weighted Majority” means the votes of 51 per cent of those represented after the votes are weighted by the percentage that applies under Ontario Regulation **402/22: Budget and Apportionment ~~139/96 for Municipal Levies~~**.

1.3 References to Acts or Regulations

A reference in this By-law to a provision of an Act or Regulation is a reference to the provision as amended, re-enacted, changed or remade.

1.4 Conflict with other By-laws

In the case of any conflict between any By-law or Regulation heretofore enacted by the Authority and this By-law, this By-law shall govern.

2 Governance

2.1 Members

2.1.1 Appointments

Participating Municipalities may appoint Members in accordance with Section 14 of the Act.

Members must reside in a Participating Municipality within the Authority's area of jurisdiction. Participating municipalities must ensure that at least 70 percent of its appointees are selected from among the members of the municipal 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.

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

2.1.2 Term of Member Appointments

In accordance with Section 14 of the Act, a Member shall be appointed for a term of up to four years at the discretion of the appointing participating municipality; such term beginning at the first meeting of the Authority following his or her appointment and ending at the expiry of four years or immediately before the first meeting of the Authority following the appointment of his or her replacement, whichever first occurs. The Chief Administrative Officer 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 may be replaced by a Participating Municipality at the municipality's discretion prior to the end of his or her term. The Minister will define the term for the Member they appoint as a representative of the agricultural sector **and they may be replaced at the Minister's discretion.**

2.1.3 Powers of the General Membership

Subject to the Act and other applicable legislation, the General Membership is empowered without restriction to exercise all of the powers conferred on the Authority under the Act. In addition to the powers of an authority under Section 21 of the Act, for the purposes of accomplishing its objects in this Act, 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 such Committees and/or Advisory Boards;
- ii. Appointing a Chief Administrative Officer;
- iii. Terminating the services of the Chief Administrative Officer;
- iv. Approving, establishing and implementing regulations, policies and programs;

- v. Awarding contracts or agreements where the approval of the Authority is required under the Authority's purchasing policy.
- vi. Appointing an Executive Committee and delegating 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.
- vii. Approving by resolution, any new capital project of the Authority;
- viii. Approving by resolution, the method of financing any new capital projects;
- ix. Approving details on budget allocations on any new or existing capital projects;
- x. Approving ~~of~~ the total budget for the ensuing year, and approving the **apportionment levies** to be paid by the Participating Municipalities;
- xi. Receiving and approving the Financial Statements and Report of the Auditor for the preceding year;
- xii. Authorizing the borrowing of funds on the promissory note of the Authority in accordance with subsection 3(5) of the Act;
- xiii. Approving by resolution, any proposed acquisition of land or the disposition of land, subject to the requirements under the Act;
- xiv. 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 consistent with Ontario Regulation 180/06;
- xv. Holding hearings required for the purpose of reviewing permit applications, and advising every applicant of the applicant's right to appeal the decision to the Minister through the Ontario Lands Tribunal.

If a Member has been approved representing the agricultural sector, they do not have a vote on items ix, x, and xi as per Section 14 of the Act and Section 2 of Ontario Regulation 402/22 Budget and Apportionment.

2.1.4 Member Accountability

Participating Municipalities appoint Members to the Authority as their representatives. Members have the responsibilities of Directors of the corporation that is the Authority. While the Chief Administrative Officer and other staff of the Authority are 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.

Every member and officer in exercising his or her powers and discharging his or her duties to the Authority shall act honestly and in good faith with a view to the best interests of the Authority and exercise care, diligence and skill that a reasonably prudent persons would exercise in comparable circumstances.

All Members have the responsibility to be guided by and adhere to the Code of Conduct (Appendix A) and Conflict of Interest Policy (Appendix B), as adopted by the Authority. Additionally, the agricultural representative appointed by the Minister will be required to follow the provincial ethical framework set out for government public appointees in the Management Board of Cabinet's Agencies and Appointments Directive.

Members are responsible for:

- i. attending meetings of the General Membership and Executive Committee, if applicable;
- ii. understanding the purpose, function and responsibilities of the Authority;
- iii. being familiar with the Authority's statutory and other legal obligations;
- iv. with the administration, setting strategic direction for the Authority.

2.1.5 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*; and,
- *Not-for-Profit Corporations Act, 2010*.

If any part of this 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. The same applies to conflicts between these by-laws and the *Not-for-Profit Corporations Act* where dictated by the *Conservation Authorities Act* in which case the Act prevails.

2.1.6 Relationship Between Members and Staff

The Chief Administrative Officer shall 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 Members.

The General Membership shall ensure that a process exists for regular performance evaluations of the Chief Administrative Officer.

2.2 Officers

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

Chair

- Is a Member of the Authority;
- Presides at all meetings of the General Membership (and Executive Committee if applicable);
- 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.

Vice-Chair(s)

- Is/are a Member(s) of the Authority;
- Attends 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 or her duties;
- Serves as a signing officer for the Authority.

Chief Administrative Officer (CAO)

Roles and 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 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 Participating Municipalities, federal and provincial government ministries/agencies, Indigenous communities, other conservation authorities, Conservation Ontario, stakeholder and community groups and associations;

- Holds the office of the Secretary-Treasurer and undertakes the duties of the Secretary-Treasurer, including:
 - Fulfills the requirements of the Secretary-Treasurer as defined in the Act;
 - Is the custodian of the Corporate Seal;
 - Serves as a signing officer for the Authority.

2.3 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 present 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.

2.4 Maximum Term for Chair and Vice-Chair(s)

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.

2.5 Representatives to Conservation Ontario Council

The representatives to Conservation Ontario Council “Council” are the Chair (Voting Delegate), Vice-Chair (Alternate) and Chief Administrative Officer (alternate). Council will consist of the Voting Delegates appointed by each Member Conservation Authority. The Voting Delegate and Alternates shall be registered with Conservation Ontario annually.

2.6 Election of Chair and Vice-Chairs

The election of the Chair and one or more Vice-Chairs shall be held at the first meeting held each year in accordance with the Authority’s Procedures for Election of Officers (Appendix C). Successors to the positions of Chair and Vice-Chair shall be a Member from a different participating municipality from the incumbent. Upon application by an Authority or a participating Municipality, the Minister may grant permission for a member who was appointed to the Authority by the same participating municipality that appointed the outgoing Chair or Vice-Chair to serve as Chairs or Vice-Chairs.

2.7 Appointment of Auditor

The General Membership shall appoint an auditor at the Annual Meeting by Resolution and in accordance with Section 38 of the Act.

2.8 Appointment of Financial Institution

The General Membership shall appoint a financial institution to act as the Authority’s banker by Resolution annually at the Annual Meeting.

2.9 Appointment of Solicitor

The General Membership shall appoint a solicitor(s) to act as the Authority's legal counsel by Resolution annually at the Annual Meeting.

2.10 Financial Statements and Report of the Auditor

The Authority's accounts and transactions will be audited by a person licensed under the *Public Accounting Act*, 2004 and shall ensure that the annual audit is prepared in accordance with generally accepted accounting principles for local governments recommended by the Public Sector Accounting Board of the Chartered Professional Accountants of Canada.

The General Membership shall receive, consider and if appropriate approve the Audited Financial Statements and Report of the Auditor annually for the previous year at the April Board Meeting.

The Authority shall forward copies of the Audited Financial Statements and Report of the Auditor to Participating Municipalities and the Minister in accordance with Section 38 of the Act and shall make the Audited Financial Statements available to the public on the Authority's website within sixty (60) days of receiving the Auditor's Report.

2.11 Borrowing Resolution

If required, the Authority shall establish a borrowing resolution at the Annual Meeting each year and such resolution shall be in force until it is superseded by another borrowing resolution.

2.12 Apportionment ~~Levy~~ Notice

The ~~levy~~ municipal apportionment due to the Authority from Participating Municipalities shall be communicated to those municipalities in accordance with the Act and any applicable Regulations.

2.13 Signing Officers

All deeds, transfers, assignments, contracts, and obligations entered into by the Authority shall be signed by any two of the signing officers of the Authority, as follows:

- Chair,
- Vice Chair, and
- Chief Administrative Officer.

Purchase Orders may be signed by the Chief Administrative Officer in accordance with the Purchasing Policy.

Signing authority that was authorized by any previous Administration Regulation or By-law is superseded by this by-law.

2.14 Executive Committee

The Authority may appoint an Executive Committee at the first meeting of the General Membership each year in accordance with the Section 19 of the Act and Section 2.1.3 (xv) of this by-law.

2.15 Advisory Boards and Other Committees

In accordance with Sub-Section 18(2) of the Act, the Authority shall establish such Advisory Boards as required by Regulation and may establish such other Advisory Boards or Committees as it considers appropriate to study and report on specific matters.

The General Membership shall approve the terms of reference for all such Advisory Boards and Committees, which shall include the role, the frequency of meetings and the number of members required.

Resolutions and policies governing the operation of the Authority shall be observed in all Advisory Board and Committee meetings.

Each Advisory Board or Committee shall report to the General Membership, presenting any recommendations made by the Advisory Board or Committee.

Prior notice of the dates for all Advisory Board and Committee meetings shall be made available to all Members of the Authority.

2.16 Remuneration of Members

The Authority shall establish a per-diem rate from time to time to be paid to Members for attendance at General Meetings and Advisory Board or Committee meetings, and at such other business functions as may be from time to time requested by the Chair, through the Chief Administrative Officer. In addition, an honorarium may be approved by the Authority for the Chair and Vice-Chair(s) as compensation for their additional responsibilities. A single per-diem will be paid for attendance at more than one meeting if they occur consecutively on the same day.

The Authority shall reimburse Members' reasonable travel expenses incurred for the purpose of attending meetings and/or functions on behalf of the Authority. A per-kilometre rate to be paid for use of a personal vehicle shall be approved by Resolution of the General Membership from time-to-time. Requests for such reimbursements shall be submitted within a timely fashion and shall be consistent with Canada Revenue Agency guidelines.

Remuneration of the Member appointed by the Minister as a representative of the agricultural sector is at the expense and discretion of the Province.

2.17 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, and other related documents;
- 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 Authority may enact Record Retention Policies prescribed by the Authority from time to time.

2.18 Records Available to Public

Records of the Authority shall be available to the public as required pursuant to, the *Municipal Freedom of Information and Protection of Personal Privacy Act* (MFIPPA) or exemptions from disclosure as provided therein and further to O. Reg. 400/22 Information Requirements.

The Authority shall designate a Member or a committee of Members to act as head of the Authority for the purposes of MFIPPA.

2.19 By-law Review

In accordance with the Act, these by-laws shall be reviewed by the Authority to ensure the by-laws are in compliance with the Act and any other relevant law. The General Membership shall review the by-laws on a regular basis to ensure best management practices in governance are being followed. This by-law shall be reviewed not less frequently than every four years.

2.20 By-law Available to Public

In accordance with the Act, the Authority shall make its by-laws available to the public on the Authority's website. By-laws shall also be available for review by any member of the

public at the Authority's Administration Office or provided in alternative formats, in accordance with the *Accessibility for Ontarians with Disabilities Act*, if requested by interested parties.

2.21 Enforcement of By-laws and Policies

The Members shall respect and adhere to all applicable by-laws and policies (for example, the Code of Conduct and Conflict of Interest Policy). The Authority may take reasonable measures to enforce its by-laws and policies, including the enforcement mechanisms under the *Municipal Conflict of Interest Act*.

If required, the following procedure will be followed:

- an investigation will be conducted regarding the alleged breach;
- an opportunity will be provided to the affected member to respond to the allegation;
- the findings of the investigation and the affected member's response will be communicated to the General Membership in a closed meeting;
- the appointing municipality or appointing Minister shall be notified of the outcome of the investigation.

2.22 Indemnification of Members, Officers and Employees

The Authority will enact By-laws to provide for indemnification of Members, Officers and Employees.

3 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. When the Authority or Executive Committee, as the case may be, are sitting as a Hearing Board, hearings will meet the requirements of the Statutory Powers and Procedures Act, the details of which are specified in LRCA Section 28(12) *Conservation Authorities Act* Hearing Guidelines.

3.1 Rules of Procedure

In all matters of procedure not specifically dealt with under the Act and this By-law, the current edition of Robert's Rules of Order shall apply.

The Authority may choose to conduct its business as a committee of the whole.

3.2 Notice of Meeting

The General Membership shall approve a schedule for regular meetings in advance. The Chief Administrative Officer shall send Notice of regular meetings to all Members at least five calendar days in advance of a meeting. Notice of all regular or special meetings of the General Membership or its committees shall be made available to the public as soon as possible after its delivery to General Membership.

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 Chief Administrative Officer 14 days advance of the meeting where it is to be dealt with, if it is to be included in the published agenda, or within 4 days if it is to be introduced at the meeting.

The Chair may, at his/her pleasure, call a special meeting of the Authority as necessary on 5 calendar days notice in writing or email. That notice shall state the business of the special meeting and only that business shall be considered at that special meeting. Any member, with 50% support of the other members, may also request the Chair to call a meeting of the Authority and the Chair shall call the meeting accordingly.

The Chair or the Chief Administrative Officer may, by notice in writing or email delivered to the members so as to be received by them at least 24 hours before the hour appointed for the meeting, postpone or cancel any meeting of an Advisory Board or other committee until the next scheduled date for the specific Advisory Board or Committee affected.

The Chair or the Chief Administrative Officer 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, if warranted, hold the meeting electronically provided quorum and public participation can be met. Postponement shall not be for any longer than the next regularly scheduled meeting date.

3.3 Meetings Open to Public

All meetings of the General Membership and Executive Committee shall be open to the public. Where possible, the Authority will provide for alternative means for the public to participate in meetings electronically.

Notwithstanding the foregoing, 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 or arises during a meeting requiring that it be closed to the public at the time that the matter is raised at a meeting, and the subject matter meets the criteria for a closed meeting as defined in this by-law.

3.4 Agenda for Meetings

Authority staff, under the supervision of the Chief Administrative Officer, shall prepare an agenda for all regular meetings of the General Membership shall include, but not necessarily be limited to, the following headings:

1. Adoption of Agenda
2. Disclosure of Interest
3. Minutes of Previous Meeting
4. In-Camera Agenda
5. Business Arising from Previous Minutes
6. Correspondence
7. Staff Reports
8. Chief Administrative Officer Report
9. Passing of Accounts
10. Regulatory Role
11. Projects Update
12. New Business
13. Next Meeting
14. 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 5 calendar 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.

3.5 Quorum

At any meeting of the General Membership, a quorum consists of one-half of the Members appointed by the Participating Municipalities, except where there are fewer than six such Members, in which case three such Members constitute a quorum (per s16(2) CAA). At any Executive Committee, Advisory Board or Committee meeting, a quorum consists of one-

half of the Members of the Executive Committee, Advisory Board or Committee. NOTE: the Member appointed by the Minister to represent agricultural interests is not part of quorum.

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 or Advisory Board or Committee 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. Agenda items including delegations present may 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.

3.6 *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.

3.7 *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, where required 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 three 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.

3.8 *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.

3.9 *Members' Attendance*

The Authority shall provide a listing of Members' attendance at scheduled meetings of the Authority to the Participating Municipalities at least annually.

Upon the office of a Member becoming vacant 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 Chief Administrative Officer such correspondence prior to the start of the meeting. The correspondence shall be read aloud by the Chief Administrative Officer without comment or explanations.

3.10 *Electronic Meetings and Participation*

Electronic meetings are permitted and the Meeting Procedures identified in this by-law apply.

A Member can participate electronically in a meeting that is open or closed to the public and either case may be counted in determining whether or not a quorum of members is present at any point in time. A Member who plans on participating electronically must give

adequate notice to the CAO prior to the meeting, in order to prepare for electronic participation of member(s).

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 participate in the meeting electronically.

A Member shall not participate by electronic means for the purposes of electing Officers of the Authority.

During any period where an emergency has been declared to exist, in all or part of an area over which the Authority has jurisdiction, under Section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*, that may prevent the Board of Directors from meeting in person, a Member may participate in meetings including the election of Officers of the Authority electronically and shall have the ability to:

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

3.11 Deputations

Any person or organization who wishes to address the General Membership may make a request in writing or email to the Chief Administrative Officer. Deputations shall follow the procedures outlined in the LRCA Board of Directors Policy BOD-03: Deputation Policy.

3.12 Annual Meeting

The Authority shall designate one meeting of the Board of Directors each year as the Annual Meeting and shall include the following items on the agenda, in addition to the normal course of business:

- i. Election of the Authority Chair
- ii. Election of the Authority Vice-Chair(s)
- iii. Appointment of Authority Solicitors for the upcoming year
- iv. Appointment of Authority Bank for the upcoming year
- v. Appointment of the Auditor for the upcoming year
- vi. Borrowing Resolution

3.13 Meetings with Closed “In Camera” Sessions

Every meeting of the General Membership, Executive Committee and Advisory Boards, if applicable, shall be open to the public as required by 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:

- a) The security of the property of the Authority;
- b) Personal matters about an identifiable individual, including employees of the Authority;
- c) A proposed or pending acquisition or disposition of land by the Authority;
- d) Labour relations or employee negotiations;
- e) Litigation or potential litigation, including matters before administrative tribunals (e.g., Ontario Land Tribunal), affecting the Authority;
- f) Advice that is subject to solicitor-client privilege, including communications for that purpose;
- g) A matter in respect of which the General Membership, Executive Committee, Advisory Board or Committee or other body may hold a closed meeting under another Act;
- h) information explicitly supplied in confidence to the Authority by Canada, a province or territory or a Crown agency of any of them;
- i) 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;
- j) a trade secret or scientific, technical, commercial or financial information that belongs to the Authority and has monetary value or potential monetary value; or
- k) 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;
- l) the meeting is held for the purpose of educating or training the Members, and
- m) 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.

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

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 Chief Administrative Officer prior to departing from the meeting and shall be treated in accordance with the Authority's procedures for handling confidential material.

3.14 Voting

In accordance with Section 16 of the Act:

- a) each Member (including the Chair) 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.

Where a member has been appointed by the 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 who is qualified to vote abstains from voting, he or she shall be deemed to have voted neither in favour nor opposed to the question, which will not alter the number of votes required for a majority.

On a tie vote, the motion is lost.

Interrelated motions shall be voted on in the order specified in Robert's Rules of Order.

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 in order by alphabetical surname, with the Chair announcing last (except a member who is disqualified from voting by this By-law or any Act) shall announce his or her vote openly answering "yes" or "no" to the question, and the Chief Administrative Officer shall record each vote.

At the meeting of the Authority at which the ~~Non-Matching Levy~~ municipal apportionment is to be approved, the Secretary-Treasurer shall conduct the vote to approve ~~of Non-Matching Levy~~ the apportionment by a Weighted Majority of the Members present and eligible to vote, in accordance with ~~Ontario Regulation 402/22: Budget and Apportionment~~ ~~Ontario Regulation 139/96~~.

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.

Except as provided in Sub-Section 2.6 of this By-law (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.

3.15 Notice of Motion

Written notice of motion to be made at a General Membership, Executive Committee, Advisory Board or Committee meeting may be given to the Chief Administrative Officer by any Member of the Authority not less than 14 days prior to the date and time of the meeting and shall be forthwith placed on the agenda of the next meeting. The Chief Administrative Officer shall include such notice of motion in full in the agenda for the meeting concerned.

Recommendations included in reports of Advisory Boards or Committees that have been included in an agenda for a meeting of the General Membership or Executive Committee, shall constitute notices of motion for that meeting.

Recommendations included in staff reports that have been included in an agenda for a meeting of the General Membership or Executive Committee (if applicable), shall constitute notice of motion for that meeting.

Notwithstanding the foregoing, any motion or other business may be introduced for consideration of the General Membership provided that it is made clear that to delay such motion or other business for the consideration 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 the majority of the Members present.

3.16 Motion to Reconsider

If a motion is made to reconsider a previous motion, a two-thirds 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 the next meeting to be debated and voted upon, and the result of that vote, based on a simple majority, shall supersede the previous vote.

3.17 Duties of the Meeting Chair

It shall be the duty of the Chair, with respect to any meetings over which he or 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, adhering to Board Policies BOD-01, Conduct of Media at Board Meetings and BOD-02, Conduct of Public at Board Meetings;
- 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.

3.18 Conduct of Members

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

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 his or her seat or make any noise or disturbance while a vote is being taken and 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 or order or practices or on the Chair's interpretation of the By-laws.

3.19 Minutes of Meetings

The Chief Administrative Officer shall undertake to have a recording secretary in attendance at meetings of the General Membership, the Executive Committee and each Advisory Board or Committee. The recording secretary shall make a record in the form of minutes of the meeting's proceedings and in particular shall record all motions considered at the meeting.

If a recording secretary is not present in a closed session, the Chief Administrative Officer shall act as recording secretary.

Minutes of all 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.

The Chief Administrative Officer or designate shall provide draft minutes of the previous meeting to the General Membership at the same time as agendas for the next meeting are distributed.

After the minutes have been approved by resolution, original copies shall be signed by the Chair and Secretary-Treasurer and copies of all non-confidential minutes shall be posted on the Authority's website. Minutes shall be made available for review on the Authority's website within 30 days of the meeting. Minutes shall be made available in alternative formats, in accordance with the *Accessibility for Ontarians with Disabilities Act*, if requested by interested parties.

4 Approval of By-law and Repealing of Previous By-law(s)

The Constitution and Regulations of the Lakehead Region Conservation Authority, dated February 21, 1978, and regulations made under Section 30 of the *Conservation Authorities Act* prior to its repeal, are hereby repealed.

By-Law No. 1/2018 shall come into force on the 26th day of September 2018.

Read a first time on the 27th day of June 2018.

Read a second time on the 29th day of August 2018.

Read a third time and finally passed on the 26th day of September 2018.

Revised April 29, 2020.

Revised August 26, 2020.

Revised November 24, 2021

Revised January 26, 2023

Revised February 26, 2025

Signed:

Chair

Chief Administrative Officer

APPENDIX A:

Code of Conduct

1. Background

The Lakehead Region Conservation Authority demands a high level of integrity and ethical conduct from its General Membership. The Authority's reputation relies 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, which govern the behaviour of Members.

This Code of Conduct will also assist Members in dealing in confronting situations not adequately addressed or that may be ambiguous in Authority resolutions, regulations, or policies and procedures. Additionally, the agricultural representative appointed by the Minister will be required to follow the provincial ethical framework set out for government public appointees in the Management Board of Cabinet's Agencies and Appointments Directive.

2. General

All Members, whether municipal councillors or appointed representatives of a municipality, or whether appointed by the Minister as a representative of the agricultural sector, 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 required that Members will adhere to a Code of Conduct which:

- i. upholds the mandate, vision and mission of the Authority;
- ii. considers the Authority's jurisdiction in its entirety, including those of appointing municipalities;
- iii. respects confidentiality;
- iv. approaches all Authority issues with an open mind and with consideration for the organization as a whole;
- v. governs the exercise of 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, Executive Committee, Advisory Boards and other committees;
- vii. requires that Members conduct themselves in a manner which reflects respect and professional courtesy and does not permit offensive language in or against the Authority or against any Member or any Authority staff.

3. *Gifts and Benefits*

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

4. *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, either 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 which is confidential.

In the instance where a member vacates his or her position on the General Membership, he or she 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 and that might be useful to other suppliers;
- iii. Matters relating to the legal affairs of the Authority;
- iv. Information provided in confidence from an Aboriginal community, or a record that if released could reasonably be expected to prejudice the conduct of relations between an Aboriginal community and the Authority;
- v. Sources of complaints where the identity of the complainant is given in confidence;
- vi. Items under negotiation;
- vii. Schedules of prices in tenders or requests for proposals;
- viii. Appraised or estimated values with respect to the Authority's proposed property acquisitions or dispositions;
- ix. Information deemed to be "personal information" under MFIPPA.

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

5. Use of Authority Property

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

6. Work of a Political Nature

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

7. 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.

8. 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, and shall be free to do so without undue influence.

9. 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 dealing with or appearing before the Authority, the Executive Committee or an Advisory Board or Committee of the Authority, except in compliance with the terms of the *Municipal Conflict of Interest Act*.

10. 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.

11. Harassment

It is the policy of the Authority that all persons be treated fairly in the workplace in an environment free from discrimination and 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 conduct under the provisions of the *Ontario Human Rights Code*.

12. Breach of Code of Conduct

Should a Member breach the Code of Conduct, he or she shall advise the Chair, with a copy to the Chief Administrative Officer, as soon as possible after the breach.

Should a Member allege that another Member has breached the Code of Conduct, the said breach shall be communicated to the Chair, with a copy to the Chief Administrative Officer, 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 to the Vice-Chair, with a copy to the Chief Administrative Officer, in writing.

Should a member of the public or a municipality allege that a Member has breached the Code of Conduct, the party making the allegation will be directed to follow the notification procedure outlined in the preceding paragraph.

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 this By-law.

APPENDIX B:

Conflict of Interest

1. *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 and Members are bound by the *Municipal Conflict of Interest Act*. This by-law is intended to assist Member in understanding their obligations. Members are required to review the *Municipal Conflict of Interest Act* on a regular basis.

Additionally, the agricultural representative appointed by the Minister will be required to follow the provincial ethical framework set out for government public appointees in the Management Board of Cabinet's Agencies and Appointments Directive.

2. *Disclosure of Pecuniary Interest*

Where a Member, either on his or her 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, Executive Committee, Advisory Board or committee 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;
- c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question; and,
- d) shall file a written statement of the Conflict of Interest and its general nature with the Chief Administrative Officer.

3. *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 by Resolution to chair that portion of the meeting by Resolution.

4. *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.

5. *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, Executive Committee, Advisory Board or Committee, as the case may be, attended by them after the particular meeting.

6. 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, Executive Committee, advisory board or committee, as the case may be.

7. Registry Maintained for Public Inspection

The Authority shall maintain a registry in which shall be kept:

- a) A copy of each statement filed under Section 2d) of this policy; and,
- b) A copy of each declaration recorded in the Minutes.

The registry shall be available for public inspection.

8. Breach of Conflict of Interest Policy

Should a Member breach the Conflict of Interest Policy, he or she shall advise the Chair, If the Chair has conducted the breach he or she shall advise the Vice-Chair, in writing with a copy to the Chief Administrative Officer, as soon as possible after the breach.

Should a Member allege that another Member has breached the Conflict of Interest Policy, the allegation shall be communicated in writing to the Chair, with a copy to the Chief Administrative Officer. In the absence of the Chair, or if a Member alleges that the Chair has breached the Conflict of Interest Policy, the allegation shall be communicated in writing to the Vice-Chair, with a copy to the Chief Administrative Officer.

Should a member of the public or a municipality allege that a Member has breached the Conflict of Interest Policy, the party making the allegation will be advised to follow the notification procedure outlined in the preceding paragraph.

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 this By-law.

Nothing herein is intended to discourage or prevent a Member or any other person from exercising the right to initiate a proceeding under the *Municipal Conflict of Interest Act*.

APPENDIX C: Procedure for Election of Officers

1. Voting

Voting shall be by secret ballot and no Members may vote by proxy.

2. Acting Chair

The Chief Administrative Officer, or his or her designate, shall assume the position of Chair for the purpose of the election of Officers. No Member may act as such.

3. Scrutineer(s)

The appointment of one or more scrutineers is required for the purpose of counting ballots, should an election be required. All ballots shall be destroyed by the scrutineers afterwards when authorized by Resolution. The Acting Chair shall call a motion for the appointment of one or more persons to act as scrutineers. A Member not standing for election may be appointed as an additional scrutineer, if requested.

4. Election Procedures

The Acting Chair shall advise the Members that the election will be conducted in accordance with the Act and the Lakehead Region Conservation Authority Administrative By-Law Section 2.2 'Maximum Term for Chair and Vice Chair(s)' as follows:

- a) The elections shall be conducted separately in the following order:
 - i. Election of the Chair, who shall be a Member appointed by a participating Municipality to the Authority;
 - ii. Election of one or more Vice-Chairs, who shall be Members appointed by a participating Municipality to the Authority.
- b) The Acting Chair shall ask for nominations to the position;
- c) Only current Members of the Authority who are present may vote;
- d) Nominations shall be called three (3) times and will only require a mover;
- e) The closing of nominations shall require both a mover and a seconder;
- f) Each Member nominated shall indicate if he or she accepts the nomination. The Member must be present to accept the nomination unless the Member has advised the Chief Administrative Officer in writing or by email in advance of the election of their willingness to accept the nomination.

If one Nominee has accepted:

- g) If only one nominee accepts the nomination, he or she shall be declared elected to the position by acclamation.

If more than one Nominee have accepted:

- h) each nominee shall be permitted not more than three (3) minutes to speak in support of his or her candidacy, in the order of the alphabetical listing by surnames.
- i) ballots shall be distributed to the Members by the scrutineers for the purpose of the election and the Acting Chair shall ask the Members to write the name of one individual only on the ballot.
- j) The scrutineers shall collect the ballots, leave the meeting to count the ballots, return and advise the Acting Chair as to who was elected with more than 50% of the vote.

A majority vote shall 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 shall be removed from further consideration for the office and new ballots shall 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 shall 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 Acting Chair or designate.



PROGRAM AREA	POLICY	REPORT NO.	POLICY-DEVREG-09-2025
DATE PREPARED	February 7, 2025	FILE NO.	
MEETING DATE	February 26, 2025		
SUBJECT	Conservation Authorities Act Hearing Guidelines Update		

RECOMMENDATION

Suggested Resolution

“THAT: Conservation Authorities Act Hearing Guidelines, version 4.0 be approved.”

LINK TO STRATEGIC PLAN (2023-2027)

Links to the Strategic Plan (2023 – 2027):

Protect and Support:

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

EXECUTIVE SUMMARY

Using Conservation Ontario’s model guidelines, staff have updated LRCA’s *Conservation Authorities Act* Hearing Guidelines (Version 4.0) to reflect the various changes to the Act and the enactment of O. Reg. 41/24: Prohibited Activities, Exemptions and Permits.

DISCUSSION

The *Conservation Authorities Act* Hearing Guidelines provide guidance related to hearings held pursuant to the *Conservation Authorities Act* and O. Reg. 41/24 (Prohibited Activities, Exemptions and Permits). Staff have updated the existing guidelines to reflect the various changes to the Act and regulation using Conservation Ontario’s model guidelines. The LRCA Board of Directors is the Hearing Board if a Hearing were to occur. It is anticipated that the Authority’s Solicitor would be engaged if a Hearing were to occur to ensure adherence to the legislative requirements.

The following table summarizes the instances in which a hearing would be held and the decision powers of the Hearing Board.

Hearing Board Decision Powers and Associated Appeal Mechanisms

Hearing Scenario	Hearing Board Decision Powers	Appeal Rights
Considering Refusal or Attaching Conditions (Section 28.1 Permit)	(a) Issue the Permit; (b) Issue the Permit subject to conditions; or, (c) Refuse the Permit.	Request Minister's Review within 15 days after receiving Authority's decision (<i>CAA, ss. 28.1 (8)</i>); or, Appeal to the OLT within 90 days of receiving the Authority's decision (in accordance with CAA requirements) (<i>CAA, ss. 28.1 (20) (21)</i>).
Considering Attaching Conditions (Section 28.1.2 Permit)	(a) Issue the Permit; or, (b) Issue the Permit subject to conditions.	Request Minister's Review within 15 days after receiving Authority's reasons for conditions (<i>CAA, ss. 28.1.2 (9)</i>); or, Appeal to the OLT within 90 days of receiving the Authority's reasons for conditions (in accordance with CAA requirements) (<i>CAA, ss. 28.1.2(14) (15)</i>).
Considering Cancellation (Section 28.1 or 28.1.1 Permit)	(a) Confirm decision to cancel Permit; (b) Rescind decision to cancel Permit; or, (c) Vary decision to cancel Permit.	Appeal to the OLT within 90 days after receiving the Authority's decision (<i>CAA, ss.28.3(6)</i>)
Considering Extension (Section 28.1 or 28.1.2 Permit)	(a) Confirm the refusal of the extension; or, (b) Grant an extension for such period of time as it deems appropriate, as long as the total period of validity of the Permit does not exceed the applicable maximum period specified in O. Reg. 41/24.	No appeal mechanism.
Considering Stop Order (Section 30.4)	(a) Confirm the order; (b) Amend the order; or, (c) Remove the order, with or without conditions.	Appeal to the Minister or a body prescribed by the regulations within 30 days after receiving the Authority's decision (<i>CAA, ss. 30.4(9)</i>)

FINANCIAL IMPLICATIONS

None.

CONCLUSION

The Hearing Guidelines have been updated to reflect the recent changes to the *Conservation Authorities Act* and O. Reg. 41/24.


BACKGROUND

Over the past several years, many amendments to the *Conservation Authorities Act* have been enacted. Effective April 1, 2024, a new Minister's regulation (Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits) under the *Conservation Authorities Act* came into effect, which is applicable to all 36 Conservation Authorities. This regulation replaced the individual "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses" regulation [O. Reg. 180/06] held by the Lakehead Region Conservation Authority. The enactment of O. Reg. 41/24 also coincided with the proclamation of associated sections within the *Conservation Authorities Act*.

REFERENCE MATERIAL ATTACHED

Draft Hearing Guidelines, version 4.0

PREPARED BY: Tammy Cook, CAO

THIS REPORT SIGNED AND VERIFIED BY:  Tammy Cook Chief Administrative Officer	DATE: February 7, 2025
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LAKEHEAD REGION
CONSERVATION AUTHORITY

Conservation Authorities Act

Draft Hearing Guidelines

DEVREG-09

Version 4.0

2

VERSION	APPROVAL DATE	RESOLUTION #
1.0	June 25, 2014	91/14
1(a)	July 17, 2018 (Mining Lands Tribunal change)	
2	October 28, 2020	87/20
3	February 24, 2021 (MZO permit)	30/21
4	February 26, 2025	##/25

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Appendix P	Sample Notice of Decision (Permit Extension)

1 DEFINITIONS

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

“Applicant” means a person who applies for a Permit to engage in an activity prohibited under the Act within the Authority’s jurisdiction;

“Application” means a formal request for a Permit to engage in an activity prohibited under the Act within the Authority’s jurisdiction;

“Authority” means the Board of Directors of the Lakehead Region Conservation Authority;

“Executive Committee” means the Executive Committee appointed by the Authority;

“Hearing Board” means the Authority or Executive Committee while it is conducting hearings in accordance with the *Statutory Powers Procedure Act*, R.S.O. 1990, c. S.22. Further to section 28.4 of the *Conservation Authorities Act*, an Authority may also delegate any of its powers relating to the holding of hearings in relation to permits to any other person or body, subject to any limitations or requirements prescribed by regulation;

“Minister” means the Minister of Natural Resources;

“Party” means an Applicant, Permit Holder, or individual subject to a Stop Order;

“Permit” means a permit to engage in otherwise prohibited activities under the Act, issued by the Authority (s. 28.1 and s. 28.1.2 permits) or by the Minister (s. 28.1.1 permits).

“Permit Holder” means a person who holds an active Permit issued by the Authority or a Minister’s Permit issued by the Minister;

“Staff” means the employees of the Lakehead Region Conservation Authority;

“Stop Order” means a stop order issued under section 30.4 of the Act;

“Witness” means a person who is called to speak to evidence presented at a hearing.

2 PURPOSE OF HEARING GUIDELINES

The Hearing Guidelines provide a step-by-step process for conducting hearings required under ss. 28.1 (5), ss. 28.1.2 (7), ss. 28.3 (2), (3) and (4), ss. 30.4 (6) of the CAA and ss.11(4), (5) and (6) of O. Reg. 41/24. Hearings provide due process and ensure the rights of the Party are upheld.

These guidelines ensure hearings meet the legal requirements of the *Statutory Powers Procedures Act* (SPPA) without being unduly legalistic or intimidating to the participants.

The Hearing Board is empowered by law to make a decision, governed by the SPPA. The Board's decision powers are governed by the CAA and O. Reg. 41/24.

Section 25.1 of the SPPA provides that "a tribunal may make rules governing the practice and procedure before it". The Hearing Rules are adopted under the authority of s. 25.1 of the SPPA. The SPPA applies to the exercise of a statutory power of decision where there is a requirement to hold or to afford the parties to the proceeding an opportunity for a hearing before making a decision. The SPPA sets out minimum procedural requirements governing such hearings and provides rule-making authority for establishing rules to govern such proceedings.

Table 1 below summarizes the legislative and regulatory requirements where a Party is to be provided with an opportunity for a hearing before the Authority, or [where delegated further to s. 28.4 of the CAA] the Executive Committee, or any other person or body [sitting as the Hearing Board].

Table 1: Summary of Hearing Requirements under the Conservation Authorities Act and O. Reg. 41/24¹

Hearing Scenario	Legislative or Regulatory Reference	Party	Hearing Intent	Appeal
Refusal Section 28.1 Permit	CAA, ss. 28.1 (5)	Applicant	Intent to refuse	OLT – Within 90 days of receiving the reasons for the Authority's decision
Attaching Conditions Section 28.1 Permit	CAA, ss. 28.1 (5)	Applicant	Intent to attach conditions	Minister's Review – Within 15 days of receiving reasons for the Authority's decision
Attaching Conditions Section 28.1.2 Permit	CAA, ss. 28.1.2 (7)	Applicant	Intent to attach conditions	
Cancellation Section 28.1 Permit	CAA, ss. 28.3 (2)	Permit Holder	Intent to cancel	OLT – Within 90 days of receiving notice of decision from Authority
Cancellation Section 28.1.1 Permit	CAA, ss. 28.3 (2)	Permit Holder	Intent to cancel	
Refuse Extension Section 28.1 Permit	O. Reg. 41/24, ss. 11(4), (5), and (6)	Permit Holder	Intent to refuse extensions	No appeal
Refuse Extension Section 28.1.2 Permit	O. Reg. 41/24, ss. 11(4), (5), and (6)	Permit Holder	Intent to refuse extensions	
Stop Order	CAA, ss. 30.4	Individual subject to Stop Order	Issuance of Stop Order	Minister or body prescribed by the regulations – Within 30 days of receiving reasons for the Authority's decision

¹ Note: The information presented in this table is a summary. For full details, please review the relevant sections of the *Conservation Authorities Act* and *O. Reg. 41/24*.

3 ROLE OF HEARING BOARD

3.1 *Apprehension of Bias*

In any of the hearing scenarios listed in Table 1 above, the Hearing Board is acting as a decision-making tribunal. The tribunal is to act fairly. Under general principles of administrative law relating to the duty of fairness, the tribunal is obliged not only to avoid any bias but also to avoid the appearance or reasonable apprehension of bias. The following are three examples of steps to be taken to avoid apprehension of bias where it is likely to arise.

(a) No member of the Authority (or delegate) taking part in the hearing should have prior involvement with the Application or other hearing matter indicated in Table 1 that could lead to a reasonable apprehension of bias on the part of that member. Where a member has a personal interest, the test is whether a reasonably well-informed person would consider that the interest might have an influence on the exercise of the official's public duty. Where a member is a municipal councilor, the *Municipal Conflict of Interest Act* applies. In the case of a previously expressed opinion, the test is that of an open mind, i.e., is the member capable of persuasion in participating in the decision making.

(b) Any material distributed to the Hearing Board relating to the merits of an Application or other matter indicated in Table 1 that is the subject of a hearing shall also be distributed to the Party at the same time. The Party will be afforded an opportunity to distribute similar pre-hearing material. These materials can be distributed electronically.

(c) The Party will be given an opportunity to attend the hearing before a decision is made; however, the Party does not have to be present for a decision to be made.

3.2 *Notice of Hearing*

The Party is entitled to **reasonable notice** of the hearing pursuant to the SPPA. The Notice of Hearing shall be sent to the Party within sufficient time to allow the Party to prepare for the hearing.

In cases where the Authority (or designated Staff) intends to refuse a request for a Permit extension, the Permit Holder must be given at least 5 days' notice of the hearing date, per ss. 11(6) of O. Reg. 41/24. This represents the minimum notice, and other timelines provided in these guidelines may influence the total notice period (e.g., timelines associated with pre-submission of reports).

The Notice of Hearing must contain or append the following:

- (a) Reference to the applicable legislation under which the hearing is to be held

(i.e., the *Conservation Authorities Act*).

- (b) The time, place and the purpose of the hearing (i.e., intent to refuse Application or request for extension, intent to attach conditions, intent to cancel a Permit, and Stop Order).

OR for Electronic Hearings: The time, purpose of the hearing, and details about the manner in which the hearing will be held. For Electronic Hearings, the Notice must also contain a statement that the Party should notify the Authority if they believe holding the hearing electronically is likely to cause them significant prejudice. The Authority will assume the Party has no objection to the electronic hearing if no such notification is received.

- (c) Particulars to identify the Party, property, and the nature of the matter that forms the subject of the hearing.
- (d) Reasons for the decision / Staff recommendation / action.
- (e) A statement notifying the Party that the hearing may proceed in the Party's absence and that the Party will not be entitled to any further notice of the proceedings.
- (f) Reminder that the Party is entitled to be represented at the hearing by a representative such as legal counsel, if desired.
- (g) Reminder of protections afforded to the Party under the *Evidence Act*, R.S.O 1990, c. E.23 and the *Canada Evidence Act*, R.S.C., 1985, c. C-5 regarding information provided during hearings (see s. 3.6(a)).
- (h) A copy of the Authority's Hearing Guidelines.

3.3 Pre-submission of Reports

Staff may prepare and submit a written report to the Hearing Board in advance of the hearing. A copy of the Staff report will be shared with the Party. The Party shall be provided with the same opportunity to submit a written report to the Hearing Board.

Staff will prepare a pre-Hearing package which will be provided to the Party with sufficient time to allow the Applicant to prepare for the Hearing. Partys will be given a minimum of four weeks prior to the Hearing to prepare a report outlining their positions, unless the Party is agreeable to a shorter notification period. When possible, the Party will be consulted to determine an agreeable date and time based on the regular Authority Meeting schedule or at a Special Meeting of the Authority if warranted. If the meeting

will be held electronically, the manner in which the Hearing will be held will be provided.

Written Party reports must be received at the Authority office a minimum of two weeks prior to the scheduled Hearing otherwise the Hearing may proceed without a Party report or be re-scheduled to a later date in order to facilitate a fair Hearing and avoid surprise, in the discretion of the Authority.

The Pre-Hearing package will be either delivered personally or sent by mail or email to the Applicant and will consist of the following documents signed by the Chief Administrative Officer:

- Cover Letter
- Notice of Hearing
- Hearing Guidelines
- Summary of Hearing Procedures
- Staff report which will include as applicable, an outline of the proposal, investigative procedure and Staff recommendation to either approve or deny the application, with or without conditions.

Templates are included in the appendices.

If the Party is not the landowner, but a prospective owner, the Party must have the written authorization of the registered landowner

4 HEARING

4.1 *Public Hearing*

Pursuant to the SPPA, hearings, including electronic hearings, are required to be held in public (“open to the public”). For electronic hearings, public attendance should be synchronous with the hearing.

A hearing or part of a hearing may be closed to the public in accordance with the SPPA or the Authority’s Administrative By-Laws (e.g., where the Hearing Board is of the opinion that public security matters, intimate financial matters, personal matters, or other matters would be disclosed at the hearing).

4.2 *Hearing Participants*

The Act does not provide for third party status at the hearing. Any information related to the matter that forms the subject of the hearing provided by third parties must be incorporated within the presentation of information by, or on behalf of, the Party or Staff as appropriate.

4.3 *Attendance of Hearing Board Members*

In accordance with case law relating to the conduct of hearings, members of the Hearing Board who will make a Hearing decision must be present during the full course of the hearing. If it is necessary for a member to leave, the remaining members can continue with the hearing and render a decision, provided quorum is maintained.

4.4 *Adjournments*

The Hearing Board may adjourn a hearing on its own motion or that of the Party or Staff where it is satisfied that an adjournment is necessary for an adequate hearing to be held. While adjourned, members of the Hearing Board shall not discuss the matter that is the subject of the hearing.

Any adjournments form part of the hearing record.

4.5 *Orders and Directions*

In accordance with ss. 9 (2) of the SPPA, a Hearing Board is entitled to make orders or directions to maintain order and prevent the abuse of its hearing processes.

4.6 *Information Presented at Hearings*

- (a) The SPPA requires that a Witness be informed of their right to object pursuant to the *Evidence Act*, R.S.O. 1990, c. E.23 (“*Evidence Act*”) and the *Canada*

Evidence Act, R.S.C., 1985, c. C-5 (“CEA”). The *Evidence Act* and CEA indicate that **any answers provided by a Witness during the hearing are not admissible against the Witness in any criminal trial or proceeding.**

- (b) Information [is / is not] presented under oath or affirmation.
- (c) The Hearing Board may authorize receiving a copy rather than the original document. However, the Hearing Board can request certified copies of the document if required.
- (d) Privileged information, such as solicitor/client correspondence, cannot be heard.
- (e) Information that is not directly within the knowledge of the speaker (hearsay) can be heard if relevant to the issues of the hearing.
- (f) The Hearing Board may take into account matters of common knowledge (e.g., geographic or historic facts, times, measures, weights, etc.) or generally recognized scientific or technical facts, information or opinions within its specialized knowledge without hearing specific information to inform their decision.
- (g) Staff and the Party shall not present new information at the hearing that has not been submitted to the Hearing Board and the other Party.

4.7 Conduct of Hearing

4.7.1 Record of Attending Hearing Board Members

Attendance of Hearing Board members shall be recorded at the opening of the hearing.

4.7.2 Opening Remarks

The Chairperson shall convene the hearing with opening remarks which generally; identify the Party, the nature of the matter that forms the subject of the hearing (e.g., Application, Permit, Stop Order), and the property location; outline the hearing procedures; and advise on requirements of the *Evidence Act* and the CEA.

In an electronic hearing, all the parties and the members of the Hearing Board must be able to clearly hear one another and any Witnesses throughout the hearing.

4.7.3 Presentation of Staff Information

Staff present reasons for their recommendations/decision associated with refusal or

conditions of approval of the Permit Application, refusal of Permit extensions, cancellations or Stop Orders; in addition to providing legislative/regulatory background and case background. Any reports, documents or plans that form part of the presentation shall be properly indexed and received.

4.7.4 Presentation of Party Information

The Party has the opportunity to present information at the conclusion of the Staff presentation. Any reports, documents, or plans which form part of the submission should be properly indexed and received.

The Party shall present information as it applies to the purpose of the hearing (e.g., related to activities covered by the permit application, permit conditions, activities subject to a Stop Order, etc.).

- The Party may be represented by legal counsel or agent, if desired.
- The Party may present information to the Hearing Board and/or have invited advisors to present information to the Board.
- The Party's presentation may include technical Witnesses, such as an engineer, ecologist, hydrogeologist, etc.

4.7.5 Questions

Members of the Hearing Board may direct questions to each speaker as the information is being heard. The Party and/or agent can make any comments or questions on the Staff report.

Pursuant to the SPPA, the Hearing Board can limit questioning where it is satisfied that there has been full and fair disclosure of the facts presented.

4.7.6 Deliberation

After all the information is presented, the Hearing Board may debate and vote in an open session or may adjourn the hearing and retire in private to confer. Legal counsel may be secured to advise the Hearing Board when conferring in private. The Board may reconvene on the same date or at some later date to advise of their decision. The Hearing Board members shall not discuss the hearing with others prior to the decision of the Board being finalized.

5 DECISION

Hearing participants must receive written notice of the Hearing Board's decision. The Hearing Board shall itemize and record information of particular significance which led to their decision.

Table 2 below summarizes the Hearing Board decision powers in accordance with the Act and O. Reg. 41/24, as well as associated appeal rights for the Party.

Table 2: Hearing Board Decision Powers and Associated Appeal Mechanisms¹

Hearing Scenario	Hearing Board Decision Powers	Appeal Rights
Considering Refusal or Attaching Conditions (Section 28.1 Permit)	(a) Issue the Permit; (b) Issue the Permit subject to conditions; or, (c) Refuse the Permit.	Request Minister's Review within 15 days after receiving Authority's decision (CAA, ss. 28.1 (8)); or, Appeal to the OLT within 90 days of receiving the Authority's decision (in accordance with CAA requirements) (CAA, ss. 28.1 (20) (21)).
Considering Attaching Conditions (Section 28.1.2 Permit)	(a) Issue the Permit; or, (b) Issue the Permit subject to conditions.	Request Minister's Review within 15 days after receiving Authority's reasons for conditions (CAA, ss. 28.1.2 (9)); or, Appeal to the OLT within 90 days of receiving the Authority's reasons for conditions (in accordance with CAA requirements) (CAA, ss. 28.1.2(14) (15)).
Considering Cancellation (Section 28.1 or 28.1.1 Permit)	(a) Confirm decision to cancel Permit; (b) Rescind decision to cancel Permit; or, (c) Vary decision to cancel Permit.	Appeal to the OLT within 90 days after receiving the Authority's decision (CAA, ss.28.3(6))

¹ Note: The information presented in this table is a summary. For full details, please review the relevant sections of the *Conservation Authorities Act* and O. Reg. 41/24

Considering Extension (Section 28.1 or 28.1.2 Permit)	(a) Confirm the refusal of the extension; or, (b) Grant an extension for such period of time as it deems appropriate, as long as the total period of validity of the Permit does not exceed the applicable maximum period specified in O. Reg. 41/24.	No appeal mechanism.
Considering Stop Order (Section 30.4)	(a) Confirm the order; (b) Amend the order; or, (c) Remove the order, with or without conditions.	Appeal to the Minister or a body prescribed by the regulations within 30 days after receiving the Authority's decision (CAA, ss. 30.4(9))

5.1 Notice of Decision

The Notice of Decision should include the following information:

- (a) The identification of the person who requested the hearing, property, and the purpose of the hearing (i.e., Application for a Permit, attaching Permit conditions, request for Permit extension, Stop Order, or cancellation of Permit).
- (b) The decision (as indicated in Table 2 above).
- (c) Written reasons for the decision.
- (d) A copy of the Hearing Board resolution.
- (e) Notice of the Party's right to appeal (as indicated in Table 2 above).

5.2 Adoption

The Hearing Board shall adopt a resolution containing the decision and any particulars of the decision.

6.0 RECORD

The Authority shall compile a record of the hearing. In the event of an appeal, a copy of the record should be forwarded to the OLT or Minister (as appropriate).

The record must include the following:

- (a) As applicable, copies of the Application for the Permit, the Permit issued, notice of cancellation, or Stop Order that was the subject of the hearing;
 - (b) The Notice of Hearing;
 - (c) Any orders made by the Hearing Board (e.g., adjournments);
 - (d) All information received by the Hearing Board;
 - (e) Attendance of Hearing Board members;
 - (f) The decision and written reasons for decisions of the Hearing Board; and,
 - (g) The Notice of Decision sent to the Party.
- .

Appendices

Appendix A

NOTICE OF HEARING

IN THE MATTER OF

The *Conservation Authorities Act*,
R.S.O. 1990, Chapter 27

AND IN THE MATTER OF a permit application by

MADE TO THE

LAKEHEAD REGION CONSERVATION AUTHORITY

Pursuant to section 28.1, subsection 5 of the said Act

TAKE NOTICE THAT a Hearing before the Board of Directors of the Lakehead Region Conservation Authority will be held under section 28.1, subsection 5 of the *Conservation Authorities Act* at the offices of the said Authority located at 130 Conservation Road, Thunder Bay, Ontario at the hour of [TIME], **on the day of [DATE], 202X**, [*for electronic hearings, include details about the manner in which the hearing will be held*] with respect to the application by [NAME] to permit development within an area regulated by the Authority in order to ensure **the activity is not likely to [affect the control of flooding, erosion, dynamic beaches or unstable soil or bedrock; create conditions or circumstances that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property]** on Lot , Plan/Lot , Concession , [STREET] in the City of , Regional Municipality of , River Watershed.

TAKE NOTICE THAT you are invited to make a delegation and submit supporting written material to the Board of Directors for the meeting of [**meeting number**]. If you intend to appear [*For electronic hearings: or if you believe that holding the hearing electronically is likely to cause significant prejudice*], please contact Tammy Cook. Written material will be required by [DATE], to enable the Board members to review the material prior to the meeting.

TAKE NOTICE THAT this hearing is governed by the provisions of the *Statutory Powers Procedure Act*. Under the Act, a witness is automatically afforded a protection that is similar to the protection of the *Ontario Evidence Act*. This means that the evidence that a witness gives may not be used in subsequent civil proceedings or in prosecutions against the witness under a Provincial Statute. It does not relieve the witness of the obligation of this oath since matters of perjury are not affected by the automatic affording of the protection. The significance is that the legislation is Provincial and cannot affect Federal matters. If a witness requires the protection of the *Canada Evidence Act* that protection must be obtained in the usual manner. The Ontario Statute requires the tribunal to draw

this matter to the attention of the witness, as this tribunal has no knowledge of the affect of any evidence that a witness may give.

AND FURTHER TAKE NOTICE that if you do not attend at this Hearing, the Board of Directors of the Conservation Authority may proceed in your absence, and you will not be entitled to any further notice in the proceedings.

DATED the____day of ,____202X

The Board of Directors of the
Lakehead Region Conservation Authority

Per: Tammy Cook
Chief Administrative Officer

Appendix B

NOTICE OF HEARING

IN THE MATTER OF

The Conservation Authorities Act,
R.S.O. 1990, Chapter 27

AND IN THE MATTER OF a permit application by

MADE TO THE

LAKEHEAD REGION CONSERVATION AUTHORITY

Pursuant to section 28.1.2, subsection 7 of the said Act

TAKE NOTICE THAT a Hearing before the Board of Directors of the Lakehead Region Conservation Authority will be held under section 28.1.2, subsection 7 of the *Conservation Authorities Act* at the offices of the said Authority at 130 Conservation Road, Thunder Bay, Ontario at the hour of [TIME], **on the day of [DATE], 202X**, [*for electronic hearings, include details about the manner in which the hearing will be held*] with respect to the application by [NAME] to permit development within an area regulated by the Authority in association with a Minister's Zoning Order [REGULATION NUMBER] on Lot , Plan/Lot , Concession , [STREET] in the City of , Regional Municipality of , River Watershed.

TAKE NOTICE THAT you are invited to make a delegation and submit supporting written material to the Board of Directors for the meeting of (**meeting number**). If you intend to appear [*For electronic hearings: or if you believe that holding the hearing electronically is likely to cause significant prejudice*], please contact Tammy Cook. Written material will be required by [DATE], to enable the Board members to review the material prior to the meeting.

TAKE NOTICE THAT pursuant to section 28.1.2, subsection 3 of the *Conservation Authorities Act*, a Conservation Authority is required to grant the permit applied for and may only impose conditions to the permit, provided all legislative requirements are met. The Hearing will therefore focus on the conditions to be imposed to the granting of the permit.

TAKE NOTICE THAT this hearing is governed by the provisions of the *Statutory Powers Procedure Act*. Under the Act, a witness is automatically afforded a protection that is similar to the protection of the *Ontario Evidence Act*. This means that the evidence that a witness gives may not be used in subsequent civil proceedings or in prosecutions against the witness under a Provincial Statute. It does not relieve the witness of the obligation of this oath since matters of perjury are not affected by the automatic affording of the protection. The

significance is that the legislation is Provincial and cannot affect Federal matters. If a witness requires the protection of the *Canada Evidence Act* that protection must be obtained in the usual manner. The Ontario Statute requires the tribunal to draw this matter to the attention of the witness, as this tribunal has no knowledge of the affect of any evidence that a witness may give.

AND FURTHER TAKE NOTICE that if you do not attend at this Hearing, the Board of Directors of the Conservation Authority may proceed in your absence, and you will not be entitled to any further notice in the proceedings.

DATED the____day of ,_____202X

The Board of Directors of the
Lakehead Region Conservation Authority

Per: Tammy Cook
Chief Administrative Officer

Appendix C

NOTICE OF HEARING

IN THE MATTER OF

The Conservation Authorities Act,
R.S.O. 1990, Chapter 27

AND IN THE MATTER OF a Stop Order

Issued by the

LAKEHEAD REGION CONSERVATION AUTHORITY

Pursuant to Section 30.4, Subsection 6 of the said Act

TAKE NOTICE THAT a Hearing before the Board of Directors of the Lakehead Region Conservation Authority will be held under section 30.4, subsection 6 of the *Conservation Authorities Act* at the offices of the said Authority at 130 Conservation Road, Thunder Bay, Ontario at the hour of [TIME], **on the day of [DATE], 202X**, [for electronic hearings, include details about the manner in which the hearing will be held] with respect to **a Stop Order** issued to [NAME] on [date Stop Order was issued]. The Stop Order requires [NAME] to **[stop engaging in or to not to engage]** in the following activity(ies) on Lot , Plan/Lot , Concession , [STREET] in the City of , Regional Municipality of , River Watershed:

TAKE NOTICE THAT you are invited to make a delegation and submit supporting written material to the Board of Directors for the meeting of **[meeting number]**. If you intend to appear [For electronic hearings: or if you believe that holding the hearing electronically is likely to cause significant prejudice], please contact Tammy Cook. Written material will be required by [DATE], to enable the Board members to review the material prior to the meeting.

TAKE NOTICE THAT this hearing is governed by the provisions of the *Statutory Powers Procedure Act*. Under the Act, a witness is automatically afforded a protection that is similar to the protection of the *Ontario Evidence Act*. This means that the evidence that a witness gives may not be used in subsequent civil proceedings or in prosecutions against the witness under a Provincial Statute. It does not relieve the witness of the obligation of this oath since matters of perjury are not affected by the automatic affording of the protection. The significance is that the legislation is Provincial and cannot affect Federal matters. If a witness requires the protection of the *Canada Evidence Act* that protection must be obtained in the usual manner. The Ontario Statute requires the tribunal to draw this matter to the attention of the witness, as this tribunal has no knowledge of the affect of any evidence that a witness may give.

AND FURTHER TAKE NOTICE that if you do not attend this Hearing, the Board of

Directors of the Conservation Authority may proceed in your absence, and you will not be entitled to any further notice in the proceedings.

DATED the_____day of ,_____202X

The Board of Directors of the
Lakehead Region Conservation Authority

Per: Tammy Cook
Chief Administrative Officer

Appendix D

NOTICE OF HEARING

IN THE MATTER OF

The Conservation Authorities Act,
R.S.O. 1990, Chapter 27

AND IN THE MATTER OF cancellation of Permit Number ##

Issued by the

LAKEHEAD REGION CONSERVATION AUTHORITY

Pursuant to Section 28.3, Subsections 2, 3, AND 4 of the said Act

TAKE NOTICE THAT a Hearing before the Board of Directors of the Lakehead Region Conservation Authority will be held under Section 28.3, subsection 4 of the *Conservation Authorities Act* at the offices of the said Authority at 130 Conservation Road, Thunder Bay, Ontario at the hour of [TIME], **on the day of [DATE], 202X**, [for electronic hearings, include details about the manner in which the hearing will be held] with respect to the '**Notice of Intent to Cancel Permit Number XX**' issued to [NAME] on [DATE the Intent to Cancel Notice was issued] that permits development within an area regulated by the Authority on Lot , Plan/Lot , Concession , [STREET] in the City of , Regional Municipality of , River Watershed.

TAKE NOTICE THAT you are invited to make a delegation and submit supporting written material to the Board of Directors for the meeting of [meeting number]. If you intend to appear [For electronic hearings: or if you believe that holding the hearing electronically is likely to cause significant prejudice], please contact Tammy Cook. Written material will be required by [DATE], to enable the [Committee / Board] members to review the material prior to the meeting.

TAKE NOTICE THAT this hearing is governed by the provisions of the *Statutory Powers Procedure Act*. Under the Act, a witness is automatically afforded a protection that is similar to the protection of the *Ontario Evidence Act*. This means that the evidence that a witness gives may not be used in subsequent civil proceedings or in prosecutions against the witness under a Provincial Statute. It does not relieve the witness of the obligation of this oath since matters of perjury are not affected by the automatic affording of the protection. The significance is that the legislation is Provincial and cannot affect Federal matters. If a witness requires the protection of the *Canada Evidence Act* that protection must be obtained in the usual manner. The Ontario Statute requires the tribunal to draw this matter to the attention of the witness, as this tribunal has no knowledge of the affect of any evidence that a witness may give.

AND FURTHER TAKE NOTICE that if you do not attend this Hearing, the [Executive Committee / Board of Directors] of the Conservation Authority may proceed in your absence, and you will not be entitled to any further notice in the proceedings.

DATED the_____day of ,_____202X

The Board of Directors of the
Lakehead Region Conservation Authority

Per: Tammy Cook
Chief Administrative Officer

Appendix E

NOTICE OF HEARING

IN THE MATTER OF

The Conservation Authorities Act,
R.S.O. 1990, Chapter 27

AND IN THE MATTER OF refusal of a request for an extension to the period of
validity for Permit Number ##

Issued by the

LAKHEAD REGION CONSERVATION AUTHORITY

Pursuant to Section 11, Subsections. 4, 5, AND 6 of Ontario Regulation 41/24,
made pursuant to Section 40, Subsection 4
of the said Act

TAKE NOTICE THAT a Hearing before the Board of Directors of the Conservation Authority will be held under section 11, subsection 6 of O. Reg. 41/24 at the offices of the said Authority at 130 Conservation Road, Thunder Bay, Ontario at the hour of **[TIME]**, **on the day of [DATE], 202X**, [for electronic hearings, include details about the manner in which the hearing will be held] with **respect to a 'Request for Permit Extension' for Permit Number ##** issued to **[NAME]** on **[DATE]** that permits development within an area regulated by the Authority on Lot , Plan/Lot , Concession , **[STREET]** in the City of , Regional Municipality of , River Watershed.

TAKE NOTICE THAT you are invited to make a delegation and submit supporting written material to the Board of Directors for the meeting of **[meeting number]**. If you intend to appear *[For electronic hearings: or if you believe that holding the hearing electronically is likely to cause significant prejudice]*, please contact Tammy Cook. Written material will be required by **[DATE]**, to enable the [Committee / Board] members to review the material prior to the meeting.

TAKE NOTICE THAT this hearing is governed by the provisions of the *Statutory Powers Procedure Act*. Under the Act, a witness is automatically afforded a protection that is similar to the protection of the *Ontario Evidence Act*. This means that the evidence that a witness gives may not be used in subsequent civil proceedings or in prosecutions against the witness under a Provincial Statute. It does not relieve the witness of the obligation of this oath since matters of perjury are not affected by the automatic affording of the protection. The significance is that the legislation is Provincial and cannot affect Federal matters. If a witness requires the protection of the *Canada Evidence Act* that protection must be obtained in the

usual manner. The Ontario Statute requires the tribunal to draw this matter to the attention of the witness, as this tribunal has no knowledge of the affect of any evidence that a witness may give.

AND FURTHER TAKE NOTICE that if you do not attend at this Hearing, the [Executive Committee / Board of Directors] of the Conservation Authority may proceed in your absence, and you will not be entitled to any further notice in the proceedings.

DATED the _____ day of _____, 202X

The Board of Directors of the
Lakehead Region Conservation Authority

Per: Tammy Cook
Chief Administrative Officer

Appendix F

HEARING PROCEDURES

1. Motion to sit as Hearing Board.
2. Roll Call followed by the Chairperson's opening remarks. For electronic hearings, the Chairperson shall ensure that all parties and the Hearing Board are able to clearly hear one another and any Witnesses throughout the hearing.
3. Staff will introduce to the Hearing Board, the Party and their agent, and others wishing to speak.
4. Staff will indicate the nature and location of the subject matter [Application / issued Permit / Stop Order] and the conclusions.
5. Staff will present the Staff report included in the Authority agenda.
6. The Party and/or their agent will present their material.
7. Staff and/or the Conservation Authority's agent may question the Party and/or their agent (through the Chair) if reasonably required for a full and fair disclosure of matters presented at the Hearing.¹
8. The Party and/or their agent may question the Conservation Authority Staff and/or their agent (through the Chair) if reasonably required for full and fair disclosure of matters presented at the Hearing.²
9. The Hearing Board will question, if necessary, both the Staff and the Party/agent.
10. The Hearing Board will move into deliberation. The Hearing Board may also adjourn the hearing and retire in private to confer. For electronic meetings, the Hearing Board will deliberate in a manner consistent with practices for in-person hearings (e.g., open vs closed session).

¹ As per the SPPA a tribunal may reasonably limit further examination or cross-examination of a Witness where it is satisfied that the examination or cross-examination has been sufficient to disclose fully and fairly all matters relevant to the issues in the proceeding.

² As per the SPPA a tribunal may reasonably limit further examination or cross-examination of a Witness where it is satisfied that the examination or cross-examination has been sufficient to disclose fully and fairly all matters relevant to the issues in the proceeding.

11. Members of the Hearing Board will move and second a motion.
12. A motion will be carried which will culminate in the decision.
13. The Hearing Board will move out of deliberation. For electronic meetings, the Hearing Board will reconvene with other participants.
14. The Chairperson or Acting Chairperson will advise the Party of the Hearing Board decision.
15. The Chairperson or Acting Chairperson shall notify the Party of their right to appeal the decision to the Ontario Land Tribunal, Minister, or other prescribed body (as applicable) upon receipt of the reasons for decision, in accordance with the provisions and timelines outlined in the Conservation Authorities Act and Ontario Regulation 41/24 (*see sample Notices of Decision for more detail*).
16. Motion to move out of Hearing Board and sit as Full Authority / Executive Committee.

Appendix G

CHAIRPERSON'S REMARKS WHEN DEALING WITH HEARINGS (Section 28.1, Subsection 5 of the Conservation Authorities Act) Permit Application, with or without conditions

We are now going to conduct a hearing under section 28.1, subsection 5 of the Conservation Authorities Act in respect of an application for a permit by [*applicant name*] to [*details of proposed works*].

Section 28.1, subsection 1 of the Conservation Authorities Act provides that an Authority may issue a permit to a person to engage in an activity that would otherwise be prohibited by section 28, subsection 1 of the Act, in an area regulated by the Authority, if in the opinion of the Authority, the activity is not likely to affect the control of flooding, erosion, dynamic beaches or unstable soil or bedrock; the activity is not likely to create conditions or circumstances that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property; and any other requirements that may be prescribed by the regulations are met.

Staff have reviewed this proposed work and prepared a staff report, a copy of which has been given to the applicant and the Board. The applicant was invited to file material in response to the staff report, a copy of which has also been provided to the Board.

Under section 28.1, subsection (5) of the Conservation Authorities Act, the person applying for a permit has the right to a hearing before the Authority [or as delegated to the Authority's Executive Committee or any other person or body, subject to limitations or requirements that may be prescribed by the regulation].

In holding this hearing, the Authority is to determine whether or not a permit is to be issued, with or without conditions. In doing so, we can only consider the application in the form that is before us, the staff report, such evidence as may be given and the submissions to be made on behalf of the applicant. Only information disclosed prior to the hearing is to be presented at the hearing.

The proceedings will be conducted according to the Statutory Powers Procedure Act. Under section 9 of the Evidence Act and section 5 of the Canada Evidence Act, any witness called may object to answer any question on the ground that the answer may tend to incriminate the person or may tend to establish his/her liability to a civil proceeding at the instance of the Crown or of any person.

The procedure in general shall be informal without the evidence before it being given under

oath or affirmation unless decided by the Hearing Board.

If the applicant has any questions to ask of the Hearing Board or of the Authority representative, they must be directed to the Chairperson of the board.

Appendix H

CHAIRPERSON'S REMARKS WHEN DEALING WITH HEARINGS (Section 28.1.2, Subsection 7 of the Conservation Authorities Act) Mandatory Permits, Zoning Orders

We are now going to conduct a hearing under section 28.1.2, subsection 7 of the Conservation Authorities Act in respect of an application for a permit by [*applicant name*] to [*details of proposed works*].

Under section 28.1.2, subsection 3 of the Conservation Authorities Act, an Authority that receives an application for a permit to carry out a development project in the Authority's area of jurisdiction shall issue the permit if an order has been made by the Minister of Municipal Affairs and Housing under section 47 of the Planning Act authorizing the development project under that Act; and the lands in the Authority's area of jurisdiction on which the development project is to be carried out are not located in the Greenbelt Area designated under section 2 of the Greenbelt Act, 2005; and such other requirements as may be prescribed are satisfied.

Furthermore, section 28.1.2, subsection 6 allows an Authority to attach conditions to such permits, including conditions to mitigate: any effects the development project is likely to have on the control of flooding, erosion, dynamic beaches or unstable soil or bedrock; circumstances created by the development project that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property; or any other matters that may be prescribed by regulation.

Staff have reviewed this proposed work and prepared a staff report, including the proposed conditions of approval for the proposed work, which has been given to the applicant and the Board. The applicant was invited to file material in response to the staff report, a copy of which has also been provided to the Board.

Under section 28.1.2, subsection 7 of the Conservation Authorities Act, the person applying for a permit has the right to a hearing before the Authority [or as delegated to the Authority's Executive Committee or any other person or body, subject to limitations or requirements that may be prescribed by the regulation].

In holding this hearing, the Authority Board is to determine the prescribed conditions, if any, to be attached to the approved permit. In doing so, we can only consider the application in the form that is before us, the staff report, such evidence as may be given and the submissions to be made on behalf of the applicant. Only information disclosed prior to the hearing is to be presented at the hearing.

The proceedings will be conducted according to the Statutory Powers Procedure Act. Under section 9 of the Evidence Act and section 5 of the Canada Evidence Act, any witness called may object to answer any question on the ground that the answer may tend to incriminate the person or may tend to establish his/her liability to a civil proceeding at the instance of the Crown or of any person.

The procedure in general shall be informal without the evidence before it being given under oath or affirmation unless decided by the hearing members.

If the applicant has any questions to ask of the Hearing Board or of the Authority representative, they must be directed to the Chairperson of the board.

Appendix I

CHAIRPERSON'S REMARKS WHEN DEALING WITH HEARINGS (Section 30.4, Subsection 6 of the Conservation Authorities Act) To Consider a Stop Order

We are now going to conduct a hearing under section 30.4, subsection 6 of the Conservation Authorities Act in respect to a Stop Order issued to [Party] on [Date], 20XX.

In accordance with section 30.4, subsection 1 of the Act, [NAME] was served with a Stop Order by an officer of the Authority because the officer believed [NAME] **[had engaged / was about to engage]** in an activity that **[has contravened/will contravene]** the Act or a regulation made under the Act; **and/or** the conditions of **Permit Number XXX**.

Furthermore, the officer believes that the activity **[has caused / is likely to cause]** significant damage and the damage **[affects / is likely to affect]** the control of flooding, erosion, dynamic beaches or unstable soil or bedrock **and/or** in the event of a natural hazard, the damage **has created / is likely** to create conditions or circumstances that might jeopardize the health and safety of persons or result in damage or destruction of property; and that, the order will prevent or reduce said damage.

Section 30.4, subsection 6 of the Act requires that a person who is served with a Stop Order be provided with an opportunity to request and attend a hearing before the Authority.

The Staff have prepared a report, a copy of which has been given to the [APPELLANT NAME] and the Board. The [APPELLANT NAME] was invited to file material in response to the staff report, a copy of which has also been provided to the Board.

In accordance with section 30.4, subsection 7 of the Act, after holding the hearing, the Authority shall confirm the order, amend the order, or remove the order with or without conditions. In doing so, we can only consider the information in the form that is before us, the staff report, such evidence as may be given, and the submissions to be made on behalf of [APPELLANT NAME]. Only information disclosed prior to the hearing is to be presented at the hearing.

The proceedings will be conducted according to the Statutory Powers Procedure Act. Under section 9 of the Evidence Act and section 5 of the Canada Evidence Act, any witness called may object to answer any question on the ground that the answer may tend to incriminate the person or may tend to establish his/her liability to a civil proceeding at the instance of the Crown or of any person.

The procedure in general shall be informal without the evidence before it being given under oath or affirmation unless decided by the hearing members.

If [APPELLANT NAME] has any questions to ask of the Hearing Board or of the Authority representative, they must be directed to the Chairperson of the board.

Appendix J

CHAIRPERSON'S REMARKS WHEN DEALING WITH HEARINGS (Section 28.3, Subsections 4 of the Conservation Authorities Act) To Consider the Cancellation of a Permit

We are now going to conduct a hearing under section 28.3, subsection 4 of the Conservation Authorities Act to consider the cancellation of permit number ## issued to [Permit Holder], on [Date], 20XX.

In accordance with section 28.3, subsection 1 of the Act, the Authority notified the permit holder of the intent to cancel permit number ### by [Date], 20## because, it is the opinion of the Authority, the conditions of the permit have not been met; **or** that the circumstances prescribed by regulation exist (**include detail here if applicable**).

Section 28.3, subsection 3 of the Act provides that a permit holder may request a hearing within 15 days of receiving the Authority's intent to cancel a permit.

The Staff have prepared a report, a copy of which has been given to the permit holder and the Board. The permit holder was invited to file material in response to the Staff report, a copy of which has also been provided to the Board.

In accordance with section 28.3, subsection 5 of the Act, after holding the hearing, the Authority may confirm, rescind or vary the decision to cancel the permit. In doing so, we can only consider the information in the form that is before us, the Staff report, such evidence as may be given, and the submissions to be made on behalf of the permit holder. Only information disclosed prior to the hearing is to be presented at the hearing.

The proceedings will be conducted according to the Statutory Powers Procedure Act. Under section 9 of the Evidence Act and section 5 of the Canada Evidence Act, any witness called may object to answer any question on the ground that the answer may tend to incriminate the person or may tend to establish his/her liability to a civil proceeding at the instance of the Crown or of any person.

The procedure in general shall be informal without the evidence before it being given under oath or affirmation unless decided by the hearing members.

If the permit holder has any questions to ask of the Hearing Board or of the Authority representative, they must be directed to the Chairperson of the board.

Appendix K

CHAIRPERSON'S REMARKS WHEN DEALING WITH HEARINGS

(Section 11, Subsection 6 of Ontario Regulation 41/24, made pursuant to Section 40, Subsection 4 of the Conservation Authorities Act)

To Consider an Extension to the Period of Validity of a Permit

We are now going to conduct a hearing under section 11, subsection 6 of Ontario Regulation 41/24, made under section 40, subsection 4 of the Conservation Authorities Act regarding a request for extension of permit number ## issued to [*Permit Holder*].

Section 11, subsections 4 and 5 of Ontario Regulation 41/24 provides that a permit holder may request a hearing to consider their request to extend the period of validity of a permit issued under section 28.1 or 28.1.2 of the Act within 15 days of receiving notice that the Authority intends to refuse a request for extension.

The Staff have prepared a report, a copy of which has been given to the permit holder and the Board. The permit holder was invited to file material in response to the Staff report, a copy of which has also been provided to the Board.

In accordance with section 11, subsection 7 of the Regulation, after holding the hearing, the Authority may confirm the refusal of the extension or grant an extension for a time deemed appropriate, provided the total period of validity of the permit does not exceed the applicable maximum period of 60 months prescribed by Regulation. In doing so, we can only consider the information in the form that is before us, the Staff report, such evidence as may be given, and the submissions to be made on behalf of the permit holder. Only information disclosed prior to the hearing is to be presented at the hearing.

The proceedings will be conducted according to the Statutory Powers Procedure Act. Under section 9 of the Evidence Act and section 5 of the Canada Evidence Act, any witness called may object to answer any question on the ground that the answer may tend to incriminate the person or may tend to establish his/her liability to a civil proceeding at the instance of the Crown or of any person.

The procedure in general shall be informal without the evidence before it being given under oath or affirmation unless decided by the hearing members.

If the permit holder has any questions to ask of the Hearing Board or of the Authority representative, they must be directed to the Chairperson of the board.

Appendix L

Sample Notice of Decision (Refusal / Attaching Conditions)

(Date)

BY REGISTERED MAIL

(name)

(address)

Dear:

RE: NOTICE OF DECISION

Hearing Pursuant to Section 28.1, Subsection 5 of the Conservation Authorities Act

Proposed Residential Development

Lot , Plan ; [Address], [City/Town]

[Application #]

In accordance with the requirements of the Conservation Authorities Act, the Lakehead Region Conservation Authority provides the following Notice of Decision:

On *[meeting date and number]*, the Authority [refused application/approved application/approved application with conditions]. A copy of the [Authority/Executive Committee] resolution has been attached for your records. Please note that this decision is based on the following reasons:

[Provide specific and clear reasons for refusal or attaching conditions relevant to the application in accordance with ss. 28.1 (7) of the Act]

In accordance with s. 28.1 of the Conservation Authorities Act, an applicant who has been refused a permit or a permit holder who objects to conditions imposed on a permit by the Authority may submit a request for a Minister's Review of this decision to the Minister of Natural Resources, or may appeal this decision to the Ontario Land Tribunal. These options are further described below:

1. Within 15 days of receiving the reasons for the Authority's decision, submit a request to the Minister to review the Authority's decision. If a request for a Minister's review is submitted, the Minister will indicate in writing whether or not they intend to conduct a review of the Authority's decision. This notice will be provided within 30 days of receiving the request. If the Minister does not reply within 30 days, this is deemed to be an indication that the Minister does not intend to review the Authority's decision.

The Minister may, in accordance with section 28.1 (15) of the Act, confirm or vary the Authority's decision, or make any decision the Minister considers appropriate, including issuing a permit subject to conditions. Per subsection 28.1(19) of the *Conservation Authorities Act*, a decision made by the Minister is final; or,

2. Appeal to the OLT within 90 days of receiving the reasons for the Authority's decision, provided that:
 - a. the applicant/permit holder has not submitted a request for Minister's review; or,
 - b. the applicant/permit holder has submitted a request for Minister's review, and;
 - i. the Minister refused to conduct a review further to a request made under ss. 28.1 (8) of the Act; or,
 - ii. 30 days have lapsed since the applicant/permit holder submitted a request for Minister's review and the Minister has not replied; or,
 - iii. If, further to a request for review made under ss. 28.1 (8) of the Act, the Minister indicates their intent to review a decision and the Minister fails to make a decision within 90 days of giving the reply, the applicant/permit holder may, within the next 30 days, appeal the Authority's decision directly to the OLT.

For your information, should you wish to exercise your right for a Minister's review or appeal to the OLT, your requests can be forwarded to:

For Minister's Review:

Hon. Graydon Smith
Witney Block
99 Wellesley Street West
Toronto ON M7A 1W3
Phone: 416-314-2301
Email: minister.mnrf@ontario.ca

For Appeal to Ontario Land Tribunal:

Ontario Land Tribunal
655 Bay Street, Suite 1500
Toronto ON M5G 1E5
Phone: 416-212-6349 or 866-448-2248
Email: OLT.General.Inquiry@ontario.ca
[Information on Filing an Appeal Link](#)

A copy of this request should also be sent to this Conservation Authority. Should you require any further information, please do not hesitate to contact [**staff contact**] or the undersigned.

Yours truly,

Tammy Cook
Chief Administrative Officer

Enclosure

Appendix M

Sample Notice of Decision (Attaching Conditions, Minister's Zoning Order Permits)

(Date)

BY REGISTERED MAIL

(name)

(address)

Dear:

RE: NOTICE OF DECISION

Hearing Pursuant to Section 28.1.2, Subsection 7 of the Conservation Authorities Act

Proposed Residential Development

Lot , Plan ; [Address] [City/Town]

[Application #]

In accordance with the requirements of the Conservation Authorities Act, the Lakehead Region Conservation Authority provides the following Notice of Decision:

On *[meeting date and number]*, the Authority approved permit number ### [with conditions / without conditions]. A copy of the Authority resolution has been attached for your records. Please note that this decision is based on the following reasons:

[Provide specific and clear reasons for attaching conditions relevant to the application in accordance with ss. 28.1.2 (8) of the Act]

In accordance with the Conservation Authorities Act, a permit holder who objects to conditions imposed on a permit by the Authority may submit a request for a Minister's Review of this decision to the Minister of Natural Resources, or may appeal this decision to the Ontario Land Tribunal. These options are further described below:

1. Within 15 days of receiving the reasons for the Authority's decision, submit a request to the Minister to review the conditions. If a request for a Minister's review is submitted, the Minister will indicate in writing whether or not they intend to conduct a review of the conditions. This notice will be provided within 30 days of receiving the request. If the Minister does not reply within 30 days, this is deemed to be an indication that the Minister does not intend to review the Authority's decision.

The Minister may, in accordance with section 28.1.2 (11) of the Act, confirm or vary the conditions attached by the Authority to a permit, including removing conditions or requiring that such additional conditions be attached to the permit as the Minister considers appropriate. Per subsection 28.1.2 (13) of the *Conservation Authorities Act*, a decision made by the Minister is final; or,

2. Appeal to the OLT within 90 days of receiving the reasons for the Authority's decision, provided that:
 - a) the permit holder has not submitted a request for Minister's review; or,
 - b) the permit holder has submitted a request for Minister's review, and;
 - i. the Minister refused to conduct a review further to a request made under ss. 28.1.2 (9) of the Act; or,
 - ii. 30 days have lapsed since the permit holder submitted a request for Minister's review and the Minister has not replied; or,
 - iii. If, further to a request for review made under ss. 28.1.2 (9) of the Act, the Minister indicates their intent to review a decision and the Minister fails to make a decision within 90 days of giving the reply, the permit holder may, within the next 30 days, appeal the conditions attached by the Authority directly to the OLT.

For your information, should you wish to exercise your right for a Minister's review, or appeal to the OLT, your requests can be forwarded to:

For Minister's Review:

Hon. Graydon Smith
Witney Block
99 Wellesley Street West
Toronto ON M7A 1W3
Phone: 416-314-2301
Email: minister.mnrf@ontario.ca

For Appeal to Ontario Land Tribunal:

Ontario Land Tribunal
655 Bay Street, Suite 1500
Toronto ON M5G 1E5
Phone: 416-212-6349 or 866-448-2248
Email: OLT.General.Inquiry@ontario.ca
[Information on Filing an Appeal Link](#)

A copy of this request should also be sent to this Conservation Authority. Should you require any further information, please do not hesitate to contact [**staff contact**] or the undersigned.

Yours truly,

Tammy Cook
Chief Administrative Officer
Enclosure

Appendix N

Sample Notice of Decision (Stop Order)

(Date)

BY REGISTERED MAIL

(name)

(address)

Dear:

RE: NOTICE OF DECISION

Hearing Pursuant to Section 30.4, Subsection 6 of the Conservation Authorities Act

Stop Order

Lot , Plan ; [Address], [City/Town]

[Application # or Permit #]

[Stop Order #]

In accordance with the requirements of the Conservation Authorities Act, the Lakehead Region Conservation Authority provides the following Notice of Decision:

On **[meeting date and number]**, the Authority **[confirmed the Stop Order, amended the Stop Order, or removed the Stop Order, with or without conditions]**. A copy of the Authority resolution has been attached for your records. Please note that this decision is based on the following reasons:

[Provide specific and clear reasons for confirming, amending, or removing the order, with or without conditions in accordance with ss. 30.4 (8)]

In accordance with the Conservation Authorities Act, the person who requested the hearing may appeal to the Minister for a review within 30 days after receiving the reasons for the Authority's decision. The Minister (or other prescribed body) may confirm, amend or remove the Stop Order, with or without conditions.

For your information, should you wish to exercise your right for a Minister's review, your request can be forwarded to:

Hon. Graydon Smith
Witney Block
99 Wellesley Street West
Toronto ON M7A 1W3
Phone: 416-314-2301
Email: minister.mnrf@ontario.ca

A copy of this request should also be sent to this Conservation Authority. Should you require any further information, please do not hesitate to contact [**staff contact**] or the undersigned.

Yours truly,

Tammy Cook
Chief Administrative Officer
Enclosure

Appendix O

Sample Notice of Decision (Cancellation of Permit)

(Date)

BY REGISTERED MAIL

(name)

(address)

Dear:

RE: NOTICE OF DECISION
Hearing Pursuant to Section 28.3 , Subsections (2), (3), and (4) of the
Conservation Authorities Act
Cancellation of Permit
Lot , Plan ; [Address], [City/Town]
[Permit Number]

In accordance with the requirements of the Conservation Authorities Act, the Lakehead Region Conservation Authority provides the following Notice of Decision:

On **[meeting date and number]** the Authority **[confirmed / rescinded / varied]** the **decision to cancel permit number ##**. A copy of the [Authority / Executive Committee] resolution has been attached for your records. Please note that this decision is based on the following reasons:

[Provide specific and clear reasons for confirming, rescinding or varying the decision to cancel the permit, in accordance with ss. 28.3 (5) of the Conservation Authorities Act]

In accordance with the Conservation Authorities Act, the permit holder may, within 90 days after receiving the reasons for the Authority's decision, appeal the decision to the Ontario Land Tribunal (OLT). The OLT has the authority to take evidence, to confirm, rescind or vary the decision to cancel the permit, with or without conditions.

For your information, should you wish to exercise your right to appeal, section 28.3, subsection 7 of the Act requires that the notice shall be sent to the OLT and to the Authority by registered mail.

Ontario Land Tribunal

655 Bay Street, Suite 1500

Toronto ON M5G 1E5

Phone: 416-212-6349 or 866-448-2248

Email: OLT.General.Inquiry@ontario.ca

[Information on Filing an Appeal Link](#)

Should you require any further information, please do not hesitate to contact [**staff contact**] or the undersigned.

Yours truly,

Tammy Cook
Chief Administrative Officer

Enclosure

Appendix P

Sample Notice of Decision (Permit Extension)

(Date)

BY REGISTERED MAIL

(name)

(address)

Dear:

RE: NOTICE OF DECISION

**Hearing Pursuant to Section 11, Subsections 4, 5, and 6 of O. Reg. 41/24,
pursuant to Section 40, Subsection 4 of the Conservation Authorities Act
Request for Permit Extension**

Lot , Plan ; [Address], [City/Town]

[Permit Number]

In accordance with the requirements of the Conservation Authorities Act, the Lakehead Region Conservation Authority provides the following Notice of Decision:

On [meeting date and number], the Authority [confirmed the refusal of the permit extension / granted the permit extension]. Permit number ## shall be valid until [Date], 20##. A copy of the Authority resolution has been attached for your records. Please note that this decision is based on the following reasons:

[Provide specific and clear reasons relating to the application for refusing or granting the extension, if applicable. In either case, it is best practice to relate the decision to the Conservation Authorities Act tests in ss. 28.1 (1), and ss. 11 (7) of O. Reg. 41/24]

For your information, the Authority's decision is final; there is no legislated appeal process under the *Conservation Authorities Act*.

Should you require any further information, please do not hesitate to contact [**staff contact**] or the undersigned.

Yours truly,

Tammy Cook
Chief Administrative Officer
Enclosure



PROGRAM AREA	POLICY	REPORT NO.	POLICY-BOD-06-2025
DATE PREPARED	February 10, 2025	FILE NO.	Finance Office
MEETING DATE	February 26, 2025		
SUBJECT	Remuneration of Members 2025 Update		

RECOMMENDATION

Suggested Resolution

“THAT: Board Policy BOD-06: Remuneration of Members be amended as outlined in Staff Report Policy BOD—06-2025.”

LINK TO STRATEGIC PLAN

Govern and Enhance:

- Continue to commit to accountable and transparent organizational governance.
- Maintain a stable model of financial resiliency based on capacity, capabilities, and public expectations by maximizing new funding opportunities, fundraising and self generated revenue.

EXECUTIVE SUMMARY

Per the Administrative By-Law, the Authority shall establish Board Member remuneration rates for per diems, mileage, and expenses from time to time. Policy BOD-06: Remuneration of Members outlines the method of determining the compensation rates. According to the policy the Chair and Board Member per diem and mileage rates have been updated for 2025. The Policy has been updated to increase the meal and incidental rates to be inline with a recent increase to the City of Thunder Bay rates, which is the basis of the original rates.

DISCUSSION

As outlined in the Administrative By-Law, Section 2.16, the Authority shall establish a per-diem rate from time to time to be paid to Members for attending meetings and such other business of the Authority. Additionally, it outlines that mileage and travel expenses shall be reimbursed.

In 2018, the Board adopted Policy BOD-06: Remuneration of Members, which outlined that Board per diem rates would increase annually based on the previous years Consumer Price Index. The Consumer Price Index average annualized rate increase for Thunder Bay for 2024 is 2.30 %; therefore, the 2025 Chair Per Diem increases from \$97.34 to \$99.58 and the Member Per Diem increases from \$88.30 to \$90.33. The provincial rate for mileage has increased from \$0.70 to \$0.72 per kilometre.

The meal and Incidental rates in the policy, which is based on the City of Thunder Bay rates, has increased from \$70.00 to \$100.00, as of January 1, 2025. Accordingly, the rates in LRCA'S policy have also been increased effective January 1, 2025. This is the first increase since 2012. The breakdown is as follows:

- Breakfast \$19.50
- Lunch \$21.50
- Dinner \$43.00
- Incidentals \$16.00

FINANCIAL IMPLICATIONS

In 2025, the actual cost for board per-diems and mileage was \$18,391.72. The estimated cost for per diems in 2025 based on the 2.30 % increase is \$ 18,814.73. The 2025 Budget included \$19,000.00 for the anticipated cost.

CONCLUSION

The policy regarding rates and future increases allows for future budget preparation, while providing a transparent method to provide fair remuneration to LRCA Members. The rates for 2025 have been updated per the policy.

BACKGROUND


Per Resolution #140/18, the Board adopted Policy BOD:06 Remuneration of Members. The Policy was updated in 2022 (Res. #46/22) to clarify which CPI and mileage rate would be used and to add a section to specify that any provincial appointees to the Board would be compensated by the province.

REFERENCE MATERIAL ATTACHED

Policy BOD-06: Remuneration of Members

PREPARED BY:

Mark Ambrose, Finance Manager

THIS REPORT SIGNED AND VERIFIED BY:  Tammy Cook Chief Administrative Officer	DATE: February 10, 2025
--	----------------------------

Section:	BOARD OF DIRECTORS		
Title:	BOD-06: Remuneration of Members		
Resolution	Res # 140/18	Approval Date:	November 28, 2018
Revisions:	#46/22, #/2025		

1.0 Intent

To define the per diem rate and expense rates to paid to the Board of the Directors of the Lakehead Region Conservation Authority.

2.0 Board Member Per Diem

Members of the Board of Directors of the Lakehead Region Conservation Authority will be provided a Member per diem per meeting or for attending to the business of the Authority, with one per diem allowance per day.

3.0 Chair Per Diem

The Chair of the Board of Directors of the Lakehead Region Conservation Authority will be provided a Chair per diem per meeting or for attending to the business of the Authority, with one per diem allowance per day.

4.0 Per Diem Rates

Board Member and Chair per diem rates will increase annually on the 1st of January based on the previous year's Consumer Price Index average annualized rate increase for Thunder Bay.

5.0 Mileage Rate

A mileage rate equal to the prevailing provincial rate for Ontario will be paid for travel required to conduct the business of the Authority.

6.0 Meal and Incidental Expense Rate

An expense per diem rate of \$100 per day will be paid to refund the expenses of meals and incidentals when conducting the business of the Authority, as follows:

- Breakfast: \$19.50
- Lunch: \$21.50
- Dinner: \$43.00
- Incidentals: \$16.00

7.0 Other Expenses

Other expenses incurred while on Authority business will be reimbursed at the actual cost (i.e. lodging, public transportation and conference fees, etc.).

8.0 Provincially Appointed Members

Members appointed to the Board of Directors by the Minister, will be re-imbursed for all expenses by the appointing Ministry (i.e. *Conservation Authorities Act* Section 14(4) Member from agricultural sector appointed).

Attachment:

- Board of Director Per Diem Rate Summary

Board of Director Per Diem Rate Summary

Year	CPI %	Chair Per Diem	Member Per Diem	Mileage Rate
1992-2007		\$55.00	\$47.00	
2008-2010		\$75.00	\$67.00	
2011-2018		\$80.00	\$72.00	
2019	1.70%	\$81.36	\$73.22	
2020	1.50%	\$82.58	\$74.32	
2021	1.20%	\$83.57	\$75.81	
2022	4.4%	\$87.25	\$79.15	\$0.61
2023	7.9%	\$94.14	\$85.40	\$0.68
2024	3.4%	\$97.34	\$88.30	\$0.70
2025	2.3%	\$99.55	\$90.33	\$0.72

February 26, 2025

Moved By _____

Seconded By _____

"THAT: having examined the accounts for the period January 1, 2024 to January 31, 2024 cheque #3459 to #3486 for \$88,507.82 and preauthorized payments of \$126,286.88 for a total of \$214,794.70, we approve their payment."

3459	Apex Security	Parking patrols November 2024	576.30
3460	City of Thunder Bay	Estimate for water usage November 2024	876.76
3461	KGS Group Consulting Engineers	Neebing McIntyre Floodway Floodplain Mapping Sep - Nov 2024	17,289.00
3462	Lowery's	Photocopy charges to Dec 8, 2024	234.12
3463	McKittricks	Floodway easement	118.65
3464	Pioneer Construction	Salt Sand Mix	71.21
3465	Rutter Urban Forestry	Tree Removal Forest St	1,065.31
3466	Silvio Di Gregorio Agency	Wine for Holiday Social 2024	534.63
3467	Thunder Bay Answering Service Inc.	Answering Service	258.72
3468	Thunder Bay Broom & Chemicals	Supplies	353.18
3469	2611943 Ontario Ltd.	Waste removal Mission, Cascades	791.00
3470	Equipment World	Cocktail table rentals, tablecloths - Holiday Social	126.24
3471	Francotyp-Postalia Canada Inc.	Quarterly Postage Meter rental	67.63
3472	Innovated Solutions	2024 Cloud Protection	847.50
3473	Upper Thames River CA	WISKI Hub 2024 Membership	3,878.00
3474	Walleye Media Inc	Advertising in the Walleye magazine	335.61
3475	Conservation Ontario	2025 CO Levy Installment 1	11,247.68
3477	Doane Grant Thornton LLP	QBO fees Oct-Dec 2025	406.80
3478	Hatch Ltd.	Floodway Channel Survey and Report	15,820.02
3479	KGS Group Consulting Engineers	Neebing-McIntyre Floodway Water Level Monitoring System	10,198.25
3480	Lowery's	Photocopier usage January 2025	128.03
3481	MacKay Meters	Battery for pay and display unit	333.35
3482	McKittricks	Various legal matters	1,000.05
3483	Pioneer Construction	Salt/Sand mix	38.71
3484	RAS Maintenance Services	Carpet Cleaning December 2024 and December janitorial	2,072.39
3485	Thunder Bay Broom & Chemicals	Janitorial Supplies	162.55
3486	Water's Edge Environmental Solutions Team Ltd.	Floodplain models and mapping	19,676.13
			<u>88,507.82</u>
PA	Payroll and Per Diems		81,954.90
PA	Royal Bank Group Retirement RRSP and TFSA		1,642.40
PA	RWAM and Lifeworks Benefits		3,811.38
PA	Enbridge		1,736.46
PA	Synergy North		1,028.87
PA	Esso		426.48
PA	Visa Routine Monthly Expenses		20,014.42
PA	Banking and Visa Fees		961.05
PA	Postage		-
PA	Omers September		14,424.02
PA	Photocopier Lease		286.90
PA	Property Taxes		
PA	GIC		-
			<u>126,286.88</u>
			<u>214,794.70</u>

Chair

Res# _____/25

Monthly Plan Input/Review and Fill Regulations Administration January 1 to 31, 2025											
Municipality	Minor Variance (A)	Consent (B)	Official Plan	Official Plan Comprehensive Review	Zoning By-Law (Z)	Subdivisions	Clearances	Reality Services	Lawyer Inquiries	Letter of Opinion (Other)	Total
City of Thunder Bay		B-76-2024						3220 Wilroy Ave	600 Montreal Street	490 Maureen Street	
Total	0	1	0	0	0	0	0	1	1	1	4
Oliver Paipoonge											
Total	0	0	0	0	0	0	0	0	0	0	0
O'Connor											
Total	0	0	0	0	0	0	0	0	0	0	0
Neebing	B10-2024	B11-2024			Z04-2024						
Total	1	1	0	0	1	0	0	0	0	0	3
Shuniah										PTTW Mount Baldy Ski Area	
Total	0	0	0	0	0	0	0	0	0	1	1
Conmee											
Total	0	0	0	0	0	0	0	0	0	0	0
Gillies									458 Hymers Fair Drive		
Total	0	0	0	0	0	0	0	0	1	0	1
Dorion											
Total	0	0	0	0	0	0	0	0	0	0	0
Rural Planning Board											
Total	0	0	0	0	0	0	0	0	0	0	0
Monthly Total	1	2	0	0	1	0	0	1	2	2	9

Monthly Plan Input/Review and Fill Regulations Administration February 1 to 18, 2025											
Municipality	Minor Variance (A)	Consent (B)	Official Plan	Official Plan Comprehensive Review	Zoning By-Law (Z)	Subdivisions	Clearances	Reality Services	Lawyer Inquiries	Letter of Opinion (Other)	Total
City of Thunder Bay					Z-13-2024			279 Bay Street	304 105th Street 201 106th Street	1112 Russell Street	
Total	0	0	0	0	1	0	0	1	2	1	5
Oliver Paipoonge		1B/01/25			ZBLA01-2025						
Total	0	1	0	0	1	0	0	0	0	0	2
O'Connor											
Total	0	0	0	0	0	0	0	0	0	0	0
Neebing											
Total	0	0	0	0	0	0	0	0	0	0	0
Shuniah	A24-4										
Total	1	0	0	0	0	0	0	0	0	0	1
Conmee											
Total	0	0	0	0	0	0	0	0	0	0	0
Gillies											
Total	0	0	0	0	0	0	0	0	0	0	0
Dorion											
Total	0	0	0	0	0	0	0	0	0	0	0
Rural Planning Board											
Total	0	0	0	0	0	0	0	0	0	0	0
Monthly Total	1	1	0	0	2	0	0	1	2	1	8

Prohibited Activities, Exceptions and Permits- Ontario Regulation 41/24

Year: 2025

Permit #	Category	Fee	Applicant Name	Municipality	Subject Property Address	Type of Work	Key Dates					Minor OR Major Application (Timeline BP Minor = 30d Major = 90d)	Within Timelines
							Complete Application Received with Permit Fee Paid (YYYY-MM-DD)	Notice of Complete/ Incomplete Application ISSUED (YYYY-MM-DD)	Days to Issue Notice of Complete/ Incomplete Application (21 day timeline)	Permit Issued / Refused (YYYY-MM-DD)	Days to Issue /Refuse Permit (90 day timeline)		
#2/25	Standard		City of Thunder Bay	City of Thunder Bay	Victor Street	Drainage Improvements	1/14/2025	1/22/2025	8	1/29/2025	7	Minor	Yes
#3/25	Standard	\$600.00	JW Michieli Construction	City of Thunder Bay	Lot 5 Bruin Crescent	Dwelling Construction	2/4/2025	2/5/2025	1	2/7/2025	2	Minor	Yes
#4/25	Standard		City of Thunder Bay	City of Thunder Bay	Margaret St at McVicar Creek	Creek Sediment Removal	1/24/2025	2/3/2025	10	2/12/2025	9	Minor	Yes
#5_25	Standard	\$300.00	Luc Dillon	City of Thunder Bay	5049 Mapleward Rd	Driveway Construction	2/7/2025	2/11/2025	4	2/14/2025	3	Minor	Yes
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Monthly Project Update

MEETING DATE	February 26, 2025
STAFF NAME	Ryan Mackett
POSITION	Communications Manager

CLE Spring Home & Garden Show

The CLE Spring Home & Garden Show will be occurring on April 11-13. The LRCA has historically participated at this event; this year's focus for the LRCA display will be the Superior Steward Program, native plants, invasive species, as well as the sale of Explore Cards, t-shirts, etc. in addition to general outreach regarding the LRCA's natural hazard and flood forecasting programs and Conservation Areas promotion.

Board Members are encouraged to volunteer to attend this event and help out at the LRCA booth, as it is an excellent opportunity to mingle and network with the public, as well as get to know staff. Attached is the volunteer schedule with times outlined for potential Board volunteer shifts.

For your information the CLE Spring Home and Garden Show event will be running on Friday, April 11 from 4:00 p.m. – 9:00 p.m., Saturday, April 12 from 10:00 a.m. – 6:00 p.m., and Sunday, April 13 from 11:00 a.m. – 4:00 p.m. Shifts are approximately 1.5 hours. Please speak with Ryan Mackett, Communications Manager, if you are interested in working any of the proposed volunteer shifts that weekend.

Thunder Bay Catholic District School Board Partnership

The Education Coordinator will be conducting education programs during the week on March 3-7 as part of a pilot project in partnership with the Thunder Bay Catholic District School Board (TBCDSB). A financial contribution from the TBCDSB in the amount of approximately \$4,700 has been made to carry out this program, which will see several two-part education programs take place (Winter and Spring). Curriculum details and program specifics are being worked out between the Education Coordinator and the TBCDSB lead teacher Joel Biesenthal. The Indigenous Liaison coordinator from St. Ignatius High School is also involved. The programs are tentatively scheduled to take place at Hazelwood Lake Conservation Area. This program is the result of long-term discussions with the school board and will be beneficial in securing a long-term partnership with them. More details will be provided to the Board as they become available.



Monthly Project Update

MEETING DATE	February 26, 2025
STAFF NAME	Melissa Hughson
POSITION	Watershed Manager

Snow Surveys

Snow surveys were conducted on Friday, February 14th (the 15th was a Saturday). The mid-February 2025 snow surveys indicate that the snow survey locations were in general slightly below average for snow depth and water content, when compared to the historical averages for February 15. The snow depth results were: Current River – 46.3 centimetres (cm) (14% below average), McVicar Creek – 36.2 cm (8% below average), and Pennock Creek – 36.7 cm (11% below average). The water content results were above average for Current River 135.3 mm (14% above average), and slightly below for McVicar Creek and Pennock Creek at 73.5 mm (10% below average) and 78.8 mm (4% below average) respectively. The next snow survey measurements will be taken on Friday, February 28th, 2025 as March 1st falls on a Saturday.

Lake Superior Water Levels

The water level of Lake Superior continues to be below average; there was an 8-centimetre decline of Lake Superior's water level from beginning of January to beginning of February and the water level is 16 centimetres below average compared to the historical monthly average (1918 – 2022) which is the lowest since 2013. The forecast outlook reports that Lake Superior is expected to continue its seasonal decline.

Stewardship & Seeds for Conservation

On February 19, LRCA staff presented at the “2025 Invasive Species Forum” to share about the Thunder Bay Regional Phragmites Collaboration work and Phragmites at the leading edge in the north half of the province. On February 26 and 27 the LRCA stewardship team will be at the United Way Community Volunteer Fair. Nine funding applications have been submitted to various private and government programs by LRCA staff for Stewardship Program activities; projects range from a proposed Seeds for Conservation greenhouse expansion and an LRCA Office Rain Garden, to invasive species management of Emerald Ash Borer in our Conservation Areas, continued Invasive Phragmites management in the region, and ongoing riparian revegetation along the Floodway.

The Seeds for Conservation program has been busy for the last several months harvesting, cleaning and stratifying 35 different native plant species to be used during the 2025 growing season. A Seed Cleaning event will be held at the Authority office on February 19th in partnership with Urban Greenscapes and the Adelaide Butterfly Garden. Seeds for Conservation will have a table at the Roots to Harvest Seedy Saturday, February 22, offering seeds for sale by donation as well as LRCA factsheets and Explore Cards.