



# Board of Directors Meeting Agenda

Thursday, February 4, 2021





## **Board of Directors Meeting**

**Thursday, February 4, 2021 at 7:00 p.m.**

**This meeting will be held by WebEx videoconference.**

**The meeting can be viewed live on HCA's You Tube Channel:  
<https://www.youtube.com/user/HamiltonConservation>**

- 1. Call to Order** – Ferguson
- 2. Declarations of Conflict of Interest**
- 3. Approval of Agenda**
- 4. Delegations**
- 5. Consent Items for Applications, Minutes and Correspondence**
  - 5.1. Applications – Development, Interference with Wetlands, Alterations to Shorelines and Watercourses
  - 5.2. Approval of Board of Directors Minutes – December 3, 2020
  - 5.3. Emails from Lisa Burnside regarding Amendments to Bill 229 and related Conservation Ontario Media Release, dated December 6<sup>th</sup>, and December 8<sup>th</sup>, 2020, respectively.
  - 5.4. Email from Minister Jeff Yurek in response to HCA's letter regarding legislative changes to the Conservation Authorities Act, dated December 23, 2020 and email from Lisa Burnside regarding regional transition into Grey/Lockdown Zone for Covid-19 restrictions, dated December 24, 2020.
  - 5.5. Email from Lisa Burnside regarding the provincial Conservation Authorities Working Group, dated January 12, 2021.
  - 5.6. Email from Lisa Burnside regarding HCA Operations and Provincial Covid-19 Announcement, dated January 14, 2021.
  - 5.7. Letter from Carol Town and Catherine Weir regarding McCormack Trail Access, dated January 25, 2021

## **6. Member Briefing**

- 6.1. Overview of Bill 229 - Protect, Support and Recover from COVID 19 Act  
(Budget Measures Act) - Schedule 6 - Conservation Authorities Act  
– Burnside

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

- 7.1. Government Relations Policy  
– Burnside

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

- 8.1. Foundation Chairman's Remarks  
– Margaret Reid

## **9. Other Staff Reports/Memorandums**

- 9.1. 2021 Meeting Schedule and Annual General Meeting  
– Burnside
- 9.2. Permit Application – 41 Edgewater Drive, Stoney Creek  
– Peck
- 9.3. Current Watershed Conditions as of January 20, 2021  
– Peck
- 9.4. Conservation Areas Experiences Update  
– Costie

## **10. New Business**

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

## **12. Next Meeting – Thursday, March 4 at 7:00 p.m.**

## **13. Adjournment**



# Memorandum

**TO:** Board of Directors

**FROM:** Lisa Burnside, Chief Administrative Officer

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

**DATE:** February 4, 2021

**RE:** Summary Enforcement Report – Development, Interference with Wetlands and Alterations to Shorelines and Watercourses  
Regulation 161/06 Applications for February 4, 2021

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HCA Regulation applications approved by staff between the dates of November 24, 2021 and January 19, 2021 are summarized in the following Summary Enforcement Report (SER-1/21).

## RECOMMENDATION

THAT the Board of Directors receive this Summary Enforcement Report SER-1/21 as information.



**HAMILTON REGION CONSERVATION AUTHORITY**

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

January 19, 2021

Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Applications Report to the Board of Directors of the Hamilton Region Conservation Authority, February 04, 2021

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

**SUMMARY ENFORCEMENT REPORT SER 1/21**

File Number	Date Received	Date Permit Issued	Review Days	Applicant Name	Location	Application Description	Recommendation / Conditions
F/F,C,A/20/89	10-Sep-20	24-Nov-20	42		Pt Lt 33, Con 1, Governors Rd at Old Hwy 99 Lot 33, Concession 1 Flamborough	Installation of conduit in the municipal right of way by directional bore in a regulated area of Spring Creek.	Approved subject to standard conditions
SC/F,C,A/20/88	20-Oct-20	25-Nov-20	38		Between 526 and 531 Winona Rd Lot 4, 5, Concession BF Stoney Creek	Shoreline works consisting of repairs to an eroded area behind the retaining wall in a regulated area on Lake Ontario.	Approved subject to standard conditions
SC/F,C,A/20/79	06-Oct-20	25-Nov-20	27		526 Winona Rd Lot 4, Concession BF Stoney Creek	Restoration and construction of shoreline protection measures in a regulated area associated with Lake Ontario.	Approved subject to standard conditions
D/A/20/81	20-Aug-20	25-Nov-20	70		101 Governors Rd Lot 14, Concession 1 Dundas	Maintenance of the Kemp Drive Sewer Inlet at 101 Governors Road in a regulated area of Middle Spencer Creek.	Approved subject to standard conditions
D/A/20/82	20-Aug-20	25-Nov-20	69		Pt Lt 16, Con 1, York Rd Parkette Lot 16, Concession 1 Dundas	Maintenance of the Sydenham Creek Sewer Inlet between 20 Carriage Lane to 6 King Street East in a regulated area of Sydenham Creek.	Approved subject to standard conditions
D/A/20/83	24-Aug-20	25-Nov-20	65		40 McKay Rd Lot 18, Concession 1 Dundas	Maintenance of the McKay Road Sewer Inlet at 40 McKay Road in a regulated area of Lower Spencer Creek.	Approved subject to standard conditions

**HAMILTON REGION CONSERVATION AUTHORITY**

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

**SUMMARY ENFORCEMENT REPORT SER 1/21**

H/A/20/84	11-Sep-20	25-Nov-20	47		154 Stroud Rd Lot 57, Concession 1 Hamilton	Maintenance of the Stroud Road Inlet-Outlet at 145 Stroud Road in a regulated area of Chedoke Creek.	Approved subject to standard conditions
H/A/20/85	16-Sep-20	25-Nov-20	71		1199 Upper Ottawa St Lot 2,3,4, Concession 7 Hamilton	Upper Ottawa Creek Outfall clean out in a regulated area on Upper Ottawa Creek.	Approved subject to standard conditions
SC/F/20/96	10-Nov-20	07-Dec-20	23		950 and 956 South Service Rd Lot 9, Concession 1 Stoney Creek	Fill placement to establish a storage yard for manufactured modular units, in a regulated area of Stoney Creek Watercourse No. 7.	Approved subject to standard conditions
H/F,C/20/99	24-Nov-20	09-Dec-20	16		E of 1151 Beach Blvd Lot , Concession Hamilton	Completion of a pipeline integrity dig (MP-378.21-2020) in a regulated area of Lake Ontario.	Approved subject to standard conditions
F/C/20/103	01-Dec-20	09-Dec-20	9		794 Crooks Hollow Rd Lot 6, Concession 2 Flamborough	Construction of a detached deck in a regulated area of Middle Spencer Creek.	Approved subject to standard conditions
D/C/20/97	19-Nov-20	16-Dec-20	12		35 and 37 Park St E Lot 16, Concession 1 Dundas	Replacement and reconstruction of an existing front porch, in a regulated area of Sydenham Creek.	Approved subject to standard conditions
SC/F,C/20/93	09-Dec-20	16-Dec-20	17		32 Trillium Ave Lot 7, Concession 1 Stoney Creek	Installation of new cable conduit by directional bore in a regulated area of Lake Ontario.	Approved subject to standard conditions



**HAMILTON REGION CONSERVATION AUTHORITY**

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

January 19, 2021

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

**SUMMARY ENFORCEMENT REPORT SER 1/21**

H/A/20/105	02-Dec-20	21-Dec-20	19		1964, 1966 and 1968 Main St W Lot 53, Concession 1 Hamilton	Removal of sediment and debris from the culvert at 1964 Main Street West, in a regulated area of Ancaster Creek.	Approved subject to standard conditions
D/F,C/20/101	26-Nov-20	21-Dec-20	27		26 Tally Ho Dr Lot 50, Concession 1 Dundas	Demolition of an existing dwelling and construction of new detached dwelling in a regulated area of Spring Creek.	Approved subject to standard conditions
SC/F,C,A/20/55	10-Jul-20	21-Dec-20	117		42 Seabreeze Cres Lot 9, Concession BF Stoney Creek	Construction of a shoreline revetment in a regulated area on Lake Ontario.	Approved subject to standard conditions



## Hamilton Region Conservation Authority

### Minutes

#### Board of Directors Meeting

**December 3, 2020**

Minutes of the Board of Directors meeting held on Thursday, December 3, 2020, at 7.p.m., by videoconference and livestreamed via YouTube

**PRESENT:**

<b>Lloyd Ferguson – in the Chair</b>	
<b>Dan Bowman</b>	<b>Brad Clark</b>
<b>Jim Cimba</b>	<b>Chad Collins</b>
<b>Susan Fielding</b>	<b>Tom Jackson</b>
<b>Cynthia Janzen</b>	<b>Santina Moccio</b>
<b>Esther Pauls</b>	<b>Maria Topalovic</b>

**Margaret Reid – Foundation Chair**

#### **REGRETS:**

**STAFF PRESENT:** Lisa Burnside, Grace Correia, Gord Costie, Matt Hall, Neil McDougall, Scott Peck, Jaime Tellier, and Nancy Watts

**OTHERS:** Nick Klip, Brian Lennie, and Ryan Park – Enbridge Gas Inc.  
Carol Town and Catherine Weir – McCormack Trail Access Committee

#### **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 of five additional items for the consent agenda, recognized as items 5.13 through 5.17.

**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, and/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 the road crossing is not ideal 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 noted 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 like to 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 MNRF 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,

individual letters should be sent with regard to the proposed changes to the Conservation Authorities Act as the Chair speaks for and represents the Board. Brad Clark thanked Chair Ferguson and Lisa Burnside for their advocacy on HCA's behalf; adding they have done a wonderful job.

Cynthia also inquired about HCA developing a guidance policy on government relations to educate and assist the Conservation Authority through future government interactions. Lisa advised that while HCA has a media relations policy, a government relations policy does not exist. Members agreed that a government relations policy would be of benefit.

**BD12, 2840**

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

**THAT staff develop and return to the Board of Directors  
a government relations policy**

**CARRIED**

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

**BD12, 2841**

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

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

**CARRIED**

**During the *in camera* session, one property matter was discussed.**

##### **11.1. Confidential Verbal Update – BD/Dec 01-2020**

Lisa Burnside provided a verbal update regarding a property matter and answered the members' questions.

**BD12, 2842**

**MOVED BY: Maria Topalovic  
SECONDED BY: Jim Cimba**

**THAT the verbal update be received as information and  
remain in camera.**

**CARRIED**

**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

**From:** [Lisa Burnside](#)  
**To:** Brad Clark ([Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)); Chad Collins ([Chad.Collins@hamilton.ca](mailto:Chad.Collins@hamilton.ca)); Cynthia Janzen; Dan Bowman; Esther Pauls ([Esther.Pauls@hamilton.ca](mailto:Esther.Pauls@hamilton.ca)); James Cimba; Lloyd Ferguson ([Lloyd.Ferguson@hamilton.ca](mailto:Lloyd.Ferguson@hamilton.ca)); Maria Topalovic; Santina Moccio; Susan Fielding; Tom Jackson ([Tom.Jackson@hamilton.ca](mailto:Tom.Jackson@hamilton.ca))  
**Cc:** [Jaime Tellier](#)  
**Subject:** RE: Amendments to Bill 229  
**Date:** December 8, 2020 5:26:58 PM  
**Attachments:** [CO Media Release Province Passes Bill 229 Schedule 6 v2Dec82020.docx](#)

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I apologize for another email, however, Conservation Ontario has just issued their press release statement, please see attached.

Lisa

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**From:** Lisa Burnside  
**Sent:** December 8, 2020 4:17 PM  
**To:** Brad Clark ([Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)) <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)>; Chad Collins ([Chad.Collins@hamilton.ca](mailto:Chad.Collins@hamilton.ca)) <[Chad.Collins@hamilton.ca](mailto:Chad.Collins@hamilton.ca)>; Cynthia Janzen; Dan Bowman; Esther Pauls ([Esther.Pauls@hamilton.ca](mailto:Esther.Pauls@hamilton.ca)) <[Esther.Pauls@hamilton.ca](mailto:Esther.Pauls@hamilton.ca)>; James Cimba; Lloyd Ferguson ([Lloyd.Ferguson@hamilton.ca](mailto:Lloyd.Ferguson@hamilton.ca)) <[Lloyd.Ferguson@hamilton.ca](mailto:Lloyd.Ferguson@hamilton.ca)>; Maria Topalovic; Santina Moccio; Susan Fielding; Tom Jackson ([Tom.Jackson@hamilton.ca](mailto:Tom.Jackson@hamilton.ca)) <[Tom.Jackson@hamilton.ca](mailto:Tom.Jackson@hamilton.ca)>  
**Cc:** Jaime Tellier <[Jaime.Tellier@conservationhamilton.ca](mailto:Jaime.Tellier@conservationhamilton.ca)>; T. S. Peck ([Scott.Peck@conservationhamilton.ca](mailto:Scott.Peck@conservationhamilton.ca)) <[Scott.Peck@conservationhamilton.ca](mailto:Scott.Peck@conservationhamilton.ca)>  
**Subject:** RE: Amendments to Bill 229

To Board Members,

Conservation Ontario has just advised that Bill 229 passed third reading earlier today. It appears that the new provisions for mandatory permits associated with Minister's Zoning Orders "Permission for development, zoning order" will come into effective immediately upon Royal Assent and the other provisions, will be proclaimed at a later time.

<https://www.ola.org/en/legislative-business/bills/parliament-42/session-1/bill-229>

Sincerely,

Lisa Burnside

CAO

Hamilton Conservation Authority

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**From:** Lisa Burnside  
**Sent:** December 6, 2020 2:49 PM  
**To:** Brad Clark ([Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)) <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)>; Chad Collins ([Chad.Collins@hamilton.ca](mailto:Chad.Collins@hamilton.ca)) <[Chad.Collins@hamilton.ca](mailto:Chad.Collins@hamilton.ca)>; Cynthia Janzen; Dan Bowman; Esther Pauls ([Esther.Pauls@hamilton.ca](mailto:Esther.Pauls@hamilton.ca)) <[Esther.Pauls@hamilton.ca](mailto:Esther.Pauls@hamilton.ca)>; James Cimba ; Lloyd Ferguson ([Lloyd.Ferguson@hamilton.ca](mailto:Lloyd.Ferguson@hamilton.ca)) <[Lloyd.Ferguson@hamilton.ca](mailto:Lloyd.Ferguson@hamilton.ca)>; Maria Topalovic; Santina Moccio

Susan Fielding; Tom Jackson ([Tom.Jackson@hamilton.ca](mailto:Tom.Jackson@hamilton.ca))

<[Tom.Jackson@hamilton.ca](mailto:Tom.Jackson@hamilton.ca)>

**Cc:** Jaime Tellier <[Jaime.Tellier@conservationhamilton.ca](mailto:Jaime.Tellier@conservationhamilton.ca)>; T. S. Peck

(<[Scott.Peck@conservationhamilton.ca](mailto:Scott.Peck@conservationhamilton.ca)> <[Scott.Peck@conservationhamilton.ca](mailto:Scott.Peck@conservationhamilton.ca)>

**Subject:** RE: Amendments to Bill 229

To Board Members:

Further to my email below, while the Province has put forward changes to Schedule 6 of Bill 229 which address some areas of concern primarily related to governance, other areas related to the protection of our watershed remain unaddressed.

Additionally, new amendments have been proposed to further Ministerial Zoning Orders (MZO) which create more concern. I will be debriefing with Scott Peck and his key Watershed Planning & Engineering staff on Monday morning to thoroughly review all the details, however, in summary, I provide the following:

Positive Changes:

- No longer requiring all board members to be municipal officials, reduced to 70% and municipality can request permission from minister to change that percentage
- Returning the duties of the conservation authority board members to furthering the objects of the CA rather than their individual municipalities
- Minister may grant permission to augment rotation of Chair/Vice Chair to individual CA or municipality
- Agricultural member has limits on what they may vote on
- Appears that CAs will be able to issue stop work orders, once that legislation is proclaimed

No changes:

- Minister can issue permits in place of the CA
- Permit applicants can appeal to LPAT or Minister
- Ability to appeal as a landowner to LPAT still restricted

Brand New Amendments:

- New section has been added to Schedule 6 which requires the CA to issue a permit when the Minister of Municipal Affairs and Housing issues MZO
- Requires the CA to issue the permit even if the application does not meet the criteria for issuing a permit and/or contravenes provincial policies and plans.
- CAs may be able to impose limited conditions to mitigate risk, however these can be appealed to the Minister or to LPAT and reversed

In a nutshell, while governance concerns of CAs and municipalities are largely addressed, the essential role of CAs for environmental protection has not been restored.

In response, David Crombie, the Chair of the Greenbelt Council, and six other members have all resigned over the course of this weekend and I have attached the letters from David Crombie as well as Deb Martin-Downs who is the CAO of Credit Valley CA. I have also attached the media document Conservation Ontario released.

The Bill will be reviewed again on Monday December 7<sup>th</sup> to determine if it receives its third and final reading. This was confirmed in discussions I had with MPP Donna Skelly on Friday afternoon as these amendments were before the Standing



Committee. It was noted to me that the MPP's office is receiving a large amount of correspondence in regard to Bill 229 asking for it to be withdrawn and MPP Ted Arnott's office is also being inundated.

I will continue to work with our Chair to address media inquiries and will keep Board members updated as new information/developments become available.

I am also pleased to provide a link to a TVO article that was recently published: ['Filled with error and hazard': Why Hamilton is taking on Doug Ford's changes to conservation authorities | TVO.org](#)

Sincerely,

Lisa Burnside

CAO

Hamilton Conservation Authority

---

**From:** Lisa Burnside

**Sent:** December 4, 2020 6:47 PM

**To:** Brad Clark ([Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)) <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)>; Chad Collins ([Chad.Collins@hamilton.ca](mailto:Chad.Collins@hamilton.ca)) <[Chad.Collins@hamilton.ca](mailto:Chad.Collins@hamilton.ca)>; Cynthia Janzen; Dan Bowman; Esther Pauls ([Esther.Pauls@hamilton.ca](mailto:Esther.Pauls@hamilton.ca)) <[Esther.Pauls@hamilton.ca](mailto:Esther.Pauls@hamilton.ca)>; James Cimba; Lloyd Ferguson ([Lloyd.Ferguson@hamilton.ca](mailto:Lloyd.Ferguson@hamilton.ca)) <[Lloyd.Ferguson@hamilton.ca](mailto:Lloyd.Ferguson@hamilton.ca)>; Maria Topalovic; Santina Moccio; Susan Fielding; Tom Jackson ([Tom.Jackson@hamilton.ca](mailto:Tom.Jackson@hamilton.ca)) <[Tom.Jackson@hamilton.ca](mailto:Tom.Jackson@hamilton.ca)>

**Cc:** Jaime Tellier <[Jaime.Tellier@conservationhamilton.ca](mailto:Jaime.Tellier@conservationhamilton.ca)>; T. S. Peck ([Scott.Peck@conservationhamilton.ca](mailto:Scott.Peck@conservationhamilton.ca)) <[Scott.Peck@conservationhamilton.ca](mailto:Scott.Peck@conservationhamilton.ca)>

**Subject:** Amendments to Bill 229

**To Board of Directors:**

The Provincial government introduced motions to amend Schedule 6 of Bill 229 that were reviewed by the Standing Committee on Finance and Economic Affairs this afternoon. Conservation Ontario and all 36 Conservation Authorities are reviewing the amendments to understand what has been proposed. It does appear that the province has positively responded to various governance concerns that have been raised but watershed protection remains a concern as the amendments create new processes to entrench Ministerial Zoning Orders under the Planning Act.

I will provide further updates as both Conservation Ontario and staff have the opportunity to review the amendments.

Sincerely,

**Lisa Burnside** CHRL

Chief Administrative Officer

Hamilton Conservation Authority

838 Mineral Springs Road PO 81067 L9G 4X1

Phone: 905-525-2181 x 126



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# Media Release

## FOR IMMEDIATE RELEASE

### Province Misses Chance to Respond to Ontarians' Concerns About the Environment

NEWMARKET December 8, 2020 - The Province just missed a chance to show they are listening to Ontarians who care about their environment.

Ontario's Budget Measures Act (Bill 229) was passed today with Schedule 6 intact, and in fact, bolstered with the addition of Minister Zoning Orders' which could force a conservation authority to issue a permit even if it goes against their provincially-delegated responsibility to protect people, infrastructure and the environment. This is in addition to the already concerning amendments which included new powers for the Minister to bypass conservation authorities and issue permits as well as curtailing the CAs' ability to appeal to the Local Planning Appeal Tribunal.

"The Budget Bill is all about financial recovery from pandemic conditions and this could have easily been accomplished in ways that didn't sacrifice Ontario's environment and our unique watershed approach" says Kim Gavine, General Manager of Conservation Ontario, the agency which represents conservation authorities.

"A more proactive approach may have been to use this bill to support the development of a stream of new, greener economic activities that would boost the economy *and* help to build environmental resilience, not break it down," Gavine suggested.

Conservation authorities had hoped that the Province would respond to calls from conservation authorities, municipalities, environmental agencies, agricultural agencies, Indigenous organizations and thousands of individual Ontarians and withdraw Schedule 6 from the Budget Bill.

"Our challenge, now, will be to operationalize the Province's amendments which we're quite certain will create additional delays and costs for municipalities, applicants and conservation authorities, themselves," Gavine points out. "Using an overburdened tribunal system (Local Planning Appeal Tribunal), allowing applicants to appeal CA decisions directly to the Minister and – ensuring compliance around the Minister's permits will be some of what creates those delays and costs."

Gavine pointed out that the amendments diminish the roles and responsibilities of conservation authorities and of Ontario's much lauded science-based watershed approach and this was quite evident to the people who contacted the Province over the past few weeks to complain.

"It was really fantastic to see the wide range of people and agencies who understood the importance of what was happening," Gavine says. "They immediately picked up on both the short and long term impacts of these changes and were very direct in their messages to the Province. It's unfortunate that it wasn't enough."

Gavine points out that CAs and Conservation Ontario now have to direct their attention to the regulations that provide the details around the changes to the *Conservation Authorities Act* and says she hopes they will get the attention, assessment and public input that they deserve.

- 30 -

For more information:

Kim Gavine, General Manager, Conservation Ontario  
Jane Lewington, Marketing & Communications Specialist

For more information on the changes being proposed in Schedule 6:

<https://conservationontario.ca/policy-priorities/conservation-authorities-act>

To see the support for conservation authorities and watershed management:

<https://conservationontario.ca/policy-priorities/conservation-authorities-act/support-for-conservation-authorities>

Conservation Ontario  
120 Bayview Parkway, Newmarket ON L3Y 3L5  
[www.conservationontario.ca](http://www.conservationontario.ca)  
info@conservationontario  
Twitter: [@conont](https://twitter.com/conont)

**From:** [Lisa Burnside](#)  
**To:** [Ferguson, Lloyd](#); [Santina Moccio](#); [Chad Collins \(Chad.Collins@hamilton.ca\)](#); [Tom Jackson \(Tom.Jackson@hamilton.ca\)](#); [Esther Pauls \(Esther.Pauls@hamilton.ca\)](#); [Brad Clark \(Brad.Clark@hamilton.ca\)](#); [Susan Fielding](#); [Cynthia Janzen](#); [James Cimba](#); [Dan Bowman](#); [Maria Topalovic](#)  
**Cc:** [Jaime Tellier](#)  
**Subject:** FW: Response from the Minister of the Environment, Conservation and Parks  
**Date:** December 24, 2020 12:53:28 PM

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To Board Members,

I wish to advise and share with you the response below from Minister Yurek in regard to the HCA letter that was sent to Province by Chairman Ferguson about the legislative changes to the Conservation Authorities Act.

Additionally, I also wish to confirm that with Hamilton entering the grey /lockdown zone in the Provincial framework, I have followed up with City of Hamilton Emergency Operations Centre to confirm our conservation areas and trails and overall operations continue to be permitted. Our washrooms for our conservation areas are approved to remain open and the Valens Lake seasonal winter camping program also meets the current lockdown regulation and is permitted. We will continue with our regular ecological monitoring, water monitoring, and all maintenance and construction as well as curb side pick up for our annual passes following our COVID safety protocols, procedures and requirements.

I wish you and your families all a safe and happy Christmas and holiday season.

Sincerely,

**Lisa Burnside** CHRL  
 Chief Administrative Officer  
 Hamilton Conservation Authority  
 838 Mineral Springs Road PO 81067 L9G 4X1  
 Phone: 905-525-2181 x 126



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**From:** CCU, MECP <[mecpccu@ontario.ca](mailto:mecpccu@ontario.ca)>  
**Sent:** Wednesday, December 23, 2020 12:29 PM  
**To:** Ferguson, Lloyd <[Lloyd.Ferguson@hamilton.ca](mailto:Lloyd.Ferguson@hamilton.ca)>

**Subject:** Response from the Minister of the Environment, Conservation and Parks

357-2020-3208

Dear Councillor Ferguson:

Thank you for your email regarding the changes to the *Conservation Authorities Act* and the *Planning Act*. I appreciate you sharing your concerns.

We have heard through numerous discussions with municipalities, groups and citizens that now more than ever, conservation authorities need to be focused on their core mandate - protecting people and property from the impacts of natural hazards, conservation and management of conservation authority-owned lands, and roles in drinking water source protection.

Improving the governance of conservation authorities and ensuring they are focused on their core mandate is also in line with Protecting People and Property: Ontario's Flooding Strategy, Ontario's first comprehensive plan to strengthening flood preparedness, response and recovery.

The recently passed amendments to the *Conservation Authorities Act* ensure conservation authorities focus on their core mandate and improve the governance, oversight and accountability of conservation authorities, while respecting taxpayer dollars by giving municipalities more say over the conservation authority services they pay for.

Conservation authorities will continue to be able to develop and deliver local, watershed-based resource management programs on behalf of the province and municipalities and will be able to provide non-mandatory programs and services, including for purposes of environmental protection and rehabilitation such as private land stewardship programs remediating erosion of stream banks, water quality improvements, and more. They will also continue to conserve and manage their own lands, which includes natural heritage features and provincially significant conservation lands - provincially significant wetlands, areas of scientific and natural interest, Niagara Escarpment lands, habitat of endangered species and more.

The changes made reflect feedback we received through discussions with a wide variety of stakeholders, including: enabling greater flexibility for municipalities' appointment of members to a conservation authority, providing the ability for conservation authorities to appeal under certain provisions of the *Planning Act*, and enabling conservation authorities to issue stop work orders to address activities that could cause significant damage or jeopardize human safety.

Additionally, our government is creating a new working group to help implement these changes. Hassaan Basit, President and CEO of Conservation Halton will chair the group which will provide input on how conservation authorities are governed. The working group will also provide input on development of regulations to ensure

conservation authorities are focused on their core mandate and serving the needs of their communities. The working group will include representatives from the conservation authorities and other experts. Group members will be announced in the coming weeks.

We will soon be consulting on regulatory proposals, including details of the core programs and services conservation authorities would be required to provide, the regulation outlining the agreements between municipalities and conservation authorities, and how local members of the community can participate in their conservation authorities through community advisory boards.

Once again, thank you for bringing forward your concerns.

Sincerely,

Jeff Yurek  
Minister of the Environment, Conservation and Parks





**From:** [Jaime Tellier](#)  
**To:** [Brad Clark](#); [Chad Collins](#); [Cynthia Janzen](#); [Dan Bowman](#); [Esther Pauls](#); [James Cimba](#); [Lloyd Ferguson](#); [Maria Topalovic](#); [Santina Moccio](#); [Susan Fielding](#); [Tom Jackson](#)  
**Cc:** [Lisa Burnside](#)  
**Subject:** Ontario Moves Forward with Conservation Authorities Working Group  
**Date:** January 12, 2021 9:03:32 AM

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*Sent on behalf of Lisa Burnside*

## To Board of Directors:

Please see the email below from the Minister of Environment, Conservation and Parks advising the Province has released the appointed individuals for the newly-formed conservation authorities working group.

HCA will provide input and work collaboratively to support the committee in any way we can and participate in public commenting processes as the work gets underway for the regulatory changes to the CA Act.

Thank you,

**Jaime Tellier**  
 Executive Assistant /  
 Records Management Coordinator  
 Hamilton Conservation Authority  
 838 Mineral Springs Road, P.O. Box 81067  
 Ancaster, ON L9G 4X1  
**Phone:** 905-525-2181 Ext. 112



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**From:** Minister, MECP (MECP) <[Minister.MECP@ontario.ca](mailto:Minister.MECP@ontario.ca)>  
**Sent:** January 11, 2021 5:11 PM  
**To:** Lisa Burnside <[Lisa.Burnside@conservationhamilton.ca](mailto:Lisa.Burnside@conservationhamilton.ca)>  
**Subject:** Ontario Moves Forward with Conservation Authorities Working Group

Good afternoon,

In order to create a practical forum to help our government implement recent changes to the *Conservation Authorities Act* and ensure conservation authorities and other stakeholder groups have a stronger voice at the table, I have invited 10 individuals to

participate in a newly-formed conservation authorities working group.

The working group members, chaired by Hassaan Basit, President and CEO of Halton Region Conservation Authority, have been drawn from a variety of conservation authorities, Conservation Ontario and the Association of Municipalities of Ontario, as well as the development and agriculture sectors. The full list of members include:

- Hassaan Basit, President and CEO, Halton Region Conservation Authority (Chair)
- Kim Gavine, General Manager, Conservation Ontario
- John McKenzie, Chief Executive Officer, Toronto and Region Conservation Authority
- Sommer Casgrain-Robertson, General Manager, Rideau Valley Conservation Authority
- Chris Darling, Chief Administrative Officer, Central Lake Ontario Conservation Authority
- Rob Baldwin, Chief Administrative Officer, Lake Simcoe Region Conservation Authority
- Brian Tayler, Chief Administrative Officer, North Bay-Matawa Conservation Authority
- Samantha Lawson, Chief Administrative Officer, Grand River Conservation Authority
- Cathie Brown, Senior Advisor, Association of Municipalities of Ontario
- Scott McFadden, Mayor, Township of Cavan Monaghan

The following individuals will also assist the Working Group by providing further perspectives, including on the section 28 Minister's regulation:

- Jason Sheldon, Vice-President, Land Development, Remington Group
- Gary Gregoris, Senior Vice-President, Land Development, Mattamy Homes
- Josh Kardish, Vice-President, EQ Homes
- Michelle Sergi, Director Community Development, Region of Waterloo
- Leslie Rich, Policy and Planning Liaison, Conservation Ontario
- Barb Veale, Director, Planning and Watershed Management, Halton Region Conservation Authority
- Laurie Nelson, Director, Policy and Planning, Toronto and Region Conservation Authority
- Mark Wales, Past President, Ontario Federation of Agriculture

The Working Group's first task includes looking at the first phase of proposed regulations impacting conservation authorities and their participating municipalities, which will be available for public consultation later this month. The proposed regulations will include:

- details on the programs and services conservation authorities will implement, and how the programs and services may be funded such as:
  - the mandatory programs and services to be delivered by conservation

- authorities;
- the proposed agreements that may be required with participating municipalities to fund non-mandatory programs and services with municipal dollars; and
- the transition period to establish those agreements;
- how conservation authorities will regulate development and other activities to ensure public safety through natural hazard management,
- the requirement for conservation authorities to establish community advisory boards; and
- a Minister's regulation under section 29 of the *Conservation Authorities Act* relating to conservation authority operation and management of lands owned by the authority.

Our government is committed to ongoing collaboration as we work to improve how conservation authorities deliver core programs and services to their communities. Drawing on their extensive knowledge and experience, the working group members we've assembled will provide valuable perspectives to help us make better informed decisions.

We look forward to your feedback as part of our consultation process on the upcoming regulatory postings.

Sincerely,

Jeff Yurek  
Minister of the Environment, Conservation and Parks



**From:** [Lisa Burnside](#)  
**To:** [Lloyd Ferguson](#); [Santina Moccio](#); [Susan Fielding](#); [Dan Bowman](#); [Cynthia Janzen](#); [James Cimba](#); [Maria Topalovic](#); [Brad Clark \(Brad.Clark@hamilton.ca\)](#); [Chad Collins \(Chad.Collins@hamilton.ca\)](#); [Tom Jackson \(Tom.Jackson@hamilton.ca\)](#); [Esther Pauls \(Esther.Pauls@hamilton.ca\)](#)  
**Cc:** [Jaime Tellier](#)  
**Subject:** HCA Operations and Provincial COVID announcement  
**Date:** January 14, 2021 5:20:10 PM  
**Importance:** High

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To Board Members,

On Tuesday, the Province made additional announcements relating to the COVID-19 pandemic in Ontario. Effective immediately, the government of Ontario is declaring a second provincial emergency under the *Emergency Management and Civil Protection Act*. The announcement also contained a stay at home decree for people to remain home with exceptions for essential purposes such as going to the grocery store or pharmacy, accessing health care services, for exercise or for essential work. The intent appears to be directed at restricting mobility and limiting social interactions as most businesses that were permitted to open previously, continue to be permitted to open subject to public health and workplace safety measures. I have virtually met with the HCA Executive Team to review the announcement and details that were provided and I have also been in contact with City of Hamilton Emergency Operations Centre (EOC).

#### Impact to HCA

We have determined that most of our operations continue in the current form:

- HCA conservation areas and trails remain open to the public. The list of permitted outdoor recreational amenities remains unchanged and we are permitted to undertake maintenance, repair, safety, security and property management. Outdoor gatherings are limited to 5 people. City EOC has also confirmed that washrooms and gate staff are permitted following public health and workplace safety measures.
- HCA ecological and water quality monitoring programs continue as we are permitted to undertake environmental rehabilitation, management and monitoring,
- Vehicle and equipment maintenance and repair also continue as a permitted business operation
- Curbside pick-up continues to be permitted by appointment only for our annual vehicle passes and well cards at the main office

Our construction projects will be undergoing further review with City EOC once additional details become available to ensure we align with Provincial directives and the capital projects and strategic services staff will be restricted in the work they undertake at this time to maintenance, inspection and emergency services.

While these on site operations continue, supervisors and managers will be reviewing

and reinforcing our safe working procedures and protocols in regard to masking, handwashing, physical distancing and disinfection of equipment and vehicles. As we are currently in our off season, the HCA work force is much smaller than in our summer operating season.

For staff whose nature of their work does not require them to be on-site at the workplace, they will undertake their work from home remotely, only attending on site as needed to pick up and drop off files or to access equipment.

I hope everyone continues to stay well as we navigate through this phase of the COVID pandemic.

Sincerely,

**Lisa Burnside** CHRL

Chief Administrative Officer

Hamilton Conservation Authority

838 Mineral Springs Road PO 81067 L9G 4X1

Phone: 905-525-2181 x 126



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January 25, 2021

**ATTENTION: The Board of Directors for the Hamilton Regional Conservation Authority  
Re: McCormack Trail Access**

On December 3rd, two of us made an online presentation to you on behalf of ourselves and more than 25 other local individuals who use the McCormack Trail. We put forward proposals for both the short and long term to address parking problems.

We know that it has been a busy time, with holidays and provincial government mandates interfering, but still, we have heard nothing from you since December 3rd. We did not get a chance to respond to Gord and Lisa's presentation that evening, and we know nothing about the discussion that presumably followed, or any decisions made.

**As a result, we are asking that the Board respond in writing to our short-term proposals point-by-point as outlined in the presentation.** We will not pursue the longer-term goal of a small parking lot. **And we would like to be able to meet via zoom with the Chair to discuss the Board's response.**

**We would also like to be told who put up the NO STOPPING sign at the entrance to the laneway, and who owns it.** If it is the City, which the parking authority has denied, then whose is it? If the City does not own this sign, then why were we ticketed? And who ticketed us? These seem like reasonable questions.

We see that the pylons have been removed from Governor's Road and the laneway entrance. We presume this was done to facilitate winter ploughing, but we don't really know. We regularly see a few cars parked there as has been the case for years. We have not heard of any accidents at this site. Please correct us if we are wrong.

In the longer term, the solution for walkers like ourselves appears to be to park in the adjoining neighbourhood. We now know about the access due to our research during this process. Many others do not. Presumably, if we advertised this access in the way that the City has advertised its waterfalls, the neighbours would be inundated and there would be even more problems – maybe even the introduction of more No Parking signs. While we have no plans to do this, it seems a poor, if easy, policy just to leave this beautiful section of trail to people who either own horses, live nearby, or can hike down from the Trail Centre and back.

Finally, we hope that as soon as the pandemic has passed, the Board will return to in-person meetings. Zoom gatherings are fine in certain contexts, but they did not work for us in this situation. Aside from inevitable computer glitches, seeing people in person, understanding body language, and having eye-contact are all important parts of communication that are lost to zoom.

Presumably, the Conservation Authority does not like the fact that Provincial politicians have unilaterally decided to open the door for development in ecologically-sensitive areas, despite strong opposition. Similarly, it seems to us that our presentation to the Board wasn't taken seriously. And the measures taken with the no parking signs and ticketing seem extreme. We would appreciate an authentic response to our legitimate concerns.

Finally, we are wondering if the Chair, Lloyd Ferguson has been to the site and taken a look, as he indicated he would do. It would be great if the rest of the Board did the same.

We know that the Conservation Authority has many critical issues to deal with these days. However, we do look forward to hearing your response.

Respectfully,

Carol Town and Catherine Weir  
Residents of Hamilton and long time supporters of the Conservation Authority





# Report

**TO:** Board of Directors

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

**MEETING DATE:** February 4, 2021

**RE:** Government Relations Policy for HCA

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## STAFF RECOMMENDATION

**THAT the Government Relations Policy as outlined in the February 4, 2021 report be approved.**

## BACKGROUND

HCA has several corporate policies to help organize and guide our operations, such as a Purchasing policy and Media Relations policy, however, a Government Relations (GR) policy has never been formalized. Given the scope of recent legislative changes to the Conservation Authorities Act and upcoming further regulatory changes, it was identified by the HCA Board of Directors at its December 3, 2020 meeting that it would be beneficial for HCA to establish a GR policy. A foundational document in this regard would be used to guide HCA in its outreach activities to other levels of government. As such, staff were directed to return to the Board a GR policy for review and endorsement.

## STAFF COMMENT

There are various levels of government that HCA interacts with in the course of our operations. Some of that work is related projects with the jurisdiction of the various elected officials, others due to grants and announcements and some to influence the actions or policy related initiatives of that level of government. Response and advocacy have been undertaken through both Conservation Ontario, the umbrella organization representing all 36 Conservation authorities, as well as by HCA.

Staff reached out to neighboring conservation authorities to share government relations policies, however, no other local authorities had created such a document. It was noted that the general approach was to build relationships with local government officials and that legislative issues were generally dealt with as they specifically arose with advocacy

undertaken through the Chair, CAO and other senior staff with meetings with local politicians and letter writing/media releases at the local level. In alignment with those efforts, staff spend time providing input and comment to Conservation Ontario to help formulate and inform our association position and advocacy efforts. HCA has acted in this similar fashion in regard to government relations.

Based on strong references and referral, staff contacted Pathway Group, a recognized government relations and public affairs firm for assistance to assist drafting a policy for HCA. The policy is intended as a foundational document to outline the role of government relations to effectively understand the landscape, communicate effectively and build sound relationships with multiple levels of government. It also sets out some general objectives for HCA and outlines the role of government relations firms for assistance as well as broad roles for the Board of Directors, Chair and senior staff; as well as integrating our local efforts with Conservation Ontario.

## **STRATEGIC PLAN LINKAGE**

The initiative refers directly to the HCA Strategic Plan 2019 - 2023:

- **Strategic Priority Area – Organizational Excellence**
  - Initiatives – promoting and educating about the role and mandate of the HCA and the services we provide to the public

## **AGENCY COMMENTS**

The HCA government relations policy is designed to incorporate and supplement the work of Conservation Ontario, which is the non-profit association that represents Ontario's 36 Conservation Authorities.

Conservation Ontario is governed by a six-member elected board of directors and directed by a Council comprised of appointed and elected municipal official from the 36 Conservation Authorities Boards of Directors and Conservation Authorities staff.

Conservation Ontario's business functions include:

- Government Relations
- Policy and Program Development
- Business Development and Partnerships
- Communications
- Education and Training
- Collective Corporate Services
- Information Management and Research

### **Conservation Ontario Vision:**

Conservation Ontario will engage Conservation Authorities in matters of common interest and to shape effective policy relating to Conservation Authorities.

**Conservation Ontario Mission:**

To promote and continually strengthen a watershed-based conservation coalition in Ontario.

**LEGAL/FINANCIAL IMPLICATIONS**

N/A

**CONCLUSIONS**

As directed by the Board, staff have drafted a government relations policy with the assistance of Pathway Group to outline HCA's approach to advocacy efforts. It is a foundational document to provide staff and the Board with an understanding of what government relations means and outlines broad objectives for HCA, the potential role and support of external firms if needed and roles undertaken by the Board, staff and Conservation Ontario.



# **Hamilton Conservation Authority Government Relations (GR) Foundation Document**

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## **1. Introduction - Why have a GR Policy?**

Interactions with government are necessary for the ongoing operations of any organization and while most of those interactions are administrative or routine in nature a certain percentage are fundamental to core business objectives or even the continued existence of the organization. In these cases, the organization must advocate for itself, however, waiting until a mission-critical situation or crisis arises is often too late. This foundation document provides guidance on how to properly prepare to engage in government relations advocacy.

## **2. What is GR?**

Government relations is the practice of liaising with government to influence outcomes. To do so, certain key factors must be addressed:

- Identifying the people in government who make decisions on any given issue
- Understanding who they are, what their role is
- Forming relationships with those people
- Articulating a proposal that is reasonable, achievable and factual
- Positioning a proposal as a “win” for government not just as a “win” for the organization

## **3. When is GR necessary?**

The short answer is always. Government relations, as the name suggests, is relationship-based. Familiarity breeds comfort and trust. Starting from scratch each time a new issue emerges is inefficient, expensive and often ineffective. Having even a modest capacity for regular GR enables an organization to mobilize quickly when new issues or opportunities emerge.

The key is for an organization to have a certain amount of self awareness about what it is capable of achieving on its own. This requires taking stock of the skills, networks, time and finances available in-house to determine whether gaps exist that need to be

filled; developing a plan to fill them; and being at a certain level of constant readiness to scale GR efforts up or down as required.

It is not uncommon for organizations that are part of larger associations, umbrella groups or coalitions to have their own GR capacity or to have their own external GR advisors. There are varying motivations for this including:

- Having the ability to “go it alone” at certain times when the interests of a member organization do not completely align with those of the broader group. This could be in response to conflicts or diametrically opposed interests but could simply mean an organization has unique or local circumstances that require attention.
- Needing to supplement or magnify the impact of a coalition, essentially making the sum of its parts greater than the whole.
- Validating the advice of others or bringing fresh ideas forward. Sometimes the interests of an organization are too important to be left in the hands of others. This is not to suggest that operating as part of a larger coalition is unwise, just that independent counsel and capacity can bring a certain degree of comfort.

#### **4. Who engages in GR?**

This is completely at the discretion of the organization and depends to a certain degree on the interest, comfort level and time available to those who run the organization. In some cases, one person will be designated as the sole practitioner of GR. This is often the lead corporate figures (CEO, President, Chair) who becomes the “face” of the organization promoting both themselves and the organization. In other cases, an organization will have a designated person responsible for GR as all or part of their responsibilities. This is sometimes by design to allow the lead corporate figures to focus on other duties or simply by the skill set or aptitude of the person in the role.

In either case, organizations may supplement their in-house capacity to effectively conduct GR activities with the services of an outside firm. These arrangements take many forms ranging from needs-based as issues as arise or longer-term retainer-based engagements whereby the external GR advisors routinely assist an organization with all of its GR needs over a period of many months or years.

#### **5. What should an engagement with external advisors look like?**

Government relations firms come in all shapes and sizes; areas of specialization; partisan allegiances; and price points. The main thing for any organization seeking external GR counsel is finding the right fit. There needs to be a level of trust with expectations laid out clearly at the beginning of any engagement.

A contract, whether formal or informal, should embody the following key concepts:

1. The organization and external counsel have a mutual understanding of the issues that are meant to be addressed
2. External counsel satisfies the organization that it is able to effectively manage relationships with the political arm of government (elected representatives and their staff) and the civil service
3. External counsel has experience in the same or similar subject matter
4. The definition of success (deliverables & milestones) is broadly understood by both parties along with realistic timelines
5. Roles and responsibilities are clearly articulated to avoid duplication of work and to ensure that the efforts of external counsel complement those that already exist within an organization
6. Fees should be fair and reasonable to both parties with clarity around how costs that are over and above set fees are handled
7. Terms for contract termination should be clear and should speak to the right of either party to exercise them
8. The organization should insist on knowing their main point of contact with external counsel (preferably a partner/principal/owner) and the names of other team members who will work on their file
9. External counsel should have an ethical practice and conflict of interest policy in place
10. All contracts should be month to month to ensure a built-in accountability point in the client-advisor relationship.
11. Contracts should specify who will be the lead on the file and require regular check ins with the client as specified by the client.

#### **6. GR Objectives for HCA:**

HCA recognizes that GR is a legitimate and necessary activity to aid in conveying issues of importance to Hamilton Conservation Authority and opportunities for alignment with key government initiatives. Ongoing objectives include:

1. Communicate with and educate other levels of government on the work of HCA. Highlight key HCA priorities and initiatives as identified in the current HCA Strategic plan and Annual Reports which are:
  - Organization Excellence (financial viability and relevance in the community)
  - Water Management) protect people and property through flood and erosion control)
  - Natural Heritage Conservation (conservation and enhancement of the watershed)
  - Conservation Area Experience (connecting people to nature)

- Education & environmental (provision of learning experiences for the value of our environment and heritage)
2. Develop and build positive relationships with various government officials. This includes:
    - Scheduling meetings to introduce key HCA staff and/or Chair
    - Attending events
    - Inviting political decision makers to HCA events
    - Scheduling site-visits to engage and inform political members
    - Following up and engaging periodically
  3. Improve staff understanding of how political system works and how to advance HCA initiatives.
  4. Identify opportunities to influence and advocate on any specific issues that arise
  5. Undertaking GR activities will be done in a non-partisan way and HCA will not be associated with a particular political party and/or government.

## **7. GR Roles and Responsibilities:**

### **Board of Directors**

- Strategic identification of priority issues
- Establishing HCA position if/as required
- Setting any specific and targeted GR strategies or objectives as required

### **Chair/Vice Chair**

- Speaking on behalf of HCA to government and the media
- Preparing or tailoring of communications as required
- Attending and participating in advocacy efforts through HCA as well as Conservation Ontario, including as voting representatives to Council Meetings

### **CAO & Senior staff**

- Identifying issues of concern to be brought to the Chair and/or Board of Directors
- Providing expertise for the analysis of issues and the development of positions
- Preparing of communications
- Speaking on behalf of HCA to government and the media
- Providing comment and analysis to Conservation Ontario on issues
- Attending and participating in advocacy efforts through HCA as well as Conservation Ontario, including the CAO and Deputy CAO as alternate voting representatives to Council meetings



#### Marketing & Communications Staff

- Assisting to help articulate position and developing key messages
- Drafting and distributing media releases and first point of contact as required to direct media inquiries

#### Conservation Ontario

- Identifying issues of concern to be brought to the membership
- Providing expertise for the analysis of issues and the development of centralized positions in conjunction with both CO staff and local conservation authorities
- Preparing communications for both use by Conservation Ontario as well as local conservation authorities
- Speaking on behalf of members to government and the media

### **8. GR Strategy Template / Checklist**

To ensure successful government relations and facilitate the exchange of information and ideas, HCA can use the template below to outline a strategic and effective GR approach. This will also assist in identifying if external GR support is required.

#### 1) Define Issue and do research

- What issues are impacting HCA? E.g. is HCA trying to change an existing piece of legislation, or introduce something new?
- Is issue affected at the federal, provincial, or local municipal level?
- Identify and understand the priorities of the government
- Identify the important players who can influence a decision in our favour and/or promote our position, at both political and administrative levels

#### 2) Develop approach

- Prioritize issues and concerns to be addressed
- Identify communication approaches i.e. letters, emails, meetings
- Identify any compromises for a fallback position in case this is needed
- Act as a partner by offering thoughtful and concrete solutions that will be win-win

#### 3) Adapt message

- Adapt message or different representatives / audiences and as situations evolve

#### 4) Create alliances

- Rallying other players to the cause for a stronger message, where appropriate such as participating municipalities (City of Hamilton, Township of Puslinch), partnering or like organization such as Bruce Trail Conservancy, Royal Botanical Gardens, Naturalist Club, Ducks Unlimited etc., HCA annual vehicle pass holders, Hamilton Conservation Foundation etc.



# Report

**TO:** Board of Directors

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

**MEETING DATE:** February 4, 2021

**RE:** 2021 Schedule of Board of Directors Meetings and 2021 Annual General Meeting

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## STAFF RECOMMENDATION

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

1. **THAT the 2021 meeting dates for the Board of Directors as noted in this report be approved, and further**
2. **THAT the HCA Annual General Meeting (AGM) be rescheduled for June of 2021; and further**
3. **THAT elections for the position of Board Chair and Vice Chair of the Board normally conducted at the Annual General Meeting be deferred until June of 2021 with the current Board Chair and Vice Chair remaining in place until that time; and further**
4. **THAT the current term of Board Members appointed to the Budget and Administration Committee as well as the Conservation Advisory Board, along with the term of each respective HCA Committee Chair and Vice Chair be extended until the June 2021 AGM; and further**
5. **THAT the appointments to Conservation Ontario Council be extended and formally reconfirmed at the June 2021 AGM.**

## BACKGROUND

The Hamilton Conservation Authority Administrative By-Law under Section C (11) Meeting Procedures –Meeting Schedule and Annual General Meeting, indicates the following:

Subject to the right of the Board to set a different meeting schedule or to change the date of a meeting, and the right of the Chair to call a special meeting, the Board will meet 10 times per year beginning at 7:00 p.m. on the first Thursday of the months of February, March, April, May, June, July, September, October, November and December.

The Annual General Meeting shall be the February meeting each year. The date of the meeting may be adjusted to allow for consideration for timing of municipal elections and corresponding municipal and citizen appointments.

## STAFF COMMENT

Below is the meeting schedule for the 2021 Board of Directors meetings as per the meeting schedule in the Administrative By-laws, with an adjustment for the AGM.

### 2021 Board of Directors Meeting Dates with 7pm start time:

<b>Thursday February 4</b>	<b>Thursday July 1</b>
<b>Thursday March 4</b>	<b>Thursday Sept 2</b>
<b>Thursday April 1</b>	<b>Thursday October 7</b>
<b>Thursday May 6</b>	<b>Thursday November 4</b>
<b>Thursday June 3 – Annual General Meeting</b>	<b>Thursday December 2</b>

Given the ongoing COVID pandemic and provincial and public health restrictions, the existing practice for electronic meetings will remain in effect as permitted by our governance and administrative bylaws. Additionally, in consultation with the Chair and Vice Chair, a decision was made to revisit the date of the AGM in February. In evaluating the current circumstances, staff considered technology and connectivity limitations with geographically dispersed participants and other challenges (i.e. secret ballot voting) related to holding elections electronically. Staff continue to investigate WebEx applications to be deployed to a future AGM, should it be required. With this in mind, staff therefore recommend that the AGM including the Board Chair and Vice Chair election be postponed until June of 2021 and all current appointments be extended until that time.

## **STRATEGIC PLAN LINKAGE**

The initiative refers directly to the HCA Strategic Plan 2019 - 2023:

- **Strategic Priority Area – Organizational Excellence**

## **AGENCY COMMENTS**

Neighbouring conservation authority, Niagara Peninsula Conservation Authority is taking a similar report to its Board of Directors to defer its AGM and extend all current appointments until June 2021.

## **LEGAL/FINANCIAL IMPLICATIONS**

Not applicable

## **CONCLUSIONS**

The Board of Directors meeting dates for 2021 provide for 10 meetings. The Chair may at his/her pleasure, call for additional meetings as necessary or cancel meetings due to lack of agenda items. Given the ongoing COVID pandemic, the AGM is recommended to be moved to June 2021.



# Report

**TO:** Board of Directors

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

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

**PREPARED BY:** Mike Stone, MCIP, RPP, Manager, Watershed Planning,  
Stewardship & Ecological Services

**MEETING DATE:** February 4, 2021

**RE:** Proposed swimming pool within the regulated area  
of Lake Ontario at 41 Edgewater Drive, Stoney Creek,  
City of Hamilton – HCA File No. SC/F/C/20/94

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## STAFF RECOMMENDATION

**THAT** the HCA Board of Directors approve the issuance of a permit under *Ontario Regulation 161/06* (HCA's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses) for the construction of a swimming pool with associated deck and equipment shed within the regulated area associated with Lake Ontario at 41 Edgewater Drive, Stoney Creek, City of Hamilton.

## BACKGROUND

In August of 2020 HCA staff received an enquiry regarding permit requirements for the proposed construction of an in-ground pool at 41 Edgewater Drive in Stoney Creek (Attachment A). HCA staff responded to the enquiry noting that swimming pools along the Lake Ontario shoreline may be permitted subject to the following:

- Shoreline protection works are in place;
- A minimum setback of 6m from the stable slope allowance of the shoreline is maintained; and
- A maintenance access allowance from the municipal road to the shoreline is available.

In responding to the enquiry HCA staff also noted that the subject dwelling is attached to the houses on either side, and that maintenance access from the road through the subject property to the shoreline was therefore not available. HCA staff noted that given the units along Edgewater are attached, that perhaps a right-of-access agreement or easement may have been established at the time of subdivision development. HCA staff asked the applicant for clarification in this regard.

On September 9, 2020, the property owner provided documentation indicating that in 1994, around the time of subdivision construction, an easement had been established to provide for certain access rights for a limited period of 5 years as part of a transfer of lands ownership within the subdivision. In reviewing the plan of subdivision file, HCA staff did not find any indication that an easement had been established at the time of subdivision construction to provide property owners with long-term access to the shoreline to allow for future shorewall maintenance and repairs. It is important to note that prior to 2006, the HCA did not regulate the Lake Ontario shoreline and were only able to comment on shoreline development through the local land use planning process.

Given that no shoreline access is available, the property owner was advised the proposed pool would not meet existing HCA policy and that staff could therefore not issue a permit for the work.

## **STAFF COMMENT**

In reviewing the permit application submission, HCA staff note that shoreline protection works are in place at the subject property. A single continuous stone revetment was constructed along the shoreline for all lots fronting the lake on Edgewater Drive at the time of subdivision development. This shorewall would have an estimated remaining design life of approximately 20 years. Based on this, the majority the property's rear yard is located within the erosion hazard limit associated with the lake. The erosion hazard limit is defined based on a stable slope allowance, 100-year erosion allowance and consideration of any existing shoreline protection works.

While the rear yard of the subject property is within the erosion hazard associated with the lake, the proposed pool, deck and equipment shed are located outside of the 6m setback from the estimated long-term stable slope allowance for the lake shoreline (Attachment B). On this basis, the proposal complies with HCA policy considerations for swimming pools along the Lake Ontario shoreline.

The proposal does not satisfy HCA policies requiring a maintenance access allowance from the municipal road to the shoreline where new development is proposed. However, staff note the constrained access is an existing condition from the time of subdivision development, and that given the houses are attached there is no opportunity to improve on this condition through shared side-yard access with a neighbouring property. The proposed swimming pool at 41 Edgewater Drive would not further impact the existing access restrictions.



Notwithstanding the access restrictions, staff do not have any concerns with the proposal from a natural hazard or risk to property perspective. Staff are supportive of issuing a permit and would do so, however, staff can not issue a permit which does not comply with Board-approved policy. Proposals that do not meet policy may be considered for approval by the Board of Directors, typically through a formal hearing process where staff are not supportive of the application. The access restriction is a Board approved policy and in this case for the reasons noted, staff are recommending that the Board approve the permit, without a formal hearing.

## **STRATEGIC PLAN LINKAGE**

HCA's Strategic Plan 2019-2023 outlines its Strategic Priority Areas and associated Initiatives for advancing the Authority's Vision and Mission to ensure a healthy watershed for all through leadership in conservation and sustainable management of the watershed. HCA implements a wide variety of programs to fulfill this mandate, including programs to protect people and property from natural hazards. Administration of HCA's regulation (*Ontario Regulation 161/06*) contributes to the achievement of these program objectives and HCA's Strategic Plan more generally.

## **AGENCY COMMENTS**

Not Applicable

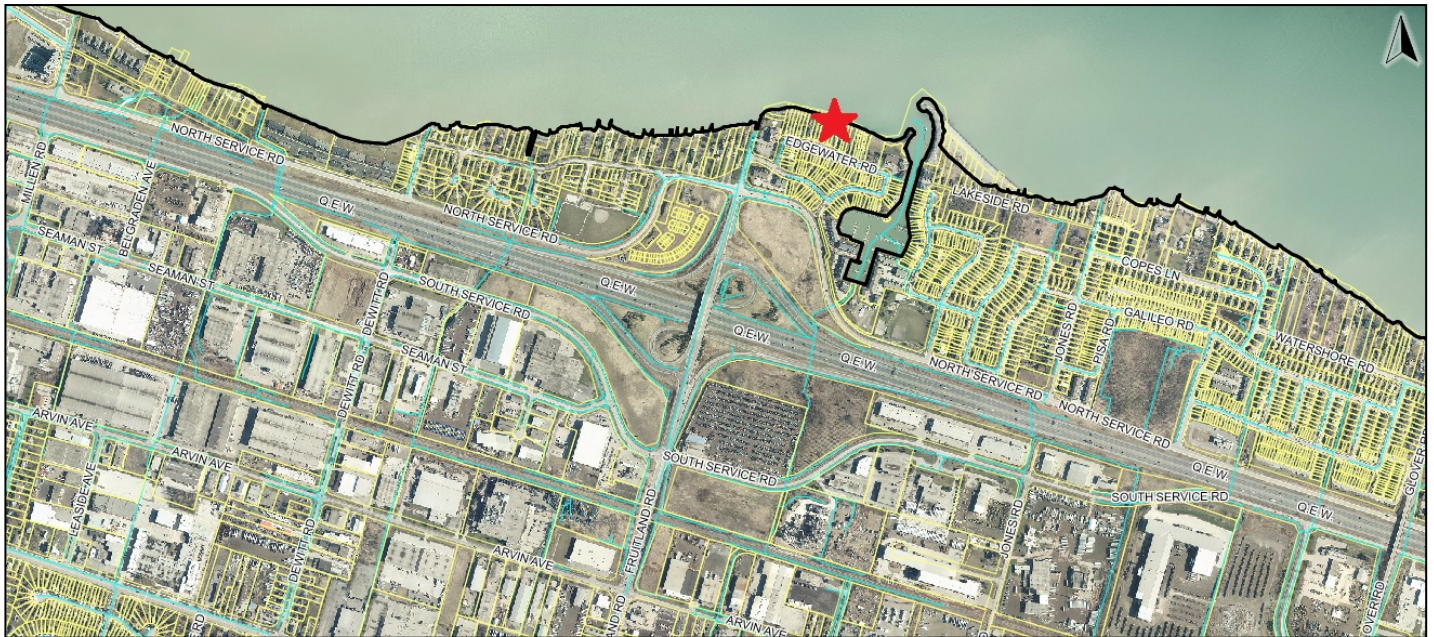
## **LEGAL/FINANCIAL IMPLICATIONS**

Not Applicable

## **CONCLUSIONS**

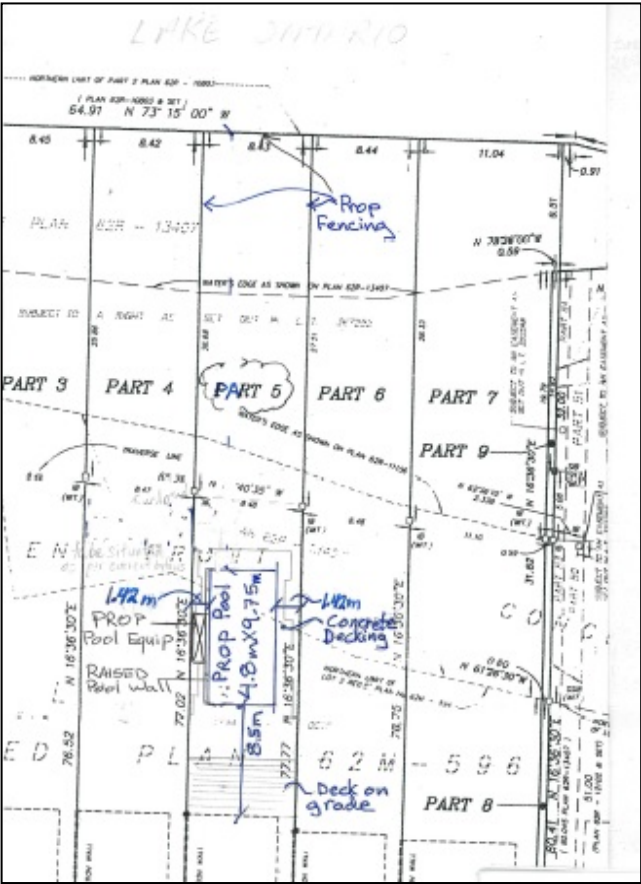
Staff are supportive of the issuance of a permit as it relates to the proposal as the intent of the HCA Board approved policies are met. With or without the proposed swimming pool, there is no access to the shoreline from the subject property. Given the specifics of this proposal and existing conditions, the intent of the HCA Board policy direction is maintained. Staff have no objection to the issuance of a permit.

## ATTACHMENT A – Property Location





ATTACHMENT B – Site Plan and Shoreline Hazard Limits







# 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:** February 4, 2021

**RE:** Watershed Conditions Report

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## SYNOPSIS

There have been no recent significant watercourse flooding events or Lake Ontario shoreline flooding events.

There are no expectations of significant watercourse flooding, significant public safety concerns, or Lake Ontario shoreline flooding, either currently or in the near future.

Hamilton Low Water Response Team recently terminated the Level 1 Low Water conditions declaration that was issued July 27, 2020.

The most recent low water assessment indicated that normal conditions continue to be considered an appropriate overall characterization of the watershed, and do not indicate drought conditions. Normal conditions are expected to continue in the short term.

There are no concerns with current reservoir levels, which are within the typical past winter water levels range.

In general, current and recent streamflows were at or below the long-term January monthly normal at all five gauges.

## **CURRENT WATERSHED CONDITIONS – January 20, 2021**

### Current Water Levels in Major Area Watercourses

There are no observations, reports, or expectations of current significant watercourse flooding or significant public safety concerns.

Current flows are below the long-term January monthly normals at all five gauges (Upper Spencer Creek at Safari Road, Middle Spencer Creek at Highway 5, Lower Spencer Creek at Market Street, Ancaster Creek at Wilson Street, and Redhill Creek at Barton Street). That said, current flows are well above Low Water conditions at all three Spencer Creek gauges, and near Low Water Level 1 conditions at the Ancaster Creek and Redhill Creek gauges.

Over the month of January, the average flows have been at to slightly below the long-term January monthly normals at all five streamflow gauges.

### Current Lake Ontario Water Levels

There are no observations, reports, or expectations of current shoreline flooding.

Currently, the Lake Ontario mean daily water level is approximately 74.61 m IGLD85. This is about 3 cm above average for this time of year, and about 60 cm below the record high set for this time of year (during 1946).

### Current Storages in HCA Reservoirs

Levels in both reservoirs are within the typical past winter water levels range.

Currently, the reservoir level at the Christie Lake dam (about 765.58 ft) is within the range of typical past winter water levels (765.30 - 765.80 ft). The reservoir is at 17 % of its preferred maximum storage capacity (corresponding to a water level of 773 ft).

Currently, the reservoir level at the Valens Lake dam (about 274.32 m) is just under the high end of the range of typical past winter water levels (274.15 to 274.40 m). The reservoir is at 42 % of its preferred maximum storage capacity (corresponding to a water level of 275.5 m).

### Current Soil Conditions

The surface and root-zone soils are moist and partially frozen, presently.

## **RECENT STORM EVENTS**

During the period of November 23, 2020 to January 20, 2021, there were no significant watercourse flooding events, or Lake Ontario shoreline flooding events.

## **RECENT WATERSHED LOW WATER CONDITIONS**

In response to the return of normal watershed conditions (rainfall and streamflows), the Hamilton Low Water Response Team recently terminated the Level 1 Low Water conditions declaration that was issued July 27, 2020.

The most recent assessment indicated that normal conditions continued to be considered an appropriate overall characterization of the watershed. The 1-month, 3-month and 18-month precipitation totals all indicated normal conditions. 30-day average streamflows suggested normal conditions at all five gauges (Upper Spencer Creek at Safari Road, Middle Spencer Creek at Highway 5, Lower Spencer Creek at Market Street, Ancaster Creek at Wilson Street, and Redhill Creek at Barton Street).

## **FORECASTED WATERSHED CONDITIONS**

### Watercourse Flooding

There are currently no significant rainfall events or significant snowmelt events (+20 mm in a day) anticipated for the watershed over the next 2 weeks. HCA staff continue to monitor conditions and forecasts routinely. Resultant water levels and flows from currently forecasted rain and snowmelt are not expected to pose significant watercourse flooding or significant public safety concerns.

### Lake Ontario Shoreline Erosion / Flooding

There are currently no significant Lake Ontario shoreline flooding events anticipated within the watershed over the next 9 days.

According to International Lake Ontario – St. Lawrence River Board information, Lake Erie remains high and this will continue to contribute significant volumes of water to Lake Ontario. With dry conditions forecasted for this week and high outflows continuing, the level of Lake Ontario is expected to decline. In the following weeks, a slow, seasonal rise is expected to resume, but weather conditions will primarily determine the rate and magnitude of water level fluctuations.

### Watershed Low Water Conditions

Conditions will be largely dependant on the actual amount of forecasted rainfall received. However, it is expected that normal conditions will continue to be considered an appropriate overall characterization of the watershed, in the short term.

