

City of North Bay Report to Council

Report No: CORP-2024-025

Date: March 21, 2024

Originator: Margaret Karpenko

Business Unit:

Department:

Corporate Services

Financial Services Department

Subject: Agreements under the Conservation Authorities Act

Closed Session: yes ☐ no ☒

Recommendation

That Council:

1. Authorize the Mayor and City Clerk to execute the Plan Review Agreement between The Corporation of the City of North Bay and North Bay-Mattawa Conservation Authority; and
2. Authorize the Mayor and City Clerk to execute the Agreement for Services between The North Bay-Mattawa Conservation Authority and The Corporation of the City of North Bay.
3. Authorize Execution By-Laws be brought forward for three (3) readings on April 9, 2024.

Background

In June 2019, the Government of Ontario introduced changes to the Conservation Authorities Act through the More Homes, More Choice Act, 2019 (Bill 108). On December 8, 2020, Bill 229 Protect, Support and Recover from COVID-19 Act received Royal Assent and included further legislative changes to the Conservation Authorities Act. These changes define the areas of "core mandatory" programs and services that the province requires Conservation Authorities ("CAs") to deliver. The Act also allows for CAs to deliver other programs and services outside of the core areas to meet local needs by way of an agreement with municipalities.

The regulatory changes highlight CAs ability to focus on their core mandates which include helping protect people and property from the risk of natural

hazards, the conservation and management of CA-owned lands, and their roles in drinking water source protection. These new changes now allow for municipal input in making funding decisions about programs and services that a CA proposes to offer and tailor them to local needs and priorities. The categories of the conservation authority programs and services are as follows:

- Category 1: those prescribed as mandatory by the province;
- Category 2: those delivered on behalf of a municipality; and
- Category 3: those that further the conservation, restoration, development, and management of natural resources.

Briefly, Category 1 programs and services are identified as those which the CAs are required to deliver and will be funded by municipal levy and/or user fees and include Programs and Services related to permit administration and compliance activities (i.e. reviewing and processing permit applications, technical studies, enforcement activities and legal expenses) related to Sections 28 and 30 of the CA Act.

Category 2 programs and services are those that will be provided at the request of the municipality and will be carried out by the CA on behalf of the municipality and are generally to be funded via government and other agency grants and/or municipal funding.

Category 3 programs and services are generally described as those that the CA's Board determines to be advisable and can be funded through CA generated revenue, user fees, government/agency grants, donations, etc. While this category is not subject to municipal funding, any funding by a municipality would require a cost-apportioning agreement.

Financial/Legal Implications

Appendix A – Plan Review Agreement with the North Bay-Mattawa Conservation Authority requires the City to collect fees on behalf of North Bay Mattawa Conservation Authority and remit them on a monthly basis.

Appendix B – Agreement for Services directly relates to the annual levy to the City of North Bay.

Corporate Strategic Plan

- | | |
|--|--|
| <input checked="" type="checkbox"/> Natural North and Near | <input type="checkbox"/> Economic Prosperity |
| <input checked="" type="checkbox"/> Affordable Balanced Growth | <input type="checkbox"/> Spirited Safe Community |
| <input type="checkbox"/> Responsible and Responsive Government | |

Specific Objectives

- Protect, promote, and enhance the environment in all aspects of the city's operations and plans.
- Explore opportunities to reduce the costs of government service delivery, including shared services and new technologies.

- Provide smart, cost-effective services and programs to residents and businesses.

Options Analysis

Option 1:

1. That the Mayor and City Clerk be authorized to execute the Plan Review Agreement between The Corporation of the City of North Bay and North Bay-Mattawa Conservation Authority; and
2. That the Mayor and City Clerk be authorized to execute the Agreement for Services between The North Bay-Mattawa Conservation Authority and The Corporation of the City of North Bay.

This option is recommended to ensure the programs and services provided by North Bay-Mattawa Conservation Authority continue in accordance with the Conservation Authorities Act.

Option 2:

1. That the Mayor and City Clerk are not authorized to execute the Plan Review Agreement between The Corporation of the City of North Bay and North Bay-Mattawa Conservation Authority; and
2. That the Mayor and City Clerk are not authorized to execute the Agreement for Services between The North Bay-Mattawa Conservation Authority and The Corporation of the City of North Bay.

This option is not recommended as this would jeopardize the programs and services that are currently provided by the North Bay-Mattawa Conservation Authority.

Recommended Option

That Council:

1. Authorize the Mayor and City Clerk to execute the Plan Review Agreement between The Corporation of the City of North Bay and North Bay-Mattawa Conservation Authority; and
2. Authorize the Mayor and City Clerk to execute the Agreement for Services between The North Bay-Mattawa Conservation Authority and The Corporation of the City of North Bay.

3. Authorize Execution By-Laws be brought forward for three (3) readings on April 9, 2024.

Respectfully submitted,

Name: Margaret Karpenko, CPA, CMA

Title: Chief Financial Officer /Treasurer

I concur with this report and recommendation

Name: Beverley Hillier, MCIP, RPP

Title: Manager, Planning & Building Services

Name: Ian Kilgour, MCIP, RPP

Title: Director, Community Services

Name: John Severino, P.Eng., MBA

Title: Chief Administrative Officer

Personnel designated for continuance:

Name: John Severino, P.Eng., MBA

Title: Chief Administrative Officer

Attachment: Appendix A – Plan Review Agreement
Appendix B – Agreement for Services