



**BD12, 2829****MOVED BY: Chad Collins  
SECONDED BY: Santina Moccio****THAT the agenda be approved, as amended.****CARRIED****4. Delegations****4.1. Enbridge Gas Inc. Kirkwall-Hamilton Project Withdrawal**

Nick Klip confirmed Enbridge's application to the Ontario Energy Board for the Kirkwall to Hamilton project has been withdrawn due to changes in the market associated with the pandemic. It is felt that the economy in Ontario will not be returning to pre-pandemic growth for some time. Enbridge will continue to monitor the system and consumer demand to determine if the application will be brought forward again at a later date. Should the application be brought forward in the future, Enbridge will follow all parameters and requirements in the recently completed Environmental Impact Study and peer review, and will exceed where they can. Nick emphasized Enbridge's approach is to take great care with infrastructure projects and advised of past work in the area and good relationships with Conservation Authorities.

**BD12, 2830****MOVED BY: Santina Moccio  
SECONDED BY: Jim Cimba****THAT the verbal update be received as information.****CARRIED****4.2. McCormack Trail Access**

Carol Town and Catherine Weir presented a request for parking access/management at the McCormack Trail entry point on Governor's Road, citing safety concerns with crossing Governor's Road. The proposals included a pilot project for time-limited parking, or in the longer term, building a small parking lot on site.

Gord Costie advised that he and Lisa Burnside met on-site with the delegates to understand their concerns. The trail is served by the main Dundas Valley parking lot by the Stacey Pavilion. Gord acknowledged safety issues with crossing the road and identified community parking on the northeast side of the trail as an alternative that would alleviate safety concerns associated with crossing Governor's Road. He also suggested access to other trails within the Dundas Valley for visitors to enjoy that do not require road crossings. Lisa Burnside added that parking is an issue at HCA in many areas and we face geographic challenges and Niagara Escarpment

Commission designations. There are multiple road crossings for the Dofasco and Chippewa trails as well as the rail trail and Bruce trail. Lisa advised that this area was not identified as an area for recommendations or resources in the 2019 parking review.

Chair Ferguson commented that he would visit the site to familiarize himself with the area.

The Board did not move to endorse the parking requests and thanked the delegates for their presentation.

**BD12, 2831**

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

**THAT the delegation presentation be received as information.**

**CARRIED**

## **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 – November 5, 2020
- 5.3. Approved September 17, 2020 Budget & Administration Committee Minutes – for receipt only
- 5.4. Email from Minister Jeff Yurek dated November 5, 2020 – “Updating the Conservation Authorities Act”
- 5.5. HCA Opinion article published in Hamilton Spectator November 7, 2020 - “Pandemic Bringing People Back to Nature”
- 5.6. HCA Media Release dated November 13, 2020 – “HCA Preliminary Response to Conservation Authority Act Changes”
- 5.7. Letter to Minister Jeff Yurek from Centre for Climate Change Management at Mohawk College dated November 18, 2020 – “Changes to the Conservation Authorities Act”

- 5.8. Township of Puslinch Resolution No. 2020-331 regarding Proposed Changes to the Conservation Authorities Act: Schedule 6 of Bill 229, dated November 18, 2020
- 5.9. Greenbelt Council letter to Minister of Municipal Affairs and Housing dated November 19, 2020 – ‘Removal of Schedule 6 from Ontario Bill 229’
- 5.10. HCA Media Release dated November 19, 2020 – “Picture Perfect! HCA 2019 Photo Contest Winners Announced”
- 5.11. HCA Letter to Premier and Ministers November 23, 2020 – Concerns with Bill 229 *Protect, Support and Recover from COVID 19 Act (Budget Measures Act)* - Schedule 6 – *Conservation Authorities Act*
- 5.12. City of Hamilton Council Resolution regarding Proposed Changes to the Conservation Authorities Act: Schedule 6 of Bill 229, dated November 25, 2020
- 5.13. Association of Municipalities Ontario letter to Premier Doug Ford, dated November 20, 2020 regarding Schedule 6 of Bill 229
- 5.14. Ontario Professional Planners Institute letter to Ministers Yurek, Yakabuski and Phillips, dated November 26, 2020 – Proposed Changes to the Conservation Authorities Act in Bill 229
- 5.15. Media Release from Ontario’s Big City Mayors, dated November 27, 2020 highlighting an approved motion to remove Schedule 6 of Bill 229
- 5.16. Toronto Star Editorial, dated November 29, 2020 – “Once again, the Ford government is putting developers ahead of Ontario’s environment
- 5.17. Conservation Ontario letter to Standing Committee on Finance and Economic Affairs, dated December 1, 2020 – Conservation Ontario’s Submission on Bill 229, the *Protect Support and Recover from COVID-19 Act (Budget Measures Act)*, 2020 with regard to Schedule 6 *Conservation Authorities Act*

Tom Jackson inquired about staff’s understanding of the genesis of the changes to the Conservation Authorities Act. Lisa Burnside responded that it appears to relate back as part of the government’s commitment to ensure conservation authorities focus and deliver on their core mandate, as per the letter all conservation authorities received back in 2019. All Conservation Authorities, including HCA, met with provincial staff sharing the history of why Conservation Authorities were formed and providing overviews of all of the beneficial services we provide for the public. The province did undertake some further consultation with a variety of stakeholders. The specific changes that have been put forward were not presented to the Conservation Authorities or circulated for review and comment. Staff did not observe anything that would have led to anticipating the proposed changes that have been put forward in

Schedule 6 of Bill 229. The proposed amendments do not appear to reduce red tape. With regard to transparency and efficiency, HCA's financial statements are posted online, we have up-to-date governance policies and excellent relationships with our funding municipalities.

Tom Jackson further inquired about possible issues at smaller municipalities that may be the reason for the proposed changes. Lisa commented that certainly some conservation authorities are smaller than others and have different resources. She noted it is important to be aware that the Section 28 regulations we administer come from the province themselves. She added that if there are some discrepancies between Conservation Authorities, we may need to look back to the Province and MNR for enhanced definitions and best management practices and policies. All Conservation Authorities meet to collaborate and share resources. She is not aware of any particular Conservation Authority not being able to deliver on their mandates or particular functions.

## **6. Member Briefing**

There was none.

## **7. Business Arising from the Minutes**

There was none.

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

### **8.1. Budget and Administration Committee – November 19, 2020** (Recommendations)

#### **8.1.1. BA 2015      2021 HCA Operating Budget**

Neil McDougall presented the operating budget.

Lloyd Ferguson noted that HCA is in essence, asking for a 1% levy increase from the City of Hamilton rather than the 2% that has been requested, due to the year over year impact of removing the Canal park loan payment. Lloyd highlighted that the budget supports hiring staff to create a separate business unit for the Hamilton Mountain, support for the Saltfleet Wetlands, invasive species management, and to retain the Safety Coordinator. He added that most importantly, HCA weathered the pandemic and are ending the year in a positive position and the surplus will be put in an appropriate reserve account.

Brad Clark thanked Neil and staff for minimizing the increases while still maintaining the high level of service we are providing across the City. He also expressed appreciation for the additional focus on the Saltleat Conservation Area. He would like to ramp up implementation of the design as we move forward to seek provincial funding and are in discussions with the Heritage Green Community Trust.

The Chair thanked Neil and staff for their work on the budget.

**BD12, 2832**            **MOVED BY: Santina Moccio**  
**SECONDED BY: Dan Bowman**

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

**THAT the 2021 Operating Budget as presented herein, and with the addition of a slide including the breakdown of principle funding sources, be approved.**

**CARRIED**

8.1.2. BA 2016        Mileage Report

Santina Moccio presented a summary of the report.

**BD12, 2833**            **MOVED BY: Santina Moccio**  
**SECONDED BY: Maria Topalovic**

**THAT the Budget and Administration Committee recommends to the Board of Directors**

**THAT the mileage rate remain at the current rate of 54 cents per kilometre for 2021.**

**CARRIED**

8.1.3. BA 2017        Honorariums and Per Diems

Santina Moccio presented a summary of the report.

**BD12, 2834**            **MOVED BY: Santina Moccio**  
**SECONDED BY: Jim Cimba**

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

**THAT the current HCA's honorarium rates for the Chair and Vice-Chair of the Board of Directors and per diem rate for Board of Directors and Advisory Board, remain in effect for 2021.**

**CARRIED**

## 8.2. Foundation Chairman's Remarks

Margaret Reid played a video produced by HCA staff, thanking donors for continuing to support the Foundation through the Covid-19 pandemic and to boost future donor engagement.

Brad Clark commented that the video was powerful and suggested staff share it at the City of Hamilton Budget Presentation meeting.

Margaret then presented the following:

### ***Donations***

We received a total of **\$18,302** in donations from November 1 to 30. They break down as follows:

- \$7,552 for the Area of Greatest Need Fund
- \$6,000 for Tribute Benches
- \$1,260 for Land Securement
- \$1,000 for Dundas Valley CA
- \$820 for Westfield Heritage Village
- \$795 for Outdoor Environmental Education
- \$750 for Tree and Shrub Plantings
- The remaining \$125 was donated to the Saltfleet CA and Christie Lake CA Funds

This brings our **Unaudited Fiscal Year (Dec 1, 2019 to November 30, 2020) total to \$272,118.**

The Foundation's Fall Appeal has gone out to past donors, friends and all Board Members. Thank you to those members who have already responded with a donation. For those who haven't done so yet, please consider responding to the appeal with a gift.

**BD12, 2835**

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

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

**CARRIED**

**9. Other Staff Reports/Memoranda**

**9.1. Confederation Beach Park 2021**

Neil McDougall presented a summary of the memorandum, highlighting that all capital improvements were completed while Wild Waterworks was closed in 2020. The memorandum also included possible scenarios for the operation of Confederation Beach Park and Wild Waterworks in 2021. Senior staff met with their City of Hamilton counterparts and recommend deferring a budget for Confederation Beach Park until March, 2021 when there is a better understanding of pandemic conditions and provincial direction at that time.

Neil advised that similar to 2020, the impact to HCA in 2021 would be the management fee, should the Wild Waterworks facility not operate in its usual manner. At this time, provincial pandemic regulations for waterparks does not provide for their opening or operation. Staff have included the full management fee in the HCA 2021 operating budget, in the anticipation that pandemic restrictions ease in the spring permitting waterparks to reopen following enhanced safety protocols. Should this not be the case, the loss of the management fee can be absorbed by our seasonal operating reserve, if needed.

Chad Collins thanked staff both in Wild Waterworks and the larger Confederation Beach Park, for continuing with capital improvements and quality service delivery, with a record number of visitors to the park. Chad also highlighted new City-managed amenities opening within Confederation Beach Park, including pickleball courts, a natural playground, and sports fields.

It was agreed that the proposed approach to the budget is prudent.

**BD12, 2836**

**MOVED BY: Chad Collins  
SECONDED BY: Tom Jackson**

**THAT the memorandum entitled Confederation Beach Park 2021 be received as information.**

**CARRIED**



### 9.2. Enforcement Officer Appointment

Scott Peck presented a summary of the memorandum, outlining the requirement for Laura Stinson to be appointed as an Enforcement Officer to fulfill the duties of a Conservation Planner with regard to administering HCA's Regulation, and for implementing Provincial and HCA policy more generally.

**BD12, 2837**

**MOVED BY: Cynthia Janzen**

**SECONDED BY: Santina Moccio**

**THAT the HCA staff recommends to the Board of Directors:**

**THAT the HCA Board of Directors appoint Laura Stinson, Conservation Planner, as an Enforcement Officer for the purpose of enforcement of *Ontario Regulation 161/06* (HCA's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses) made under the *Conservation Authorities Act, R.S.O. 1990*.**

**CARRIED**

### 9.3. Current Watershed Conditions as of November 24, 2020

Scott Peck presented a summary of the memorandum, advising that the Lake Ontario water levels are back within average range. Staff expect the lake levels to remain in this range as the Lake Erie level is still high. Precipitation across the watershed is back in normal range, however as this was an initial assessment the watershed remains in a level one low water condition. Staff will re-evaluate the low water status in December.

**BD12, 2838**

**MOVED BY: Esther Pauls**

**SECONDED BY:**

**THAT the memorandum entitled *Current Watershed Conditions as of November 24, 2020* be received as information.**

**CARRIED**

### 9.4. Conservation Areas Experiences Update

Gord Costie provided a verbal update, advising that attendance numbers continue to decrease from extreme fall colours but remain higher than normal for this time of

year. HCA and municipal parking lots of the Dundas Valley remain very busy. Nightly camping at Valens is also still higher than normal.

Spencer Gorge is transitioning from the end of the reservation system pilot, and attendance has been regular but manageable for that area. Initial results are that the pilot was successful in controlling the number of visitors and greatly reducing traffic and congestion. Staff are meeting and analysing the results of the reservation system and will bring recommendations for 2021 through CAB to the Board of Directors.

Fifty Point Marina & Conservation Area experienced three significant incidents in November; including a boat outdrive motor being stolen, high winds damaging two boats and affecting others, and a suspicious fire damaging five boats and affecting two others. Gord acknowledged staff for their actions taken at the time of the events and in the days following. He commended Gord Carpenter, for observing and reporting the fire incident, reinforcing the importance of security staff in our areas. Staff will be working in the coming weeks to design and implement additional security measures.

Chad Collins inquired about the status of public washrooms at Confederation Beach Park and communication of openings and closings to the public. Gord advised the Beaches washroom area has been closed based on a recommendation from the Hamilton Police Service, due to illegal activities. The washroom has been posted and redirects the public to the Lakeland washroom which remains open. Chad inquired about the use of temporary facilities at strategic locations along the trail. Gord advised he would review the request with staff.

**BD12, 2839**

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

**THAT the verbal update on the Conservation Areas Experiences be received as information.**

**CARRIED**

## **10. New Business**

### 10.1. Government Relations

Cynthia Janzen thanked staff for keeping the Board apprised of correspondence that has been sent to the Province with regard to Bill 229 and inquired about the opportunity for board members and donors to submit letters of support.

The impact and effectiveness of a high volume of support letters sent to the Province was discussed. The members discussed and agreed that only personal,



**BD12, 2843**

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

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

**CARRIED**

**12. Next Meeting**

The next meeting of the Board of Directors will be held on Thursday, February 4, 2021 at 7:00 p.m.

**13. Adjournment**

On motion, the meeting adjourned.



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Neil McDougall  
Secretary-Treasurer