

# BOARD OF DIRECTORS MEETING AGENDA

THURSDAY, MAY 3, 2018

## Hamilton Conservation Authority

### Vision

**HCA works to ensure healthy streams and healthy communities in which human needs are met in balance with the needs of the natural environment, now and in the future.**

### Mission

**To lead in the conservation and sustainable management of our watershed's natural environment.**



**Hamilton  
Conservation Authority**

*Healthy Streams...Healthy Communities!*

**Darnley Cascade  
Crooks Hollow**



## **AGENDA FOR BOARD OF DIRECTORS MEETING**

**Thursday, May 3, 2018 at 7:00 p.m.**

- 1. CALL TO ORDER** ~ Conley
- 2. DECLARATION OF CONFLICT OF INTEREST**
- 3. APPROVAL OF AGENDA**
- 4. DELEGATIONS**
- 5. MEMBER BRIEFING**
  - 5.1 April Storm Event Update – Lake Ontario Flooding ~ Peck/Costie
- 6. APPLICATIONS – Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses**
  - 6.1 Applications for May 3, 2018 ~ Tellier
- 7. APPROVAL OF MINUTES OF PREVIOUS MEETING**
  - 7.1 Minutes – April 5, 2018
- 8. BUSINESS ARISING FROM THE MINUTES**
  - 8.1 Deer Impacts in Dundas Valley Conservation Area ~ Peck
- 9. PRE-DISTRIBUTED CORRESPONDENCE**
- 10. OTHER CORRESPONDENCE**
- 11. REPORTS**
  - 11.1 Budget & Administration Committee (Minutes – April 19, 2018) ~ Fielding
  - 11.2 Foundation Chairman’s Report ~ Wauben
- 12. OTHER STAFF REPORTS/MEMORANDUMS**
  - 12.1 Tender Award - Lower Spencer Creek Fish Habitat Enhancement Project ~ Peck
  - 12.2 Current Watershed Conditions as of April 20, 2018 ~ Bastien
  - 12.3 Upcoming HCA and Partner Events ~ Costie
- 13. NEW BUSINESS**
- 14. IN-CAMERA ITEMS FOR MATTERS OF LAW, PERSONNEL AND PROPERTY**
- 15. NEXT MEETING - Thursday, June 7, 2018**
- 16. ADJOURNMENT**



## Memorandum

**TO:** Board of Directors

**FROM:** Lisa Burnside, Chief Administrative Officer (CAO)

**RECOMMENDED BY:** T. Scott Peck, MCIP, RPP, Deputy Chief Administrative Officer/Director, Watershed Planning and Engineering

**PREPARED BY:** Jaime Tellier, Watershed Officer

**DATE:** April 18, 2018

**RE:** Summary Enforcement Report – Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation 161/06 Applications for May 3, 2018

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HCA Regulation applications approved by staff between the dates of March 24, 2018 and April 18, 2018 are summarized in the following Summary Enforcement Report (SER-4/18).

### RECOMMENDATION

**THAT** the Board of Directors receive this Summary Enforcement Report SER-4/18 as information.



**HAMILTON REGION CONSERVATION AUTHORITY**

**DEVELOPMENT, INTERFERENCE WITH WETLANDS, AND ALTERATIONS TO SHORELINES AND WATERCOURSES APPLICATIONS**

**April 19, 2018**

**Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Applications Report to the Board of Directors of the Hamilton Region Conservation Authority, May 03, 2018**

**The proposed works are subject to Ontario Regulation 161/06, and in particular Section 2, Subsection (1).**

**SUMMARY ENFORCEMENT REPORT SER 4/18**

F/F,C,A/18/10	26-Feb-18	18-Apr-18	32		Pt Lts 31-36, Con 10 and Pt Lts 33-38, Gore Con, Gore Rd between Lennon Rd and Maddaugh Rd Lot 31-36,33-38, Concession 10,Gore Flamborough	Replacement of six road culverts in a regulated area of Fletcher Creek and the Fletcher Creek Swamp Provincially Significant Wetland.	Approved subject to standard conditions
D/F,C/18/14	13-Mar-18	18-Apr-18	36		Governors Rd from Castlewood Blvd to Creighton Rd Lot 11-13, Concession 1 Dundas	Installation of a new 300mm watermain and construction of sidewalk, bike path and road reconstruction in a regulated area of Middle Spencer Creek.	Approved subject to standard conditions

## HAMILTON REGION CONSERVATION AUTHORITY

### MINUTES

#### Board of Directors Meeting

April 5, 2018

Minutes of the Board of Directors meeting held on Thursday, April 5, 2018 at Woodend Auditorium, 838 Mineral Springs Road, Ancaster, Ontario at 7:00 p.m.

**PRESENT:**

<b>Doug Conley, in the Chair</b>	
<b>Dan Bowman</b>	<b>Kris Brown</b>
<b>Chad Collins</b>	<b>Lloyd Ferguson</b>
<b>Susan Fielding</b>	<b>Brad Gautreau</b>
<b>Aidan Johnson</b>	<b>Santina Moccio</b>
<b>Maria Topalovic</b>	

**Ine Wauben, Foundation Chair**

**REGRETS:** **Robert Pasuta**

**STAFF PRESENT:** **Rondalyn Brown, Lisa Burnside, Gord Costie, Matt Hall, Bruce Harschnitz, Cari Hobbs, Darren Kenny, Sara Kinnear, Judy Love, Lesley McDonell, Neil McDougall, Scott Peck, Jonathan Roberts, Mike Stone, and Nancy Watts - HCA Staff**

**OTHERS:** **Richard Leitner - Media**

#### 1. **CALL TO ORDER**

The Chair called the meeting to order and welcomed everyone present.

#### 2. **DECLARATIONS OF CONFLICT OF INTEREST**

The Chair asked members to declare any conflicts under the Board's Governance Policy. Councillor Chad Collins declared a conflict of interest with the permit application for City Housing.

**3. APPROVAL OF AGENDA**

The Chair requested any additions or deletions to the agenda. There was none.

**BD12,2522                      MOVED BY:                      Aidan Johnson**  
**SECONDED BY:                      Lloyd Ferguson**

**THAT the agenda be approved.**

**CARRIED**

**4. DELEGATIONS**

There was none.

**5. MEMBER BRIEFING****5.1      Conservation Authorities Act**

Scott Peck provided a PowerPoint presentation and answered member's questions. Scott indicated that in 2014, the Province through the Ministry of Natural Resources and Forestry initiated a review of the Conservation Authorities Act including addressing roles, responsibilities and governance of conservation authorities in resource management and environmental protection.

HCA staff have been involved with the review of the consultation documents and have provided updates to the Board of Directors and submitting comments to the Province.

On December 12, 2017, Bill 139, the Building Better Communities and Conserving Watersheds Act, 2017 came into force. Certain sections of this Act have an implementation date of December 12, 2018.

Changes have been made to Section 18(2) noting "an authority shall establish such advisory boards as may be required by regulation and may establish such other advisory boards as it considers appropriate". This section of the Act will come into force once proclaimed at a future date and once the applicable regulations are in place.

Section 19.1 is a new section in the Act and outlines that an Authority may make by-laws. The HCA has in place approved "Administrative Regulations and Governance Policies". Conservation Ontario is working on a template to address the requirements of Section 19.1 of the Act and once complete, staff will update







**THAT this be brought back to the May 3, 2018 Board of Directors meeting.**

**CARRIED**

Letter from Judy Anderson, on behalf of the Dundas District Lofts Subcommittee – re Traffic and Parking Issues at 397 King Street West, Dundas

Chairman Conley noted that a meeting was undertaken with the lofts subcommittee that included Board member Santina Moccio and the ward councillor, Arlene Vanderbeek, and committee was advised that the parking issues were city matters to be handled through municipal bylaw and ward councillor. The committee will schedule a further meeting with the ward councillor as issues were not under HCA's jurisdiction.

Deer Harvest in Dundas Valley Conservation Area

Aidan Johnson asked about the content of the letter. Lisa Burnside noted that HCA received the letter from the Bow Hunters Club and indicated that HCA respects the cultural and treaty rights of the harvest by the Haudenosaunee and the annual harvest is not a cull. Lisa confirmed that 15 deer were harvested and further, that MNFR is the government agency responsible for wildlife management. Chad Collins asked about the deer population impact in the Dundas Valley. Lisa indicated that ecology staff are still undertaking monitoring on the ground. Chad Collins asked staff if they can relay this information and provide an update to the Board. Chad also asked staff to respond to the Bow Hunters Club.

**BD12,2527**

**MOVED BY: Chad Collins  
SECONDED BY: Santina Moccio**

**THAT the Board of Directors approve the following recommendations:**

**THAT staff provide an update to the Board of Directors on the deer impacts in the Dundas Valley; and further**

**THAT staff respond to the Bow Hunters Club.**

**CARRIED**

**10. OTHER CORRESPONDENCE**

There was none.

**11. REPORTS****11.1 Budget & Administration Committee (Minutes – February 15, 2018)**

Susan Fielding presented the minutes of the Budget & Administration Committee meeting held on February 15, 2018.

**Resolution Number from Budget & Administration Committee Minutes – BA1804 – 12 Month Financial Results**

**BD12,2528            MOVED BY:            Susan Fielding  
                              SECONDED BY:        Santina Moccio**

**THAT the Board of Directors approve the following recommendations:**

**THAT the 12 month financial results for 2017 be approved.**

**CARRIED**

**Resolution Number from Budget & Administration Committee Minutes – BA1805 – 2017 – 4<sup>th</sup> Quarter Vendor Listing Report**

**BD12,2529            MOVED BY:            Dan Bowman  
                              SECONDED BY:        Santina Moccio**

**THAT the Board of Directors approve the following recommendations:**

**THAT the Vendor Listing report for the 4<sup>th</sup> quarter in 2017 be approved.**

**CARRIED**

**Resolution Number from Budget & Administration Committee Minutes – BA1807 – Mileage Report**

**BD12,2530            MOVED BY:            Kris Brown  
                              SECONDED BY:        Maria Topalovic**

**THAT the Board of Directors approve the following recommendations:**

**THAT the current mileage rate of 53 cents per kilometer remain unchanged for 2018.**

**CARRIED**

Motion to Receive the Minutes

**BD12,2531            MOVED BY:            Lloyd Ferguson**  
**SECONDED BY:        Santina Moccio**

**THAT the minutes of the Budget & Administration Committee meeting held on February 15, 2018 be approved.**

**CARRIED**

11.2 Conservation Advisory Board (Minutes – February 8, 2018 and March 8, 2018)

Maria Topalovic presented the minutes of the Conservation Advisory Board meeting held on February 8, 2018 and March 8, 2018.

**Resolutions from the February 8, 2018 Meeting:**

Resolution Number from Conservation Advisory Board Minutes – CA1804 – Merrick Cider Shack Pavilion Conversion

**BD12,2532            MOVED BY:            Maria Topalovic**  
**SECONDED BY:        Aidan Johnson**

**THAT the Board of Directors approve the following recommendations:**

**THAT the Merrick Cider Shack be approved for a new use and be converted into a pavilion.**

**CARRIED**

Resolution Number from Conservation Advisory Board Minutes – CA1805 – 2017 Artifact Donation Acquisitions Reports

**BD12,2533            MOVED BY:            Maria Topalovic**  
**SECONDED BY:        Susan Fielding**

**THAT the Board of Directors approve the following recommendations:**

**THAT the Westfield 2017 Artifact Acquisitions List be approved and the artifacts added to the Westfield Heritage Village and Hamilton Region Conservation Authority collection.**

**CARRIED**



**THAT the Board of Directors approve the following recommendations:**

**THAT the Flood and Erosion Control Project for Upper Battlefield Creek and Stoney Creek, Community of Stoney Creek, City of Hamilton Environmental Study Report be filed for public review and for the Ministry of Environment and Climate Change.**

**CARRIED**

Motion to Receive the Minutes

**BD12,2537**

**MOVED BY: Maria Topalovic  
SECONDED BY: Susan Fielding**

**THAT the minutes of the Conservation Advisory Board meeting held on February 8, 2018 and March 8, 2018 be approved.**

**CARRIED**

11.3 Foundation Chairman's Report

Ine Wauben, Chair reported on the following:

- Total Donations for February - \$6,230 and March - \$2,858 as follows:
  - \$4,800 for the Dundas Valley Trails Fund
  - \$644 for Westfield Heritage Village
  - \$2,309 for our General/Undesignated Fund
  - The remaining \$1,335 came in donations for land securement, trail development, and outdoor environmental education
- Year-to-Date:
  - This brings our cumulative fiscal-year (December 2017 to March 2018) donations to \$118,483

Outdoor Environmental Education

The Foundation has pledged to contribute \$125,000 to fund the Outdoor Environmental Education program this year and, to date, received \$32,715 toward that total.

This includes year-end disbursements from the Dobson-McKee Education Endowment, as well as donations designated to the program received to date.



Our remaining commitment now stands at \$92,285 which will be reached through dedicated donations and transfers from the Foundation's General/Undesignated Fund, which holds a current balance of \$135,299. A solicitation last fall to existing Foundation donors highlighting this commitment was successful and continued to bring in donations in Fiscal 2018. We have received an additional \$5,574 for the General/Undesignated Fund as a result.

HCA pass-holders and local businesses are currently being solicited for support. If you know of a local business who would be interested in supporting this work, please connect them with Grace Correia.

## **12. OTHER STAFF REPORTS/MEMORANDUMS**

### **12.1 Gypsy Moth Surveys and Aerial Spray Program**

Mike Stone presented the report and indicated that extensive gypsy moth egg mass surveys have been conducted throughout the Dundas Valley Conservation Area and surrounding conservation areas. The results of the winter 2017/2018 egg mass surveys on HCA lands indicate that noticeable defoliation (moderate to severe) will likely occur within the Dundas Valley and Iroquois Heights Conservation Areas.

City of Hamilton and City of Mississauga will be conducting an aerial spray program in 2018. City and HCA staff are concerned about tree health and mortality in the areas that have been identified for treatment. City of Hamilton has contacted Zimmer Air Service and are currently negotiating a contract. City of Hamilton staff have advised this is the only company in Ontario that is capable of completing the coordinated aerial spray program being undertaken by the City of Hamilton, City of Mississauga and HCA.

The cost quoted for HCA is \$267/HA, with an estimated final budget of \$30,171, plus HST.

A communication plan will be developed for this spray program both to notify the public and comply with the Pesticide Act of Ontario notification requirements. HCA will coordinate with the City of Hamilton on webpage information, Facebook and Twitter. Newspaper notices will also be used to inform the public about the spray program.

In accordance with the Ministerial Authorization from Transport Canada, HCA will be responsible for restricting public access to the spray areas to the best of our ability. This will include trail closures and posting of signs restricting access while the spray is occurring.

Staff will continue to monitor the levels of gypsy moth in the impacted sections of the Dundas Valley and monitor tree health in these locations as well. Staff will continue to communicate and work with the City of Hamilton regarding their gypsy moth aerial spray program.

Mike Stone answered board member's questions.

**BD12,2538**                    **MOVED BY:            Chad Collins**  
 **SECONDED BY:      Lloyd Ferguson**

**THAT the Board of Directors approve the following recommendations:**

**THAT HCA staff be authorized to undertake a spray program to control Gypsy Moth for 2018 as detailed in the staff report dated April 5, 2018, titled Gypsy Moth Surveys and Aerial Spray Program**

**CARRIED**

12.2 Current Watershed Conditions as of March 23, 2018

Scott Peck provided an update on the current conditions. No significant watercourse flooding or low water response is required. Due to the above normal Lake Ontario water levels, strong winds and associated wave action may occur in the future, resulting in increased risk of shoreline erosion and localized flooding along the shoreline.

**BD12,2539**                    **MOVED BY:            Chad Collins**  
 **SECONDED BY:      Santana Moccio**

**THAT the Board of Directors approve the following recommendations:**

**THAT the memorandum titled Current Watershed Conditions as of March 23, 2018 be received.**

**CARRIED**

12.3 Upcoming HCA and Partner Events

Gord Costie provided an update of the upcoming events that are included in the agenda package.



### 14.3 Confidential Report BD/Apr 03-2018

Scott Peck presented the report and answered board member's questions.

**BD12,2543                      MOVED BY:                      Chad Collins**  
**SECONDED BY:                  Lloyd Ferguson**

**THAT the Board of Directors approve the following recommendations:**

**THAT Report BD/Apr 03-2018 be approved and remain in camera.**

**CARRIED**

### 14.4 Confidential Verbal Update BD/Apr 04-2018

Lisa Burnside provided a verbal update and answered board member's questions.

**BD12,2544                      MOVED BY:                      Santina Moccio**  
**SECONDED BY:                  Chad Collins**

**THAT the Board of Directors moves out of *in camera*.**

**CARRIED**

## 15. **NEXT MEETING**

The next meeting of the Board of Directors will be held on Thursday, May 3, 2018 at 7:00 p.m. at Woodend Auditorium, 838 Mineral Springs Road, Ancaster, Ontario.

## 16. **ADJOURNMENT**

On motion, the meeting adjourned.

# HAMILTON CONSERVATION AUTHORITY

## MINUTES

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### Budget & Administration Committee

**April 19, 2018**

Minutes of the Budget & Administration Committee meeting held on Thursday, April 19, 2018 at Woodend Auditorium, 838 Mineral Springs Road, Ancaster, Ontario, at 7:00 p.m.

**PRESENT:** Susan Fielding, in the Chair  
Dan Bowman  
Lloyd Ferguson  
Santina Moccio

**REGRETS:** Doug Conley

**STAFF PRESENT:** Lisa Burnside, Gord Costie, Sharon Hunter, Judy Love, Neil McDougall, Scott Peck, and Nancy Watts - HCA Staff

**MEDIA:** Richard Leitner

**1. CHAIRMAN'S REMARKS**

Susan Fielding welcomed members and staff.

**2. DECLARATIONS OF CONFLICT OF INTEREST**

There was none.

**3. APPROVAL OF AGENDA**

The Chair requested any additions or deletions to the agenda. The Chair indicated that Melanie Dugard from Grant Thornton will provide a presentation on the 2017 Audited Financial Statements.

**BA1811**

**MOVED BY: Dan Bowman**

**SECONDED BY: Lloyd Ferguson**

**THAT the April 19, 2018 Budget & Administration Committee meeting agenda be approved as amended.**

**CARRIED**

**4. CHAIRMAN'S REPORT ON BOARD OF DIRECTORS ACTIONS**

Susan Fielding reported that all recommendations from the February 15, 2018 Budget & Administration Committee meeting were approved by the Board of Directors.

**5. DELEGATIONS**

6.1 2017 Audited Financial Statements

Susan Fielding introduced Melanie Dugard from Grant Thornton (GT).

Melanie Dugard provided a presentation on the 2017 Audited Financial Statements.

Melanie indicated that GT have completed their audit of the financial statements of the Hamilton Conservation Authority and Confederation Beach Park. The audit results indicate that there are no non-trivial unadjusted misstatements to report. Melanie indicated that there were no misstatements to report and that it was a clean audit.

Melanie answered member's questions. Susan thanked Melanie for attending the meeting and providing a review on the financial statements.

**6. MINUTES FROM THE PREVIOUS MEETING (February 15, 2018)**

**BA1812**

**MOVED BY: Dan Bowman  
SECONDED BY: Lloyd Ferguson**

**THAT the minutes of the Budget & Administration Committee meeting held on February 15, 2018 be approved as written.**

**CARRIED**



## 7. BUSINESS ARISING FROM THE MINUTES

### 7.1 Agenda Packages

At the February 15 meeting, Santina asked staff to research and look into using a consent agenda for the Budget & Administration Committee and the Board of Directors meetings to streamline the meetings. Santina asked for an update and what the timeline would be. Lisa Burnside indicated that this is part of the governance policy. The governance policy will be reviewed at the upcoming May and June Budget & Administration Committee meeting, with recommendations brought forward to the July Board of Directors meeting.

## 8. STAFF REPORTS/MEMORANDUMS

### 8.1 2017 – 12 Month Financial Results – Audited Financial Statements

Neil McDougall provided an update and explained the differences between the quarterly operating results and the annual financial statements. He then answered member's questions.

There are two separate financial statements; one for HCA and the other is for Confederation Beach Park.

Neil provided an update on the HCA financial statements and indicated that there were no misstatements to report and that it was a clean audit.

Confederation Beach Park is owned by the City of Hamilton and managed by the Hamilton Conservation Authority. HCA receives a management fee from the City to operate the facility. The financial statements are required by the City and are merged into the City's financial statements. With the new management agreement, all surplus funds are to be returned to the City and placed in a Confederation Beach Park reserve fund to be used on repairs and updates at the facility.

**BA1813**                      **MOVED BY:**              **Santina Moccio**  
**SECONDED BY:**      **Dan Bowman**

**THAT the 12 month financial results for 2017 be received.**

**CARRIED**

## 8.2 2018 – 3 Month Financial Results - Operating

Neil McDougall provided an update and indicated that the first quarter results were similar to last year with the exception of the 2017 land related donation for the East Mountain project recorded in Corporate Support.

The weather, as with last year, has not been that inviting which hurts the conservation areas.

Neil answered member's questions.

### **Watershed Planning and Engineering:**

- Revenues:
  - levy allocations were as expected
  - the permit and regulation fees are off to a slower start this year
- Expenses:
  - staffing expenses rose with the inflationary increases and also the timing of salary pays
  - consultants costs are related to funded projects, no budget variance
  - supplies variance is a timing issue
- Net:
  - No issues have surfaced in the first quarter of the year to cause budget concerns. All projects are appropriately funded and operating costs are well within acceptable ranges. We will be watching the permit situation carefully.

### **Conservation Areas:**

- Revenues:
  - admissions from day use were up reflecting the increase in rates which became effective January 1
  - the cool damp Spring has slowed camp usage this year
  - concessions also experienced a similar shortfall
  - other income, one third of which comes from tenant and film rental, remained constant with a year ago
- Expenses:
  - staffing remained steady with last year as did other expense categories
  - 1<sup>st</sup> quarter is always the quietest of the four. The real impact of the minimum wage increase won't be felt until the casual staff return in 2<sup>nd</sup> quarter.

- Net:
  - The weather is the primary driver of our conservation areas revenue and so far 2018.

**Westfield Heritage Village:**

- Revenues:
  - Maple Syrup events had a huge year this year driving revenues above last year
  - the levy variance is strictly a timing of receipt issue and will correct in future quarters
  - film revenues stayed strong and accounted for most of the other income increase
- Expenses:
  - staff expense has increased as expected with the new year
  - all other expenses were as expected
- Net:
  - Operations are off to a good start.

**Corporate Support:**

- Revenues:
  - City levy funds arrived in similar timing to last year
  - last year had the final contribution from the Heritage Green Community Trust of \$625 destined for the East Mountain project
  - other income, primarily equipment rentals and school fees were consistent with last year
- Expenses:
  - staffing expenses were tracking according to budget but much lower than last year due to casual staff shifts and last year's incurrence of retirement allowances
  - last year's contract expense was higher reflecting the security project work at Millgrove yard
- Net:
  - Not unusual variances to start the year. Budget targets should be accomplished

**BA1814****MOVED BY: Lloyd Ferguson****SECONDED BY: Santana Moccio****THAT the 3 month financial results for 2018 be received.****CARRIED**

### 8.3 2018 – 1<sup>st</sup> Quarter Vendor Listing Report

Neil McDougall provided an update on the 1<sup>st</sup> quarter vendor listing report for 2018.

Lloyd Ferguson declared a conflict of interest with the vendor listing for Dufferin Aggregates.

Neil answered member's questions.

**BA1815**                      **MOVED BY:            Dan Bowman**  
 **SECONDED BY:        Santana Moccio**

**THAT the Vendor Listing report for the 1<sup>st</sup> quarter in 2018 be received.**

**CARRIED**

### 8.4 WSIB Injury Statistics

Nancy Watts provided a PowerPoint presentation on the WSIB Injury Statistics from January 1 to April 13, 2018. Nancy answered member's questions.

Nancy indicated between January 1 and April 13, 2018, WSIB approved 2 Medical Aid Claims:

- 1 rolled ankle
- 1 sudden occurrence

Claims were made by part time/contract employees.

Between January 1 and April 13, 2018, WSIB approved 2 Lost Time Claims, each employee was off for 1 shift:

- knee injury
- pinched hand

Claims were made by part time/contract employees.

Year after Year Comparison:

At April 10 last year, HCA experienced:

- 2 Medical Aid claims in 2017 vs 2 claims in 2018
- 1 Lost Time claims in 2017 vs 2 claims in 2018

Medical Aid Claims in 2017 were a Slip and Fall and a Vehicle Accident. Lost time claim was due to an eye injury.

**BA1816**                      **MOVED BY:            Santina Moccio**  
 **SECONDED BY:        Dan Bowman**

**THAT the presentation on the WS&IB Overview and HCA Accident Statistics be received.**

**CARRIED**

#### 8.5    Impact of ESA Changes on Paid Sick Days

Nancy Watts presented the report and answered member's questions. Nancy indicated that the Employment Standards Act (ESA) sets minimum working conditions for most workers in Ontario. Bill 148, the Fair Workplaces and Better Jobs Act has brought significant reforms to the ESA.

One of the reforms created is a two paid-days, job-protected, leave under what is being called a Personal Emergency Leave (PEL) provisions.

HCA has provisions in its' Personnel Policy to provide full time staff with paid sick time in excess of the minimum two days as required under the new ESA, however, staff have identified that some amendments are still required to meet the new provisions.

It is required to revise the HCA paid sick policy to ensure compliance with the changes to the Employment Standards Act under Bill 148. While the current paid time off provisions for full time staff exceed two days, they do not include job protected paid time off for urgent matters and as such, do not provide a greater right or benefit.

**BA1817**                      **MOVED BY:            Santina Moccio**  
 **SECONDED BY:        Dan Bowman**

**THAT the Budget & Administration Committee recommends to the Board of Directors:**

**THAT the HCA Personnel Policy be amended to reflect revised guidelines for paid sick/personal emergency leave days applicable to full time staff as noted in this report effective immediately.**

**CARRIED**

**9. NEW BUSINESS**

There was none.

**10. IN-CAMERA ITEMS FOR MATTERS OF LAW, PERSONNEL AND PROPERTY**

There were no in-camera items.

**11. NEXT MEETING**

The next meeting will be scheduled for Thursday, May 17, 2018 at 7:00 p.m. at Woodend Auditorium, 838 Mineral Springs Road, Ancaster, Ontario.

**12. ADJOURNMENT**

On motion, the meeting adjourned.





# Report

**TO:** Board of Directors

**FROM:** Lisa Burnside, Chief Administrative Officer (CAO)

**RECOMMENDED:** T. Scott Peck, MCIP, RPP, Deputy CAO/Director, Watershed Planning & Engineering

**PREPARED BY:** Mike Stone, MCIP, RPP, Manager, Watershed Planning Services  
Colin Oaks, Aquatic Ecologist

**DATE:** May 3, 2018

**RE:** Tender Award – Lower Spencer Creek Fish Habitat Enhancement Project

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## STAFF RECOMMENDATION

THAT HCA staff recommends to the Board of Directors:

THAT the tender for construction services for the Lower Spencer Creek Fish Habitat Enhancement Project be awarded to R&M Construction for a total cost of \$185,508.57 including HST.

## BACKGROUND

Urbanization within the Lower Spencer Creek (LSC) subwatershed has impacted the creek system and degraded its functioning over time. Channelization (straightening) of the creek in the past has led to channel instability and a reduced capacity to support healthy aquatic environments. Historically, management intervention has been through structural means of erosion stabilization, which have had limited degrees of success. In-stream works including grade control structures, concrete lining and gabion baskets have contributed to fish-migration and sediment flow barriers which affect the overall health and functionality of the creek. LSC is directly connected to Cootes Paradise, one

of Lake Ontario's largest coastal wetlands, and therefore has an influence of the health of the Cootes Paradise system and Lake Ontario fishery. As a result, the area of LSC between Thorpe Street and Cootes Drive (see Figure 1) has been identified as an area that would benefit from creek restoration work to improve watercourse function and fish habitat.

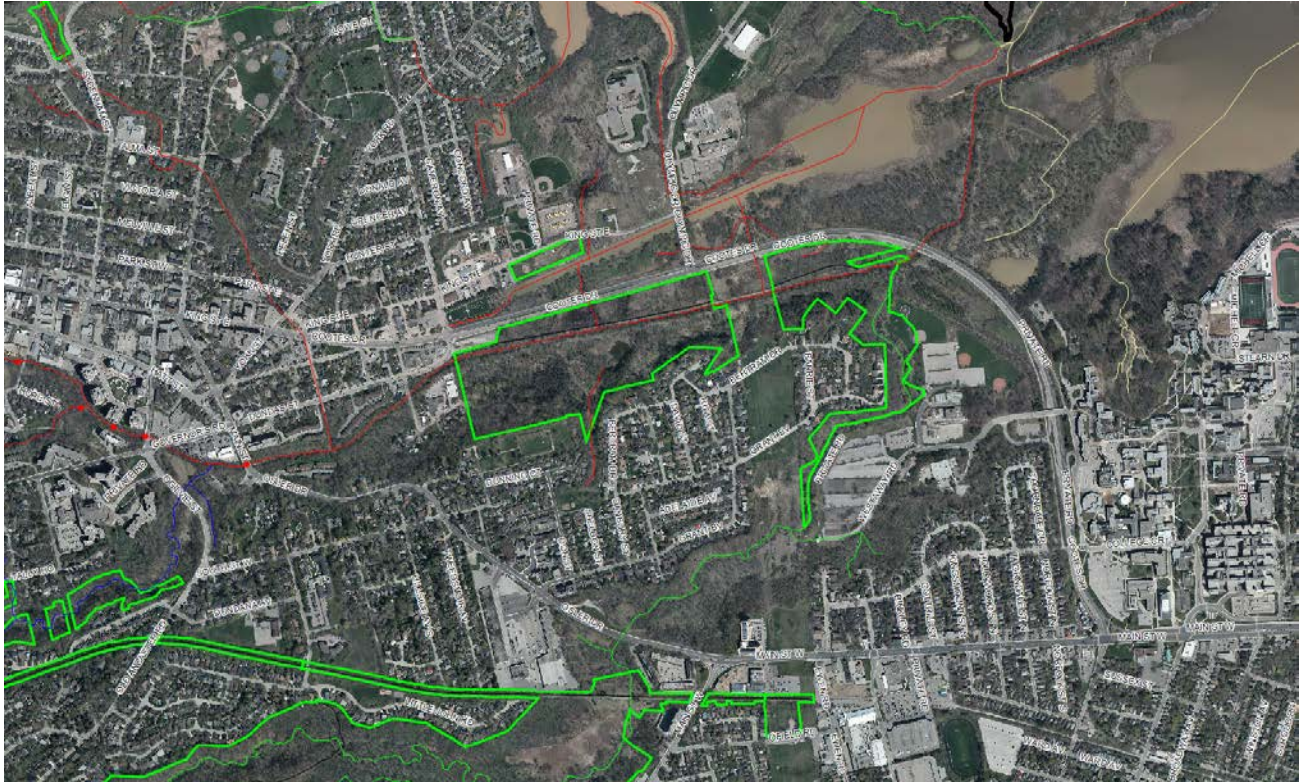


Figure 1: Lower Spencer Creek within Dundas

In 2015 HCA began work to examine restoration design options. In 2017 Matrix Solutions completed a preliminary design for improvements to the LSC system. HCA hosted a public open house on May 23, 2017 to provide an opportunity for the public and interested stakeholders to review and comment on the proposed work. The detailed design plans were finalized in April 2018.

The design elements that were selected were based on the absence of natural fish habitat available in the channel under existing conditions. Natural refuge areas, including pools, overhanging vegetation, undercut banks, and variability in substrate were generally lacking from the majority of the study area. The channel also lacks suitable substrate and structure required for walleye spawning and provides little variability and habitat essential for other supporting species including foraging species for larger predatory fish. Without introducing a level of sinuosity within the existing channel to allow a more dynamic and variable system, design elements focused on maintaining the alignment and erosion potential of the current channel while providing

hydraulic conditions to maintain constructed refuge and spawning areas. A summary of the features to be installed are listed below:

<b>Creek Section</b>	<b>Fish Species of Focus</b>	<b>Recommended Features</b>
Reach 1	Salmonids	One riffle-pool sequence Overhanging brush layering bank treatment Two boulder clusters
Reach 2	Walleye and juvenile fishes	Two riffle-pool sequences Overhanging brush layering bank treatment Two boulder clusters Four stone ribs in sequence with 16 LUNKERS
Reach 3	Forage fishes, and juveniles	Six boulder clusters

The proposed enhancements of the Lower Spencer Creek has the potential to improve the ecological productivity of Spencer Creek, Cootes Paradise and ultimately Lake Ontario.

A tender for construction services for the Lower Spencer Creek Fish Habitat Enhancement project was prepared and released in April 2018. The tender package was sent to seven contractors and advertised in the Daily Commercial News.

In response to the tender the following bids were received:

<u>Contractor</u>	<u>Total (incl. HST)</u>
Dynex Construction Inc.	\$383,183.00
Cambridge Landscaping & Construction Ltd.	\$244, 958.01
Terrain Excavation	\$240,949.90
R&M Construction	\$185,508.57

## **STAFF COMMENT**

Completion of the Lower Spencer Creek Fish Habitat Enhancement Project will contribute to improving fish habitat availability in the LSC system. The project will also

build upon work being completed as part of the Hamilton Harbour Remedial Action Plan that is aimed at improving water quality and fish habitat in the Harbour.

R&M Construction's bid represents the lowest bid received. The tender submitted by R&M Construction has also demonstrated they have the experience necessary to complete the project.

## **STRATEGIC PLAN LINKAGE**

The Lower Spencer Creek Fish Habitat Enhancement Project will contribute to the achievement of the strategic goals and objectives that have been established in the HCA Strategic Plan 2014 -2018. In particular, the project contributes to:

- **Strategic Goal # 1 – Water Management**
  - Strategic Objective – minimize the impacts of erosion and sedimentation on watershed streams, creeks, rivers and receiving water bodies.
  - Strategic Objective – maintain and enhance surface and ground water quality from the headwater source to Hamilton Harbour and Lake Ontario.
  
- **Strategic Goal # 2 – Natural Heritage Conservation**
  - Strategic Objective – maintain and enhance the natural heritage features of HCA lands and manage these lands on an environmentally sustainable basis.
  - Strategic Objective - minimize the impacts of urban and rural land uses on natural heritage features.

## **AGENCY COMMENTS**

Not applicable.

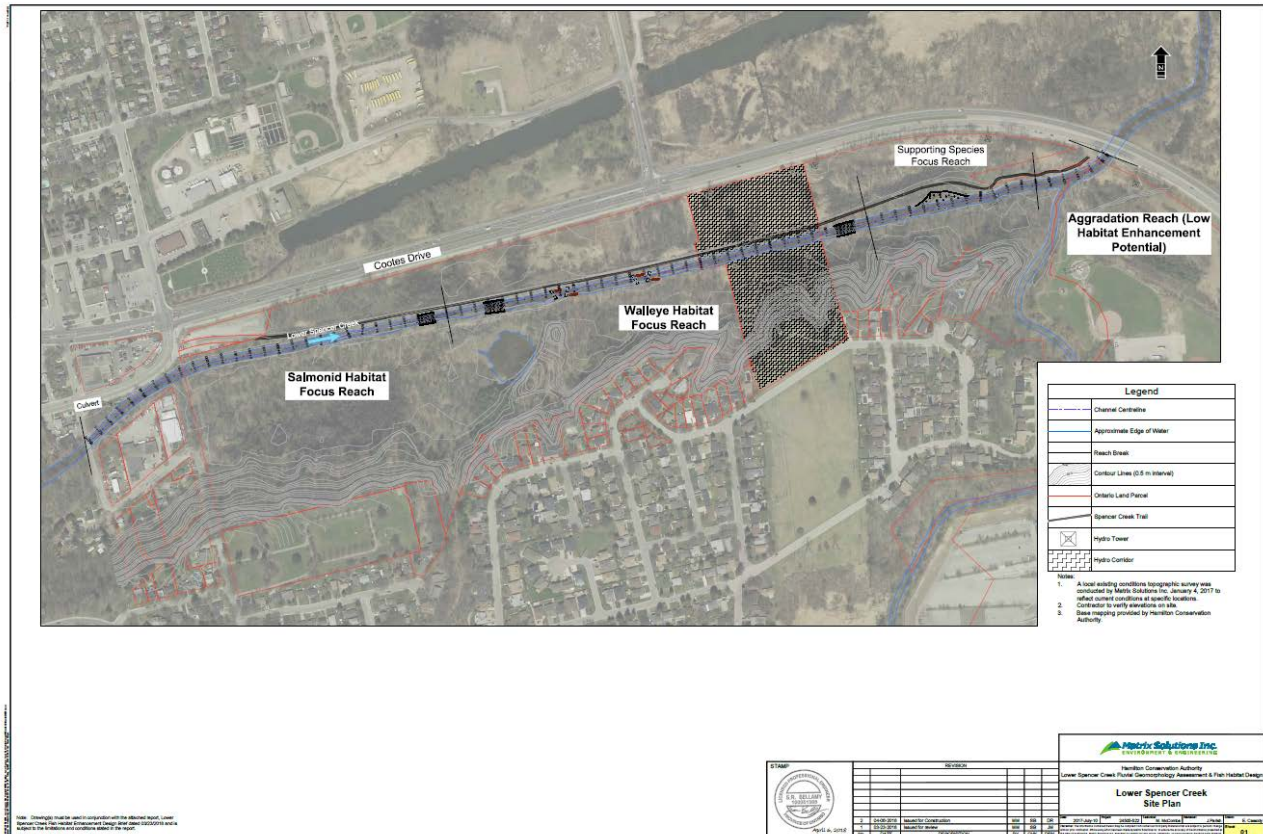
## **LEGAL/FINANCIAL IMPLICATIONS**

The total cost of the tender being recommended for approval for the completion of the Lower Spencer Creek Fish Habitat Enhancement Project work is \$185,508.57 including HST. This bid represents the lowest received. The bulk of the funding for completion of this work is being provided by the Ministry of Natural Resources and Forestry (MNRF) Canada Ontario Agreement (COA) at \$130,000. Additional funding sources are being reviewed to obtain the remaining funds required to complete the project in time for the summer 2018 work schedule.



# CONCLUSIONS

HCA has received funding from MNRF Canada Lake Ontario Agreement (COA) to implement the Lower Spencer Creek Fish Habitat Enhancement Project in 2018. Approval to award the tender to the low bidder (R&M Construction) will allow work on Lower Spencer Creek commence upon finalizing the work plan and signing of the Contract. Completion of the project will contribute to improving the function and health of the Lower Spencer Creek system.





# Memorandum

**TO:** Board of Directors

**FROM:** Lisa Burnside, Chief Administrative Officer (CAO)

**RECOMMENDED BY:** T. Scott Peck, MCIP, RPP, Deputy Chief Administrative Officer / Director, Watershed Planning & Engineering

**PREPARED BY:** Jonathan Bastien, Water Resources Engineering

**DATE:** April 20, 2018

**RE:** Current Watershed Conditions as of April 20, 2018

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## **CURRENT WATERSHED CONDITIONS – April 20, 2018**

### Current Water Levels in Major Area Watercourses

Based on data from HCA stream gauges (6), in Upper and Middle Spencer Creek, water levels and flows are elevated and there are public safety concerns associated with the elevated water levels and faster moving water, as well as the possibility of watercourse flooding of low-lying areas that typically flood during higher water levels.

In Lower Spencer Creek, conditions are elevated and there is a public safety concern associated with the elevated water levels and faster moving water.

Water levels and flows are currently slightly elevated in Ancaster Creek, Redhill Creek and Stoney Creek, with no watercourse flooding or significant public safety concerns.

These watercourse conditions are the remnant effects of the freezing rain / rain storm experienced April 14 to 16.

Current and recent flowrates do not indicate low water conditions.

### Current Lake Ontario Water Levels

Although current Lake Ontario water levels remain above normal (approximately 16 cm above average), water levels are about 35 cm below the level on this date last year and 63 cm below record-high level for this time of year (set in 1973). The Lake Ontario mean daily water level is currently approximately 75.05 m IGLD85.

### Current Storages in HCA Reservoirs

Based on current reservoir levels at Christie Lake Dam (771.27 ft.), the reservoir is presently near its typical summer operating level (771 ft.), and is at 70 percent of its preferred typical maximum summer storage capacity (corresponding to a water level of 773 ft.).

Based on current reservoir levels at Valens Dam (275.25 m), the reservoir is presently near its typical summer operating level (275.35 m), and is about 25 cm below its preferred typical maximum summer water level (275.5 m)

### Current Soil Conditions

Based on available information, the surface and root-zone soils are expected to be wet but not saturated, and thawed in all locations except Upper Spencer Creek where soils are still partially frozen.

## **RECENT STORM EVENTS**

During the period of mid-March to mid-April, there was one significant storm event resulting in Lake Ontario shoreline flooding and erosion, as well as elevated watercourse levels and flows (April 14 to 16).

### Lake Ontario Shoreline Flooding and Erosion

Extremely high winds and corresponding storm surge and wave action was experienced along the Lake Ontario south-western shoreline between April 14 and 16. At that time, Lake Ontario water levels increased from about 75.0 m IGLD 1985 (on the morning of April 14) to a maximum of 75.45 m IGLD 1985 (on April 15). These maximum Lake Ontario water levels were about 50 cm above normal. In addition to the elevated lake levels, maximum wave heights were forecasted to be over 2.75 m, according to various sources. Actual recorded wave height data is not yet available to confirm the forecasts.

During this shoreline flooding event, HCA staff closely monitored wind and wave forecasts, received communication from the City of Hamilton regarding property evacuations on Windemere Road, monitored for additional reports from the media and public, and undertook site monitoring (on Monday April 16 during the tail end of the storm) on Windemere Road and Church Street.

HCA engineering staff issued the following shoreline flooding messages to communicate information to the City of Hamilton and public:

- Flood Watch – Lake Ontario Shoreline on April 11
- Flood Warning – Lake Ontario Shoreline on April 15, and
- Termination of Flood Warning & Flood Watch - Lake Ontario Shoreline on April 17

This communication included advising of the potential risk of shoreline erosion and localized flooding along Hamilton's shoreline multiple days prior to the storm event. It also included advising during the storm of the reported significant flooding and shoreline erosion occurring in the area of Windemere Road, as well as the fact that flooding and shoreline erosion were possibly occurring along other sections of the Lake Ontario shoreline within the HCA watershed.

Based on media / public reports, and HCA staff observations, the following instances of significant shoreline flooding occurred:

- Windemere Road property, building and road flooding, due to waves from Lake Ontario overtopping shoreline onto properties and Windemere Road (media / public reports during and after event, and HCA staff observations April 16);
- Church Street area property, building, and road flooding, due to waves from Lake Ontario overtopping shoreline onto properties and roads (media / public reports during and after event, and HCA staff observations April 16);
- Beach Boulevard area property flooding (media / public report during and after event);

### Watercourse Flooding

A total of approximately 80 mm of rain was received across the watershed (about 50 mm as freezing rain / snow / ice on April 14 & 15, with about 30 mm as rain on April 16). The majority of the accumulated freezing rain / snow / ice subsequently melted over the period of April 16 to 20.

This combination of rainfall and snowmelt resulted in high water levels and elevated flows in area watercourses. There were various observations (in Upper, Middle and Lower Spencer Creek) of localized flooding of low-lying areas that typically flood during higher WLs, including natural floodplain, portions of farmed fields, and wooded areas. There was also the expectation (unobserved) of localized flooding in low-lying areas that typically flood during higher water levels in the Upper Stoney Creek watershed. However, there were no reports or observations of widespread or significant localized watercourse flooding within the HCA watershed.



Prior to the storm, the Christie Lake Dam discharge was significantly reduced to increase flood storage and decrease flows and water levels in Lower Spencer Creek through the town of Dundas. Christie Lake water levels increased significantly as a result, with maximum levels (about 773.6 ft.) slightly greater than the preferred typical maximum summer water level (773 ft.). These elevated reservoir levels resulted in flooding of conservation area property and trails but there were no reports or observations of flooding of private property or municipal roads. After the storm event, Christie Lake Dam discharge was increased to reduce reservoir levels over three days back down to typical summer operating levels (about 771 ft.). During this operation, resultant flows in downstream Lower Spencer Creek were maintained at flows typical of an annual spring freshet event.

During this storm and subsequent runoff period, HCA engineering staff also closely monitored conditions, undertook site monitoring to known flooding concern areas, and issued the following messages to communicate the observed / potential watercourse flooding conditions to the City and public:

- Flood Watch on April 12
- Updated Flood Watch on April 17

## **RECENT PRECIPITATION SUMMARY**

Current and recent precipitation amounts do not indicate low water conditions.

## **FORECASTED WATERSHED CONDITIONS**

### Watercourse Flooding

Elevated water levels and flows in area watercourses (particularly in Spencer Creek) are expected to continue in the short term, due to the lingering influence of the recent snowmelt / rainfall event.

However, there are currently no significant rainfall events (+20 mm in a day) anticipated for the watershed over the next 2 weeks.

Resultant water levels and flows are not expected to pose significant watercourse flooding concerns.

### Lake Ontario Shoreline Erosion / Flooding

According to International Lake Ontario – St. Lawrence River Board weekly briefing information, heavy precipitation from this past week's storm caused Lake Ontario to rise. The storm also increased streamflows into Lake Ontario. These higher streamflows are expected to continue as milder temperatures and snowmelt are expected.

Lake Ontario levels will continue to rise as a result, although at a slower rate than seen during the past week and more typical for this time of year.

Though there remains a lot of uncertainty in longer-term projections, given near-average water supply conditions, levels of Lake Ontario are expected to continue their seasonal rise over the next several weeks. If average inflows to the lake were to continue, water levels would approach seasonal average values later in summer, whereas wetter or drier conditions would result in higher or lower levels, respectively.

## **SYNOPSIS**

As of April 20, 2018, no significant watercourse flooding or low water response is required.

Due to the above normal Lake Ontario water levels, strong winds and associated wave action may occur in the future, resulting in increased risk of shoreline erosion and localized flooding along Hamilton's shoreline.



## UPCOMING HCA & PARTNER EVENTS

### **Spring Fling Disc Golf Tournament**

**May 5 - 6, 8:00am - 5:00pm**

**Christie Lake Conservation Area**

**1000 Highway 5 West, Dundas, Ontario, L9H 5E2**

Christie Lake Disc Golf Club Presents The 2018 Spring Fling, sponsored by Dynamic Discs! A GDG \$5K/\$10K event! PDGA "A" Tier Tournament, ODSA Ontario Cup event.

### **Victoria Day Camping**

**May 17 - 21**

**Valens Lake Conservation Area**

**1691 Regional Road 97 (R.R.#6), Flamborough, Ontario N1R 5S7**

Reserve your campsite to avoid missing out on this busy weekend. For more information, please call Valens Lake at 905-525-2183 or email [valens@conservationhamilton.ca](mailto:valens@conservationhamilton.ca)

### **Mountain Equipment Co-op Race Two**

**May 20**

**Confederation Beach Park**

### **Christie Antique & Vintage Show**

**May 26, 8:00am - 5:00pm**

**Christie Lake Conservation Area**

**1000 Highway 5 West, Dundas, Ontario, L9H 5E2**

Canada's favourite antique & vintage show with hundreds of dealers and almost 10 acres of treasures to be discovered. Here you'll find china, jewellery, golf items, tins, scientific instruments, folk art, postcards, native artifacts, Canadiana, fine art, nostalgia items, furniture and much, MUCH more! Food vendors on site for a snack or meal. Rain or shine. Admission fee applies. For more information visit [www.christieshow.ca](http://www.christieshow.ca)

### **Opening Weekend**

**June 9 & 10, 11:00am to 8:00pm**

**Wild Waterworks**

**680 Van Wagners Beach Road, Hamilton, ON L8E 3L8**

What better way than to start your summer than a day at Wild Waterworks?! Splash around and enjoy a day filled with fun in the sun! For more information, visit [www.wild-waterworks.com](http://www.wild-waterworks.com), phone 905-547-6141 or email [wildww@conservationhamilton.ca](mailto:wildww@conservationhamilton.ca)