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# Full Authority Agenda

May 17, 2023 KCCA Admin Centre

10:00 a.m.

This meeting will be a hybrid meeting. The recording and draft minutes will be posted to KCCA’s web site on May 18, 2023. The meeting will be streamed live at the following link:

Facebook Page - <https://www.facebook.com/KettleCreekCA/>

## **Audio/Video Recording Notice**

*“Board members, staff, guests and members of the public are reminded that the Full Authority Board/Committee meeting is being recorded, and will be posted to the Authority’s web site along with the official written minutes. As such, comments and opinions expressed may be published and any comments expressed by individual Board members, guests and the general public are their own, and do not, represent the opinions or comments of the Full Authority and/or the KCCA Board of Directors.*

*The recorded video of the Full Authority meeting is not considered the official record of that meeting. The official record of the Full Authority meeting shall consist solely of the Minutes approved by the Full Authority.”*

## **Introductions and Declarations of Pecuniary Interest**

### **Hearing Board**

### **Minutes of Meetings**

a) April 19, 2023 Full Authority Meeting ..... 3

### **Matters Arising**

a) Media Report (Marianne) ..... 7

b) Project Tracking (Elizabeth) ..... 9

c) Watershed Conditions (Jennifer) ..... 11

**Recommendation:** That Matters Arising a) through c) be received.

### **Correspondence**

a) Invitation to Middlesex County Charity Golf Tournament ..... 13

b) Conservation Ontario’s Comments on “Proposed Planning Act, City of Toronto Act, 2006, and MMAH Act Changes May 5, 2023 ..... 14

**Recommendation:** That the correspondence be received.

### **Statement of Revenue and Expenses**



# Full Authority Agenda

May 17, 2023 KCCA Admin Centre

10:00 a.m.

## New Business

- a) 2024-2027 Budget Planning Process (Elizabeth) .....18  
**Recommendation:** That the Budget Planning Timeline be approved; and further that the Programs and Services Survey be released.
- b) Dalewood Dam Options Assessment (Elizabeth/Jennifer) .....26  
**Recommendation:** That a qualified engineer be retained to prepare an options assessment on the Dalewood Dam to an upset limit of \$15,000.
- c) Cost Apportionment Agreement Update (Elizabeth/Betsy) .....29  
**Recommendation:** That subject to legal review the draft Cost Apportionment Agreement for Category 3 Programs and Services be approved for circulation to member municipalities.
- d) May Planning and Regulations Activity Report (Joe) .....38  
**Recommendation:** That May Planning and Regulations Activity Report be received.

## Closed Session

- a) Closed Session Minutes March 15, 2023
- b) Legal Matter
- c) Personnel Matter – Identifiable Person
- d) Property Matter – Potential Acquisition

## Up Coming Meetings

Kettle Creek Food Truck Festival	June 17, 2023	Dan Patterson	11am - 7 p.m.
KCCA Full Authority Meeting	June 21, 2023	Hybrid	10:00 a.m.
KCCA Board Member Tour	June 23, 2023		



# Full Authority Minutes

April 19, 2023

A meeting of the Full Authority of the Kettle Creek Conservation Authority was held on Wednesday, April 19, 2023 at 10:00 a.m. The meeting was streamed live to Facebook.

The meeting came to order at 10:00 a.m.

**Audio/Video Record Notice**

Board members, staff, guests and members of the public are advised that the Full Authority Board/Committee meeting is being video/audio recorded, and will be posted to the Authority’s web site along with the official written minutes. As such, comments and opinions expressed may be published and any comments expressed by individual Board members, guests and the general public are their own, and do not represent the opinions or comments of the Full Authority and/or the KCCA Board of Directors.

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VanHooren conducted a roll call with the following members identifying their presence:

**Members Present:**

Frank Berze	Middlesex Centre	In Person
Lori Baldwin-Sands (Vice Chair)	St. Thomas	In Person
Grant Jones (Chair)	Southwold	In Person
Jim Herbert	St. Thomas	Virtual
Sharron McMillan	Thames Centre	In Person
Sam Trosow	London	In Person

**Members Absent:**

Todd Noble	Central Elgin
John Wilson	Malahide

**Staff Present:**

Jennifer Dow	Water Resources Supervisor	In Person
Joe Gordon	Manager of Planning and Development	In Person
Jessica Kirschner	GIS/Information Services Coordinator	Virtual
Betsy McClure	Stewardship Program Supervisor	In Person
Elizabeth VanHooren	General Manager/Secretary Treasurer	In Person
Jeff Lawrence	Forest and Lands Supervisor	In Person
Marianne Levogiannis	Public Relations Supervisor	Virtual

As some members and guests attended virtually, all votes were recorded and are included in the Recorded Vote Registry.

### **Introductions & Declarations of Pecuniary Interest**

There were no declarations of pecuniary interest.

### **Hearing Board**

There was no Hearing required.

### **Minutes of Meeting**

#### **FA58/2023**

**Moved by: Jim Herbert**

**Seconded: Sam Trosow**

That the minutes of the March 22, 2023 Full Authority meeting be approved.

**Carried**

### **Matters Arising**

#### **FA59/2023**

**Moved by: Lori Baldwin-Sands**

**Seconded: Sharron McMillan**

That Matters Arising a) through f) be received.

**Carried**

### **Correspondence**

a) Ontario introduces Next Steps to Support Housing Supply Growth April 6, 2023

Members were advised that staff and Conservation Ontario are reviewing the proposed new Provincial Policy Statement. Ontario is undertaking a 60-day consultation on the proposed new Provincial Planning Statement until June 5, 2023.

### **Statement of Revenue and Expenses**

#### **FA60/2023**

**Moved by: Sam Trosow**

**Seconded: Jim Herbert**

That the Statement of Revenue and Expenses for March 31, 2023 be approved.

**Carried**

**New Business**

- a) Cost Apportionment Agreement Update

**FA61/2023**

**Moved by: Sam Trosow**

**Seconded: Sharron McMillan**

That the staff report on the Cost Apportionment Agreement Update be received.

**Carried**

- b) Kettle Creek Clean Water Initiative

The Kettle Creek Clean Water Initiative was established in 2012 to provide financial assistance to watershed residents in implementing stewardship projects. Ms. McClure outlined the program objectives and funding guidelines before presenting two projects for consideration. Annually, the Authority provides \$12,000 in funding from the Stewardship Reserve.

The two projects presented for funding consideration included:

23-01

A 0.5 acre wetland creation project. The total estimated project cost is \$23,775. The grant request is \$3,000.

23-02

Three (3) wetland cells are being created in 2023 with a total of 11 acres to be retired. Tallgrass prairie, tree and shrub plantings will occur in 2024. The total estimated project cost for wetland creation is \$26,504. The grant request is \$3,000.

**FA62/2023**

**Moved by: Sam Trosow**

**Seconded: Lori Baldwin-Sands**

That projects 23-01 in the amount of \$3,000 and 23-02 in the amount of \$3,000 be supported through the Kettle Creek Clean Water Initiative.

**Carried**

- c) April Planning and Regulations Activity Report

**FA63/2023**

**Moved by: Frank Berze**

**Seconded: Sharron McMillan**

That the April 2023 Planning and Regulations Activity Report be received.

**Carried**

**Closed Session**

A Closed Session was not required.

**Upcoming Meetings**

The next meeting of the Full Authority will be May 17, 2023.

**FA64/2023**

**Moved by:** Lori Baldwin-Sands

**Seconded:** Sam Trosow

That the meeting adjourn.

**Carried**

The meeting adjourned at 11:11 a.m.



Elizabeth VanHooren  
General Manager/Secretary Treasurer

Grant Jones  
Chair

**Recorded Vote Registry FA58/2023 to FA35/2023**

**A=Absent Y=Yes N=No**

Board Member	FA58/2023	FA59/2023	FA60/2023	FA61/2023	FA62/2023	FA63/2023	FA64/2023
Baldwin-Sands	Y	Y	Y	Y	Y	Y	Y
Berze	Y	Y	Y	Y	Y	Y	Y
Herbert	Y	Y	Y	Y	Y	Y	Y
Jones	Y	Y	Y	Y	Y	Y	Y
McMillan	Y	Y	Y	Y	Y	Y	Y
Noble	A	A	A	A	A	A	A
Trosow	Y	Y	Y	Y	Y	Y	Y
Wilson	A	A	A	A	A	A	A
<b>Result</b>	<b>Carried</b>	<b>Carried</b>	<b>Carried</b>	<b>Carried</b>	<b>Carried</b>	<b>Carried</b>	<b>Carried</b>



Welcome Back Campers! The long hibernation is over. Finally, time for long hikes, good friends, tall fishing tales and s'mores by the campfire. Happy camping! [#LoveMyWatershed](#)



Our Campgrounds are now Scan and Go! This year once you have registered at the gate house your permit will activate the new automatic entry system. One more reason to get excited about the season!



## Facebook/Instagram

### Summary

May 2023

Facebook Followers: 3,398

Instagram Followers: 1,225

Facebook Post Reach: 22,822

Instagram Reach: 7,135

Paid Reach: 19,193



### Top Tweet earned 138 impressions

Welcome Back Campers! Looking forward to campfire stories and beautiful sunsets. Here's to a great camping season!  
[pic.twitter.com/f6GHSjwJt](https://pic.twitter.com/f6GHSjwJt)



♥ 1

[View Tweet activity](#)

[View all Tweet activity](#)

### No new followers in May



**Kettle Creek CA** @KettleCreekCA · May 5  
Thanks to members of the EYC, the Rotary Club of #StOnt and Lake Margaret neighbourhood residents for helping plant 200 shrubs on the north shore of Lake Margaret! This project has been made possible through funding from @ONenvironment Great Lakes Local Action Fund.



### Top mention earned 12 engagements



### London Search & Rescue

@LondonSAR · May 6

This morning, LSAR was training at the Dan Patterson Conservation Area. Yearly, each member must complete a re-certification course to prove their skills are sharp. Thank you to @KettleCreekCA for letting us use your beautiful land today so we could train our members.

[pic.twitter.com/CZNF3B7coR](https://pic.twitter.com/CZNF3B7coR)



**Kettle Creek CA** @KettleCreekCA · Apr 28  
A warm welcome to our new (and returning) seasonal staff as they begin training and prepare for a May 1 opening.



## Twitter Summary

May 2023

Impressions: 950

Tweets: 7

Followers: 1,383



### Corporate Services

- Server update under way; update is being done in stages to ensure minimal down time
- Computer setup at campgrounds for the season completed.
- Aspira (reservation system) orientation for seasonal staff undertaken April 26-29 with monthly check-ins initiated to ensure seamless delivery.
- Assisting the Kettle Creek Environmental Trust with the organization of the Kettle Creek Food Truck Festival to occur at Dan Patterson Conservation Area June 17 11 a.m.—7 p.m.
- Attended the “Boost Your Brand” webinar hosted by Elgin County
- Watercraft signs completed and ready for installation
- Campground newsletters produced for opening week and Victoria Day long weekend

### Flood Forecasting/Environmental Monitoring

- Applying to DFO for funding to continue the municipal drain classification project. This will be KCCA’s seventh year participating in this program. A successful application could result in ~\$9.5k in funding.
- Collected surface water samples throughout the KCCA watershed for the month of April.
- Collected startup water samples for the Lake Whittaker Small Drinking Water System on April 18 and the first operational samples on May 2, 2022. Chlorine checks are done daily, and ongoing water sample collection is completed twice a month during the campground operating season.
- Conducted the pre-season safety inspections at Lake Whittaker and Dalewood CAs on April 28, 2023.
- Working with the engineering consultant on the Flood Hazard Identification and Mapping Program (FHIMP) project to update floodplain mapping in the Dodd Creek subwatershed. Staff attended the project startup meeting on May 4, 2023.
- Attended the virtual 2023 Watershed Report Card Wrap-Up meeting.
- Collected snow survey data on May 1 and May 15, 2023, and submitted the data to the Surface Water Monitoring Centre.
- Reviewing municipal drain maintenance notifications as well as participating in meetings with municipal drain representatives.

## Stewardship and Outreach

- Site visits with Ducks Unlimited (DU) at 2 wetland creation sites - \$20,000 in funding secured from DU for the projects.
- Hosted the first 2023 Kettle Creek Environmental Youth Corps event on April 29 – 200 shrubs were planted on the north shore of Lake Margaret. 9 high school students have signed up for the program and will participate in hands-on environmental projects with KCCA staff this spring/summer in exchange for volunteer hours.
- Various Staff assisted at the London-Middlesex Children’s Water Festival May 8-12 which taught ~4,000 grades 2-5 students about the importance of our local water resources through hands-on activities linked to the Ontario Curriculum.
- Kettle Creek Environmental Youth Corps helped pull garlic mustard in the woodlot at Pinafore Park on May 10.
- Staff attended meetings for the London-Middlesex Children’s Water Festival and ALUS Elgin.

## Forestry

- Large stock trees arrived April 19<sup>th</sup> with seedling stock arriving April 26<sup>th</sup> and May 2<sup>nd</sup>.
- KCCA’s tree planting crew started April 24<sup>nd</sup>
- Finalization of site plans for tree planting sites, communications with landowners and generating over the counter/Greening Communities invoices
- Tree planting crew assisted with site preparation for trails opening on May 1
- Packed orders and held pick up days for all over the counter and Greening Communities seedling orders on May 5 and 6. ~100 landowners picked up their trees totalling over 15,000 trees.
- Submitted an application to TD Tree Days for a Fall community tree planting event at Waterworks Park in St. Thomas.

## Conservation Areas and Maintenance

- Seasonal staff training completed and campgrounds opened on May 1.
- Seasonal trailer siting underway with 86 of the 101 campers sited at DWCA and 63 of 76 at LWCA.
- Park operations day to day routines
- Preparation for Victoria Day long weekend underway

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TO: Board of Directors  
FROM: Jennifer Dow  
Date: May 17, 2023  
Subject: May 2023 Watershed Conditions Report  
**Recommendation: For information**

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## PURPOSE

To inform the Board of Directors of the current and seasonal watershed conditions.

## REPORT SUMMARY

- Water levels throughout the watershed and in Lake Erie are currently higher than normal and are fluctuating with rain events.
- Lake Whittaker small drinking water system up and running for the 2023 camping season.
- Field work for the KCCA Enhanced Floodplain Mapping project in the Dodd Creek subwatershed is expected to start in May.

## BACKGROUND

As of May 7, 2023, Lake Erie's static water level daily mean was 174.67m. This water level is 36cm above average, 1cm lower than what was recorded at the same time last year, and 37cm lower than the 2020 record high. This level does not account for any increase in water levels due to storm surge or wind driven waves. Lake Erie rose 5cm over the month of April, which is a below-average rise over the period of record. Depending on weather and water supply conditions, Lake Erie may continue to rise in May, or it may reach its seasonal peak. On average, Lake Erie reaches a seasonal peak in June.

The KCCA watershed historically receives 80mm of rain during the month of April. The watershed received 136% of the average total rain for the month of April, which is about 109 mm for the area. The three-month precipitation levels were above normal for February to April. The Environment Canada outlook for May to July indicates below normal temperatures and normal to above normal precipitation for the region.

As of May 5, 2023, there is one Conservation Authority (CA) in a confirmed Level 1 Low Water Condition (Grand River CA) in the Southern Region.

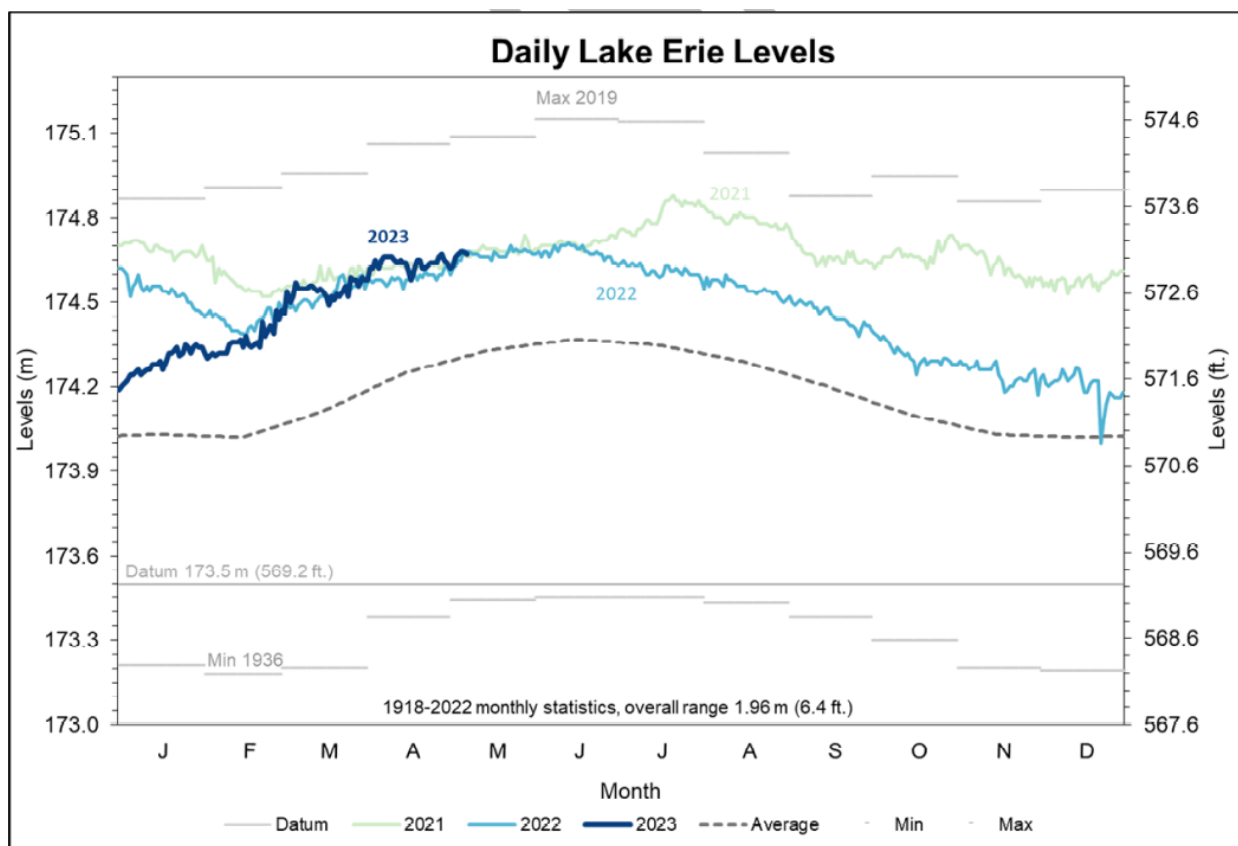
The Lake Whittaker three small drinking water systems were started up for the 2023 operating season. Distribution samples were collected from all three systems and tested for bacteria in

advance of campground opening on May 1. During the operating season, residual chlorine levels are checked daily in combination with bacteria sampling that occurs twice a month.

KCCA has retained Aquafor Beech Ltd to complete the KCCA Enhanced Riverine Floodplain Mapping project in the Dodd Creek subwatershed. This project will update floodplain mapping using the most accurate and up-to-date data available in an area of the watershed where expansion growth over the next few years is projected. Staff attended a start-up meeting on May 4, 2023, and field work is expected to commence in May.

## RECOMMENDATION

For information.



April 18, 2023

**INVITATION TO THE  
MIDDLESEX COUNTY WARDEN'S CHARITY GOLF TOURNAMENT  
THE FOX GOLF CLUB  
THURSDAY, JUNE 22<sup>nd</sup>, 2023**

On behalf of Warden Cathy Burghardt-Jesson and Middlesex County Council, it is my pleasure to invite you to the 2023 Middlesex County Warden's Charity Golf Tournament. No doubt you are aware of what a great social and community event this golf tournament is. The 2022 Middlesex County Warden's Charity Golf Tournament raised \$23,000.00 for the VON (Victorian Order of Nurses) and the #SickNotWeak Foundation.

Warden Burghardt-Jesson has selected local non-profit sports organizations as the 2023 tournament benefactors. The funds raised this year will be distributed between Lucan Minor Hockey, Lucan Soccer Club, Lucan Skating Club and Lucan-Ilderton Athletics. Non-profit organizations rely heavily on fundraising to help keep their programs operating and affordable. Proceeds of this year's tournament will be used to help bring a fun and rewarding sport experience for all young people in Lucan Biddulph.

Without question, the 2023 Middlesex County Warden's Charity Golf Tournament will be a fantastic event, so mark this day on the calendar, tell your friends and colleagues and register through our Eventbrite link **prior to Monday, June 12<sup>th</sup>, 2022.**

To RSVP, the registration link is available as follows: <https://www.eventbrite.ca/e/2023-wardens-charity-golf-tournament-tickets-607623386907>.

Please contact Rebecca Glavin, Legislative Services Assistant at 519-434-7321 ext. 2250 or [rglavin@middlesex.ca](mailto:rglavin@middlesex.ca) for payment details and for any other questions in regards to attending the tournament, sponsoring, or making a donation.

I look forward to seeing you on **Thursday, June 22<sup>nd</sup> at The Fox Golf Club.**

Yours truly,

A handwritten signature in black ink, appearing to read "Bill Rayburn".

Bill Rayburn  
CAO



May 5, 2023

Ministry of Municipal Affairs and Housing (MMAH)  
Submitted via email: [PlanningConsultation@ontario.ca](mailto:PlanningConsultation@ontario.ca)

**Re: Conservation Ontario's Comments on "Proposed Planning Act, City of Toronto Act, 2006, and Ministry of Municipal Affairs and Housing Act Changes (Schedules 2, 4, and 6 of Bill 97 – the proposed Helping Homebuyers, Protecting Tenants Act, 2023)" (ERO #019-6821)**

Thank you for the opportunity to provide comments on "Proposed Planning Act, City of Toronto Act, 2006, and Ministry of Municipal Affairs and Housing Act Changes (Schedules 2, 4, and 6 of Bill 97 – the proposed Helping Homebuyers, Protecting Tenants Act, 2023)". Conservation Ontario is the network for Ontario's 36 Conservation Authorities (CAs). These comments are not intended to limit the comments submitted by individual CAs.

As part of the "Helping Homebuyers, Protecting Tenants: Ontario's Housing Supply Action Plan April 2023" the Province has introduced Bill 97, the *Helping Homebuyers, Protecting Tenants Act, 2023*. If passed, Schedule 6 of the Bill proposes various amendments to the *Planning Act* to provide measures to increase housing supply to reach the goal of building 1.5 million homes by 2031. Schedule 6 includes six substantive proposed changes including fee refund provisions; consequential changes to support implementation of the *More Homes Built Faster Act*; Regulation-Making Authority for Site Plan Control for 10 Units or Less; Appeals of Interim Control By-Laws; New Authority for Minister's Zoning Orders; and Ministerial Authority to Require Development Agreements. Conservation Ontario provides the following comments on select aspects of the proposal.

## 1. Fee Refund Provisions

Conservation Ontario supports the proposal to delay requirements for Municipalities to refund zoning by-law and site plan application fees so that it only applies to applications submitted on or after July 1, 2023. This will allow additional time for CAs and Municipalities to continue dialogue and refinement of roles and responsibilities through the Memorandum of Understanding (MOU) process further to the changes brought about through Bill 229, Bill 109, and Bill 23.

## 2. Regulation-Making Authority for Site Plan Control for 10 Units or Less

Conservation Ontario also supports the proposal to create regulation-making authority to prescribe specific circumstances where site plan control could be used for residential developments of 10 units or less. Of particular interest is the complementary proposal (ERO#019-6822) to prescribe any part of a parcel of land that is located within 120 metres of a shoreline for site plan control. Site plan control provides planning authorities with greater ability to regulate detailed site design such as setbacks and the location of buildings and to receive expert feedback from CAs through the planning process. This change will help to strengthen Ontario's approach to keeping people and property safe from the impacts of flooding and other natural hazards, and protection of drinking water sources.

## 3. New Authority for Minister's Zoning Orders

Schedule 6 also contains proposed amendments that would provide the Minister of Municipal Affairs and Housing (MMAH) with the authority to exempt certain subsequent approvals required to establish uses permitted by Minister's zoning orders (MZOs) from having to align with policy statements, provincial plans or Official Plans. Conservation Ontario has concerns with this proposal, particularly as it relates to the protection of sources of drinking water and the risk of natural hazards. As proposed, the proposal may have unintended consequences of undermining the protection of sources of drinking water and creating conflict with the *Clean Water Act*.

By exempting certain approvals required to establish uses permitted by MZOs from provincial policy and other requirements, the Province would not benefit from CAs' experience in managing the risks associated with natural hazards. A failure to adequately apply these policies may have the unintended consequence of increasing risk and liability for the Province and Municipalities.

For over 75 years, CAs developed significant expertise in hazard management; something the Province relies on to make sound planning decisions. Conservation Authorities fulfill a critical role in providing expert guidance to Municipalities and to the Province to ensure consistency with provincial natural hazard policies and regulatory issues under Section 28 of the *Conservation Authorities Act*.

This preventative approach is recognized for making Ontario a leader in the management of natural hazards; something that contributes to the prosperity of Ontarians and is service CAs are uniquely positioned to provide. As identified in Ontario's Special Advisor on Flooding Report to Government, "An Independent Review of the 2019 Flood Events in Ontario", on page 62:

Provincial policies have been shown to reduce capital and operating costs associated with managing flooding and other natural hazards, reducing pressure on provincial and municipal infrastructure debts. The existing policies have been estimated to reduce costs associated with ongoing flood and natural hazard management,... by 20 to 80% depending on differences in urban density and property values.

These policies have been credited with keeping losses associated with flooding in Ontario lower than losses seen in other Canadian provinces. Responsibility for keeping development out of floodplains is a shared responsibility between municipalities (enforced through municipal planning) and conservation authorities (enforced through regulations made under Section 28 of the *Conservation Authorities Act*).

These policies will be increasingly valuable in protecting Ontarians from flooding and other natural hazards. Losses associated with flooding and other natural hazards continue to increase because of increasing property values and income levels, urbanization, ongoing loss of wetlands and other green infrastructure, and the increasing frequency and intensity of extreme rainfall events. As these losses rise, so does the value of Ontario's floodplain and broader hazard management policies.

Should the Province proceed with the new authority for MZO's, Conservation Ontario recommends that provisions to manage the risks of natural hazards and to safeguard sources of drinking water are included. Specifically, these should enable comments from CAs within the timeframes requested by the MMAH on applications or other matters under the *Planning Act* as it relates to the risk of certain natural hazards and protection of sources of drinking water.

Once again, thank you for the opportunity to provide comments on "Proposed Planning Act, City of Toronto Act, 2006, and Ministry of Municipal Affairs and Housing Act Changes (Schedules 2, 4, and 6 of Bill 97 – the proposed Helping Homebuyers, Protecting Tenants Act, 2023)". Conservation Authorities and the government of Ontario have a strong track record working in partnership to safely direct development outside of areas at risk due to natural hazards and to protect sources of drinking water. Conservation Ontario and the CAs remain committed to working with the Province, Municipalities, and other partners in support of increasing the overall supply and diversity of housing types in Ontario while



maintaining strong protections for public health, safety, and the environment. Please contact me to discuss these comments to ensure, together, that we can meet our shared objectives in a timely, cost-effective, and efficient manner.

Sincerely,

*Angela Coleman*

Angela Coleman  
General Manager

c.c.: All Conservation Authorities' CAOs/General Managers

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TO: Full Authority  
FROM: Elizabeth VanHooren  
Date: May 17, 2023  
Subject: Budget Planning 2024-2027



**Recommendation: That the Budget Planning Timeline be approved;  
and further that the Programs and Services Survey be released.**

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## PURPOSE

To provide members with an outline of the four-year budget process to begin planning and consultation on the next budget cycle 2024-2027.

## REPORT SUMMARY

- Since 2015, KCCA has undertaken a four-year budget process mirroring the planning horizon used by the City of London.
- This report outlines the process and draft timelines for the benefit of members.
- A draft Programs and Services Survey is also included for review and comment; the survey will provide staff with public and partner feedback on KCCA's current programs and services as well as gauge priorities for the next four years.

## BACKGROUND

Since 2015, KCCA has undertaken a four-year budget process mirroring the planning horizon used by the City of London. This is an effective process that focuses the Authority on core organizational objectives while building work plans that are financially viable.

The four-year budget process is a multi-stage planning process that involves setting clear objectives for the organization while being cognizant of financial restraints and opportunities. In this initial phase of the process, staff are refining the overall objectives of the Authority over the next four years by evaluating current service levels and the impacts of a changing climate and regulatory and policy changes.

A public survey has been developed to solicit feedback on KCCA's current programs and services as well as gauge priorities for the next four years. Pending approval at the May Full Authority meeting, the survey will be available on KCCA's website from May 18 to June 2, 2023.

The survey will be distributed widely through direct email communication to user groups, and through KCCA’s social media channels and Board members are also encouraged to respond.

A summary of the results of the Survey will be presented at the June Full Authority meeting and will be used to draft 2024-2028 Budget Priorities and Workplans.

In all cases, staff attempt to build work plans that are financially achievable using a combination of municipal levy and self-generated revenue.

The four-year budget process is a planning process. While the aim of the process is to build a viable four-year budget, it is recognized that the budget is annually reviewed, amended and ultimately approved by the Board of Directors following consultation with member municipalities. The four-year budget will be adopted in principle. The annual budget and levy are approved in accordance with the *Conservation Authorities Act*.

The process and draft timelines are outlined below.

<b>Deliverable</b>	<b>Target Date</b>
<b><i>Phase 1: Budget Planning</i></b>	
Outline of Budget Process	May 17, 2023 Full Authority
Survey circulated seeking feedback on KCCA current programs and services and priorities for 2024-2027	May 18 – June 2, 2023
Draft 2024-2027 Budget Priorities and Workplans	June 20, 2023 Full Authority
Draft 2024 – 2027 Operational Budget based on work plans	August 16, 2023 Full Authority
Draft 2024 – 2027 Capital Budget based on work plans	September 20, 2023 Full Authority
<b><i>Phase 2: Draft Budget</i></b>	
Finalization of Draft 2024-2027 Budget for circulation to member municipalities for input	October/November
30 Day municipal consultation on Draft Budget	November – December
Final Edits and Consideration of Draft Budget	January 17, 2024 Full Authority
<b><i>Phase 3: Budget Approval</i></b>	
30 Day Notice to member municipalities of Levy and Budget Vote Meeting	January 17, 2024
Final Board Consideration of Draft Budget with year prior actuals	February 7, 2024
Budget and Levy Approval Annual General Meeting	February 21, 2024

**Recommendation:** That the Budget Planning Timeline be approved; and further that the Programs and Services Survey be released.

# Introduction

To assist in our long-term planning and budgeting processes an online survey is being conducted to gather feedback from our partners and the public that use our programs and services.

This survey will be open from May 17, 2023 to June 2, 2023 and will take less than 5 minutes to complete.

kcca.careers@gmail.com [Switch account](#)



Not shared

\* Indicates required question

## Participant \*

- Board Member
- Staff
- Donor
- Environmental Organization
- Municipal Councillor/Staff
- Camper
- Hiker
- Public
- Other: \_\_\_\_\_

## I reside in the following municipality: \*

- Township of Malahide
- Township of Southwhold
- City of St. Thomas
- Central Elgin
- Middlesex Centre
- City of London
- Thames Centre

**I've been involved/using KCCA programs and services with KCCA for: \***

- Less Than 1 Year
- 1 to 5 Years
- 5 to 10 Years
- 10 Years to 15 Years
- 15 Years or More

**In your own words what is the purpose of KCCA? \***

Your answer \_\_\_\_\_

**Please indicate your satisfaction with the each of the following programs and products \* that KCCA currently provides.**

	Very Satisfied	Satisfied	Needs Improvement	Unsure
Web Site	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Social Media	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Children's Water Festival	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Carolinian Forest Festival	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Community Tree Planting Events	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Environmental Youth Corps	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tree Planting Program (KCCA currently plants 40,000 – 50,000 trees per year)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Stewardship Services (Provides incentives and technical advice to				

Invasive Species Control (KCCA is mitigating invasive species on its own landholdings and working to provide technical advice and support to landowners willing to undertake work on their own lands.)

Flood Forecasting (KCCA monitors and provides warning about the potential of flooding)

Permitting Services (KCCA maintains mapping and provides technical advice to landowners and municipalities to ensure development is directed away from natural hazards such as erosion and flooding)

Dalewood Conservation Area Campground

Lake Whittaker Conservation Area Campground

Dalewood Reservoir Trail

Lake Whittaker Trail

Kirk Cousins Management Area Day-Use/Trail

Dalewood Conservation Area Campground

Lake Whittaker Conservation Area Campground

Dalewood Reservoir Trail

Lake Whittaker Trail

Kirk Cousins Management Area Day-Use/Trail

Evans Sisters Water Trail

Dan Patterson Conservation Area Day-Use

Dan Patterson Wetland Trail

Dan Patterson Old Growth Trail

Union Pond Conservation Area

Belmont Conservation Area

Kettle Creek Dog Park (This is a partnership between KCCA, Central Elgin and the City of St. Thomas)

**If we missed a current program and service that you currently use or wish to comment \* on please identify it below with any comments/clarification.**

Your answer \_\_\_\_\_

**If we missed a current program and service that you currently use or wish to comment on please identify it below with any comments/clarification. \***

Your answer \_\_\_\_\_

**What should KCCA's priorities be over the next four-year period 2024-2028? (Please rank your top 3) \***

- Tree planting
- Wetland Creation/Restoration
- Acquisition of land for protection/development of new Conservation Areas
- Flood Forecasting
- Campground Improvements (additional sites, improved amenities)
- Improved Floodplain Mapping
- Hiking Trails (Improvements or additions)
- Education and Awareness (Children's Water Festival, Forest Festival and field trips to KCCA landholdings)
- Invasive Species Control
- Mitigating the effect of Climate Change (additional investments in tree planting, erosion control and other best management practices)
- On-line Services (web site improvements)
- Other: \_\_\_\_\_

**If we missed a current program and service that you feel strongly should be considered as a priority over the next four years please identify it below with any comments/clarification. \***

Your answer \_\_\_\_\_

**How could KCCA's current programs and services be improved? \***

Your answer \_\_\_\_\_

**What new programs or services, if any, should be introduced to address an emerging \***



Mitigating the effect of Climate Change (additional investments in tree planting, erosion control and other best management practices)

On-line Services (web site improvements)

Other: \_\_\_\_\_

**If we missed a current program and service that you feel strongly should be considered \* as a priority over the next four years please identify it below with any comments/clarification.**

Your answer \_\_\_\_\_

**How could KCCA's current programs and services be improved? \***

Your answer \_\_\_\_\_

**What new programs or services, if any, should be introduced to address an emerging issue or unmet need? \***

Your answer \_\_\_\_\_

**Any other comments that you would like to share? \***

Your answer \_\_\_\_\_

Thank you for taking the time to share your thoughts and constructive feedback.



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TO: Board of Directors  
FROM: Jennifer Dow  
Date: May 17, 2023  
Subject: Dalewood Dam Options Assessment



**Recommendation:** That a qualified engineer be retained to prepare an options assessment on the Dalewood Dam to an upset limit of \$15,000.

---

## PURPOSE

To seek approval to undertake an options assessment for the Dalewood Dam to inform the decision making and budget process moving forward.

## REPORT SUMMARY

- The 102-year-old Dalewood Dam requires costly repairs to the concrete structure, specifically the spillway and wingwalls.
- Due to rising costs and limited capital funds, during 2023 Budget deliberations staff were directed to investigate decommissioning the dam as a viable alternative to maintenance and repair.
- Staff are recommending retaining a qualified engineer to conduct an “Options Assessment” on the Dalewood Dam to inform capital budget decisions moving forward.

## BACKGROUND

A Hazard Potential Classification (HPC) was completed in 2019 by GHD which determined that the Dalewood Dam is classified as LOW in terms of the Inflow Design Flood (IDF), and as such, meets current dam safety standards. However, the dam can not surpass the 100-yr flood without overtopping the deck and earth embankments unless all the stop logs are lifted.

A Geotechnical Investigation Structural Assessment was completed in 2020 by GHD which determined that due to the condition of the wingwalls, raising the embankments to meet the required freeboard for the passage of the inflow design flood (IDF) was not recommended as raising the crest could introduce additional loads on the structure. It was determined that the installation of new lifting devices and stop logs would be a more economical solution, as the issue of freeboard for the passage of the IDF could be addressed by lifting the logs in advance of forecasted significant flood events. Consequently, new metal stop logs, and manual log lifters were installed in 2020 to facilitate easier and safer operations of the dam.

During geotechnical and structural investigations, it was determined that the wingwalls and spillway were in poor to fair condition and required both cosmetic and more serious repair. A Request for Tender (RFT) released in 2022 to complete concrete repairs to the dam revealed higher than anticipated costs and a lack of competitive bids.

In October 2023, the decision was made to not include the spillway and wingwall repairs in the 2023 capital budget. The work was delayed in order to plan for a bigger budget expenditure and investigate all options including decommissioning the dam. In the meantime, quarterly inspections of the dam are conducted by a qualified engineer to alert KCCA to signs of further deterioration of the spillway and wingwalls.

KCCA is not alone in dealing with aging dam infrastructure. Many dams across the province are reaching 100 years or older and need major maintenance and repair. Decommissioning a dam is a lengthy process that involves several studies and public consultation and has its own associated costs.

Whether a partial or full decommission is contemplated several studies would potentially need to be completed to examine the impacts including:

- Natural Environmental Considerations
- Land Use, Resource Management Considerations
- Social, Cultural and Economic Considerations
- Aboriginal Communities Considerations

Other dam owners facing the same decision as KCCA have undertaken Options Assessment studies where a qualified engineer provides a cost analysis, and the advantages and disadvantages of a variety of alternatives which may include:

- Do Nothing/ Minor Rehabilitation
- Major Rehabilitation
- Like-for-Like Replacement
- Modified Replacement
- Decommissioning and Removal

A fully costed options assessment by an outside service provider would cost approximately \$10,000 - \$15,000. This assessment would detail exactly what studies are required for each option and a full costing of implementation. An options assessment would provide a fair comparison of each option to inform the decision-making process ensuring that KCCA's capital funds are used for best results.

### **Budget**

An options assessment was not included in the 2023 budget. However, a study of this nature is necessary to inform the next four-year budget cycle. The cost of an options assessment is

approximately \$10,000 - \$15,000. According to KCCA's Purchasing Policy an unbudgeted expense of this nature would require board approval and a three-quote comparison.

Staff are confident that cost savings in the current budget can be found to support this unbudgeted expense. In addition, there is the possibility of accessing unspent Water and Erosion Control Infrastructure (WECI) funds in the fall during the reallocation process. These funds can be used to cover 50% of the project costs, however, these funds are usually limited and not guaranteed.

**Recommendation:**

**That a qualified engineer be retained to prepare an options assessment on the Dalewood Dam to an upset limit of \$15,000**

---

TO: Full Authority  
FROM: Betsy McClure and Elizabeth VanHooren  
Date: May 17, 2023  
Subject: Draft Cost Apportionment Agreement for Category 3 Programs and Services



**Recommendation:** That subject to legal review the draft Cost Apportionment Agreement for Category 3 Programs and Services be approved for circulation to member municipalities.

---

**PURPOSE:**

To provide members with an opportunity to provide feedback on the draft Cost Apportionment Agreement for Category 3 Programs and Services prior to its circulation to member municipality Councils.

**SUMMARY:**

- KCCA is required to negotiate Cost Apportionment Agreements with member municipalities for all Category 3 programs and services that will continue to require municipal levy.
- Staff have developed a draft Cost Apportioning Agreement (attached) that was circulated to staff at member municipalities for feedback in April 2023.
- Response to date from municipal staff is supportive with minor edits suggested.
- The proposed draft agreement aligns with a similar draft being developed by UTRCA and other neighbouring CAs.
- Staff are seeking approval to distribute the draft Cost Apportioning Agreement to legal counsel for review and comment. Any suggested edits would be incorporated into a final agreement to be distributed to member municipal Councils for review and approval by Fall 2023.

**BACKGROUND:**

Through subsection 21.1.2 of the *Conservation Authorities Act*, CAs must enter into Cost Apportioning Agreements with member municipalities for any Category 3 programs and services that will continue to require municipal levy.

The agreements must:

- Be in place by January 1, 2024.

- Specify a termination date.
- Specify a review date within at least six months of the termination date.
- Provide for a minimum review every five years if the agreement is for longer than five years.
- Provide for early termination requirements.
- Include a process for resolution of disputes.
- Be approved by a resolution of the municipal council of each participating municipality.
- Be published on the Authority's website.

KCCA is looking for municipal levy support to continue for its Tree Planting and Environmental Monitoring programs as Category 3 programs and services. The municipal levy apportioned to these program areas in 2023 is \$139,337.

A draft Cost Apportioning Agreement was developed and circulated to senior staff at member municipalities for feedback in April 2023. The feedback to date is supportive. The draft Agreement has been updated to reflect the comments received to date from municipal staff.

KCCA is proposing an initial term of five years for the agreement. This will allow for the next term of council to have the opportunity to renew the agreement. A renewal of four years is proposed so that each subsequent term of council is involved in the renewal process.

If a municipality does not want a service area included in the agreement, the KCCA Board will need to determine if the services can (1) be provided with higher user fees in that municipality, (2) be provided with a reduced level of service in that municipality, or (3) not be provided at all in that municipality. A fourth option is for other municipalities to subsidize the services provided in that municipality and absorb the increased cost. This option may be to their advantage if there is a benefit to the work being done in another municipality. If multiple municipalities opt out of a service area, the KCCA Board may need to examine the viability of the program.

#### **NEXT STEPS**

Staff are proposing that the draft be formally circulated for legal review. Any final edits recommended by legal would be incorporated into an updated draft. The update draft would then be formally circulated to member municipality Councils for review and approval. Staff will also attend council meetings, upon request, to discuss the Agreement. KCCA staff are aiming to have signed Cost Apportioning Agreements with each member municipality by Fall 2023, in advance of the January 1, 2024 deadline.

The Board will be informed of revisions made to the Agreements during the negotiation process.

**Recommendation:** That subject to legal review the draft Cost Apportionment Agreement for Category 3 Programs and Services be approved for circulation to member municipalities.

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## Cost Apportioning Agreement

(hereafter, "Agreement")

**THIS AGREEMENT** is made on the \_\_\_\_\_ day of \_\_\_\_\_, 2023 (hereafter, "Effective Date").

**BETWEEN:**

---

**MUNICIPALITY**

(hereafter, "Municipality")

**AND:**

**KETTLE CREEK CONSERVATION AUTHORITY**

(hereafter, "KCCA")

**WHEREAS** KCCA is a conservation authority established under the *Conservation Authorities Act* ("Act") and is governed by members appointed by its participating municipalities in accordance with the Act;

**AND WHEREAS** the Participating Municipality is located wholly or partly within the area under the jurisdiction of KCCA;

**AND WHEREAS** the Act permits KCCA to provide non-mandatory programs and services under a Cost Apportioning Agreement or such other agreement pursuant to Ontario Regulation 686/21, when levy is required for the delivery of the non-mandatory programs or services that KCCA deems advisable to further the purpose of the Act;

**AND WHEREAS** pursuant to Ontario Regulation 686/21, Conservation Authorities are authorized to apportion costs to municipalities for delivery of programs and services;

**NOW THEREFORE**, in consideration of the terms of this agreement and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

### Term of Agreement

1. Initial Term of the Agreement is January 1, 2024 – December 31, 2028.
2. Thereafter, the Agreement shall continue for additional four-year periods (each a "Renewal Term") unless either party provides written notice of their intention to terminate this Agreement and such notice is given no less than one-hundred and eighty

(180) days and no more than three hundred (300) days prior to the end of such calendar year.

### **Agreement Principles**

3. The following principles shall guide the implementation of the Agreement between KCCA and the Municipality:

- a. The Agreement will provide overarching terms and conditions for delivery of non-mandatory programs and services by KCCA that KCCA deems advisable to further the purpose of the Act.
- b. KCCA agrees to provide the programs and services outlined in Schedule A.
- c. The Municipality agrees to financially support the programs and services outlined in Schedule A and for such support to be apportioned among the participating municipalities using the Modified Current Value Assessment method, as outlined in Schedule B effective January 1 each calendar year.
- d. KCCA will not add or delete from the programs and services supported through the Agreement without first consulting with the Municipality and identifying such changes in the annual budget process. Any changes to the programs or services must be approved in writing by the Municipality and any such change following the Municipality's written approval shall be reflected in an updated Schedule A and Schedule B to be circulated and posted once the final annual budget is approved.
- e. Any change to the total municipal support outlined in Schedule B will be reviewed and approved by the KCCA Board of Directors within the annual budget process including a 30-day consultation period with the Municipality.
- f. KCCA may charge a user fee in the delivery of any of the programs and services outlined in Schedule A where appropriate to reduce costs apportioned to the Municipality.

### **Review and Regular Intervals**

4. This Agreement shall be reviewed by the parties:
  - a. On an annual basis; and
  - b. Prior to the expiry of the Initial Term and each Renewal Term it shall be KCCA's



responsibility to initiate the review with the Municipality at least one hundred and twenty (120) days prior to the expiry of the Initial Term or Renewal Term, as the case may be.

### **Dispute Resolution**

5. The Municipality and KCCA will strive to facilitate open and timely communication at all levels.
6. Where a dispute arises between two or more parties, the parties agree that dispute resolution practices will be implemented using the following principles:
  - a) Agree to a fair process for mediating issues;
  - b) Utilize and equally share the costs of a neutral facilitator as agreed upon by the parties, if required;
  - c) Identify common agreement / ground;
  - d) Identify all options to resolve;
  - e) Select best option.

### **Early Termination**

7. Upon such written notice of intention to terminate this Agreement being given in any calendar year during the Initial Term or Renewal Term, the date that is the last date of such calendar year or such date as may be otherwise agreed to by all parties in writing, shall be the "Termination Date". In the event this Agreement is terminated, any operating expenses and costs incurred by KCCA for the programs and services outlined in Appendix B shall be paid by the Municipality up to and including the Termination Date.

### **Available to the Public**

8. This Cost Apportioning Agreement shall be made available on the KCCA's website.

### **Execution**

9. The Agreement may be executed in counterparts in writing electronic signature and delivered by mail, facsimile, or other electronic means, including in Portable Document Format (PDF); no one copy needs to be executed by all parties. When each party has executed a counterpart, each of such counterparts shall be deemed to be an original and all such counterparts, when taken together, shall constitute one and the same agreement.

### **Letters of Agreement**

10. The Agreement does not preclude the parties from identifying opportunities for further collaboration to the benefit of both parties, and ensure efficiency, transparency and accountability in the use of resources, including in-kind services and assistance, coordination of complementary policy and program initiatives, and projects involving third

parties. During the term of this agreement if additional programs and services are requested from KCCA to be delivered on behalf of the Municipality a separate Letter of Agreement will be established with the Municipality.

**Watershed-based Resource Management Strategy**

11. The Municipality acknowledges and agrees that all Programs and Services identified in Schedule "A" shall also be included in a Watershed-based Resource Management Strategy that the KCCA is required to develop and implement in accordance with the *Conservation Authorities Act*.

**IN WITNESS WHEREOF**, the parties have entered into this Agreement as of the Effective Date.

**KETTLE CREEK CONSERVATION AUTHORITY**

Per: \_\_\_\_\_

Chair - \_\_\_\_\_

Per: \_\_\_\_\_

General Manager/Secretary Treasurer - \_\_\_\_\_

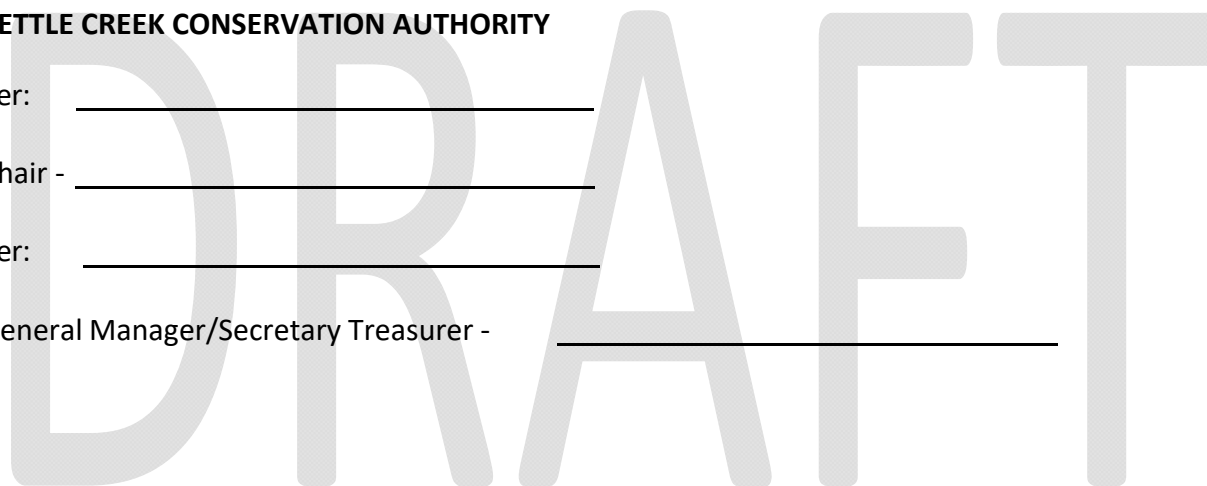
**MUNICIPALITY**

Per: \_\_\_\_\_

Mayor - \_\_\_\_\_

Per: \_\_\_\_\_

Clerk - \_\_\_\_\_



## Schedule A – Category 3 Programs and Services Requiring Municipal Financial Support Through Cost Apportioning

### SERVICE AREAS

Under Section 21.1 of the Conservation *Authorities Act*, Conservation Authorities (CAs) are to classify their programs and services into 3 categories:

**Category 1: Mandatory programs and services** where municipal levy can be used without an agreement.

**Category 2: Non-mandatory programs and services** the CA delivers at the request of a municipality through an MOU or agreement.

**Category 3: Other non-mandatory programs and services** a CA determines are advisable to implement in the CA’s jurisdiction. These programs and services may use municipal levy when a MOU/agreement is in place. Programs and services in Category 3 may also be funded through other means. In the latter situation, an MOU/agreement with the municipality is not required.

It is recognized that natural systems benefit from a systems-wide approach and that watersheds are the ecologically meaningful scale for not only effective planning but to enact meaningful and sustainable change.

KCCA offers a comprehensive list of programs and services that benefit the health of the watershed, protects and educates residents about natural hazards and mitigates the effects of a changing climate. The chart below identifies KCCA’s program areas by Category.

Category 1	Category 2			Category 3	
Mandated Programs and Services which all CAs must provide in their jurisdiction. Eligible to be funded by municipal levy. No agreement required.  Programs or Services as described in Ontario Regulation 686/21.	Programs and Services at the request of and on behalf of a Municipality through a MOU or other agreement.  Programs or Services as described in Section 21.1.1 of the <i>Conservation Authorities Act</i> .			Programs and Services the CA determines are advisable to implement in the CA’s jurisdiction. Apportionment Agreement required for municipal levy continuance.  Programs or Services as described in Section 21.1.2 of the <i>Conservation Authorities Act</i> .	
	Agreement	Municipality	Date/Status	Agreement Proposed	No Agreement Required
Risk of Natural Hazards	Kettle Creek Dog Park	Central Elgin/St. Thomas	2014/Current	Watershed Monitoring	Campgrounds
Planning and Regulations	Belmont and Union Conservation Areas	Central Elgin	2020/Current	Tree Planting	Land Acquisition
Flood Forecasting/Warning/Low Water	Elgin County Woodlands Conservation Bylaw	County of Elgin	2023/Current		Stewardship
Dam Operations					Education
Natural Hazard Technical Studies					
Conservation and Management of CA Lands	Category 2 Program and Services Agreements are posted on KCCA’s web site.				
Significant Areas Management					
Land Acquisition/Disposition					
Inventory of CA Owned Lands					
Conservation Area Strategy					
Provincial Water Quality Monitoring					
Drinking Water Source Protection Program					
Watershed-Based Management Strategy					
General Operating Expenses					
Administration/Communications					
Information Technology/GIS					

Over half of the programs and services included in KCCA's Category 3 program area are supported through self-generated means including fundraising, grant proposal writing and user fees and operate independent of municipal levy. These programs include Campgrounds, Stewardship, Education and Land Acquisition.

The remaining Category 3 services areas of Tree Planting and Environmental Monitoring are core components of integrated watershed management and have been provided within the watershed for decades. These programs have been funded historically through municipal levy and self-generated revenue.

KCCA is seeking the continued financial support of its member municipalities through levy to continue delivery of the Tree Planting and Environmental Monitoring programs as described below:

#### Tree Planting

Currently, KCCA's forest cover is estimated at 14.15%, well below the 30% recommended by Environment Canada.

KCCA plants ~50,000 trees per year in the watershed through a mixture of large-scale plantings on public and private lands, over the counter tree sales and through the planting of large stock trees on roadsides and community volunteer events. This program area is crucial for bolstering forest cover, increasing biodiversity and is a cost-effective means to mitigate the effects of climate change, flooding and erosion. KCCA strives to match funds provided by its member municipalities with its own fundraising efforts.

#### Environmental Monitoring (non-mandatory)

While water quality monitoring through the Provincial Water Quality and Groundwater Monitoring Networks are considered Category 1 or mandatory programs, KCCA monitors additional sites that are considered Category 3. KCCA monitors six additional surface water quality sites, conducts benthic invertebrate sampling at 25 locations, and evaluates fish communities through electrofishing at a minimum of 15 sites per year. Surface water and benthic monitoring sites are distributed throughout the watershed to provide a comprehensive analysis of local watershed conditions and are reported every five years through the Watershed Report Card. This long-term historical data is integral to the development of the mandatory Watershed Based Resource Management Strategy.

### Schedule B – Apportionment of Category 3 Programs

The municipal costs associated with the Category 3 programs and services outlined in Schedule A are included and clearly identified in KCCA's overall annual budget. These costs will be apportioned among the participating municipalities according to the Modified Current Value Assessment (MCVA) as outlined below.

An increase, if any, to the total levy outlined below for 2023 will be applied effective January 1 each calendar year and will be the same percentage as KCCA's overall budget increase. Current MCVA will be updated as soon as available from the Province .

Apportionment of Category 3 Programs Requiring Municipal Levy for 2023

Municipality	2023 MCVA Apportionment %	Total Cost Apportionment for Service Areas: Tree Planting Environmental Monitoring
Central Elgin	7.857	10,947.71
Middlesex Centre	1.6689	2,325.40
London	56.7532	79,078.21
Thames Centre	1.343	1,871.30
Malahide	0.6798	947.21
Southwold	3.9779	5,542.69
St. Thomas	27.7201	38,624.36
<b>Total</b>	<b>100%</b>	<b>139,337</b>

This appendix will be updated annually and distributed to Member Municipalities following final budget and levy approval.

TO: Board of Directors  
 FROM: Joe Gordon  
 Date: May 17, 2023  
 Subject: May 2023 Planning and Regulations Activity Report



**RECOMMENDATION:**

**That the May 2023 Planning and Regulations Activity Report be received.**

**REPORT SUMMARY**

The following is a summary of KCCA’s Plan Input and Review responses and Section 28 permits issued by staff during the period of April 14 to May 11, 2023.

**Plan Input and Review:**

KCCA #	File No.	Municipality	Application Type	Support	Conditions
2321	COA 04/23 300 Colborne St	Central Elgin	Minor Variance	Yes	Permit Req
2322	COA 05/23 6847 Centennial Rd	Central Elgin	Minor Variance	Yes	None
2323	COA 06/23 214 William St	Central Elgin	Minor Variance	Yes	None
2324	E22-23 45599 Roberts Line	Central Elgin	Consent	Yes	None
2325	COA 07/23	Central Elgin	Consent	Yes	None
2326	E26-23 11884 Sunset Rd	Southwold	Consent	Yes	None
2327	E97-22 37474 Lake Line	Southwold	Consent	Yes	None
2328	E98-22 37474 Lake Line	Southwold	Consent	Yes	None
2329	8 South Edgeware Rd	St.Thomas	Official Plan & Zoning Amendment	Yes	See attached letter
2330	B02/23 218 & 220 Erie St	St.Thomas	Consent	Yes	None
2331	A03/23 15 Nelson St	St.Thomas	Minor Variance	Yes	None
2332	COA 09/23 236 Colonel Bostwick St	Central Elgin	Minor Variance	Yes	Permit Req
2333	MV 2023-01 119 Glengariff Dr	Southwold	Minor Variance	Yes	None

**Section 28 Permit(s):**

<b>Permit No.</b>	<b>Address</b>	<b>Municipality</b>	<b>Description</b>
<b>P23-13</b>	42901 Fruit Ridge Line	Central Elgin	Construction of a wetland in a low area of the farm field designed with a rock chute outlet to adjacent watercourse. This project has funding support by the Kettle Creek Clean Water Initiative and managed by KCCA staff.
<b>P23-014</b>	192 Prospect St	Central Elgin	Reconstruction of an existing residential dwelling located at the base of a slope. The application is supported by a slope stability evaluation and a development review by a qualified geotechnical engineer.
<b>P23-015</b>	490 Valley St	Central Elgin	Construction of a 26x22 accessory garage building on lands adjacent to former bluff slopes. The setbacks from the toe of the abutting slopes are more than adequate in absence of geotechnical engineering.
<b>P23-016</b>	35409 Lake Line	Southwold	Construction of a new swimming pool and associated landscaping adjacent to stable slopes. Based on site observations and the grading plan prepared for construction of the dwelling, the pool location is consistent with provincial technical guide in absence of engineering.

April 26, 2023

**Attn: Lou Pompili**

Director, Planning and Building Services  
Building and Planning Services Department  
9 Mondamin Street  
St. Thomas, ON N5P 2T9  
Email: [lpompili@stthomas.ca](mailto:lpompili@stthomas.ca)

**DELIVERED BY EMAIL**

**RE: Official Plan and Zoning By-Law Amendments  
8 South Edgeware Road, St. Thomas – Hospice of Elgin**

Dear Lou,

Staff of Kettle Creek Conservation Authority (KCCA) has reviewed the subject application and associated lands with regard to its mandatory programs and services related to the risk of natural hazards and Source Water Protection. Specifically, KCCA has relied upon its delegated responsibility to represent 'provincial interest' on matters relating to natural hazard policies of the *Provincial Policy Statement* (PPS), its regulatory authority under section 28 of the *Conservation Authorities Act*, and its duties, functions and responsibilities as a source protection authority under the *Clean Water Act, 2006*.

We understand that the subject official plan and zoning bylaw amendment propose to permit a new hospice facility upon lands known as 8 South Edgeware Road.

KCCA staff have reviewed and considered the following applicable technical studies in support of the application:

- Geotechnical Investigation & Slope Stability Assessment (exp, April 16, 2021)
- Functional Servicing Report (MTE, December 6, 2022)
- Planning Justification Report (PJC Keenan, February 2023)

**Recommendation(s):**

Please be advised that KCCA staff are satisfied that the proposed development is consistent with natural hazard policies of the PPS and Conservation Authority regulations. Therefore, we have no objections to the approval of the proposed official plan and zoning bylaw amendments.

We can also confirm that a permit will be required from KCCA prior to any construction, site grading, or removal/placement of fill material upon the subject property within KCCA's regulatory jurisdiction.

We offer the following comments in support of the above recommendation(s):

**KCCA Comment(s):**

Natural Hazards:

The following are known natural hazard features or functions associated with the subject property:



1. The subject property is bounded by valleyland slopes to the north and west that may be subject to erosion and/or slope stability concerns. The Kettle Creek watercourse is located near the toe of the north-west slope.

Provincial Policy Statement (PPS):

2. Based on the results of the Geotechnical Investigation and Slope Stability Assessment, KCCA staff are satisfied that the proposed development is located outside of areas subject to potential erosion hazards which is consistent with the following applicable policies of the PPS:

3.1.1 b) – Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of: hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards.

Conservation Authorities Act:

3. Please be advised that the subject property is affected by regulations of KCCA enacted under section 28 of the *Conservation Authorities Act* whereby development is prohibited unless written permission is granted from the Conservation Authority. The current regulation for the Kettle Creek watershed is “Ontario Regulation 181/06 – Development, Interference with Wetlands and Alterations to Shorelines and Watercourses.”

KCCA may grant permission for development within its area of jurisdiction if in its opinion, the control of flooding, erosion, dynamic beach, pollution or the conservation land will not be affected by the development.

KCCA also regulates the straightening, changing or interfering in any way with the existing channel of a river, creek, stream or wetland.

4. KCCA staff have reviewed the technical studies in support of the application and are satisfied that a subsequent permit can be obtained from KCCA for the associated development subject to compliance with KCCA’s application requirements.

Thank you for the opportunity to comment. If you have any questions regarding the above, please contact the undersigned at extension 226.

Yours truly,  
KETTLE CREEK CONSERVATION AUTHORITY

  
(Digitally signed)

Joseph (Joe) Gordon  
Manager of Planning and Development