



# Full Authority Agenda

June 21, 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 June 22, 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) May 17, 2023 Full Authority Meeting.....3

### **Matters Arising**

a) Media Report (Marianne).....9  
b) Project Tracking (Elizabeth).....11  
c) Watershed Conditions (Jennifer).....13  
d) Campground Pool Operations Update (Joe) ..... Verbal  
e) July 1, 2023 CA Act Progress Report(Betsy/Elizabeth) .....15

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

### **Correspondence**

a) Conservation Ontario’s Comments on “Site Plan for Residential Developments of 10 or Fewer Units, ERO Posting #019-6822 May 18, 2023 .....19  
b) From the Honourable Graydon Smith/MNRF to City of London Re: City of London Appointees May 30, 2023.. .....21  
c) From St. Thomas-Elgin Health Recruitment Partnership Committee to KCCA Re: Discovery Week Event June 14, 2023.. .....23

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

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



# Full Authority Agenda

June 21, 2023 KCCA Admin Centre

10:00 a.m.

## New Business

- a) Kettle Creek Clean Water Initiative (Betsy) ..... Verbal
- b) Cost Apportioning Agreements Update (Elizabeth/Betsy).....24  
**Recommendation:** That the final draft Cost Apportioning Agreement and accompanying Guide be circulated to member municipalities.
- c) Programs and Services Survey Results (Elizabeth) .....39  
**Recommendation:** That the staff report on the Programs and Services Survey Results be received.
- d) 2024-2027 Budget Planning: Objectives and Priorities (Elizabeth/Betsy).....51  
**Recommendation:** That the 2024-2027 Objectives and Priorities Staff Report be accepted; and further That the 2024-2027 Objectives be approved and used to refine priorities and work plans for the Draft 2024-2027 Budget.
- e) Policy Updates – Right to Disconnect and Electronic Monitoring (Elizabeth).....56  
**Recommendation:** That the Right to Disconnect Policy and the Electronic Monitoring Policy be approved.
- f) Dalewood Seasonal Inspection Report (Elizabeth/Jennifer) .....64  
**Recommendation:** That the Dalewood Dam Seasonal Inspection Report dated June 9, 2023 from GD Vallee be received.
- g) June Planning and Regulations Activity Report (Joe) .....72  
**Recommendation:** That June Planning and Regulations Activity Report be received.

## Closed Session

- a) Closed Session Minutes May 17, 2023
- b) Legal Matter
- c) Property Matter – Possible Acquisition
- d) Legal Matter – Notice of Violation V22-01

## Up Coming Meetings

*Please note an August 16, 2023 Full Authority meeting (Hybrid 10:00 a.m.) will be required to review Draft Budget Submissions for the City of London*



# Full Authority Minutes

May 17, 2023

A meeting of the Full Authority of the Kettle Creek Conservation Authority was held on Wednesday, May 17, 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**

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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
Todd Noble	Central Elgin	In Person
John Wilson	Malahide	In Person

**Members Absent:**

Sharron McMillan	Thames Centre
Sam Trosow	London

**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
Elizabeth VanHooren	General Manager/Secretary Treasurer	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**

**FA65/2023**

**Moved by: Lori Baldwin-Sands**

**Seconded: John Wilson**

That the minutes of the April 19, 2023 Full Authority meeting be approved.

Carried

**Matters Arising**

**FA66/2023**

**Moved by: Todd Noble**

**Seconded: Frank Berze**

That Matters Arising a) through c) be received.

Carried

**Correspondence**

- a) Invitation to Middlesex County Charity Golf Tournament
- b) Conservation Ontario's Comments on "Proposed Planning Act, City of Toronto Act, 2006, and MMAH Act Changes May 5, 2023

**FA67/2023**

**Moved by: Todd Noble**

**Seconded: Jim Herbert**

That the correspondence be received.

Carried

**Statement of Revenue and Expenses**

There was no Statement of Revenue and Expenses.

**New Business**

- a) 2024-2027 Budget Planning Process

**FA68/2023**

**Moved by:** Lori Baldwin-Sands

**Seconded:** John Wilson

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

**Carried**

- b) Dalewood Dam Options Assessment

**FA69/2023**

**Moved by:** Frank Berze

**Seconded:** John Wilson

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

**Carried**

- c) Cost Apportionment Agreement Update

**FA70/2023**

**Moved by:** Lori Baldwin-Sands

**Seconded:** John Wilson

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

**Carried**

- d) May Planning and Regulations Activity Report

**FA71/2023**

**Moved by:** Todd Noble

**Seconded:** Jim Herbert

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

**Carried**

**Closed Session**

The Closed Session meeting began at 10:27 a.m.

**FA72/2023**

**Moved by:** Todd Noble

**Seconded:** Frank Berze

That the Full Authority move to Closed Session to discuss legal, Personnel or Property matters.

**Carried**

**FA73/2023**

**Moved by:** Lori Baldwin-Sands

**Seconded:** John Wilson

That the Full Authority revert to open session and report.

**Carried**

The Open Session resumed at 11:02 a.m.

a) Minutes

**FA74/2023**

**Moved by:** Frank Berze

**Seconded:** Jim Herbert

That the minutes of the Closed Session meeting of March 22, 2023 be approved.

**Carried**

b) Legal Matter

No Report.

c) Personnel Matter – Identifiable Person(s)

**FA75/2023**

**Moved by:** John Wilson

**Seconded:** Frank Berze

That staff proceed as directed on a personnel matter.

**Carried**

d) Property Matter – Potential Acquisition

**FA76/2023**

**Moved by:** Lori Baldwin-Sands

**Seconded:** Todd Noble

That staff proceed as directed on a Property Matter.

**Carried**

**Upcoming Meetings**

The next meeting of the Full Authority will be June 21, 2023.

A Board Member Tour of the watershed is planned for June 23, 2023.

The meeting adjourned at 11:04 a.m.



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Elizabeth VanHooren  
General Manager/Secretary Treasurer

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Grant Jones  
Chair

DRAFT

**Recorded Vote Registry FA65/2023 to FA71/2023**

A=Absent Y=Yes N=No

Board Member	FA65/2023	FA66/2023	FA67/2023	FA68/2023	FA69/2023	FA70/2023	FA71/2023
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	A	A	A	A	A	A	A
Noble	Y	Y	Y	Y	Y	Y	Y
Trosow	A	A	A	A	A	A	A
Wilson	Y	Y	Y	Y	Y	Y	Y
<b>Result</b>	<b>Carried</b>	<b>Carried</b>	<b>Carried</b>	<b>Carried</b>	<b>Carried</b>	<b>Carried</b>	<b>Carried</b>

**Recorded Vote Registry FA72/2023 to FA76/2023**

A=Absent Y=Yes N=No

Board Member	FA72/2023	FA73/2023	FA74/2023	FA75/2023	FA76/2023
Baldwin-Sands	Y	Y	Y	Y	Y
Berze	Y	Y	Y	Y	Y
Herbert	Y	Y	Y	Y	Y
Jones	Y	Y	Y	Y	Y
McMillan	A	A	A	A	A
Noble	Y	Y	Y	Y	Y
Trosow	A	A	A	A	A
Wilson	Y	Y	Y	Y	Y
<b>Result</b>	<b>Carried</b>	<b>Carried</b>	<b>Carried</b>	<b>Carried</b>	<b>Carried</b>

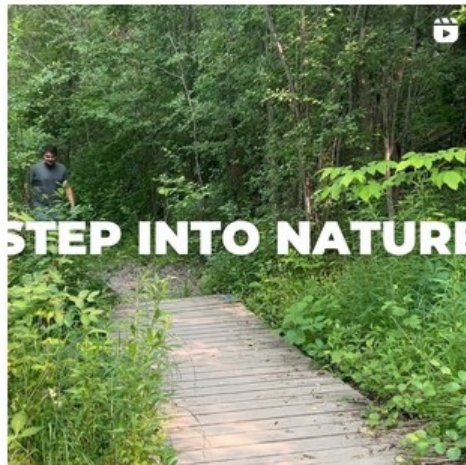




Kettle Creek Conservation Authority is committed to fostering a safe, supportive, and inclusive environment for everyone in our community, in every aspect of our organization, including our conservation areas and beyond. Because at KCCA, we believe that nature is for everyone! [#lovemywatershed](#)



3 more days!!! The Kettle Creek Food Truck Festival has it all: Face Painting, Live reptile/snake display, Live Music, Fossil Display, Awesome Food... and did we mention it's free admission? Check out our website for the full line-up of activities. It's a FUNraiser to help us plant trees, create wetlands and tackle invasive species.



**DALEWOOD  
CREW MEMBER**

Full Time & Part Time Hours  
5 Minutes from St. Thomas  
Spend Your Summer Outside  
\$16.63/Hour

Apply Online  
[kettlecreekconservation.on.ca/employment/](http://kettlecreekconservation.on.ca/employment/)

**Kettle Creek**  
Conservation Authority



**Facebook/Instagram**

**Summary**

**May 2023**

Facebook Followers: 3,465

Instagram Followers: 1,245

Facebook Post Reach: 20,709

Instagram Reach: 1,830





**Kettle Creek CA** @KettleCreekCA · Jun 5

...

Proud to partner with @fanshawealumni to plant 2023 trees in honour of this year's graduating class.



**Kettle Creek CA** @KettleCreekCA · Jun 5

...

Effective immediately, there is a fire ban at all KCCA properties including Lake Whittaker and Dalewood Conservation Area campgrounds. Please refer to the appropriate municipalities for additional informations



**Kettle Creek CA** @KettleCreekCA · May 30

...

Thank you, Central Elgin Collegiate Institute students, for helping us to green our watershed through the planting of 1,000 seedlings!



Thames Valley DSB



## Twitter Summary

June 2023

Impressions: 3,309

Tweets: 6

Followers: 1,383



### Corporate Services

- Attended “Multiuser Editing with QGIS and PostGIS in an Enterprise Environment” webinar
- New server installation nearing completion (should be completed by June 16)
- Fully stocked gatehouse stores with supplies for the long weekend. Weekly inventory reconciliation to determine when more store supply orders are needed.
- Collaborated with Aspira to ensure fire ban messaging was communicated to all campers who have a reservation in June as well as posted on the reservation site for those making future reservations.
- Conducting additional seasonal staff interviews and training as necessary to fill vacancies.
- Managing reservations for Dan Patterson Pavilion.
- Staff hosted an evening event for first year medical students at Dalewood Conservation Area as part of St. Thomas-Elgin Recruitment Partnership “Discovery Week”
- Organizing Kettle Creek Food Truck Festival, scheduled for June 17, 2023
- Preparing for the Watershed Tour, scheduled for June 23, 2023
- Attended the Creating Accessible Documents webinar hosted by RVCA on May 24, 2023

### Flood Forecasting/Environmental Monitoring

- Working with the engineering consultant from Aquafor Beech on the Flood Hazard Identification and Mapping Program (FHIMP) project to update floodplain mapping in the Dodd Creek subwatershed.
- Collected surface water samples throughout the KCCA watershed for the month of May.
- Monitoring and maintaining the Lake Whittaker Small Drinking Water Systems.
- Attended an online Engagement Session: Draft Guidelines for Establishing and Managing Fish Habitat Banks, facilitated by DFO.
- Attended an online Engagement Session: Draft Policy for Applying Measures to Offset Harmful Impacts to Fish and Fish Habitat, facilitated by DFO.
- Met with the Elgin County CEMC to discuss updates to the County’s Emergency Response Plan and provided information on the roles and responsibilities of CAs during flood events.
- Reviewing municipal drain maintenance notifications as well as participating in site meetings with municipal drain representatives.

## Stewardship and Outreach

- Wetland creation project completed in the Municipality of Central Elgin.
- Hosted a Kettle Creek Environmental Youth Corps event on June 3 where 1,000 wildflower plugs were planted at Lake Margaret.
- Registration was released for the Carolinian Forest Festival – Festival capacity is 2,000 and over 5,500 students registered.
- Continued work on CA Act deliverables including development of Cost Apportioning Agreements.
- Site visit at Deer Ridge Conservation Area to look at restoration opportunities.
- Developed and submitted a progress report for funding received from the Great Lakes Local Action Fund.

## Forestry

- All tree planting sites were completed by May 31<sup>st</sup>.
- Hosted volunteer tree planting event on May 26 with 43 students from Central Elgin Collegiate Institute who planted 1,000 seedlings in the Bucke field.
- Hosted volunteer tree planting event on May 27 at Bucke Conservation Area with Fanshawe Alumni. KCCA partnered with Fanshawe to plant 2023 trees in honour of their 2023 graduates.
- Hosted volunteer tree planting event adjacent to the Elgin County Administration Building on May 28 with members from the Elgin-Middlesex-London Green Party Association
- Submitted an application to the Invasive Species Centre for \$2,000 in funding to continue woody invasives management at Lake Margaret.
- Submitted an application to the Invasive Species Centre for \$10,000 in funding to develop an invasive species management plan for Kirk Cousins Management Area and initiate treatment in summer/fall 2023.
- Attended Forests Ontario Post Plant meeting on June 14.

## Conservation Areas and Maintenance

- Staff recruitment is complete; onboarding including training will continue as necessary.
- Preliminary walk of all KCCA trails to identify maintenance requirements complete
- Pool opening preparations are underway for inspection from the Health Unit on June 22nd. Pools expected to be up and running by July Long Weekend. New pools signs designed and installed.
- Collection of Dalewood hydro metre data and email distribution of May hydro usage statements.
- Local fire bans enacted on June 5 affected both Dalewood and Lake Whittaker. Dalewood's was lifted in accordance with Municipality of Central Elgin on June 14; Lake Whittaker's (Thames Centre) remain in effect.
- The dry conditions have also made the roadways quite dusty. Dust control measures scheduled for June 16th.
- Repair minor leaks and cleaned out eavestrough on Bucke shop roof
- Ongoing maintenance at Kettle Creek Dog Park and Belmont Conservation Area, management of bookings and weekly maintenance of Dan Patterson Pavillion rentals ongoing.
- Initial cutting and trimming of Kirk Cousins Management Area parking lot, trail entrances and Chorus Entertainment field as per agreement.
- First year since the Pandemic where a full schedule of Visitor Services events is available including Tall Tales Fishing Derby July 8 and Canada Day Fireworks displays.

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TO: Board of Directors  
FROM: Jennifer Dow  
Date: June 21, 2023  
Subject: June 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 lower than normal and are fluctuating with rain events.
- Native turtle egg recovery in partnership with the UTRCA.

## BACKGROUND

As of June 11, 2023, Lake Erie's static water level daily mean was 174.59m. This water level is 23cm above average, 11cm lower than what was recorded at the same time last year, and 54cm 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 declined 1cm over the month of May, which is a below-average rise over the period of record. It is likely that Lake Erie has reached its seasonal peak level and under most potential water supply conditions, the level is expected to decline in June.

The KCCA watershed historically receives 76mm of rain during the month of May. The watershed received 28% of the average total rain for the month of May, which is about 21.3 mm for the area. The three-month precipitation levels were above normal for March to May. The Environment Canada outlook for June to August indicates above normal temperatures and below normal precipitation for the region.

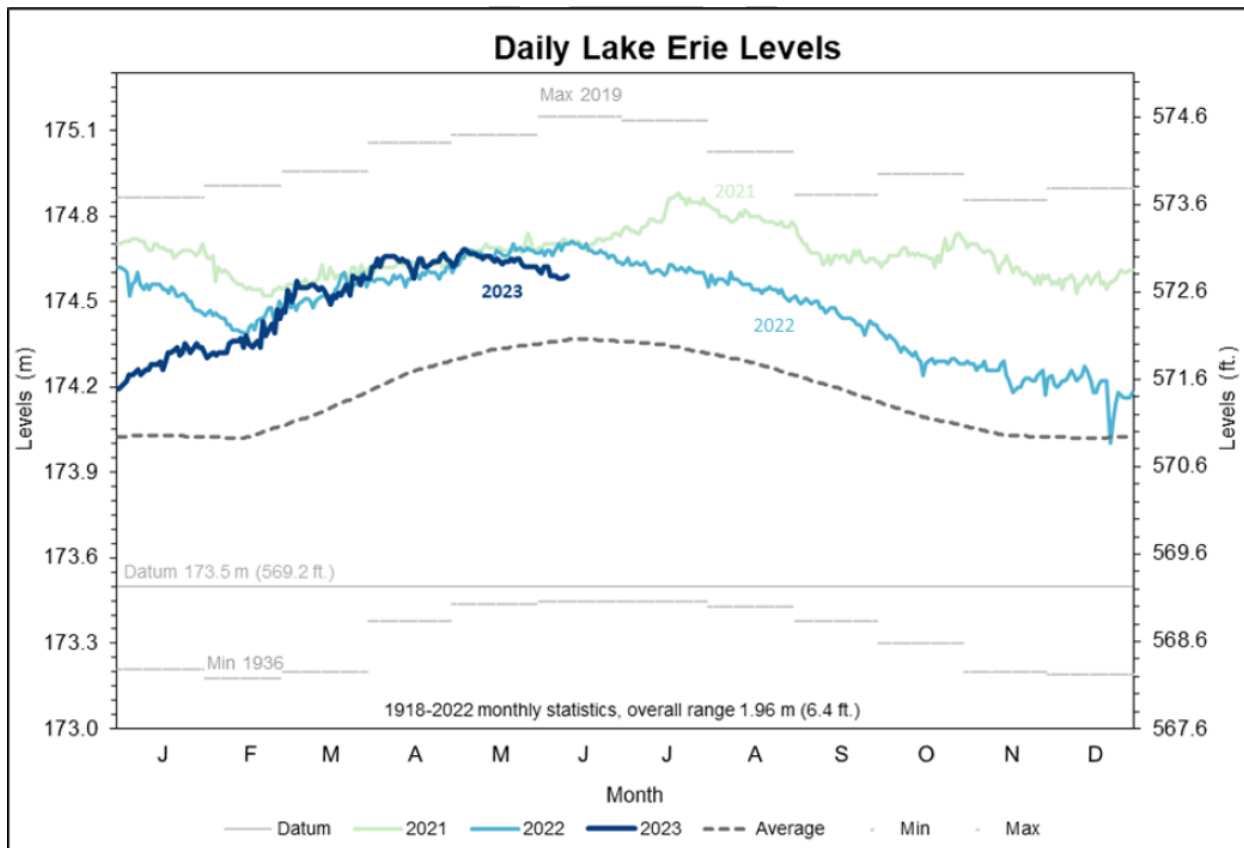
As of June 7, 2023, there is one Conservation Authority (CA) in a confirmed Level 1 Low Water Condition (Grand River CA) in the Southern Region.

At the time of writing, KCCA staff have recovered 161 Snapping Turtle eggs and 12 Midland Painted Turtle eggs from nests located in unsafe areas. The eggs are taken to the Upper Thames River Conservation Authority where they are monitored and incubated until they hatch. Once they hatch, the turtle hatchlings will be released into suitable habitat closest to the nesting site within the watershed. All eight species of Ontario's native turtles are species at risk. The Midland Painted Turtle is listed as Special Concern in Canada, while the Snapping Turtle is listed as Special Concern in Ontario and Canada, meaning that the species may become threatened or endangered because of a combination of biological characteristics or identifiable threats.



Snapping Turtle (*Chelydra serpentina*) laying eggs on June 12, 2023 alongside the main road into the unserviced sites at Dalewood CA. Snapping Turtles and Spiny-soft shelled Turtles lay round, ping-pong ball shaped eggs. All other Ontario species eggs are oval shaped.

**RECOMMENDATION**  
**For information.**





Kettle Creek  
Conservation Authority

# PROGRESS REPORT

JULY 1, 2023

## TRANSITION PLAN

- The Transition Plan was approved by KCCA's Board of Directors at the November 24, 2021 Full Authority meeting.
- The Transition plan was circulated to member municipalities on November 26, 2021.
- The Transition plan was circulated to the Minister on December 2, 2021.
- The Transition plan is posted to KCCA's website:  
<https://www.kettlecreekconservation.on.ca/governance/>

## INVENTORY OF PROGRAMS AND SERVICES

- The draft Inventory of Programs and Services was approved for circulation to member municipalities for comment by KCCA's Board of Directors at the January 19, 2022 Full Authority meeting.
- The Inventory of Programs and Services was approved by KCCA's Board of Directors at the February 9, 2022 Full Authority meeting.
- The Inventory was circulated to member municipalities on February 16, 2022.
- The Inventory was circulated to the Minister on February 16, 2022.
- The Inventory is posted to KCCA's website:  
<https://www.kettlecreekconservation.on.ca/governance/>
- Based on feedback from MECP, minor edits were made to the Inventory of Programs and Services for the July 1, 2022 Progress Report.
- No further changes have been made to the Inventory since that date.

## CONSULTATION WITH MEMBER MUNICIPALITIES

- Staff provided a presentation to municipal staff from St. Thomas, Thames Centre, Malahide, Southwold and Central Elgin on January 11, 2022 to review the *Conservation Authorities Act* amendments and initial categorization of KCCA's programs and services.
- Feedback received to date on KCCA's Inventory of Programs and Services:
  - Middlesex Centre (January 26, 2022)  
No concerns. Observed a shift in funding allocation from provincial to municipal levy in category 1 programming relative to flood forecasting. Clarification was provided that this shift was a result of the provincial transfer payment being cut from \$119,652 to \$61,770 in 2019.
  - Central Elgin (January 31, 2022)  
No concerns with the categorization of KCCA programs and services.
  - Southwold (January 31, 2022)  
No concerns with the categorization of KCCA programs and services. Seeking consistency where possible amongst its CAs for MOU terms and fee structure. Interested in discussions on additional services KCCA could provide.
  - Thames Centre (February 3, 2022)  
No concerns with the categorization of KCCA programs and services.



- Malahide (February 3, 2022)  
No concerns with the categorization of KCCA programs and services. Suggested expanded detail to note where specific monitoring stations are located. Requested information was provided to the municipality.
- St. Thomas (February 3, 2022)  
No concerns with the categorization of KCCA programs and services. Staff indicated support for the two Category 3 programs requiring an agreement (tree planting and watershed monitoring).
- City of London (April 29, 2022)  
Clarification sought on costs for new mandatory programs/services, whether the costs provided reflect total gross costs or London's apportioned share, and if costs include depreciation.
- Staff distributed the July 1, 2022 Progress Report and the updated Inventory of Programs and Services to all member municipalities on June 23, 2022. No concerns or questions were submitted by member municipalities.
- Staff distributed the October 1, 2022 Progress Report to all member municipalities on September 22, 2022. No concerns or questions were submitted by member municipalities.
- Staff distributed the January 1, 2023 Progress Report to all member municipalities on December 19, 2022. No concerns or questions were submitted by member municipalities.
- Staff distributed the April 1, 2023 Progress Report to all member municipalities on March 28, 2023. No concerns or questions were submitted by member municipalities.

## AGREEMENTS

- Existing Category 2 agreements are posted to KCCA's website under the Governance section.
- KCCA communicated with senior staff from member municipalities in April 2023 to discuss the development of Cost Apportioning Agreements and solicit their feedback. No concerns were raised at that time.
- KCCA developed a draft Cost Apportioning Agreement while engaging with neighbouring CAs with shared member municipalities.
- On April 24, 2023, a draft Cost Apportioning Agreement was circulated for review and comment from senior staff at member municipalities. Feedback received to date on KCCA's draft Cost Apportioning Agreement:
  - Malahide (April 17, 2023)  
Staff had no concerns or comments at this time with KCCA attempting to have a draft agreement executed by Fall 2023.
  - Middlesex Centre (May 3, 2023)  
Staff provided feedback on dispute resolution, termination clauses.
  - St. Thomas (May 3, 2023)  
Staff had no concerns and noted that both Category 3 programs seeking municipal funding are programs staff would recommend Council support as they have real benefit to watershed management and ecosystem health.
  - London (May 4, 2023)  
Accepted KCCA's proposed scope of Category 3 programs and proposed cost apportionment but could not provide feedback as staff will be undertaking a review with their Legal staff in parallel with submissions by the UTRCA and LTRCA. Asked for

clarification on what happens if one of the member municipalities does not agree to this agreement.

- Central Elgin (May 9, 2023)  
Staff provided feedback on the agreement length and renewal clauses. Staff expressed support for Category 3 programs seeking municipal support and indicated these services are beneficial to the watershed and assist Central Elgin with enhanced environmental conditions as well as information that can be used for capital projects and Environmental Assessments etc.
- Thames Centre (May 10, 2023)  
Staff had no concerns with the draft Agreement.
- Southwold (May 11, 2023)  
Staff had no concerns with the draft Agreement.
- The Draft Cost Apportioning Agreement was circulated to KCCA's solicitor for review. Minor edits were received and incorporated into the agreement.
- Staff are developing a Guide to Cost Apportionment Agreements document for distribution to Municipal Councils to accompany the agreement.
- At this time, KCCA does not foresee the need to request an extension to the January 1, 2024 deadline for having MOUs in place with member municipalities. However, staff will continue to re-assess whether an extension request may be required.

## OTHER ACTIVITIES

- Attended Conservation Ontario sessions related to changes to the *Conservation Authorities Act* and Phase 1 and 2 regulations.
- Attended MECP sessions on the *Conservation Authorities Act* and the Inventory of Programs and Services.
- Meeting held with MECP staff on May 12, 2022 to solicit feedback on KCCA's Inventory of Programs and Services.
- Fee Policy and Fee Schedules approved at the May 18, 2022 KCCA Full Authority meeting as per requirements of the *Conservation Authorities Act*.
- KCCA's website updated to include Governance Section as per Phase 2 Regulations.
- Attended a Conservation Ontario session related to Conservation Areas Strategy and Lands Inventory on June 15, 2022.
- Land Acquisition and Disposition Policy approved at the August 18, 2022 KCCA Full Authority meeting as per requirements of *Conservation Authorities Act*.
- Attended Phase 1 and Phase 2 Refresher sessions held by MNRF in October 2022
- Attended a Conservation Ontario session related to Ice Management Plans on October 13, 2022
- Review of and dissemination of information regarding the *More Homes Built Faster Act* to KCCA's Board and member municipalities.
- Development of orientation materials for new members of municipal Councils and KCCA's Board of Directors following the municipal election.
- Attended a Conservation Ontario session related to Cost Apportioning Agreements on March 6, 2023.
- Attended a Conservation Ontario/AMO session related to the *Conservation Authorities Act* on April 19, 2023.



May 18, 2023

Ministry of Municipal Affairs and Housing

Submitted via email: [PlanningConsultation@ontario.ca](mailto:PlanningConsultation@ontario.ca)

**Re: Conservation Ontario's Comments on "Site Plan for Residential Developments of 10 or Fewer Units – Two Proposed new Minister's Regulations under the Planning Act and the City of Toronto Act, 2006" (ERO #019-6822)**

Thank you for the opportunity to comment on "Site Plan for Residential Developments of 10 or Fewer Units – Two Proposed new Minister's Regulations under the Planning Act and the City of Toronto Act, 2006". 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 "Helping Homebuyers, Protecting Tenants: Ontario's Housing Supply Action Plan April 2023" the Province introduced Bill 97, the *Helping Homebuyers, Protecting Tenants Act, 2023*. Schedule 6 of the Bill proposes amendments to the *Planning Act* to increase housing supply to reach the goal of building 1.5 million homes by 2031.

One proposed legislative amendment to the *Planning Act* provides the Minister of Municipal Affairs and Housing (MMAH) new regulation-making authority to permit Municipalities to use site plan control for residential developments of 10 or fewer units on a single lot in specific circumstances. As outlined in the proposal, these specific circumstances would include where any part of a parcel of land is located within 120 metres of a shoreline or within 300 metres of a railway line.

In our previous comments on proposed *Planning Act* and *City of Toronto Act* changes proposed through Bill 23 (ERO#019-6163) we note that using site plan controls provides Municipalities greater ability to receive expert input from CAs on detailed design items such as setbacks and the location of buildings concerning hazardous lands and hazardous sites, and protecting sources of drinking water.

Early engagement enables the Municipality, proponent, and CA to address potential issues and opportunities with the application. The proposed legislative amendments (and subsequent regulations) ensure planning authorities can consider site plan components relating to natural hazards, including flooding, erosion, and other natural features.

Draft regulatory text was not included as part of the proposal; it is unknown if future consultation opportunities will occur. In response, Conservation Ontario recommends including

a definition of “shoreline” in the regulation. For consistency, the definition of “shoreline” referenced in the regulation should include that of a lake, river or stream, as outlined in section 34(1)(3.2)(ii) of the *Planning Act* and as well as in the definition of “flooding hazard” in the Provincial Policy Statement (PPS, 2020).

The PPS provides development shall generally be directed to areas outside of hazardous lands adjacent to the shorelines of the Great Lakes – St. Lawrence River System and large inland lakes, as well as river, stream and small inland lake systems impacted by hazards including flooding and erosion. Including the broad definition of a shoreline as that of a lake, river or stream, consistent with the current PPS and the *Planning Act*, will allow CAs to continue to provide useful feedback to planning authorities regarding potentially hazardous lands (e.g., flooding and erosion hazards).

In addition to the proposed specific circumstances to permit use of site plan control for developments of 10 units or less, Conservation Ontario recommends the proposed regulation permit use of site plan control for developments where land is located within a designated vulnerable area in an approved source water protection plan under the *Clean Water Act*. Site plan control is identified in approved source water protection plans as an available tool to ensure development and site alteration activities do not have adverse impacts on drinking water supplies in designated vulnerable areas. Including this specific circumstance in regulation would be beneficial to developers and Municipalities to ensure consistency with source water protection plans prepared under the *Clean Water Act* and to ensure continued protection of Ontario’s drinking water sources.

Thank you for the opportunity to provide comments on “Site Plan for Residential Developments of 10 or Fewer Units – Two Proposed new Minister’s Regulations under the Planning Act and the City of Toronto Act, 2006”. We are pleased to work together to keep development safe from natural hazards and to protect sources of drinking water. We remain committed to working with the Province, Municipalities, and other partners to support increasing the overall supply and diversity of housing types in Ontario while maintaining strong protections for public health, safety and the environment. Please contact Leslie Rich, Policy and Planning Specialist should this letter require any clarification.

Sincerely,



Leslie Rich  
Policy and Planning Specialist

c.c: All Conservation Authority CAOs / GMs

**Ministry of Natural Resources  
and Forestry**

Office of the Minister

99 Wellesley Street West  
Room 6630, Whitney Block  
Toronto ON M7A 1W3  
Tel: 416-314-2301

**Ministère des Richesses  
naturelles et des Forêts**

Bureau du ministre

99, rue Wellesley Ouest  
Bureau 6630, Édifice Whitney  
Toronto ON M7A 1W3  
Tél.: 416 314-2301



May 30, 2023

Mayor Josh Morgan  
Barb Westlake-Power, Deputy City Clerk  
City of London  
[bwestlak@london.ca](mailto:bwestlak@london.ca)

Dear Mayor Morgan and Ms. Westlake-Power:

Thank you for your application on behalf of the City of London seeking Minister's exceptions under the *Conservation Authorities Act* (CAA) from the requirement in subsection 14 (1.1) for at least 70 per cent of municipal appointments to a conservation authority to be selected from among members of municipal council.

After carefully considering your application regarding the appointment of one non-elected member to the Lower Thames Valley Conservation Authority (LTVCA) and two non-elected members to the Kettle Creek Conservation Authority (KCCA), I have decided to not grant the City of London exceptions to subsection 14 (1.1) of the CAA pursuant to my authority under subsection 14 (1.2).

Allowing the City of London appoint one non-elected member as the only member to the LTVCA and two non-elected members and one council member to the KCCA, thereby avoiding the requirement for at least 70 per cent of a participating municipality's appointees to be selected from among members of municipal council, does not meet the intent of section 14 of the CAA which is to ensure greater elected council representation in conservation authorities. In this instance, I think it is important for the City of London to comply with this requirement and it is not appropriate to grant these exceptions. As a result, I would request that the City of London ensure that the necessary steps are taken during the 2023 recruitment process to ensure members of council are appointed to the LTVCA and the KCCA in compliance with the requirements of subsection 14 (1.1) of the CAA.

I would ask that once council members have been appointed to the LTVCA and the KCCA, that you confirm in writing via email to my Ministry ([ca.office@ontario.ca](mailto:ca.office@ontario.ca)) that the City of London has taken the necessary steps to comply with this provision with respect to both conservation authorities.

Please share this correspondence with municipal council as well as the LTVCA and the KCCA.

Sincerely,

A handwritten signature in black ink, appearing to read 'Graydon Smith', written in a cursive style.

The Honourable Graydon Smith  
Minister of Natural Resources and Forestry

c: Jennifer Keyes, Director, Resources Planning and Development Policy Branch,  
MNRF  
Conservation Authority Office (via [ca.office@ontario.ca](mailto:ca.office@ontario.ca))

**From:** [REDACTED]  
**To:** [Elizabeth VanHooren](#)  
**Cc:** [Lori Baldwin-Sands Alderman St Thomas](#); [Gjones](#)  
**Subject:** Thank you !!!!!  
**Date:** June 14, 2023 12:07:43 PM

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Good morning Elizabeth

The St. Thomas-Elgin Health Recruitment Partnership committee wishes to extend our deepest appreciation to the Kettle Creek Conservation Authority with special thanks from Councillor Lori Baldwin Sands and Mayor Grant Jones for the wonderful event you hosted for our first year medical students from Discovery Week.

Every year for this event we try to find activities for the students to participate in that are exciting, challenging and one that most have never experienced before; therefore highlighting the uniqueness of living and working in a rural community.

Your event provided all of this & more. Your team is to be commended for organizing an event that included so many options and how helpful and supportive they were in putting together the site and equipment required for a safe and memorable evening.

Elizabeth, please pass along to your Dalewood team Maryanne, Jennifer, Joe & Rob our sincere "Thanks" for the fabulous job they did to make our students experience that evening a great success.

We would also like to say a special thanks to you for taking time from your busy schedule to make this event possible.

It's refreshing to find a team like this who will go above and beyond to organize and contribute their time & expertise to make this happen. It was by far the best activity we have ever been able to provide for our students. I'm sure they will remember this and it will be a deciding factor when they select a place to start their clinical practice.

I will forward a copy of the video once the students send it to us so you can hear & see first hand how much they enjoyed your hospitality.

We will look forward to working with you and your team in the future.

Regards

Cheryl Fish  
Health Recruiter- City of St Thomas-County of Elgin

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TO: Board of Directors  
FROM: Elizabeth VanHooren  
Date: June 21, 2023  
Subject: Cost Apportioning Agreement Update  
**Recommendation:** That the final draft Cost Apportioning Agreement and accompanying Guide be circulated to member municipalities.



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## PURPOSE

To present the final legally reviewed Cost Apportioning Agreement and accompanying Guide for review and circulation to member municipalities.

## SUMMARY

- KCCA is required to negotiate Cost Apportioning Agreements with member municipalities for all Category 3 programs and services that will continue to require municipal levy.
- A draft Cost Apportioning Agreement was reviewed at the May 17, 2023 Full Authority meeting and forwarded for final review by KCCA's solicitor.
- Minor changes from KCCA's solicitor and a last-minute request from municipal staff are included in this final draft most notably including the definition of participating municipality and stipulating that any changes to the proposed programs and services should be approved in writing by the municipality.
- Upon approval by the Full Authority the attached package will be circulated to all member municipalities with the aim to have agreements executed by Fall 2023.

**Recommendation:** That the final draft Cost Apportioning Agreement and accompanying Guide be circulated to member municipalities.



June 21, 2023

Michael Di Lullo – CAO  
Municipality of Middlesex Centre  
10227 Ilderton Rd  
Ilderton, ON  
N0M 2A0

**By Email**

Dear Mr. Di Lullo:

**RE: Cost Apportionment Agreement**

Please see the attached Cost Apportionment Agreement that was approved by Kettle Creek Conservation Authority's (KCCA) Board of Directors at its June 21, 2023 meeting to be circulated to member municipalities.

Conservation Authorities are required to establish cost apportionment agreements with municipalities when they intend to offer a non-mandatory service that they deem advisable using municipal funding support. In the case of KCCA, this applies to our tree planting program and environmental monitoring programs. A guideline document is attached with further details about these agreements.

According to subsection 21.1.2 of the *Conservation Authorities Act*, cost apportioning 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 once finalized.

The Cost Apportioning Agreement has been reviewed against these requirements by senior staff at all member municipalities and comments received have been incorporated into the final document. Unless a member municipality requests any substantive changes to the agreement, KCCA aims to have an executed Cost Apportioning Agreement with each member municipality by October 2023.

A resolution from your council in respect of the cost apportioning agreement would be appreciated once passed.

KCCA staff are happy to make a presentation to Council at your request. In the meantime, questions or concerns can be directed to my attention.

Sincerely,

Elizabeth VanHooren  
General Manager/Secretary Treasurer

**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, as defined by the Act, 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 advises 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.
- d. KCCA will not add to 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 and applied effective January 1 each calendar year.
- 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 eighty (180) 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 in the best interest of the parties;
  - 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 providing services 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 (or delegated staff member) and attached as an Appendix.

**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 a combination of municipal levy and self-generated revenue.

KCCA is seeking the continued financial support of its member municipalities through levy for the 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. Schedule B will be updated annually and distributed to Member Municipalities following final budget and levy approval.

#### 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.



# A GUIDE TO COST APPORTIONING AGREEMENTS



**Kettle Creek**  
Conservation Authority

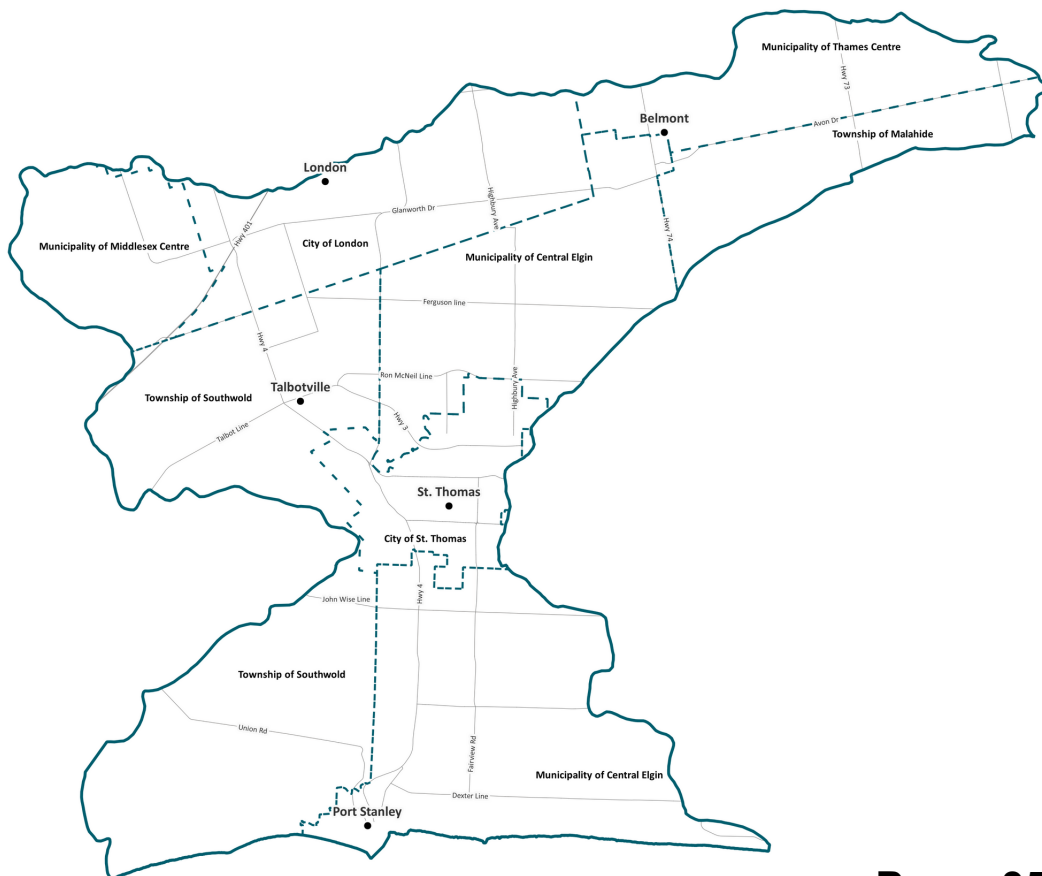
# Conservation Authorities

The *Conservation Authorities Act* was enacted in 1946 by the province of Ontario in response to concerns expressed by agricultural, naturalist and sports groups who highlighted that much of the renewable natural resources of the province were in an unhealthy state because of poor land, water and forestry practices during the 1930s and 1940s.

Conservation Authorities are local watershed management agencies that deliver programs and services to protect and manage impacts on water and other natural resources, in partnership with all levels of government, landowners and many other organizations.

The Kettle Creek Conservation Authority (KCCA), incorporated in 1965, works in partnership with 7 member municipalities (London, St. Thomas, Central Elgin, Southwold, Malahide, Thames Centre and Middlesex Centre) which appoint 10 members to the Board of Directors. The Board of Directors makes program decisions and allocates funds.

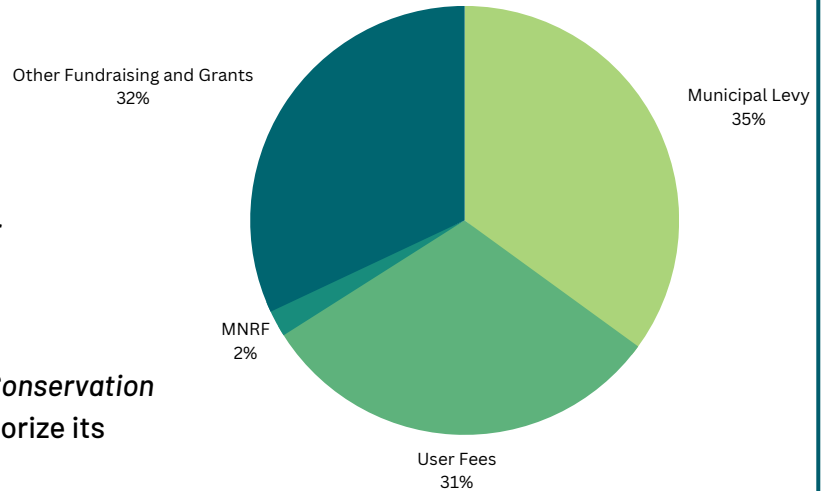
KCCA undertakes watershed-based programs to protect people and property from flooding and other natural hazards and to conserve natural resources for economic, social and environmental benefits. Positive actions in one part of the watershed will have positive impacts downstream. All municipalities benefit when these programs are undertaken on a watershed basis.



# Changes to the CA Funding Model

Conservation Authorities are funded primarily through municipal levies, special project funding and self-generated revenues (campgrounds, fees for service). Each CA is eligible for a transfer payment from the Ministry of Natural Resources and Forestry for mandatory programs and services. These sources of funding have not changed.

However, in accordance with changes to the *Conservation Authorities Act*, KCCA is now required to categorize its programs and services into three categories.



KCCA: Annual General Report 2022

**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 funding support when a Cost Apportioning Agreement is in place. Programs and services in Category 3 may also be funded through other means. In the latter situation, a Cost Apportioning Agreement with the municipality is not required.

The following chart provides a summary of KCCA’s programs and services and their respective categories.

Category 1	Category 2			Category 3	
	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					
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					

# Cost Apportioning Agreements

Conservation Authorities must enter into Cost Apportioning Agreements with member municipalities by January 1, 2024 for any Category 3 programs and services that will continue to require municipal funding support. 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.

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



## Environmental Monitoring

While water quality monitoring through the Provincial Water Quality and Groundwater Monitoring Networks are considered Category 1 (mandatory programs), KCCA monitors additional sites that are considered Category 3 including six surface water quality sites, sampling benthic invertebrates at 25 locations, and evaluating 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.



## 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.



# Agreement Requirements

According to subsection 21.1.2 of the *Conservation Authorities Act*, Cost Apportioning Agreements must:

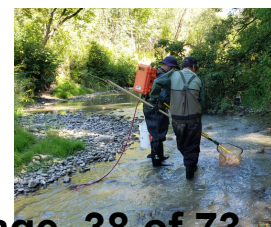
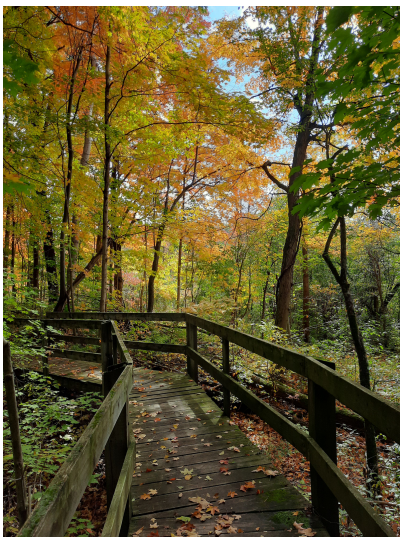
- Be in place by January 1, 2024.
- Specify a termination date.
- Specify a review date within at least six months of the termination date.
- Provide for a minimum review every five years if the agreements is for longer than five year.
- Provide for early termination requirements.
- Include a process for resolution of disputes.
- Be approved by a resolution of the municipal council of each participating municipality.
- Be published on the Authority's web site once finalized.

## Timeline



**If you have questions or require further information, please contact:**

Elizabeth VanHooren, General Manager, Kettle Creek Conservation Authority  
[elizabeth@kettlecreekconservation.on.ca](mailto:elizabeth@kettlecreekconservation.on.ca) or 519-631-1270 x222



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TO: Board of Directors  
FROM: Elizabeth VanHooren  
Date: June 21, 2023  
Subject: Programs and Services Survey Results  
**Recommendation:** That the staff report on the Programs and Services Survey Results be received.

---



## PURPOSE

To present the results and analysis of a Programs and Services Survey that was conducted online from May 18, 2023 to June 7, 2023.

## SUMMARY

- A Programs and Services Survey was conducted online from May 18, 2023 to June 9, 2023. The survey was shared widely on social media, and directly to certain user groups including campers, landowners, past board members and partner organizations.
- In total 22 responses were received.
- The report summarizes some of the key findings of the survey that can be used to gauge priorities during the budget planning process.

## Summary of Public Input

A Programs and Services Survey was circulated from May 18 – June 2, and then extended until June 9 to allow for additional responses. The survey was circulated widely on social media, and directly to certain user groups including campers, landowners, past board members and partner organizations.

In total KCCA received 22 responses. While staff hoped for a greater response rate, the responses received do provide insight into how KCCA's various programs and services are currently being received and how they can be improved moving forward.

A full summary of results is attached.

## Summary Highlights

### Respondents

- 45% of the respondents have been involved with KCCA for over 15 years
- 41% of respondents identified as part of a user group (campers, landowners involved in tree planting or stewardship project and the general public).

- There were one or more respondents from each member municipality except Middlesex Centre

**Analysis:** While staff hoped for a greater response rate, participants are representative of the entire watershed and a broad spectrum of users.

### **KCCA's Purpose**

- 58% of respondents described the purpose of KCCA as Environmental Protection and Stewardship including:
  - Conservation of wildlife, flora and fauna
  - Protection of nature while balancing public needs
  - Stewards of the Environment
  - Preserve nature and restore unbalanced ecosystems
  - Maintain and improve wildlife habitat
- Only 19% of respondents described the purpose of KCCA related to the promotion and implementation of integrated watershed management/natural hazards, flooding and erosion.

**Analysis:** The majority of respondents are user groups that would more closely align with KCCA's environmental protection and conservation awareness programs and not mandated programs related to natural hazards.

### **Programs and Services**

- On average 60% of respondents were satisfied or very satisfied with the delivery of KCCA's current programs
- Programs and Services that were identified as needing improvement included:
  - KCCA's website and social media
  - Tree Planting and Stewardship
  - Invasive Species Control
  - Flood Forecasting
  - Environmental Youth Corps
- In most cases the area of improvement identified involved increased service levels not dissatisfaction with the current program. For instance, when asked how programs and services could be improved the majority of respondents wanted more funds to be directed to tree planting and invasive species control.
- Suggested improvements to KCCA's programs and services centred around increased funding, and increased infrastructure such as increased mountain biking opportunities, and increased 30 amp services in the campground.
- Of all the comments received that advocated for program enhancements: 20% advocated for increased communication or enhancement to communication products; 23% advocated for an overall increase to funding to the CA; 26% advocated for increased environmental protection and stewardship and 31% mentioned an enhancement to passive or active recreation.

**Analysis:** Generally, the public is satisfied with KCCA's current programs and services and there is general recognition that limited funding impacts the level of service provided. It should be noted that while a variety of respondents commented on the use of the Dalewood Reservoir Trail for mountain



biking or a desire to expand mountain biking in this area – KCCA’s current policy is to not allow biking on the Trail. There is insufficient staff and space to allow both hiking and biking on the trail. It is an area that was identified as a possible user conflict in a 2021 Trail User Survey. With increasing use of the Dalewood Reservoir Trail and now the proximity of the Water Tower Mountain Bike Trails staff anticipate that user conflict will increase. From a staff perspective, increased mountain bike use on the current trail system also stresses current trail infrastructure including the integrity of the path and bridge network.

### **Priorities**

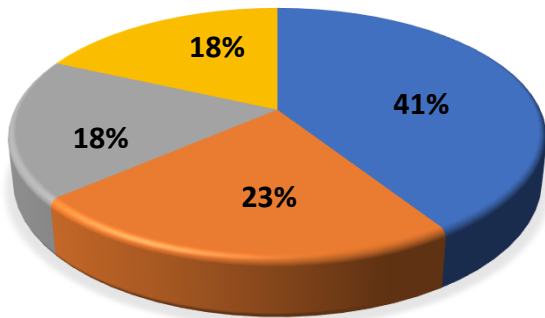
- Respondents were asked to rank from a list provided their top three priorities for the next four-year period. In order of preference the top-ranking priorities were:
  - Wetland Creation/Restoration (20%)
  - Tree planting (17%)
  - Mitigating the effects of climate change (14%)
  - Acquisition of land for protection (14%)
  - Invasive species control (9%)

***Analysis:*** Countering the effects of climate change was top of mind for most respondents. Other than tree planting the programs listed have not historically been supported by municipal levy but rather are scaled to available resources through fee for service and funding grants. Sustainable increases in these program areas would require municipal investment during the development and negotiation of cost apportionment agreements annually.

**Recommendation:** That the staff report on the Programs and Services Survey Results be received.

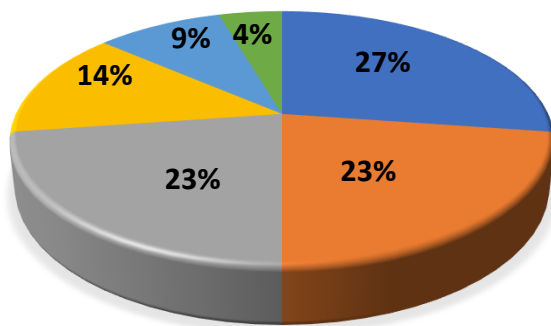
# Programs and Services Survey Results

## Participant



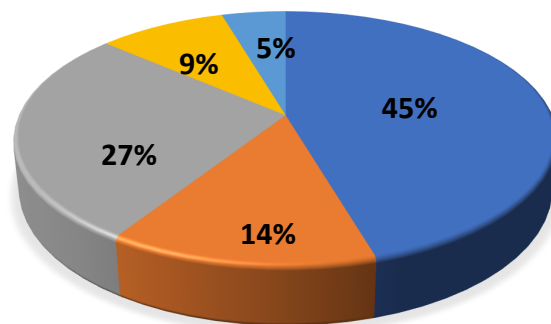
- User Groups
- General Public
- Municipal Partner
- KCCA Board Member/Staff

## I reside in the following municipality:



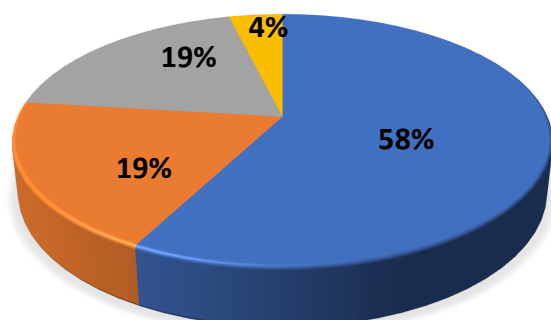
- Municipality of Central Elgin
- City of London
- City of St. Thomas
- Township of Malahide
- Township of Southwold
- Municipality of Thames Centre

## I've been involved/using KCCA programs and services for:



- 15 years or more
- 10 to 15 years
- 5 to 10 years
- 1 to 5 years
- Less than 1 year

## In your own words what is the purpose of KCCA?

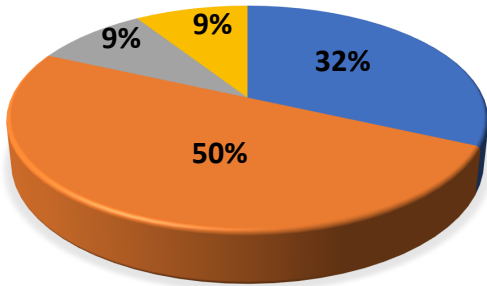


- Environmental Protection and Stewardship
- Environmental Outreach and Education
- To promote and implement integrated watershed management/natural hazards, flooding and erosion
- Recreation

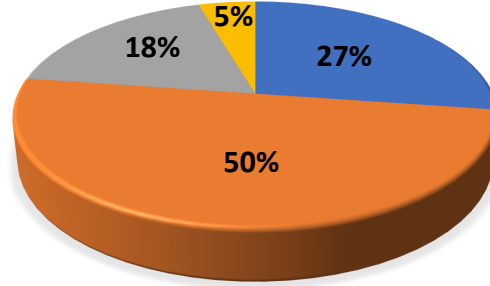
Please indicate your satisfaction with the each of the following programs and services that KCCA currently provides.

● Very Satisfied     
 ● Satisfied     
 ● Unsure     
 ● Needs Improvement

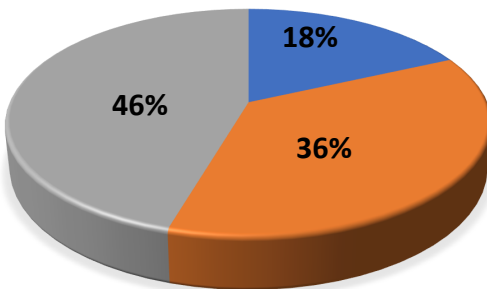
**Website**



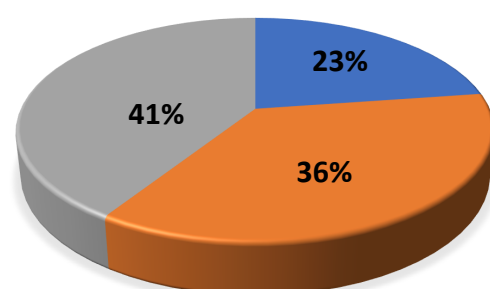
**Social Media**



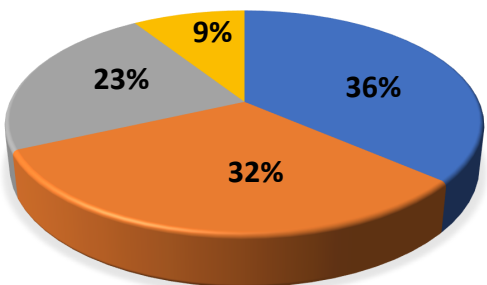
**Children's Water Festival**



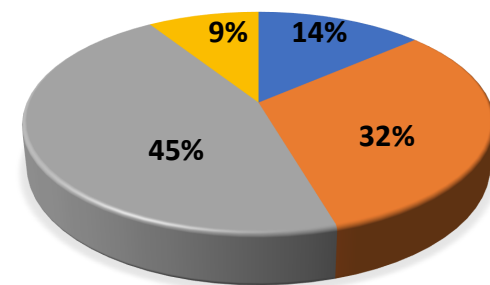
**Carolinian Forest Festival**



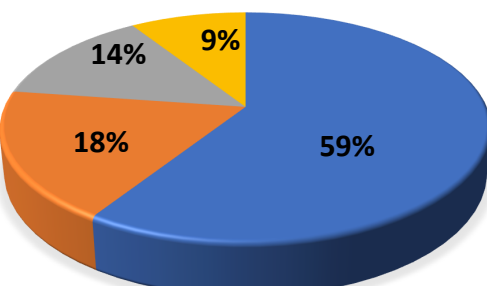
**Community Tree Planting Events**



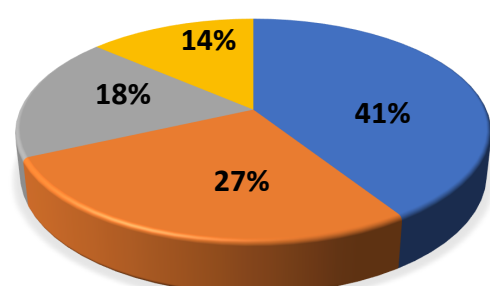
**Environmental Youth Corps**



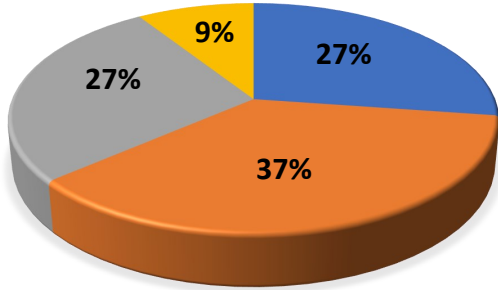
**Tree Planting Program**



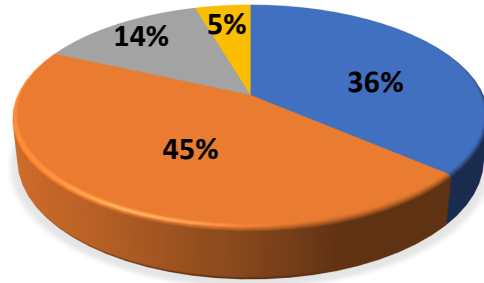
**Stewardship Services**



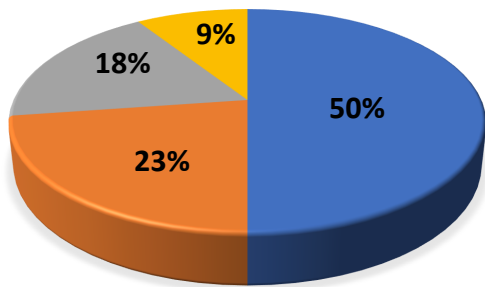
**Invasive Species Control**



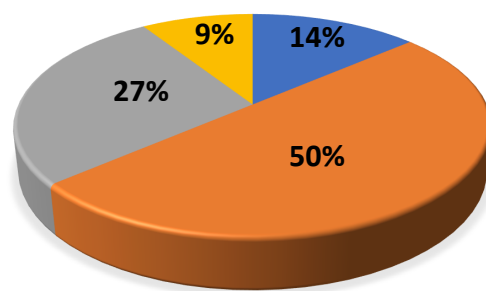
**Flood Forecasting**



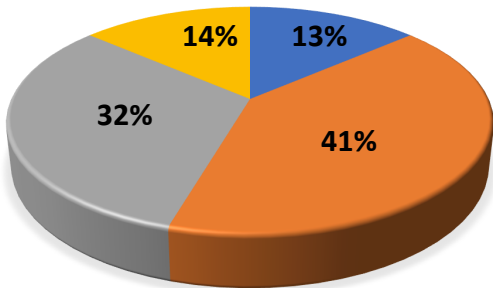
**Permitting Services**



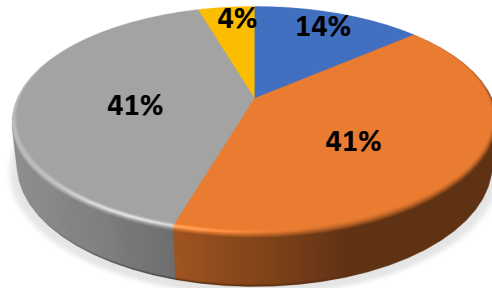
**DWCA Campground**



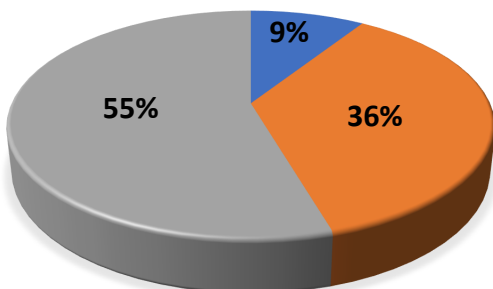
**LWCA Campground**



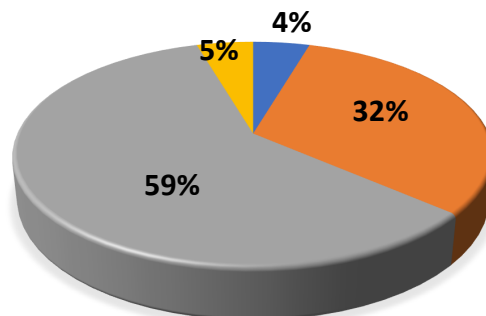
**Dalewood Reservoir Trail**



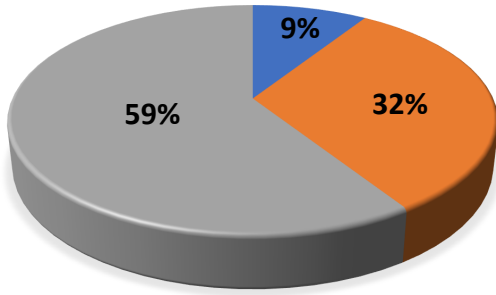
**Lake Whittaker Trail**



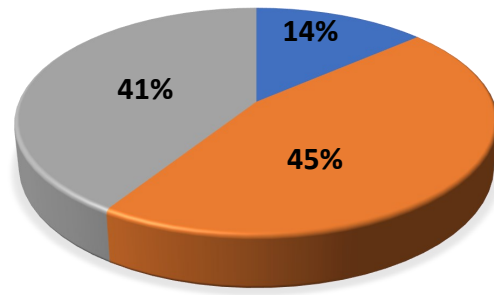
**Kirk Cousins Management Area Day-Use/Trail**



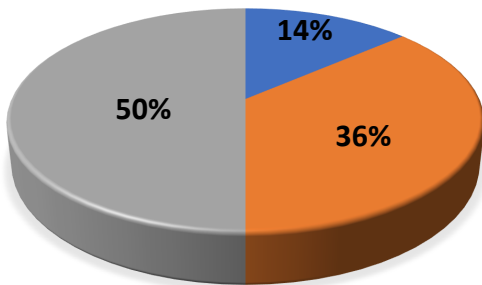
Evans Sisters Water Trail



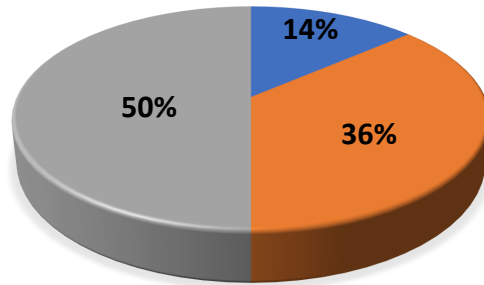
Dan Patterson Conservation Area Day-Use



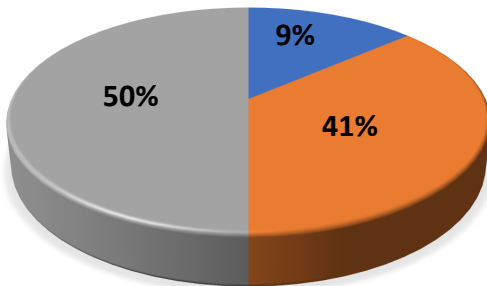
Dan Patterson Wetland Trail



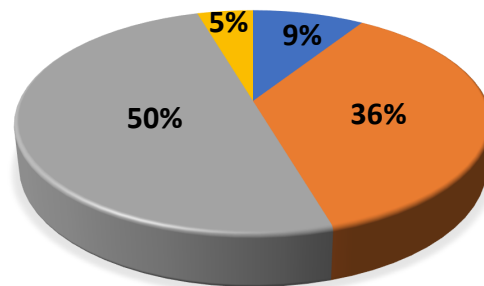
Dan Patterson Old Growth Trail



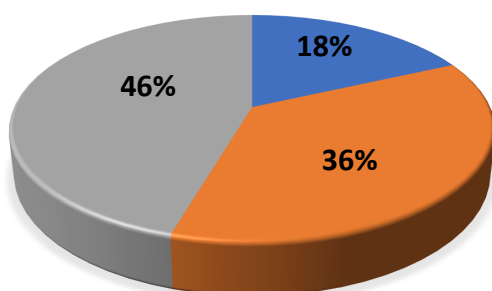
Union Pond Conservation Area



Belmont Conservation Area



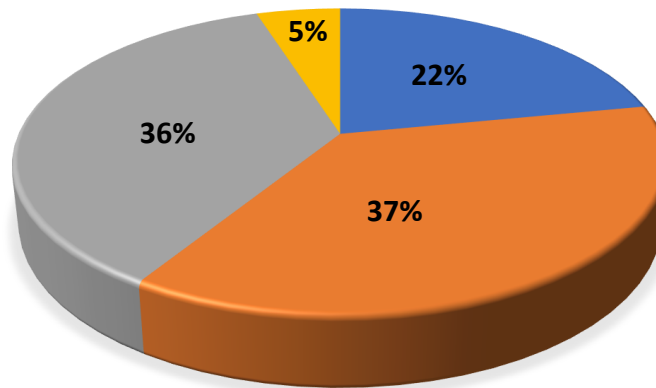
Kettle Creek Dog Park



- Very Satisfied
- Satisfied
- Unsure
- Needs Improvement

## Summary of Overall Satisfaction with KCCA Programs and Services

● Very Satisfied      ● Satisfied      ● Unsure      ● Needs Improvement

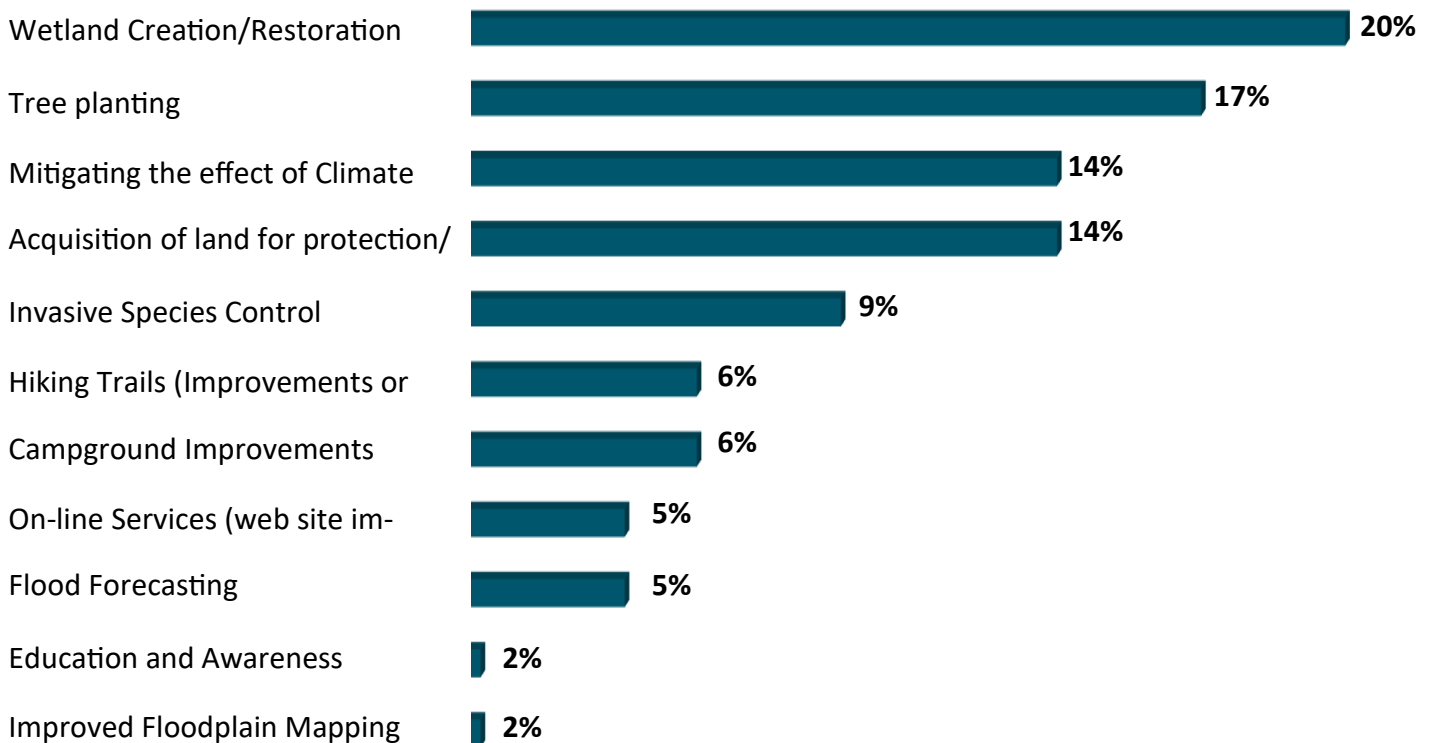


**If we missed a program and service that you currently use or wish to comment on please identify it below with any comments/clarification.**

- I think even more funds should go into tree planting.
- The Dalewood reservoir could definitely be cleaner.
- Have called on the phone and calls not returned.
- More things for children. Carnivals arts and crafts. Bike parade. Bingo for adults.
- All the programs are in place to help everyone, funding is a issue.
- With new bike trail/park at Dalewood water tower there needs explicit sign on Dalewood trail that they are not prohibited. If you want then there then all wet areas need French drains or corduroy. Bike use makes hiking trails braided and hard to hike.

## What should KCCA's priorities be over the next four-year period 2024-2027? (Please rank your top 3)

Priorities for the next four-year period	Answers
Wetland Creation/Restoration	13
Tree planting	11
Mitigating the effect of Climate Change (tree planting, erosion control and other best management practices)	9
Acquisition of land for protection/development of new Conservation Areas	9
Invasive Species Control	6
Hiking Trails (Improvements or additions)	4
Campground Improvements (additional sites, improved amenities)	4
On-line Services (web site improvements)	3
Flood Forecasting	3
Education and Awareness (Children's Water Festival and Forest Festival)	1
Improved Floodplain Mapping	1



**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.**

- Website and seasonal application definitely need improvement so they are mobile phone friendly.
- Maintenance of trees planted along roads, such as taking out dead trees and staking all trees.
- More camper ground activity.
- All the programs are in place to help everyone, funding is a issue.
- Perhaps expand parking if possible for the frisbee folks. Not sure where.
- Improved conservation programs.
- Native planting.

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

- Mobile phone friendly everything online.
- Returning phone messages to answer residents questions in a timely manner.
- Watch how many trees the municipality of central Elgin are cutting down and lessen your that number.
- Site sewer.
- All the programs are in place to help everyone, funding is a issue.
- Develop bike trail down stream all the way to athletic.
- Difficult to say given Provincial restrictions on what CAs can be involved in.
- Get back into natural heritage management and acquire proper staffing.
- Importance of planting native trees and plants to benefit native wildlife and pollinators.



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

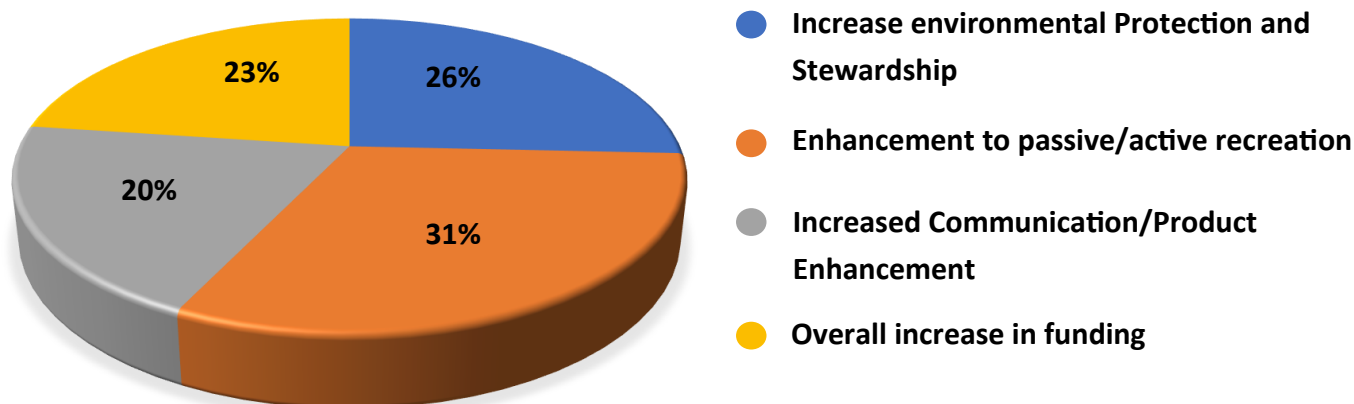
- More pools in the campground.
- Keep fighting evasive species.
- Communication.
- Add biking lanes.
- Follow up after tree planting with watering, firming up soil around stick and mulching when no rain forecast for weeks after planting.
- Keep up great work especially with the youth.
- Event coordinator.
- Lower your seasonal pass fees from \$100-\$75, same as provincial seasonal day pass.
- Vote different, change the provincial government which will improve provinces attitude and funding.
- More funding to pay staff better.
- Minimize any duplicate approval roles with Prov on Muni's.
- More media coverage.
- More funding and reversal of provincial initiatives to undermine CAs.
- The KCCA is doing a great job in the face of financial constraints by the Province.
- Restrict campsite gardens to native plants or at the very least restrict people from planting invasive plants like goutweed and periwinkle which are very common at the campsites and spreading into the forests.
- Unlimited funding.

## Any other comments that you would like to share?

- Would be nice to have phone messages answered within a reasonable time (48. Hours).
- Thank you for all the work you do!
- The staff are extremely helpful and hard workers doing their best.
- I was upset with what happened to the berm area east of the harbour area in port Stanley. We would like to see KCCA get involved to make it a proper wet land.
- Love Dalewood camp ground but would love to see more activities.
- KCCA has been exceptional in help me with the various improvements to our farm.
- Staff do a very professional job with a small staff.
- Your staff are excellent ambassadors, educators and collaborators.
- Keep up the great work.
- Sad to see that campers can plant invasive plants on their sites.

## Program Enhancements

The chart below summarizes all comments that requested an improvement in KCCA programs and services into four broad categories.



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TO: Board of Directors  
FROM: Elizabeth VanHooren  
Date: June 21, 2023  
Subject: 2024-2027 Budget Planning: Objectives and Priorities



**Recommendation:** That the 2024-2027 Objectives and Priorities Staff Report be accepted; and further  
That the 2024-2027 Objectives be approved and used to refine priorities and work plans for the Draft 2024-2027 Budget.

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## PURPOSE

To present objectives and formulate priorities that can be used to draft a four-year budget (2024-2027).

## REPORT SUMMARY

- In preparation for the next four-year budget process (2024-2027), staff have reviewed and refined five overall strategic objectives that align with the conservation authority mandate as outlined in the *Conservation Authorities Act*: “to provide for the organization and delivery of programs and services that further the conservation, restoration, development and management of natural resources in watershed in Ontario.”
- While priorities will be developed for each objective – staff have initially developed a list of priorities that represent a possible increase in service level and/or may require an increase in municipal levy or other funding to enact. These priorities have been ranked as High, Medium or Low. Estimated budget impacts are also identified.
- Discussions on service level increases – whether required by legislation, contemplated based on feedback from the Programs and Services Survey or staff identification – must factor in the constraints on KCCA’s delivery of status quo programs and services.
- Inflation and uncontrollable costs related to staffing remain key budget pressures.
- Throughout the summer staff will be working on developing priorities for each of the five objectives that meet legislative requirements, champion self-generated funding, and scale medium to low priorities to available resources.
- The aim is to develop achievable work plans and budget with an appropriate level of municipal levy, user fees and self-generated revenue for the next four-year planning horizon.

## BACKGROUND

Five clear objectives for the Authority were developed during the last budget process that align with the conservation authority mandate as outlined in the *Conservation Authorities Act*: “to provide for the organization and delivery of programs and services that further the conservation, restoration, development and management of natural resources in watershed in Ontario.”

These were evaluated and updated based on legislative changes, feedback from staff and input from the Programs and Services Survey. The Proposed Objective for 2024-2027 clearly identify KCCA’s mandate around natural hazards and incorporate concerns surrounding climate change and invasive species management which were identified as priorities based on survey responses. These changes are highlighted in the chart below in red.

2018 – 2023 Objectives	Proposed for 2024 - 2027
Develop and maintain programs that protect life and minimize property damage from natural hazards such as flooding and erosion.	Maintain and/or enhance programs and services that safeguard people and property from natural hazards such as flooding, erosion and a changing climate.
Maintain and enhance programs and services that improve the health of the watershed through collaborative, integrated, science-based approaches.	Maintain and/or enhance programs and services that monitor or contribute to the environmental health of the watershed through collaborative, integrated, science-based approaches.
Manage and protect Authority owned lands to support outdoor recreation opportunities	Maintain, and/or enhance Authority owned lands to support outdoor recreational opportunities, protect natural features and mitigate the effects of invasive species.
Promote a positive community profile of KCCA’s programs and services and foster respect for the Kettle Creek watershed.	Promote a positive community profile of KCCA’s programs and services and foster respect for the Kettle Creek watershed through outreach, engagement and education.
Ensure effective and efficient delivery of KCCA’s programs and services	Ensure effective and efficient delivery of KCCA’s programs and services in an equitable and respectful manner.

These objectives will be used to develop priorities and work plans that will feed into the Draft 2024-2027 budget. Before beginning that process or considering service level increases consideration is being given to possible constraints to status quo delivery of programs and services.

Inflation and salary costs will remain the biggest pressures in the next four-year budget cycle – both for salary and seasonal employees. Early predictions would suggest that at least a 7% (\$76,965) increase in levy is required just to cover a modest 2.5% increase on uncontrollable increases such as garbage, hydro, etc. and the movement of staff through the pay grid and apply cost-of-living increases.

This is based on a status-quo delivery of programs and services and does not account for legislative changes and other programs and services that the Authority may wish to develop based on prioritization exercises. This levy projection will be refined as staff begin to right-size the budget – not applying an overarching 2.5% to all costs but refining according to recent actuals. Staff will also refine other sources of revenue. However, the estimate of at least a 7% increase for status quo delivery should be an indication of the level of constraints KCCA is under within this next four-year cycle.

The following chart is an early listing of priorities that may require:

- An increase in service level and/or
- Are not achievable without an increase in municipal levy or other revenue sources

Initiatives are listed relative to staff’s ranking of priority/need: High, Medium and Low. Cost estimates are approximate and will be refined. Staff will be working to incorporate as many of these initiatives as possible over the four-year planning horizon and will investigate ways to balance municipal impact with other sustainable revenue sources. Scaling medium to low priorities may be necessary to meet reasonable levy targets.

<b>Possible Service Delivery Priorities</b>		
<b>Initiative</b>	<b>Description</b>	<b>Budget Projection</b>
CA Act implementation and Legislative Changes	<p>CA Act changes now require the implementation of new mandatory deliverables including a Land Inventory, Conservation Areas Strategy and a comprehensive Watershed Resource Management Strategy.</p> <p>As part of these changes a new Section 28 Regulation is expected to be released. Staff have been delaying policy development until the changes are released. While it is expected that policy development will be facilitated by Conservation Ontario, KCCA staff resources will need to be realigned to facilitate the development and consultation on policy development. KCCA will need to build capacity to develop these deliverables, communicate and implement.</p>	<p><b>Estimate \$37,499</b> Staff are working to accommodate within existing budgets. However, backfilling and extra administrative support is required.</p> <p>Additional administrative support is required – estimated at 0.5 FTE</p> <p><b>Need: High (Legislative Requirements)</b></p>
Updated Floodplain/Regulation Mapping	All flood damage centres have been mapped and will be brought up to current standards by the end of 2023.	<p><b>Estimate: TBD</b> Additional floodplain mapping will be scaled to available resources. Extent to Regulation</p>

	<p>KCCA has been fortunate enough to secure matching funding to complete mapping updates. Additional, watershed-wide mapping may also be achievable with funding support.</p> <p>With updated Section 28 Regulations, updated mapping may be required.</p>	<p>Mapping will depend on Legislative Requirement yet to be released.</p> <p><b>Need: High</b></p>
South Lake Whittaker Management Plan	<p>As a result of a recent lease vacancy, approximately 20 acres of Lake Whittaker Conservation Area remains undeveloped with the potential to generate revenue in the future. A management plan would need to be developed to identify opportunities as well as financing and return on investment.</p>	<p><b>Estimate: \$80,000</b></p> <p>Initial cost of study would be operational expenditure and could be funded through operational reserves. Full development would require capital expenditures to be offset by revenue potential.</p> <p><b>While upfront costs are required, the potential for long-term stable revenue generation is attractive.</b></p> <p><b>Need: Medium to High</b></p>
Enhance accessible passive recreation opportunities on CA owned lands.	<p>As evidenced by public feedback in the recent Programs and Services Survey and a 2021 Dalewood Reservoir Trail Survey, users desire increased maintenance of trails, year-round access and expanded use (i.e. mountain biking).</p>	<p>Estimate:</p> <p><b>One-time cost of study \$50,000 to determine feasibility or necessary improvements</b></p> <p><b>Staffing Increase Estimate: 1FTE (\$60,387)</b></p> <p>Additional public input would be required. Staffing resources would need to be increased to monitor, maintain enhanced uses.</p> <p><b>Need: Medium</b></p>
Enhance stewardship and invasive species management activities.	<p>Increases to stewardship activities such as tree planting and wetland creation will be dependent on funding opportunities such as grants and funding arrangements with individual municipalities.</p>	<p>Estimate: No General Levy Resources to come from individual municipalities interested in enhanced services or development of funding proposals.</p>

		<b>Need: Medium to High</b>
Community Engagement Enhancement	Identify communication gaps and develop and implement a plan on how to address. May include improvements to KCCA's web site to ensure KCCA can solicit public feedback and process in a meaningful manner. Resources are required to bolster develop and implement Truth and Reconciliation and Equity Related Initiatives and Strategies.	Closely tied to administrative support noted above and is anticipated that staffing costs can be shared by both initiatives. Delivery of program could be offset with grant funding.  <b>Need: Medium to High</b>
Wetland Evaluation and Mapping	Wetland Evaluation training would provide staff the expertise to identify wetlands locally. Many local wetlands have not been evaluated or mapped and are not captured in regulation mapping or Watershed Report Card analysis.	Estimate \$10,000  <b>Need: Low</b>

Municipal levy is not the only source of revenue that can offset this listing of priorities. Staff will investigate other sources of revenue including funding grants and fee for services.

Capital expenditures will be considered during the development of the Capital Four-Year Budget plan.

**Recommendation: That the 2024-2027 Objectives and Priorities Staff Report be accepted; and further**

**That the 2024-2027 Objectives be approved and used to refine priorities and work plans for the Draft 2024-2027 Budget.**

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TO: Board of Directors  
FROM: Elizabeth VanHooren  
Date: June 21, 2023  
Subject: Policy Updates: Right to Disconnect Policy and Electronic Monitoring Policy



**Recommendation:** That the Right to Disconnect Policy and the Electronic Monitoring Policy by approved.

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## PURPOSE

To present the Right to Disconnect Policy and the Electronic Monitoring Policy for review and approval.

## SUMMARY

- *The Working For Workers Act, 2021* requires employers with a minimum of 25 employees on January 1 of any year must have written policies on disconnecting from work and the electronic monitoring of employees in place by March 1 of that year.
- KCCA has never reached a staff of 25 employee as of January 1 of any given year – but does reach that threshold during peak operating season May – October. Therefore it is recommended that the policies be included in KCCA’s Personnel Policies
- Both policies are in keeping with the legislation and mirror similar policies adopted by neighbouring CAs and member municipalities and are attached.

## BACKGROUND

### Right to Disconnect Policy

According to the Working for Workers Act, 2021 the right to disconnect is defined not engaging in work-related communications, including emails, telephone calls, video calls or the sending or reviewing of other messages, so as to be free from the performance of work.

Work-life balance requires a culture that respects an employee’s rights to disconnect from work outside regular working hours. To this end staff are encouraged to disconnect outside regular hours subject to exceptional circumstances that may be a requirement of the job (i.e. flood forecasting, enforcement of regulations).

The policy encourages employees to take measure to disconnect from work including not responding to emails outside of work hours and taking all scheduled breaks and being respectful of other employees normal working hours.



### **Electronic Monitoring**

KCCA does not engage in active electronic monitoring of employees. However, the policy communicates to employees that the Authority reserves the right to do so and may monitor activity without prior notice.

KCCA does collect passive monitoring data including security codes accessing electronic doors and gates, cybersecurity and other electronic data.

**Recommendation:** That the Right to Disconnect Policy and the Electronic Monitoring Policy be approved.

## ***Right to Disconnect Policy***

Kettle Creek Conservation Authority (KCCA) understands that due to work-related pressures, the current landscape of work, or the working environment, employees may feel obligated to perform their duties outside their normal working hours. Work-related pressure and feeling an inability to disconnect from the job can lead to stress and deterioration of mental and physical health. This policy ensures that employees feel they can disconnect from their work outside their regular work hours.

### **Definitions**

***Disconnecting from work:*** Not engaging in work-related communications, including emails, telephone calls, video calls, or the sending or reviewing of other messages, to be free from the performance of work.

***Regular working hours:*** The time agreed to by an employee, as stated in their employment contract, when they are meant to complete work for KCCA.

### **Guidelines**

An employee's time outside regular working hours is meant for the employee to recharge and spend as they wish and should not be used to complete work-related tasks. With increasing ways and means to communicate between employees and a lack of separation between homes and work it may make it harder for employees to truly disconnect. Employees may feel as though they are "always on", or obligated to continue working or respond to communications, regardless of the time of day.

KCCA sees employee health and well-being as priorities while working and while away from work. KCCA is committed to increasing overall employee health and wellness and providing employees with a positive work-life balance. This policy is intended to promote that ideal by specifically detailing the company's expectations related to disconnecting from work.

### **Disconnecting from Work**

Employees have the right to disconnect from work outside regular working hours without fear of reprisal. Employees are encouraged to set clear boundaries between work and their personal lives.

The right to disconnect from work means that employees:

- Should stop performing their job duties and work-related tasks outside their normal working hours;
- Are not expected or required to respond to work-related communication outside their regular working hours, while on break, or during any paid or unpaid time off;
- Should take all scheduled breaks and use time off entitlements each year for non-work-related activities; and
- Will not face repercussion or punishment for not communicating or for ceasing work;
- Employees must also be respectful of co-workers' right to disconnect and should not expect them to respond, communicate, or complete work outside of their normal working hours.

### **Workload and Productivity**

KCCA understands that employees may want or need to work outside their regular working hours to meet a time-sensitive deadline or to attend to an urgent matter or emergency; however, employees should not regularly or frequently work outside their scheduled hours to complete or catch up on work.

## ***Right to Disconnect Policy***

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Employees who cannot manage their workload during their regular working hours should meet with their direct supervisor/coordinator to evaluate their workload, priorities, and due dates.

Supervisors/Coordinators will work with employees to come up with a solution to ensure:

- The current workload does not result in the employee working excess hours and does not contribute to additional stress or burnout;
- Normal job duties can be completed during regular working hours; and
- Employees can remain productive and meet Authority goals and objectives.

Working additional hours does not always equal higher productivity. Employees can maximize their productivity during their workday by using time management techniques, such as:

- Blocking off periods in their schedule and calendar to complete specific tasks or address communication;
- Working with their supervisor/coordinator to organize work in order of priority or importance;
- Breaking down projects and tasks into manageable chunks;
- Trying to have at least one dedicated workday per week without meetings, where possible; and
- Setting goals to work continuously for a specified period before taking a break or responding to communication (for example, the Pomodoro technique).

### **Communication**

Employees should not feel obligated to send or respond to work-related communication outside regular working hours. KCCA may occasionally send general communication to employees when they are not working, such as on an employee's day off or scheduled vacation. Employees are not expected to respond to any company communication when not at work, apart from unforeseen circumstances, such as an emergency.

KCCA understands that it may be necessary to send communication to a group of employees, such as an entire department, or forward important information to an employee who is not working. If employees do send communications to others who are not at work, they should not expect a response until the other employee returns. If the matter is urgent or an emergency and requires an immediate response, employees must reach out to their supervisor/coordinator.

KCCA employees must also respect others and avoid direct communication like sending emails, messages through their phone or other communication and messaging apps (Teams, Messenger), or calling other employees or clients outside their regularly scheduled working hours, during breaks, or during an employee's time off, such as their regular day off or vacation time.

Employees who do not reply to work-related communications outside regular working hours will not face negative effects on their employment.

#### ***Set communication boundaries by:***

- Logging off for the day or setting your online status to "away," "out of office," "do not disturb," or "offline" when not working;
- Scheduling any breaks or time off in your calendar; and

## ***Right to Disconnect Policy***

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- Avoiding using work email for unrelated communication, such as newsletters, coupons, or personal correspondence.

If employees send communication outside working hours, others are more likely to feel obligated to respond or assume the employee sending the communication will be available during those hours. If it is necessary to compose messages or communication outside regular working hours, a draft could be saved and sent at the start of the next workday or use outlook scheduling tool (arrow located next to the SEND button) to send the e-mail at a specific time during work hours.

### **Breaks and Time Off**

Breaks are provided in accordance with employment standards and are intended to provide employees with time to recharge and enable them to work productively during regular working hours. Employees should take any schedule or company-provided breaks during shift and use that time to disconnect from work.

KCCA understands the importance for our employees to have personal time off. Employees are encouraged to use their accrued paid vacation time in full every year and should take the time for rest, relaxation, and personal pursuits. Time management is the responsibility of employees and scheduled time off should not interfere with the completion of time-sensitive projects or deadline. Supervisors/coordinators will work with employees to delegate job-specific duties that must be completed while the employee is on vacation to maintain workflow and productivity. Employees should not be reluctant to take vacation due to workload unless there are limitations or restrictions that prevent an employee from taking a vacation at a specific requested time.

### **Overtime**

It is recognized that from time to time, additional hours of work may be required to meet a deadline, complete a project, or attend an event to the betterment of the KCCA. The demands of the KCCA may require that employees spend some additional time beyond regular hours in order to tend to work issues, which may be considered an extension of the day rather than overtime. The employee's supervisor or the General Manager/Secretary-Treasurer must be made aware of and pre-approve additional hours of work qualifying for banked time in lieu prior to the time being earned. Please see overtime section in the KCCA employment policy for guidelines on overtime.

## ***Electronic Monitoring Policy***

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The *Ontario Working for Workers Act, 2022* requires employers to introduce a written policy regarding its electronic monitoring practices. The purpose of the Electronic Monitoring Policy is to provide information and transparency about how Kettle Creek Conservation Authority (KCCA) may electronically monitor and collect information pertaining to its employees.

### **Definitions**

***Electronic Monitoring*** – means the collection of information concerning employees’ activities or communications, by any means other than direct observation of the employees. Electronic monitoring includes all form of employee monitoring that is done electronically during working hours. Examples include, but not limited to, tracking employee’s website visits, emails, voicemails, and Microsoft teams.

***Active Electronic Monitoring*** – means the use of devices or software to intentionally track the activities and/or physical location of an identified employee or employees.

***Passive Electronic Monitoring*** – means the routine collection, analysis, and retention of information or activity in physical spaces and on the digital network.

### **Purpose**

The Electronic Monitoring Policy applies to all KCCA employees and does not provide employees any new rights or right to not be electronically monitored. Nothing in this Policy affects or limits KCCA’s ability to conduct electronic monitoring, or use information obtained in electronic monitoring.

### **Policy**

The Electronic Monitoring Policy serves as notice to all KCCA employees of the potential use of electronic monitoring in its workplace. Employees should understand that their activities involving KCCA computer equipment, computer documents, data and communications, and other KCCA owned electronic devices are subject to being monitored, recorded, and reviewed.

KCCA reserves the right to engage in electronic monitoring activities as its sole discretion and without further notice unless otherwise restricted by law or unlawful.

Notice is not required when KCCA has reasonable grounds to believe that employees are engaged in conduct which violates the law, violates the legal rights of the employers or other employees, violates other KCCA policies, or creates a hostile environment where such monitoring may produce evidence of this misconduct. Employees should be aware of the fact that “deleting” an item does not mean that item cannot be monitored and reviewed.

### **Active Electronic Monitoring:**

KCCA does not, as a normal course of business, engage in Active Electronic Monitoring of Employees.

KCCA reserves the right to monitor and record user activities upon learning of possible unacceptable use and/or violation of the user’s responsibilities. Further, KCCA retains the right to monitor, investigate, search and review the contents of personally assigned accounts and devices used by an identified employee, which may include, but are not limited to, email, voicemail, and other storage space assigned for use by an individual employee. Email and internet usage, and any and all passwords or codes may be bypassed in order to conduct such investigations.

## ***Electronic Monitoring Policy***

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KCCA may use electronic monitoring without any prior notice when KCCA has reasonable grounds to believe employees are engaged in activities that:

- (i) violates the law,
- (ii) violates the legal rights of KCCA or other employees, or
- (iii) creates a hostile work environment and electronic monitoring may produce evidence of such conduct.

### **Passive Electronic Monitoring**

KCCA does, as a normal course of business, collect passive monitoring data.

Examples of current specific uses of passive electronic monitoring data (which may be changed or updated from time to time):

***Electronic Door/Gate lock:*** Electronic door locks collect and retain logs physical access attempts to restricted areas. Data collected may include, and is not limited to:

- the date and time of the request,
- the unique identifier of the code being used to attempt access.

***Cybersecurity:*** KCCA collects data about cybersecurity threats within the content of network sessions. This data may include, and is not limited to, the results of malware scans, and the behaviour of executables, files, software, code, and processes when opened or accessed, and other data about cybersecurity threats.

***Firewalls:*** Firewalls collect and retain logs of network connections, including connections from the internet to digital assets and resources on the network, connections from devices on the network to websites and other resources on the internet, and connections between devices on the network. Automated analysis of network connections and the content thereof is performed to prevent exposure to known cybersecurity threats. Data collected may include, and is not limited to:

- the date and time of the request,
- the name and IP address and the requesting device,
- the name and IP address of the resource being requested (e.g., websites and other resources that are accessed by devices on the university network).
- details about cybersecurity threats prevented and/or detected.

Data collected by Firewalls may be correlated with other data sets to monitor activities of an identifiable person or persons.

***Email (Office 365):*** All inbound and outbound activity is recorded by way of Logs. While this tracking does not include the content of the messages themselves, KCCA has the ability to review any electronic correspondence at any time without notice to the end users.

***Web Browsing/History:*** While KCCA does not actively monitor the web activity of its staff, there are logs generated and histories collected of all web activity on corporate owned devices. This information is collected for the purpose of Cyber Security and Remediation.

## ***Electronic Monitoring Policy***

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***Other Electronic Data:*** KCCA collects data about communications entering, leaving, and within the network. This data includes, but is not limited to, the date and time of the communication, identifiers of the sender and recipient, names and IP address of devices that have handled messages, subject, detail about the size and type of attachments.

Passive data can be used for the purpose of assuring the availability, integrity, and confidentiality of digital assets and resources connected to KCCA's network or otherwise provided by KCCA, and for other uses deemed appropriate and necessary. KCCA reserves the right to use data that has been collected and retained from Passive Electronic Monitoring and may access information from the personally assigned account(s) and/or device(s) of an identified employee.

### **Posting and Communication**

KCCA will provide all current employees with access to or a copy of this Policy within 30 calendar days of implementation. This Policy will be communicated to all employees during new-hire orientation and as needed when the policy is updated.

Copies of this policy will be available and accessible to all employees and changes to this policy will be communicated to all staff as they occur.

### **Amendments**

This Policy may be amended from time to time, in which event KCCA will provide an amended copy of the policy to all employees within 30 days of the date the amendment becomes effective.

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TO: Board of Directors

FROM: Jennifer Dow

Date: June 21, 2023

Subject: Dalewood Dam Concrete Repairs

**Recommendation:** That the Dalewood Dam Seasonal Inspection Report dated June 9, 2023 from GD Vallee be received.

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## PURPOSE

To update the board on the condition of the Dalewood Dam and necessary concrete repairs.

## SUMMARY

- GD Vallee completed their quarterly seasonal inspection of the Dalewood Dam on June 8, 2023
- Overall, the dam spillway and wingwalls are continuing to deteriorate. While no changes were observed in the north upstream, south upstream and south downstream wingwalls, spalling has continued on the top portion of the north downstream wingwall and the area of delamination on the north downstream wingwall face observed in December 2022 has increased by an additional 0.2m<sup>2</sup> (+/-).
- No significant change to the condition of the spillway or piers was observed since the December 2022 inspection.
- Deterioration of both downstream retaining walls is continuing at the corners where they meet the downstream wingwalls.
- GD Vallee will continue to monitor the dam seasonally.
- As directed by the board at the May 17, 2023 meeting, staff have retained GD Vallee to complete an Options Assessment of the Dalewood Dam that will summarize the pros and cons, associated costs and required studies for several best management options from minimal maintenance/repairs to full removal/decommissioning of the dam, and will provide a full report to the Board in the fall.

### **Recommendation:**

That the Dalewood Dam Seasonal Inspection Report dated June 9, 2023 submitted by GD Vallee be received.





# vallee

*Consulting Engineers,  
Architects & Planners*

Kettle Creek Conservation Authority  
44015 Ferguson Line,  
St. Thomas, ON, N5P 2T3

June 9, 2023

**Attention: Jennifer Dow  
Water Conservation Supervisor**

**Reference: Dalewood Dam Rehabilitation  
Dam Condition and Rehabilitation – June 8, 2023 Seasonal Inspection  
Our Project # 21-253**

As previously requested by KCCA, we completed our most recent seasonal inspection of the Dalewood Dam on June 8<sup>th</sup>, 2023.

Overall, the dam spillway, and wall structures are continuing to deteriorate. A summary of the observations and recommendations for the elements is below:

#### Wingwalls:

The accessible portions of the upstream and downstream wingwalls were inspected. The following was observed:

- No change was observed on the North upstream wingwall.
- The North downstream wingwall is continuing to deteriorate. Spalling has continued on the top portion of the wingwall since the previous inspection. An additional 0.2 m<sup>2</sup> (+/-) of delaminated area was noted on the wingwall face since the previous inspection on Dec. 14<sup>th</sup>, 2022. See attached photo 1. "Delaminated Area of North Downstream Wingwall" and photo 2. "Spalling on North Downstream Wingwall"
- No change was observed on the South downstream wingwall.
- No change was observed at the South upstream wingwall.
- We recommend that repairs and re-facing of the dam wingwalls should be completed within 1 to 5 years.

#### Dam Spillways and Piers:

During the inspection on June 8<sup>th</sup>, the downstream water levels were low enough to access the downstream slab adjacent to the spillway. The spillway was not clearly visible at the time of inspection due to the upstream water level and water flowing over the face of the spillway. See attached photo 3. "Spillway Face".

- No significant change to the condition of the spillway or piers was observed since the previous inspection completed on December 14<sup>th</sup>, 2022.
- Water flowing over the spillway will continue to erode the deteriorated areas over time.
- We recommend that repairs to the dam spillway and piers should be completed within 1 year.

Downstream Retaining Walls:

The accessible portions of the upstream and downstream retaining walls were inspected:

- Deterioration of the downstream retaining walls is continuing at the corners with the downstream wingwalls. The depth of spalling and delamination has reached the mid-point of the corner between the walls. See attached photo 4. "Corner of Downstream Retaining Wall at Wingwall"
- No change was observed at the remaining adjacent portions of the downstream retaining walls.
- We recommend that repairs to the deteriorated areas of the downstream retaining walls should be completed within 1 to 5 years.

The dam must continue to be monitored by a Professional Engineer seasonally until all rehabilitation work or decommissioning is undertaken.

We respectfully advise that delay of the required work will result in the advancement of deterioration, and increased risk.

In the event that the condition of the structure changes please contact us immediately to complete an inspection and provide further recommendation.

I trust that the information provided is satisfactory. Please do not hesitate to contact us if you have any questions.

Sincerely,



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Matt Alderson, C.E.T.

**G. DOUGLAS VALLEE LIMITED**

Reviewed by: Ryan Elliott, P.Eng., BDS

CC: Elizabeth VanHooren, KCCA

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**G. DOUGLAS VALLEE LIMITED**  
Consulting Engineers, Architects & Planners



Authorized by the Association of Professional Engineers of Ontario  
to offer professional engineering services.





1. Delaminated Area of North Downstream Wingwall



2. Spalling on North Downstream Wingwall

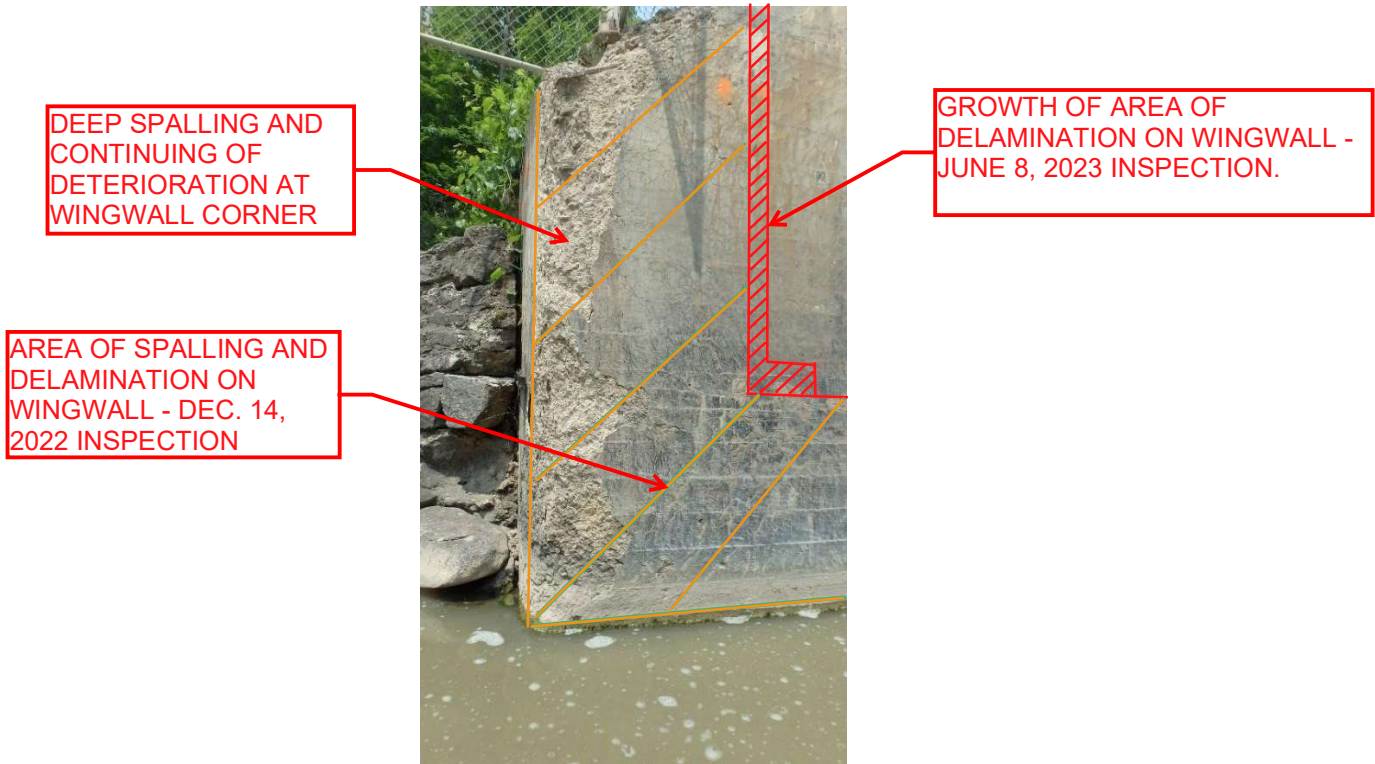


3. Spillway Face

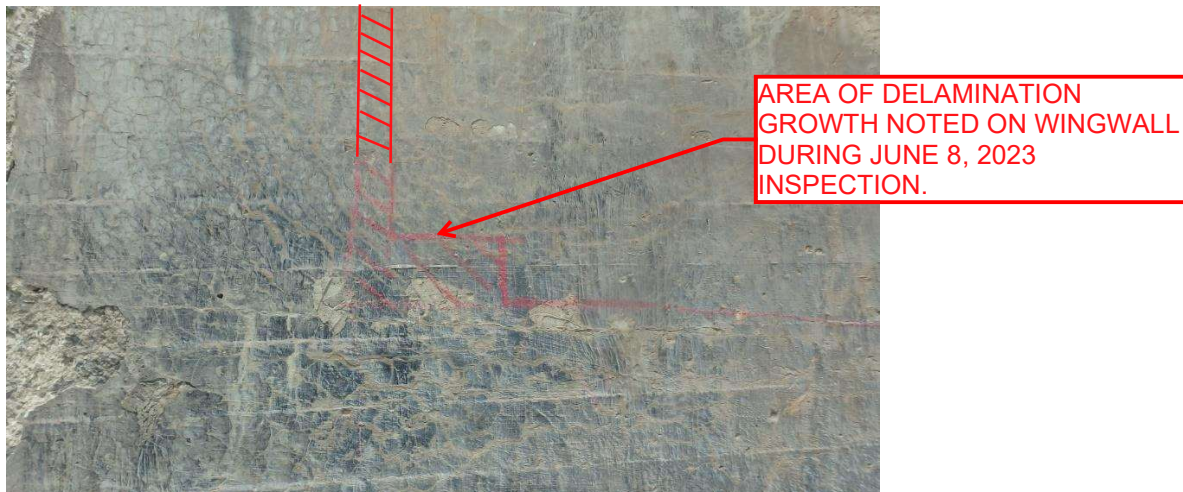


4. Corner of Downstream Retaining Wall at Wingwall

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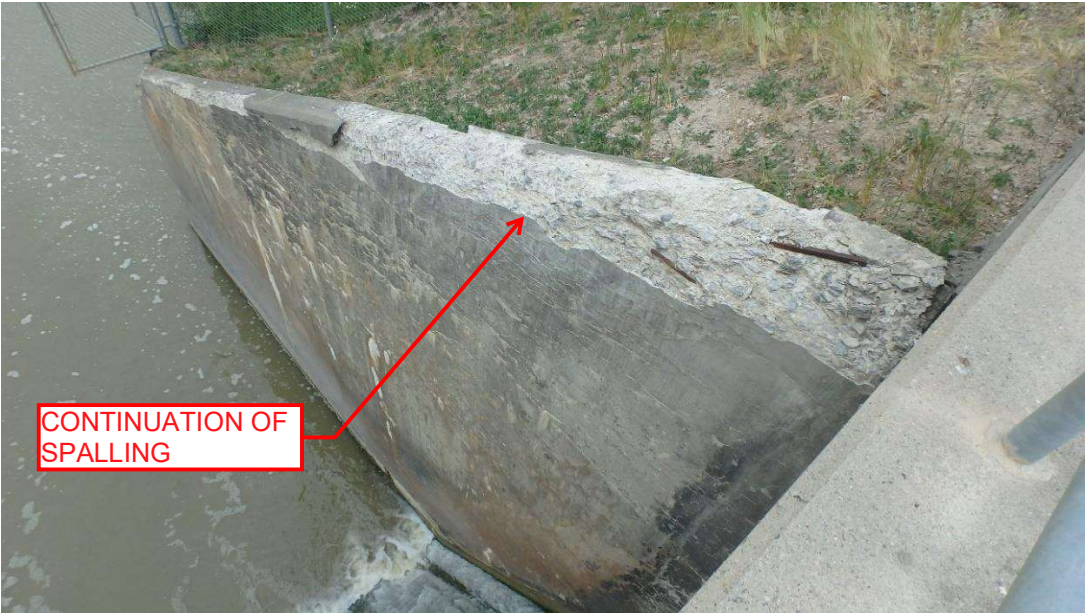
1. Spalling and Delamination at Corner of North Downstream Wingwall – June 8<sup>th</sup> 2023



2. Delaminated Area of North Downstream Wingwall – June 8<sup>th</sup>, 2023



3. Spalling on North Downstream Wingwall – December 14<sup>th</sup>, 2022 Inspection



4. Spalling on North Downstream Wingwall – June 8<sup>th</sup>, 2023 Inspection



SPALL IN SPILLWAY  
FACE

5. Spalling and Joint on Spillway Face – December 14, 2022



SPALL IN SPILLWAY  
FACE

6. Spalling and Joint on Spillway Face – June 8<sup>th</sup>, 2023 - No Change Observed

TO: Board of Directors  
 FROM: Joe Gordon  
 Date: June 21, 2023  
 Subject: June 2023 Planning and Regulations Activity Report



**RECOMMENDATION:**

**That the June 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 May 11 to June 15, 2023.

**Plan Input and Review:**

KCCA #	File No.	Municipality	Application Type	Support	Conditions
2334	E27-23 Part Lot2, Con. 7	Central Elgin	Consent	Y	None
2335	E28-23 214 William St	Central Elgin	Consent	Y	None
2336	E29-23 214 William St	Central Elgin	Consent	Y	None
2337	E30-23 214 William St	Central Elgin	Consent	Y	None
2338	E32-23 42489 Southdale Ln	Central Elgin	Consent	Y	None
2339	ZBA-2023-05 37437 Lake Ln	Southwold	Zoning ByLaw Amendment	Y	Zone change avoid Hazards
2340	MC 2023-02 18 Rea Court	Southwold	Minor Variance	Y	None
2341	Ao5/23 24 Confederation Dr	St.Thomas	Minor Variance	Y	None

**Section 28 Permit(s):**

Permit No.	Address	Municipality	Description
P23-017	Port Stanley Harbour	Central Elgin	The Municipality of Central Elgin proposes maintenance dredging of approximately 88,000m3 from within the Port Stanley Harbour to ensure adequate discharge capacity for high flows in Kettle Creek to



			Lake Erie. MNRF and DFO approvals have already been granted to allow for early commencement of the project within the in-water timing restriction and for in-lake disposal of the dredged material.
<b>P23-018</b>	150 Second St	Central Elgin	Construction of an addition to an existing cottage/dwelling located within the Lake Erie flood uprush area. Floodproofing standards consistent with the Port Stanley Floodproofing Elevations and Development Guide (TRUE Engineering, 2022) have been incorporated into the design of the addition.
<b>P23-019</b>	37358 Lake Line	Southwold	Construction of a new inground swimming pool adjacent to a valleyland system. The location of the pool is greater than the required setback in absence of engineering consistent with the Provincial Technical Guide.