

## Hamilton Region Conservation Authority

### Minutes

### Board of Directors Meeting

**May 7, 2020**

Minutes of the Board of Directors meeting held on Thursday, May 7, 2020, at 7:00 p.m., by videoconference.

**PRESENT:**            **Lloyd Ferguson – in the Chair**  
                         **Dan Bowman**                            **Jim Cimba**  
                         **Brad Clark**                              **Chad Collins**  
                         **Susan Fielding**                      **Tom Jackson**  
                         **Cynthia Janzen**                      **Santina Moccio**  
                         **Esther Pauls**                            **Maria Topalovic**

**Margaret Reid – Foundation Chair**

**REGRETS:**            **None**

**STAFF PRESENT:** **Lisa Burnside, Grace Correia, Gord Costie, Sarah Gauden, Matt Hall, Bruce Harschnitz, Sara Kinnear, Stacey McConnell, Neil McDougall, Scott Peck, Jaime Tellier and Nancy Watts**

**OTHERS:**            **Jordan Diacur and Amanda Jackson – Gowling WLG**  
                         **Richard Leitner – Media**  
                         **Members of the Public**

#### **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. There were none.

#### **3. Approval of Agenda**

The Chair requested any additions or deletions to the agenda. The Chair advised that an in-camera item would be added as item 11.1 to discuss a legal matter, resulting in existing in-camera items being moved down the agenda.

**BD12, 2769**

**MOVED BY: Santina Moccio  
SECONDED BY: Esther Pauls**

**THAT the agenda be approved, as amended.**

**CARRIED**

#### **4. Delegations**

There were none.

#### **5. Consent Items for Applications, Minutes and Correspondence**

The following consent items were adopted:

- 5.1. Applications – Development, Interference with Wetlands, Alterations to Shorelines and Watercourses
- 5.2. Approval of Board of Directors Minutes – April 2, 2020
- 5.3. Approved November 21, 2019 Budget & Administration Committee Minutes – for receipt only
- 5.4. Letter from Ministry of Transportation to Boating Ontario Association regarding impact of COVID-19 on marina operations, dated April 10, 2020
- 5.5. Ontario Extends Declaration of Emergency to Continue the Fight Against COVID-19, Office of the Premier, dated April 14, 2020
- 5.6. Ontario Passes COVID-19 Support and Protection Act with Planning Amendments, Ontario Professional Planners Institute
- 5.7. Memorandum from Ministry of Environment, Conservation and Parks to Conservation Ontario regarding Conservation Authority Questions Regarding Emergency Orders and Essential Businesses List, dated April 23, 2020
- 5.8. A Framework for Reopening our Province, Government of Ontario, dated April 27, 2020

- 5.9. Letter of Support for Conservation Authorities from 112 national, provincial and local organizations, to The Honourable Doug Ford, dated April 27, 2020

## 6. Member Briefing

There was none.

## 7. Business Arising from the Minutes

### 7.1. COVID-19 - Verbal Update

Lisa Burnside provided a summary of how HCA continues to operate during the closure, including continuity of programs and services while working from home, responding to the public, keeping our areas secure, and collaborative efforts as seasonal maintenance begins. She advised of increasing requests from the public to provide access to our facilities. Provincial announcements last week provided that marinas may begin preparations for the recreational boating season by servicing boats and placing boats in the water, but marinas themselves are not open to the public. Fifty Point is working on an operational plan based on this direction. The provincial emergency measures have been extended to May 19, staff do not foresee any other changes to our operations until this time and will continue monitor all announcements.

Lisa further added that organizational decisions are made to balance the competing pressures that include keeping our staff and visitors safe, the need to ensure we can provide HCA's critical services and the pressure to address the financial impacts to our organization as a result of this pandemic. At this time, HCA continues to pay all full time staff full wages utilizing the operational reserve.

Staff will continue to closely monitor our finances and revenue projections, including looking to supplement our operational reserve with the federal wage relief program which would provide assistance until early June. Staff have made application to that fund last week and are cautiously optimistic that Canada Revenue Agency will consider our organization to be eligible.

Lisa recognized staff for their continued resilience and flexibility to ensure our business continuity. She also shared staff innovations that have resulted from the unique situation we find ourselves in.

The Chair thanked staff for all of their efforts during this time.

**BD12, 2770**

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

**THAT the verbal update on HCA operations during the COVID-19 pandemic be received as information.**

**CARRIED**

**8. Reports from Budget & Administration Committee, Conservation Advisory Board, and the Foundation**

8.1. Conservation Advisory Board – February 13, 2020

CA 2005          Westfield 2020 Accession and Deaccession List

Maria Topalovic presented a summary of the report.

**BD12, 2771          MOVED BY: Maria Topalovic  
SECONDED BY: Susan Fielding**

**THAT the Conservation Advisory Board recommends to the Board of Directors:**

**THAT the Westfield Heritage Village 2019 Artifact Acquisitions and Deaccession List be accepted as the artifacts added to, or removed from, the Westfield Heritage Village and the Hamilton Region Conservation Authority collection.**

**CARRIED**

8.2. Budget and Administration Committee – April 23, 2020

BA 2002          2019 – Report by the Auditors and  
2019 – 12 Month Audited Financial Statements

Santina Moccio presented a summary of the report.

**BD12, 2772          MOVED BY: Santina Moccio  
SECONDED BY: Dan Bowman**

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

**THAT the Report by the Auditors be approved; and further**

**THAT the 2019 Twelve-Month Audited Financial Statements for Hamilton Conservation Authority and Confederation Beach Park be approved.**

**CARRIED**

8.3. Foundation Chairman's Remarks

Margaret Reid reported on the following:

Donations

We received a total of **\$3,149** in donations from April 1 to 30. They break down as follows:

- \$1,568 for the Hamilton Watershed Stewardship Program
- \$650 for the Dundas Valley Trails Fund
- \$400 for the Tribute Tree Fund
- \$270 for Westfield Heritage Village
- \$210 for Land Securement
- \$70 for Outdoor Environmental Education

This brings our **Fiscal Year-to-Date (Dec 1, 2019 to April 30, 2020) total to \$137,959.**

In light of current circumstances, we don't anticipate a lot of donation activity in the short term, but a \$50,000 commitment from the Greenbelt Foundation was recently confirmed to support wetland work in the Saltfleet Conservation Area.

Staff continue to reach out to donors and potential donors to keep them engaged and top-of-mind.

The Foundation AGM, originally planned for May 11, has been postponed until such a time as we are safely able to hold it. Our annual Appreciation event has been tentatively postponed to the fall.

The members inquired about a post-pandemic strategy for fundraising efforts. Grace Correia responded that staff are currently relationship building with key donors.

**BD12, 2773**

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

**THAT the Foundation Chairman's Report be received as information.**

**CARRIED**

## 9. Other Staff Reports/Memoranda

### 9.1. Provincial Policy Statement and Ontario's Flooding Strategy

Scott Peck presented a summary of the report and answered the members' questions. Expected changes as a result of the flooding strategy were discussed. Scott advised that staff are working on enhanced floodplain mapping and will be reviewing the flood forecasting and warning program with the City of Hamilton.

It was noted that the staff report indicates the strategy includes a reference to securing funding for flood risk reduction. It was suggested this be explored for the development of the Saltfleet Conservation Area.

**BD12, 2774**

**MOVED BY: Brad Clark  
SECONDED BY: Santina Moccio**

**THAT the memorandum entitled Provincial Policy Statement and Ontario's Flooding Strategy be received as information.**

**CARRIED**

### 9.2. Current Watershed Conditions as of April 23, 2020

Scott Peck presented a summary of the memorandum and answered the members' questions. The Lake Ontario water levels continue to be high. Lake Erie is naturally releasing at record levels. As a result the Lake Ontario levels will be sustained. Staff continue to monitor for effects of wave action.

**BD12, 2775**

**MOVED BY: Cynthia Janzen  
SECONDED BY: Esther Pauls**

**THAT the memorandum entitled Current Watershed Conditions as of April 23, 2020 be received as information.**

**CARRIED**

### 9.3. HCA Conservation Area Reopening Considerations

Gord Costie presented a summary of the memorandum, highlighting HCA's thoughtful approach to a phased re-opening. It was confirmed that all HCA activities will be in compliance with provincial direction. Coordination by Conservation Ontario and alignment with other Conservation Authorities were also discussed.

Variation between Conservation Authorities limits the potential for a consistent approach, however all will be observing provincial direction. HCA has an operational advantage due to its automated gates and pay and display parking facilities. Staff will provide our phasing plan to Conservation Ontario and Conservation Authorities as there is ongoing sharing of ideas and innovation.

**BD12, 2776**

**MOVED BY: Dan Bowman  
SECONDED BY: Tom Jackson**

**THAT the memorandum entitled HCA Conservation Area Reopening Considerations be received as information.**

**CARRIED**

## **10. New Business**

There was none.

## **11. In-Camera Items for Matters of Law, Personnel and Property**

**BD12, 2777**

**MOVED BY: Santina Moccio  
SECONDED BY: Maria Topalovic**

**THAT the Board of Directors moves *in camera* for matters of law, personnel and property.**

**CARRIED**

**During the *in-camera* session, one legal, one personnel, and one property matter were discussed.**

### 11.1. Confidential Memorandum – BD/May 03-2020

Lisa Burnside provided a summary of the report regarding a legal matter and answered the members' questions.

### 11.2. Confidential Memorandum – BD/May 01-2020

Lisa Burnside provided a summary of the report regarding a personnel matter and answered the members' questions.

**BD12, 2778****MOVED BY: Esther Pauls  
SECONDED BY: Dan Bowman****THAT the confidential memorandum entitled BD/May 01-2020 be received and remain in camera.****CARRIED****11.3. Confidential Report – BD/May 02-2020**

Scott Peck provided a summary of the report regarding a property matter and answered the members' questions.

**BD12, 2779****MOVED BY: Brad Clark  
SECONDED BY: Esther Pauls****THAT the Board of Directors moves out of *in camera*.****CARRIED**

**The meeting reconvened in open session and the following resolution resolutions were passed:**

**Confidential Memorandum – BD/May 03-2020****BD12, 2780****MOVED BY: Lloyd Ferguson  
SECONDED BY: Jim Cimba****THAT HCA re-open radial trails for passive use, with no amenities as set out in the staff memorandum of May 7, 2020 in Appendix "A" with the radial trails listed being Hamilton Brantford Rail Trail, Chippewa Trail, Dofasco 2000 Trail, Lafarge 2000 Trail, Canal Park Trails and Confederation Beach Park Breezeway, effective Saturday, May 9, 2020.****CARRIED****Confidential Report – BD/May 02-2020****BD12, 2781****MOVED BY: Tom Jackson  
SECONDED BY: Santina Moccio**



**Whereas at the April 2, 2015 Board of Directors meeting, the Board directed that staff undertake a request for proposals to determine community interest in utilizing a portion of the Mt. Albion Conservation Area known as 60 Arbour Road and that staff were directed to obtain planning approvals as part of this process;**

**And Whereas the Province of Ontario on March 5, 2020 notified the HCA that the amendment to the Niagara Escarpment Plan to re-designate the lands from Escarpment Protection Area to Urban Area and exclude the lands from the Niagara Escarpment Parks and Open Space System had been approved;**

**And Whereas the Niagara Escarpment Plan is implemented through municipal official plans and zoning by-laws;**

**And Whereas these lands represent an opportunity to be redeveloped for small scale uses that are complementary with the natural environment and adjacent uses;**

**Therefore it is recommended that the Hamilton Conservation Authority Board of Directors request the Council of the City of Hamilton to amend the Urban Hamilton Official Plan and Zoning By-law No. 05-200 to reflect the re-designation of 60 Arbour Road to Urban Area within the Niagara Escarpment Plan, and that the range of uses permitted on 60 Arbour Road be to permit small scale institutional and prestige industrial uses that are complimentary and compatible with the existing uses permitted in the area.**

**CARRIED**

## **12. Next Meeting**

The next meeting of the Board of Directors will be held on Thursday, June 4, 2020, by videoconference.

## **13. Next Meeting Adjournment**

On motion, the meeting adjourned.

A handwritten signature in black ink, reading "Neil McDougall". The signature is written in a cursive style with a prominent underline at the end.

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Neil McDougall  
Secretary-Treasurer