



**Date:** January 13, 2025  
**To:** Mayor and Council  
**Author:** Angela Toole, Acting Manager of Municipal Governance & Clerk  
**RE:** ERCA Non-Mandatory Cost Apportioning Agreement

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## **RECOMMENDED ACTION**

That Council **DIRECTS** Administration to continue to participate in funding the Essex Region Conservation Authority's ("ERCA") Non-Mandatory Programs and Services for three (3) years to the end of 2027;

And that the Mayor and Clerk **BE AUTHORIZED** to sign the three (3) year Cost Apportioning Agreement of which the contribution is \$21,520 for 2025 for the Town of Kingsville.

## **BACKGROUND**

On November 27, 2023, the Director of Planning and Development presented an Information Report to Council regarding the Essex Region Conservation Authority and Category 3 Non-Mandatory Programs and Services.

Section 21.1(1) of the *Conservation Authorities Act* (the "Act"), provides that a Conservation Authority shall provide programs or services:

- related to the risk of natural hazards;
- the conservation and management of lands owned or controlled by the Authority;
- related to the Authority's duties, functions, and responsibilities of a source protection authority under the Clean Water Act, 2006; and,
- related to the Authority's duties, functions, and responsibilities under an Act prescribed by the regulations.

In addition to the mandatory programs and services ERCA described above, Section 21.1.2 permits ERCA to provide other non-mandatory programs and services, as deemed advisable, to further the shared objectives identified within the legislation by ERCA and the participating municipality.

## **DISCUSSION**

Local municipalities assist in funding the Category 3 non-mandatory programs and services through a Cost Apportionment Agreement. The cost of participating in these services is apportioned annually using the Modified Current Value Assessment (“MCVA”) as defined in Ontario Regulation 402/22: Budget and Apportionment. For 2025, the funding envelope for Category 3 Non-Mandatory Programs and Services includes:

- Tree planting and wetland construction;
- Water quality program;
- Outreach & community partnerships;
- John R. Park Homestead Museum operations

Kingsville’s cost apportionment for the above-noted services in 2025 would be \$21,520.

In addition to the non-mandatory services noted above is the optional contribution to ERCA’s Land Acquisition Fund. In November 2023, Council initially directed Administration to enter into a one-year Cost Apportioning Agreement (the “Agreement”) which included this program. However, in March 2024, Council received information that at least 2 local municipalities and the City of Windsor, were opting out of the ‘Land Acquisition’ fund contribution. In light of this new information, Council voted to also opt out of contributing to ERCA’s Land Acquisition fund. The resulting savings of \$32,855 were redirected to the Town’s Park Fees Reserve for the acquisition or development of future parkland.

During 2025 Budget Deliberations, Council voted against participating in ERCA’s Property Acquisition Fund in 2025, and therefore administration will exclude this non-mandatory program from the three (3) year Cost Apportionment Agreement.

## **FINANCIAL CONSIDERATIONS**

Kingsville’s 2025 apportionment for its ‘status quo’ Category 3 services based on the noted MCVA model is \$21,500. Apportionments are calculated on an annual basis and as such, the apportionments for 2026 and 2027 have yet to be calculated but will likely be similar to the apportionment for 2025. Administration will provide an apportionment update to Council on an annual basis upon receiving the same from ERCA.

Please refer to Appendix A for the 2025 Cost Apportionment Schedule of Category 3 programs prepared by ERCA.

## ENVIRONMENTAL CONSIDERATIONS

ERCA was established under the Conservation Authorities Act to further the conservation, restoration, development and management of natural resources within the Essex Region.

## CONSULTATIONS

John Norton, CAO

PREPARED BY:



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REVIEWED BY:



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