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Board of Directors Meeting

Thursday, September 22, 2022

6:30 pm

Members and the public are also able to join via Zoom given the ongoing pandemic.
Please contact Marissa Grondin at marissa.grondin@rvca.ca or 1-800-267-3504 ext. 1177 in advance of the meeting if you wish to receive instructions to join.

AGENDA

Meeting 6/22	Page
1.0 Land Acknowledgement Statement	
2.0 Agenda Review	
3.0 Adoption of Agenda	
4.0 Declarations of Interest	
5.0 Approval of Minutes from July 28, 2022	
6.0 Business Arising from Minutes	
7.0 Flood Hazard and Regulation Limits Mapping for Mosquito Creek Staff Report Attached (Glen McDonald and Ferdous Ahmed).....	01
8.0 MNRF Resumes Administration of <i>Conservation Authorities Act</i> Staff Report Attached (Sommer Casgrain-Robertson)	10
9.0 2023 Preliminary Budget Discussion Staff Report Attached (Sommer Casgrain-Robertson)	13
12.0 Meetings	
a) AMO Conference (CA Panel Presentation): August 14 to 17, 2022	
b) OEMC Conference (CA display): September 14 to 16, 2022	
c) RVCF Board of Directors Meeting: September 14, 2022	

**Proudly working in partnership
with our 18 watershed municipalities**

Athens, Augusta, Beckwith, Central Frontenac, Clarence-Rockland,
Drummond/North Elmsley, Elizabethtown-Kitley, Merrickville-Wolford, Montague,
North Dundas, North Grenville, Ottawa, Perth, Rideau Lakes, Smiths Falls, South Frontenac, Tay Valley, Westport

- d) General Managers Meeting: September 19, 2022
- e) International Plowing Match: September 20 – 24, 2022

Upcoming

- f) Conservation Ontario Council Meeting: September 26, 2022
- g) RVCA Board of Directors Meeting: October 27, 2022

13.0 Member Inquiries

14.0 New Business

15.0 Adjournment



7.0 Flood Hazard and Regulation Limits Mapping for Mosquito Creek
From Mitch Owens Road to Rideau River, City of Ottawa
Report #: 1-220922

To: RVCA Board of Directors
From: Ferdous Ahmed, P.Eng.
Senior Water Resources Engineer
Glen McDonald, MCIP, RPP
Director of Planning and Science
Date: September 15, 2022

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Recommendation:

THAT the Board of Directors of the Rideau Valley Conservation Authority receive the flood mapping report for Mosquito Creek from Mitch Owens Road to the Rideau River (dated November 10, 2021);

THAT the report and associated maps be adopted as the best available information related to establishing flood risk and regulation limits along Mosquito Creek; and

THAT the report and associated maps be used in RVCA’s planning advisory and regulatory programs, including the administration of Ontario Regulation 174/06 under Section 28 of the *Conservation Authorities Act*, and other watershed management activities.

Purpose

To adopt draft flood hazard and regulation limit mapping for Mosquito Creek from Mitch Owens Road to the Rideau River in the City of Ottawa.

Background

Since 1976, the RVCA has regulated hazard lands under the *Conservation Authorities Act* to ensure public safety and prevent property damage due to natural hazards such as flooding and erosion. The regulation of wetlands was added in 2006 and is applied primarily to Provincially Significant Wetlands in the Rideau watershed.

Since 2006, when Section 28 of the *Conservation Authorities Act* was amended and a Generic Regulation (Ontario Regulation 97/04) was approved by the provincial government, the RVCA has been gradually working to add to and update its collection of flood hazard and regulation limits mapping to achieve effective and consistent

administration and enforcement of its local regulation (Ontario Regulation 174/06) and to inform land use planning decisions.

Ontario Regulation 174/06 enables the RVCA to regulate development within hazard lands like floodplains and unstable slopes as well as wetlands (including 120 metre adjacent lands). To administer its “Development, Interference with Wetlands and Alterations to Shorelines and Waterways” regulation, the RVCA uses regulatory mapping schedules to define areas that are subject to the regulation. These maps are subject to Board approval and are used extensively by RVCA and municipal staff, proponents, and the public to understand and show where the regulation applies. Property owners must obtain permission from the RVCA before beginning any development, site alteration, construction, or placement of fill within a regulated area. Permits are also required for any wetland interference, or for straightening, changing, diverting, or interfering in any way with the existing channel of a watercourse.

The Province also made conservation authorities responsible for commenting on planning files with respect to natural hazards. Under the *Planning Act*, municipalities must circulate official plans, comprehensive zoning bylaws and site-specific planning applications to conservation authorities who then provide comments on behalf of the province relating to Section 3.1 of the Provincial Policy Statement (natural hazards). As directed by the Ministry of Municipal Affairs and Housing and the Ministry Natural Resources and Forestry, conservation authorities provide comments with respect to flooding, riverine erosion and unstable slopes, organic soil, and bedrock. The RVCA relies on the regulatory mapping schedules to inform these comments.

In recent years, the RVCA has undertaken the task of identifying hazard land boundaries while the Ministry of Natural Resources and Forestry is responsible for designating Provincially Significant Wetlands. RVCA is currently working on a number of floodplain-based hazard land mapping projects within the City of Ottawa under a multi-year partnership with the City. The City of Ottawa and its three conservation authorities (Mississippi, Rideau and South Nation) signed a second Contribution Agreement in 2017 to continue flood risk mapping within the City’s boundaries. Under this program, the City of Ottawa provides 50% funding with conservation authorities budgeting for the other 50%. A five-year plan was made to identify high priority rivers and streams where mapping would be updated or new mapping created. Four watercourses were identified in the Rideau watershed including Mosquito Creek from Mitch Owens Road to the Rideau River.

Analysis

There is no previous flood hazard and regulation limits mapping on Mosquito Creek. However, flood mapping along the Rideau River, which is adjacent to the Mosquito Creek catchment, was completed in 2017. Below are two maps that show where the Mosquito Creek catchment is located within the Rideau watershed.

Major Components of the Project:

The major components of completing flood and regulation limits mapping for Mosquito Creek were:

- Preparation of topographic mapping or DTM based on 2015 LIDAR data provided by the City
- Field survey by RVCA staff in 2019 of bridges/culverts
- Hydrologic analysis to estimate flood discharges for various return periods at key points along the creek (based on SWMHYMO modeling)
- Hydraulic calculations using numerical (HEC-RAS) modeling of the creek and its flood plain, to estimate flood levels associated with the flood discharges
- Plotting of flood lines on the high-quality topographic mapping to delineate areas that are susceptible to flooding during a 1:100 year flood event
- Determination of hazard areas subject to steep slope and wetlands according to Conservation Ontario Guidelines (2005) and RVCA's internal protocol (2005)
- Plotting of regulation limit lines incorporating all hazards and updating pertinent generic regulation map sheets
- Public consultation

Project Outputs:

- A technical memo entitled "Mosquito Creek Flood Risk Mapping from Mitch Owens Road to Rideau River," dated November 10, 2021
- Flood risk limit lines in GIS format
- Regulation limit lines in GIS format – this encompasses all hazards (flood, steep slopes, and wetlands) and was plotted in accordance with Conservation Ontario Guidelines (2005) and RVCA's internal protocol (2005) under the direction of Terry Davidson, P.Eng., Director of Engineering and Regulations.
- Three regulation maps (36, 44 and 45)
- Hydrologic models (SWMHYMO)
- Hydraulic models (HEC-RAS)

With the study to determine the regulatory flood level and regulation limits along Mosquito Creek now complete, the technical report mentioned above (available online at

https://www.rvca.ca/images/Mapping_Studies/mosquito/MosquitoMapping2021_DRAFT_PublicConsul.pdf or on request) was prepared to summarize the methods and

procedures used in the analysis. This report and associated maps have been reviewed at a staff level at the RVCA. Moreover, an independent consultant (professional engineer) retained by the City of Ottawa provided a thorough peer review which confirmed that the study was undertaken in accordance with the guidelines and protocols noted above, and that best engineering practices were employed throughout the course of the study.

Public Consultation:

RVCA also undertook public consultation from June 6 to July 29 2022 to solicit input from the public and affected property owners on the draft report and maps, and to

explain how the flood and regulation limits were derived, and how they will be administered. Staff have been in discussion with landowners through September 2022. RVCA and the City of Ottawa staff worked closely on arranging the consultation process and 258 letters were sent to affected property owners as well as other stakeholders with information about the study and an invitation to participate in the consultation process. The draft report and associated maps were made available on the RVCA's website.

An in-person open house was held on June 28, 2022. It was attended by nine members of the public. Most of the questions were satisfactorily answered by the staff. Two written comments were received. After the open house, we received 2 additional enquires.

During the public consultation, comments and questions were received regarding:

- the technical aspects of the floodplain mapping process
- the extent of the floodplain
- how the mapping would be used for planning and regulations
- upstream development and a perceived lack of municipal drain maintenance
- impact of beaver dams
- the impact of culvert sizing and outflows to the Keith Municipal Drain on flood levels
- reduced property values due to the regulation

The record of public consultation, which identifies the issues raised and the staff response is attached to this report.

Next Steps:

Following Board approval of the report and maps:

- The report and maps will be published and put on the RVCA website for public use and information
- The report and maps will be used in the provision of planning advice to our municipalities, and they will form the basis for regulation administration of the watercourse.
- The following deliverables will be provided to the City of Ottawa:
 - The technical report listed above
 - The flood risk limit lines in GIS format
 - The regulation limit lines in GIS format
 - The RVCA Regulation Limit Map Sheets (consisting of amendments to map sheets numbered 36, 44 and 45 associated with the regulation)
 - Hydrologic model (SWMHYMO)
 - Hydraulic model (HEC-RAS)

Input From Other Sources

The City of Ottawa provided a list of property owners affected by this project. The RVCA also compiled a list of other stakeholders and partners to be consulted. All individuals

and agencies received consultation materials and their input and feedback was encouraged.

The City of Ottawa provided information and data that was used in the study including LIDAR data and bridge and culvert drawings. Peer review was also undertaken by a third party consultant (professional engineer).

Financial Considerations

The estimated cost of this study is \$140,000 and is accounted for in RVCA's 2022 approved budget with partial funding coming from the City of Ottawa under the multi-year Contribution Agreement.

Legal Considerations

As outlined in the Background section, the RVCA requires natural hazard and regulation limit mapping to fulfill its provincially delegated responsibilities including:

- Administering and enforcing its *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ontario Regulation 174/06) under Section 28 of the *Conservation Authorities Act*
- Providing comments on planning files to municipalities on behalf of the province relating to Section 3.1 of the Provincial Policy Statement (natural hazards).

Adherence to RVCA Policy and Technical Standards

The engineering and cartographic procedures used in this study conform to current standards of hazard delineation for identifying areas that are subject to the requirements of regulations made under Section 28 of the *Conservation Authorities Act*, as per the MNR's Natural Hazards Technical Guide (MNR, 2002) and Conservation Ontario (2005) guidelines. The resulting 1:100 year flood risk lines and regulation limit lines are suitable for use in the RVCA's regulation administration and in municipal land use planning and development approval processes under the *Planning Act* as well as the *Conservation Authorities Act*. The HEC-RAS and SWMHYMO model files will be preserved by RVCA and will be given to any party upon the signing of a standard data sharing agreement and payment of the applicable Board of Directors approved fee.

Link to Strategic Plan

This study supports Priority #6 under Strategic Direction #2 as well as Priority #2 under Strategic Direction #3:

- *Focus new or updated regulatory mapping in areas where there is development pressure.*
- *Help municipalities implement their environmental policies, strategies, projects and initiatives.*

Attachments

- Summary of Comments Received During Public Consultation (dated September 15, 2022)

The flood mapping report for Mosquito Creek and the associated regulation limit mapping are available online at <https://www.rvca.ca/flood-risk-mapping-reports/mosquito-creek-hazard-mapping-study#mosquito-creek-draft-report>.

Summary of Comments Received During Public Consultation Draft Mosquito Creek Flood Hazard and Regulation Limit Mapping

Comment		Commenter	Addressed	Response
1	Property is flooding due to drainage from upstream development and lack of municipal drain maintenance, which interferes with conveyance and results in higher flood levels.	1 Affected Property Owner	Yes	Modelling used for floodplain mapping is based on existing conditions and assumes a fully open free flowing channel. Drain maintenance does not affect the estimated flood level. Confirmed that municipal drain design and maintenance is a municipal responsibility under the Drainage Act.
2	Beaver dams are causing the flood levels to be higher than what they should be.	1 Affected Property Owner	Yes	Modelling used for the floodplain mapping assumes a fully open free flowing channel. Beaver dams do not influence the estimated flood level.
3	Undersized culvert at Rideau/Downey Roads causes upstream flooding.	1 Affected Property Owner	Yes	Floodplain mapping is prepared using existing conditions, which includes the field measured size/capacity of culvert crossings. Undersized culverts can cause backwater flooding. If, in the future, the culvert size was changed, RVCA would review and modify the floodplain mapping.
4	Request to provide spreadsheets for review.	1 Affected Property Owner	Yes	The following digital data was provided to the landowner: <ul style="list-style-type: none"> - Mosquito Creek Draft Hydrologic Model (SWMHMYO) - Mosquito Creek Draft Hydraulic Model (HEC-RAS) - Spreadsheets used to generate Mosquito Creek Flood Risk Mapping Draft Report (23 functional files)
5	LiDAR imagery used for the mapping is from 2015.	1 Affected Property Owner	Yes	The 2021 LiDAR was not available until after the project was completed. Past experience with multiple

	Are there discrepancies between the 2015 and 2021 LiDAR?			LiDAR products provides general confidence in the 2015 product. Site specific discrepancies are expected to occur only where landscapes have been modified between the LiDAR acquisition periods.
6	What is the impact of outflow (spill) from Mosquito Creek to the Keith-Moodie Municipal Drain during a flood event?	1 Property Owner	Yes	Provincial guidance regarding spills is to only reduce flows in a watercourse if the amount of spill exceeds 10% of the peak flow. The location of the spill is near the headwaters for the prospective watercourses and would require a complex hydraulic model beyond the scope of this project. With this uncertainty, maintaining peak flows is the reasonably conservative option in keeping with this guidance.
7	Mapping and regulation will impose limitations on land use and will negatively impact property values.	1 Affected Property Owner	Yes	The regulation can limit development activity. Current uses can continue, and the regulation is not applied retroactively. Staff work with landowners to explore alternatives whereby development may be permitted.
8	The map identifying the study area on the fact sheet that was sent to landowners does not match the maps available at the open house.	1 Affected Property	Yes	The map showing the extent of the study area has been misinterpreted to be the extent of the floodplain. Staff will consider options for clarifying this difference on future fact sheets.



**8.0 MNRF Resumes Administration of *Conservation Authorities Act*
Report #: 2-220922**

To: RVCA Board of Directors
 From: Sommer Casgrain-Robertson
 General Manager / Secretary-Treasurer
 Date: September 16, 2022

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Recommendation:

THAT the Board of Directors of the Rideau Valley Conservation Authority receive this report for information and approve the attached letter to be sent to the Minister of Natural Resources and Forestry.

Purpose

To inform the Board of Directors of a change in Ministry for conservation authorities and seek approval of a letter to be sent to the new Minister.

Background

Historically, the *Conservation Authorities Act* has been administered by the Ministry of Natural Resources and Forestry (MNRF). In 2018, administration of the Act was split between two Ministries, the MNRF and the Ministry of Environment, Conservation and Parks (MECP). The MNRF remained responsible for conservation authorities' work regarding natural hazards, while MECP became responsible for all other aspects including governance.

Since 2019, the MECP led significant reforms of both the *Conservation Authorities Act* and its regulations and formed the Conservation Authorities Working Group in 2021 to help guide these changes.

Analysis

Through new Orders-In-Council made pursuant to the *Executive Council Act* that were approved by the Lieutenant Governor in Council on August 29, 2022, the MNRF has once again been designated as the Ministry responsible for administering the *Conservation Authorities Act*. The Province has confirmed, that moving forward the MECP will no longer have duties, functions or responsibilities under the Act.

The Honourable Graydon Smith (MPP for Parry Sound – Muskoka) is the new Minister of Natural Resources and Forestry. As the Board did last year following Minister Piccini's appointment, staff have prepared a welcome letter for the new Minister which

underscores support for the Provincial working group and encourages collaboration on completing remaining changes and updates to regulations and guidance documents.

Input from Other Sources

N/A

Financial Considerations

N/A

Legal Considerations

RVCA will comply with new or amended regulations under the *Conservation Authorities Act* and fulfill reporting requirements to all appropriate Ministries.

Adherence to RVCA Policy

N/A

Link to Strategic Plan

N/A

Attachment

- Draft Letter to Minister Smith



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September xx, 2022

The Honourable Graydon Smith
Minister of Natural Resources of Forestry

Re: Continued Support for the Conservation Authorities Working Group

Dear Minister Smith,

On behalf of the Board of Directors of the Rideau Valley Conservation Authority I want to congratulate you on your appointment as Minister of Natural Resources and Forestry. As the MNR resumes administration of the *Conservation Authorities Act*, we look forward to working with you and your staff in the coming months.

As you know, Ontario's conservation authorities have been actively participating in your government's review of the *Conservation Authorities Act*. While there were initial concerns about some of the changes made through Bill 229, the Province's formation of a Conservation Authorities Working Group was a positive initiative. The formation of a multi-stakeholder working group responded to concerns raised by our member municipalities by providing a more effective and collaborative approach to developing regulations. Soliciting input from those who will be impacted – conservation authorities, municipalities, developers and farmers – has helped ensure changes are effective, implementable and have minimal unintended consequences.

We are fortunate that our General Manager is a member of the working group and believe that the group's work will be very important in completing much needed updates to Section 28 regulations and natural hazard technical guidelines. We hope you will continue the working group and work with its members to complete the final pieces of your government's review of the *Conservation Authorities Act*.

Sincerely,

Pieter Leenhouts
Chair

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with our 18 watershed municipalities**

Athens, Augusta, Beckwith, Central Frontenac, Clarence-Rockland,
Drummond/North Elmsley, Elizabethtown-Kitley, Merrickville-Wolford, Montague,
North Dundas, North Grenville, Ottawa, Perth, Rideau Lakes, Smiths Falls, South Frontenac, Tay Valley, Westport



**9.0 2023 Preliminary Budget Discussion
Report #: 3-220922**

To: RVCA Board of Directors
From: Sommer Casgrain-Robertson
General Manager / Secretary-Treasurer
Date: September 16, 2022

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Purpose

To seek high level direction from the Board of Directors regarding the preparation of RVCA's 2023 budget.

Background

Each year, the RVCA prepares an annual budget and workplan for the coming year based on priorities from our Strategic Plan and other guidance.

- September – staff outline key budget considerations for the coming year and seek high level direction from the Board.
- October – staff present a preliminary draft budget and workplan for Board review and input.
- November – staff present a revised draft budget and workplan for Board consideration. If approved for circulation, this draft budget and workplan is circulated to all member municipalities for review and comment. Presentations to council are also offered.
- February – all comments received from municipalities are considered by the Board before approving a final budget.

Analysis

Heading into 2023, conservation authorities are monitoring a number of factors that could affect budgets which will be expanded upon and discussed at our meeting. They include:

- Factors impacting wages (cost of living, grid movement, payroll taxes and contribution rates for OMERS and benefits).
- Other cost pressures impacting conservation authorities such as increasing insurance rates.
- Assessment growth in the watershed and direction on fee and municipal levy increases. In recent years, RVCA, MVCA and SNC (as well as many other Eastern Ontario conservation authorities) have implemented an annual increase

to their fees of 2% to keep pace with cost of living. They have also implemented an annual increase to their municipal levy of 2% plus assessment growth to keep pace with cost of living. This reflects budget direction from some watershed municipalities including Ottawa Council.

- Potential impact of regulatory changes under the *Conservation Authorities Act*.
- Continued enhancement of RVCA programs and services to improve efficiency, effectiveness, client service and address priority issues like climate change.

In 2022, RVCA's budget totaled \$ \$11,639,143 and was broken down as follows:

	2021 Budget	2022 Budget
Operating Costs		
Staffing Costs		
Salary	\$ 5,015,782	\$ 5,094,707
Payroll taxes and benefits	<u>\$ 1,298,217</u>	<u>\$ 1,313,885</u>
Subtotal of Staffing Costs	\$ 6,313,999	\$ 6,408,592
Non-Labour Operating Costs	\$ 2,803,901	\$ 3,149,995
Rideau River Ice Management	<u>\$ 1,088,292</u>	<u>\$ 1,159,559</u>
Total Operating Costs	\$ 10,206,192	\$ 10,718,146
Capital Costs		
Water Control Infrastructure TCA's	\$ -	\$ -
Other TCA's	\$ 1,616,586	\$ 346,586
Reserve Transfers (net)	\$ 648,707	\$ 371,707
Office Building Debenture Repayment	<u>\$ 202,704</u>	<u>\$ 202,704</u>
Total Capital Costs	\$ 2,467,997	\$ 920,997
Total	<u>\$12,674,189</u>	<u>\$11,639,143</u>

Input from Other Sources

A draft budget and workplan is circulated to all member municipalities in November for review and comment prior to the board considering the budget for approval in February. RVCA also offers to attend a meeting of council to present the draft budget and answer questions.

Financial Considerations

The annual budget sets revenues and expenditures for all RVCA programs and services (operations and capital projects) and sets the general and special levies for municipalities. Actual expenditures and revenues are tracked throughout the year by managers and reported on three times a year to the Board.

Legal Considerations

RVCA prepares an annual budget and municipal levies in accordance with:

- *Conservation Authorities Act*, R.S.O. 1990, c. C.27
- O. Reg. 670/00: Conservation Authority Levies
- O. Reg. 139/96: Municipal Levies

Adherence to RVCA Policy

RVCA prepares an annual budget in accordance with its Administrative By-law.

Link to Strategic Plan

RVCA's annual budget and workplan are designed to support the implementation of multiple priority actions in its Strategic Plan.