

01-24-AAC

Nottawasaga Valley Conservation Authority

Mar 28, 2024 at 10:00 AM EDT to Mar 28, 2024 at 12:00 PM EDT

Agenda

1. Call to Order

Doug Hevenor, Chief Administrative Officer will Chair the meeting until the elections are held.

2. Motion to Adopt the Agenda

Recommendation:

RESOLVED THAT: the agenda for the Agricultural Advisory Committee 01-24-AAC dated March 38, 2024 be approved.

3. Declaration of Pecuniary and Conflict of Interest

4. Adoption of Minutes

The minutes of the Agricultural Advisory Committee meeting 03-23-AAC dated on December 7, 2023 was approved by the Board of Directors during the 12-23-BOD (2023 Business) dated on January 26, 2024.

5. Elections

Members must re-elect committee members who have a one year term of service.

Chair:

Vice-Chair:

6. Administration

Newly elected Chair to go over AAC Terms of Reference and Procedural guidelines.

7. Presentations

7.1. Drainage

Tyler Mulhall, Planner, will conduct a presentation regarding NVCA and Ditches.

Recommendation:

RESOLVED THAT: the Agricultural Advisory Committee receive the presentation regarding NVCA and Ditches as presented.

8. Clearing Land

Tyler Mulhall, Planner and Ben Krul, Manager, Development Planning and Permits will entertain questions regarding clearing land.

9. Tentative 2024 Meeting Dates

Recommendation:

2nd Quarter Date: Thursday June 27, 2024 (virtual)

3rd Quarter Date: Thursday September 26, 2024 (virtual)

4th Quarter Date: Thursday December 12, 2024 (in-person)

Subject to change by majority vote if required

10. Other Business

11. Adjourn

Recommendation:

RESOLVED THAT: this meeting of the agricultural Advisory Committee 01-24-AAC
adjourn at: _____.



03-23-AAC Minutes
Nottawasaga Valley Conservation Authority
December 7, 2023 at 10:00 AM EST

Attendance

Members Present:

Dave Spring, Simcoe County Federation of Agricultural
Ted Woods, Christian Farmers Assoc.
Chair, Donna Jebb, Simcoe County Federation of Agricultural
Hugh Simpson, Grey County FA
Andy Vanniekerk, North Simcoe Soil and Crop Association
Deputy Mayor Paul Van Staveren, NVCA Member
Vice-Chair, Cllr. Kevin Eisses, NVCA Member
Cllr. Pieter Kiezebrink, NVCA Member

Members Absent:

Colin Elliot, North Simcoe Soil and Crop Assoc.
Dave Ritchie, Simcoe County Federation of Agricultural
Jody Mott, Holland Marsh Growers Association

NVCA Staff:

Doug Hevenor, Chief Administrative Officer
Chris Hibberd, Director, Watershed Management Services
Kyra Howes, Director, Conservation Services
Ben Krul, Manager, Development Planning & Permits
Kerry Jenkins, Administrative Assistant/Recorder

1. Call to Order

Chair Donna Jebb called the meeting to order at 10:00am.

2. Motion to Adopt the Agenda

Recommendation:

RES: 08-23

Moved by: Dave Spring

Seconded by: Cllr. Pieter Kiezebrink

RESOLVED THAT: the agenda for the Agricultural Advisory Committee 03-23-AAC dated December 7, 2023 be approved.

Carried;

3. Declaration of Pecuniary and Conflict of Interest

None declared.

4. Approved Minutes

The minutes of the Agricultural Advisory Committee meeting 02-23-AAC dated on June 29, 2023 was approved by the Board of Directors during the 08-23-BOD meeting dated on September 22, 2023.

5. Presentations

5.1. NVCA Planning Services Fee Schedule

Ben Krul, Manager, Development Planning & Permits conducted the presentation on behalf of Chris Hibberd, Director, Watershed Management Services regarding NVCA Planning Services Fee Schedule (2024 Draft).

Recommendation:

RES: 09-23

Moved by: Hugh Simpson

Seconded by: Deputy Mayor Paul Van Staveren

RESOLVED THAT: the Agricultural Advisory Committee receive the presentation as presented.

Carried;

Discussion:

Members raised questions about the feedback NVCA received regarding the proposed fee increases.

NVCA staff informed the members that feedback from the municipalities were pretty consistent. Staff also received really good feedback from Watson and Associates as well as agricultural communities.

Questions were asked regarding why the fee's are doubled and what was the reasoning for doubling them.

Staff informed the members that NVCA froze their fees from 2016 to 2019, therefore, they are playing "catch-up."

NVCA Board Member mentioned to the committee how most people are aware that NVCA's budget comes from user fees, as well as help from the municipalities. He also noted that NVCA's number one goal is better service for their applicants and agreed with NVCA staff that this is "catch-up" time and is much needed.

Questions were asked regarding where NVCA came up with the price increases and if staff took into consideration the populations of other municipalities in other Conservation Authorities.

NVCA staff informed the members that the Watson review looked into NVCA's neighbouring conservation authorities to ensure they were consistent with the price increases. Staff also noted that they tried to find as much commonality in demographics among municipalities in neighbouring conservation authorities.

Members asked when the proposed fees will go into effect.

NVCA staff told the members that the proposed fees will go into effect when the MNR lifts their freezes, which will then allow NVCA to enter into phase one of the proposed fee schedule for 2024. Staff also informed members that communication regarding the proposed fee schedule 2024 will be on their website for the public to see once NVCA receives more news.

NVCA staff as well as members all agreed that once the Board of Directors approve the fee increases, staff will circulate all the information to the Agricultural Advisory Committee members for them to see and distribute to their agricultural community.

6. Other Business

Deputy Mayor Paul Van Staveren informed the members of an issue that is going on in the Township of Clearview. He asked if it was possible to put on NVCA's website to contact their drainage supervisor in their area, should a resident have any issues with their drainage. AAC Members also agreed to ask if NVCA can input the difference between municipal drains and farm drains.

CAO, Doug Hevenor informed the members that Conservation Ontario is submitting an application on December 8, 2023 on behalf of several conservation authorities (NVCA being one of them), to hopefully receive 75% federal funding to complete Shoreline Evaluations on all the Great Lakes, including Georgian Bay with the exception of Lake Erie.

7. Adjourn

Recommendation:

RES:10-23

Moved by: Hugh Simpson

Seconded by: Cllr. Kevin Eisses

RESOLVED THAT: this meeting adjourn at 11:08am, to meet again on March 28, 2024 or at the call of the Chair.

Carried;



NOTTAWASAGA VALLEY CONSERVATION AUTHORITY
AGRICULTURAL AD-HOC COMMITTEE
TERMS OF REFERENCE
Approved by the NVCA BOD: April 25, 2014
Last Revision: March 22, 2024

Purpose:

- The purpose of the Ad-Hoc committee is to:
- Improve communications with a diverse agricultural representation group,
- Identify areas of common interest/issues and or concerns with respect to NVCA programs as they relate to the agricultural community.
- Act as a discussion group to bring forward communication and recommendations to the NVCA Board of Directors.

Mandate:

The mandate of the Agricultural Ad-Hoc Committee shall be to act as an information sharing body to:

1. Increase communications with a diverse agricultural committee, representing a broad range of agricultural interests within the NVCA watershed.
2. Provide input/recommendations on matters referred to it by the agricultural community regarding areas of interest to the community that are relevant to NVCA programs including but not limited to; NVCA stewardship programs, land programs, regulations, and plan review policies.

Composition:

The Agricultural Ad-Hoc Committee shall be composed generally of 11 members, who live, farm or work or represent an organization within the NVCA watershed. It will be the responsibility of the individual Organizations to appoint annually in writing their representatives, by January 30th to the NVCA Chief Administrative Officer from the following organizations:

Ontario Federation of Agriculture:

3 representatives from Simcoe County Federation of Agriculture

- 1 representative from Dufferin County Federation of Agriculture
- 1 representative from Grey County Federation of Agriculture

Other Agricultural Groups:

- 1 representative from Christian Farmers Association
- 2 additional representatives from the Agricultural Community (selected annually by the Advisory Committee through an open/by invitation selection process).

NVCA Representatives:

- 3 members from the Board of Directors appointed at large.

Staff Resources:

Depending on the topics to be discussed, the CAO and/or any of the following Directors could take the meeting lead:

- Director, Conservation Services
- Director, Watershed Management Services

Meetings:

The committee will meet up to 4 times per year subject to agenda content and need. Additional meetings will be at the call of the chair if required for timely matters.

The Committee will set the meeting agenda annually at the first meeting of the year.

Meetings will be generally held during regular business hours at the NVCA Tiffin Administration Centre, 8195 8th Line, Utopia.

Procedural Rules:

The committee will follow the administrative procedural policies of the NVCA. In the case where the policy is silent, Roberts Rules of Order will take precedent.

The agenda will be developed by the NVCA staff with input from the Committee Chair.

The Committee does not have the authority to specifically direct the activities

of NVCA staff and will communicate through the NVCA CAO/Secretary-Treasurer.

Committee Chair/Vice-Chair:

The committee will elect a Chair and Vice Chair from its membership annually at the first meeting of the year.

Decision Making:

Consensus based decisions will be encouraged for all matters, however if required, normal simple majority rules will be implemented. Each Ad-Hoc Committee member shall have full voting rights, excluding NVCA CAO/staff.

Remuneration:

Remuneration will be pursuant to the policies established by the NVCA.

Reporting:

The Committee's meeting minutes will be made part of the NVCA's Board of Directors agendas. When required, the Committee may appoint a representative who best represents the topic of discussion to speak. Any reports/documents to be given to the NVCA Board of Directors, other than the minutes, must be circulated through the CAO and Administrative Assistant.

Resources:

NVCA staff and other resource experts will be invited as required, to provide additional input to the Committee. NVCA will provide administrative support, including the preparation of reports to the NVCA Board of Directors, distribution of agendas and the general administrative.



NVCA and Ditches

Tyler Mulhall, Planner
ACC Meeting, March 28, 2024

Agenda

- » Introduction
- » Natural Watercourse vs. Surface Water
- » New O. Reg 41/24
- » Definition of Watercourse
- » Types of Drains
- » NVCA's Roles and Permitting



NVCA

Who are we?

- » Covers 3,600 km²
- » Comprised of 18 Municipalities
- » Watershed is made up of Niagara Escarpment, Oak Ridges Moraine, Oro Moraine, and Simcoe Lowlands



Natural Watercourses vs. Surface Water

Natural Watercourses

- » Described as a natural channel where water flows between defined banks.
- » The flow of water does not need to be constant, but the channel must be a **permanent** landmark.
- » The watercourse may also spread over a level area without defined banks before flowing again as a defined channel
- » Private ditches and channels across low areas are not considered a natural watercourses
- » If water is in a natural watercourse it must be permitted to flow



Natural Watercourses vs. Surface Water

Natural Watercourses



Natural Watercourse



Private ditch or channel
across a low area



Natural Watercourses vs. Surface Water

Surface Water

- » No defined channel
- » Described as “the water that falls as precipitation, but which finds its way to a natural watercourse by percolation or flow”
- » No right to drainage
- » Water from tile drains is considered surface water



Natural Watercourses vs. Surface Water

Surface Water



Surface Water
on Farm



New O. Reg 41/42

- » Effective April 1, 2024
- » New definition of watercourse, reduced wetland interference zone
- » Exceptions include:
 - Installation of new tile drains, or the maintenance and repair of existing tile drains
 - Maintenance and repair of municipal drains conducted in accordance with DART



Watercourse Definition

- » Current:
 - Means an identifiable depression in the ground in which a flow of water regularly or continuously occurs

- » New:
 - Means a defined channel, having a bed and banks or sides, in which a flow of water regularly or continuously occurs

- » Drains that meet the definition of a watercourse are regulated features.



Drains

Types of Drains

- » Municipal Drains
- » Award Drains
- » Mutual Agreement Drains
- » Private Drainage Systems and Roadside Ditches



Municipal Drains

- » Owned by Municipality
- » Authorized by By-Law passed under the Drainage Act
- » Municipality is responsible their construction and maintenance
- » Property owner responsible to alter Drainage Superintendent of issues
- » Currently uses DART for maintenance and repair
- » Municipal Drains are regulated watercourses



Award Drains

- » Created under Ditches and Water Courses Act
 - Repealed in 1963
- » May look like any other drain
- » Construction was “awarded” to persons along the drain
- » Property owners “awarded” section of the drain is responsible for maintenance and repair
- » Award Drains are regulated watercourses



Mutual Agreement Drains

- » Agreement written between two or more property owners and may be registered on title
- » Private drainage systems
- » Construction, maintenance, and repair are the responsibility of the owners
- » Authorized by section 2 of the Drainage Act
- » Mutual Agreement Drains are regulated watercourses



Private Drainage Systems and Roadside Ditches

- » Private drainage systems are constructed by a property owner to resolve their own drainage system. Can be a ditch, buried pipe, or grassed waterway
 - Tile Draining is a private drainage system

- » Roadside ditches are municipality owned built to contain the surface water run off on the road



Tile Drains

- » Water is considered surface water
- » No right to drainage
- » Outlet to a sufficient location, try to follow natural path
- » Cannot do damage downstream, can be liable for damages
- » The activity of tiling a field is not regulated except when located within or adjacent to a wetland, the outlet location requires a permit



NVCA's Role

- » To ensure works are done in such a way that no damage occurs downstream
- » Most important to protect you and your investment



Questions?

