



Board of Directors Meeting Agenda

Thursday, March 4, 2021



Board of Directors Meeting

Thursday, March 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 – February 4, 2021
 - 5.3. Approved October 10, 2020 Conservation Advisory Board Minutes – for receipt only
 - 5.4. Email from MECP re Proclamation of Provisions of the Conservation Authorities Act, February 5, 2021
 - 5.5. News Release 'Ontario Takes Steps to Grow the Greenbelt', Ministry of Municipal Affairs and Housing, February 21, 2021
- 6. Member Briefing**
- 7. Business Arising from the Minutes**
 - 7.1. Proclamation of Governance Provisions of the Conservation Authorities Act - report – Burnside

- 7.2. Mandatory Permit Insurance Indemnification – verbal update
– McDougall

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

- 8.1. Conservation Advisory Board – February 11, 2021
(Recommendations) – Topalovic

- 8.1.1. CA 2103 2021 Reservation Service –
Spencer Gorge Conservation Area
8.1.2. CA 2104 Westfield Heritage Village Accession
And Deaccession Lists

- 8.2. Foundation Chairman's Remarks – Margaret Reid

9. Other Staff Reports/Memorandums

- 9.1. Permit Timelines –
Conservation Ontario Client Service Initiative – Stone
9.2. Tender for Lawn Mower Equipment – McDougall
9.3. Watershed Conditions Report – 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, April 1, 2021 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: March 4, 2021

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

HCA Regulation applications approved by staff between the dates of January 20, 2021 and February 21, 2021 are summarized in the following Summary Enforcement Report (SER-2/21).

RECOMMENDATION

THAT the Board of Directors receive this Summary Enforcement Report SER-2/21 as information.

HAMILTON REGION CONSERVATION AUTHORITY**DEVELOPMENT, INTERFERENCE WITH WETLANDS, AND ALTERATIONS TO SHORELINES AND WATERCOURSES APPLICATIONS**

February 22, 2021

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

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

SUMMARY ENFORCEMENT REPORT SER 2/21

File Number	Date Received	Date Permit Issued	Review Days	Applicant Name	Location	Application Description	Recommendation / Conditions
SC/F,C,A/20/98	17-Nov-20	22-Jan-21	28		1809 and 1817 Rymal Rd E Lot 33, Concession 8 Stoney Creek	Spring 3 Grike Close-Out, in a regulated area associated with the Eramosa Karst.	Approved subject to standard conditions
H/F,C,A/20/100	26-Nov-20	25-Jan-21	61		1125 West 5th St Lot 15, Concession 8 Hamilton	Installation of storm and sanitary sewers and enclosure of a watercourse at 1125 West 5th Street, in a regulated area of Red Hill Creek.	Approved subject to standard conditions
A/F,C,A/20/107	04-Dec-20	25-Jan-21	54		933 Golf Links Rd Lot 51, Concession 2 Ancaster	Alteration of a watercourse consisting of a culvert replacement in a regulated area on a tributary of Tiffany Creek.	Approved subject to standard conditions
D/F,C/21/01	22-Jan-21	25-Jan-21	4		107 Grant Blvd Lot 57, Concession 1 Dundas	Construction of a single family residence and associated grading in a regulated area of Ancaster Creek.	Approved subject to standard conditions
F/F,C,A/20/71	14-Sep-20	25-Jan-21	80		Pt Lt 12, Con 1, Hwy 8 Bridge #248 over Spencer Creek, Dundas Lot 12, Concession 1 Flamborough	Replacement of Highway 8 Bridge #248 over Spencer Creek, in a regulated area of Spencer Creek.	Approved subject to standard conditions

HAMILTON REGION CONSERVATION AUTHORITY**DEVELOPMENT, INTERFERENCE WITH WETLANDS, AND ALTERATIONS TO SHORELINES AND WATERCOURSES APPLICATIONS**

February 22, 2021

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

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

SUMMARY ENFORCEMENT REPORT SER 2/21

F/F,C,A/20/69	14-Sep-20	25-Jan-21	80	City of Hamilton,	W of Hwy 8 Bridge #248 over Spencer Creek Lot , Concession Flamborough	Replacement of a storm sewer outfall West of the Highway 8 Bridge #248 over Spencer Creek, in a regulated area of Spencer Creek.	Approved subject to standard conditions
A/F,C/20/38	28-Apr-20	25-Jan-21	45		526 Sulphur Springs Rd Lot 41, Concession 2 Ancaster	Demolition of an existing dwelling and removal of an existing septic system, and for the construction of a single family residence, associated grading and installation of a new septic system in a regulated area of Sulphur Creek.	Approved subject to standard conditions
D/F,C/21/03	11-Jan-21	29-Jan-21	20		7 Springhill St Lot 12, Concession 1 Dundas	Demolition of an existing dwelling and accessory structure, construction of a new single-family residence, detached garage, and septic system installation in a regulated area of Spencer Creek.	Approved subject to standard conditions
SC/F,C,A/20/104	03-Dec-20	29-Jan-21	58		Pt Lt 26, Con 3 Lot 26, Concession 3 Stoney Creek	Installation of conduit in the municipal right of way by directional bore in a regulated area of Battlefield Creek.	Approved subject to standard conditions
SC/F,C/20/94	10-Nov-20	05-Feb-21	74		41 Edgewater Dr Lot 14, Concession BF Stoney Creek	Construction of a pool, pool shed and grading 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**

February 22, 2021

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

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

SUMMARY ENFORCEMENT REPORT SER 2/21

H/F,C/21/04	05-Jan-21	05-Feb-21	33		Pt Lt 32, Con 3, King St E at Lawrence Rd Lot 32, Concession 3 Hamilton	Installation of conduit in the municipal right of way by directional bore in a regulated area of Red Hill Creek.	Approved subject to standard conditions
D/C/21/06	29-Jan-21	11-Feb-21	15		30 Ravine Dr Lot 20, Concession 1 Dundas	Replacement and reconstruction of an existing rear deck, in a regulated area of Borer's Creek.	Approved subject to standard conditions
A/F,C/20/54	09-Jul-20	16-Feb-21	44		121 Mohawk Rd Lot 46,47, Concession 2 Ancaster	Construction of a pool, patio, and landscaping in a regulated area of Ancaster Creek.	Approved subject to standard conditions
SC/F,C,A/21/05	26-Jan-21	19-Feb-21	25		52 Seabreeze Cres Lot 9, Concession BF Stoney Creek	Blockage removal works in a regulated area on Watercourse 7 and Lake Ontario.	Approved subject to standard conditions

Hamilton Region Conservation Authority

Minutes

Board of Directors Meeting

February 4, 2021

Minutes of the Board of Directors meeting held on Thursday, February 4, 2021, at 7.p.m., by videoconference and livestreamed via YouTube

PRESENT:

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

Margaret Reid – Foundation Chair

REGRETS: **None**

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

OTHERS: **None**

1. Call to Order

The Chair called the meeting to order.

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 one additional memorandum regarding a natural heritage offsetting framework to be added as item 7.2 under business arising from the minutes.

BD12, 2844

MOVED BY: Dan Bowman

SECONDED BY: Maria Topalovic

THAT the agenda be approved, as amended.

CARRIED

4. Delegations

There were none.

5. Consent Items for Applications, Minutes and Correspondence

The following consent items were adopted:

- 5.1. Applications – Development, Interference with Wetlands, Alterations to Shorelines and Watercourses
- 5.2. Approval of Board of Directors Minutes – December 3, 2020
- 5.3. Emails from Lisa Burnside regarding Amendments to Bill 229 and related Conservation Ontario Media Release, dated December 6th, and December 8th, 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

Dan Bowman thanked the Chair and Lisa Burnside for keeping the Board members well apprised of developments from the Province regarding Bill 229. Cynthia Janzen inquired about opportunities to share HCA's thoughts and concerns with Hassaan Basit, the Chair of the newly formed provincial working group for development of regulations to implement the legislative changes. Lisa responded that yes, she has contacted the Chair to offer support as needed. She further added that all regulations

the working group will be putting forward will be open for public consultation, where HCA, other stakeholders, and the public will be able to provide comments.

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

Lisa Burnside provided a presentation outlining key legislative changes as well as amendments to some initially proposed changes. Lisa answered specific questions about processes and appeals, noting many details will not be known until the subsequent regulations are released.

Susan Fielding inquired about the provincial appointment of agricultural representatives to Conservation Authority Boards of Directors. Lisa confirmed, that the Minister may appoint an agricultural representative at their discretion, however, the details of this process are not available at this time.

Susan Fielding also inquired about the working group meetings being closed to the public. Lisa advised the members have been asked to sign confidentiality agreements and cannot speak about the nature of the discussions until the regulations are released.

Jim Cimba sought clarification on indemnification for Conservation Authorities required to issue mandatory permits contrary to our regulations and policies. Lisa stated that yes, clarification is required as to liability should there be natural hazards-related impacts to people or property. Conservation Ontario has submitted a request to Minister Yurek for more information and an indemnification clause in this regard.

Jim Cimba further inquired about staff consultation with HCA's liability insurers. Neil McDougall indicated he recently attended a meeting with the Conservation Ontario Insurance Subcommittee where this was a topic of discussion. Our insurer and Conservation Ontario will return with responses. Staff will return with an update on the results of the insurance discussion to the March Board meeting.

Cynthia Janzen inquired about the process for negotiating with municipalities for non-standard activities moving forward. Lisa responded that yes, staff are seeking details on which activities are mandatory that we can levy our partners for and if non-mandatory, HCA may need to obtain agreements with its member municipalities for these activities or support them with self-generated revenues. Cynthia Janzen further inquired about the frequency with which these agreements would need to be negotiated. Lisa commented that these details

may be included in the regulations. Staff are hopeful for mutli-year agreements as annual agreements would create administrative burden.

BD12, 2845

MOVED BY: Jim Cimba

SECONDED BY: Susan Fielding

THAT be received for information

CARRIED

7. Business Arising from the Minutes

7.1. Government Relations Policy

Lisa Burnside presented a summary of the report and answered the members' questions.

Cynthia Janzen inquired about staff plans to operationalize the policy. Lisa commented that yes, the policy provided clarity on the scope of government and staff will invest more time and have additional touch points with the various government members, including sharing annual reports, strategic plans, and invitations to events.

Cynthia suggested the roles and responsibilities section be amended to state Marketing and Communications staff's role will include undertaking environmental scanning to monitor and flag issues being posted on traditional and social media channels.

Brad Clark commented that the document is excellent and comprehensive and that government relations has expanded to include scanning media and social media to develop strategies.

Neil McDougall added that HCA has an internal marketing steering committee where government relations will now be discussed regularly.

Tom Jackson inquired about costs for external assistance and the process for seeking approval from the Board or Budget & Administration Committee. Lisa advised that Pathways undertook the development of the policy pro bono. Staff are confident we would have great support with them if we need assistance. Any significant costs would be brought forward for approval.

BD12, 2846

MOVED BY: Cynthia Janzen

SECONDED BY: Dan Bowman

THAT the Government Relations Policy as outlined in the February 4, 2021 report, and amended to state the Marketing and Communications staff role will include undertaking environmental scanning to monitor and flag issues being posted on traditional and social media channels, be approved.

CARRIED

7.2. Natural Heritage Offsetting Policy Development Framework and Timing

Scott Peck presented a summary of the memorandum. Brad Clark commented that the discussion paper format is prudent and valuable as it will allow for understanding different stakeholder opinions and any future policy would be based on that feedback.

BD12, 2847

MOVED BY: Brad Clark

SECONDED BY: Maria Topalovic

THAT the memorandum entitled Natural Heritage Offsetting Policy Development Framework and Timing be received for information.

CARRIED

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

8.1. Foundation Chairman's Remarks

Margaret Reid presented the following:

Donations

We received a total of **\$50,085** in donations from December 1, 2020 to January 31, 2021. They break down as follows:

- \$18,570 for the Area of Greatest Need Fund
- \$12,048 for Westfield Heritage Village
- \$5,823 for Land Securement
- \$4,025 for Environmental Education
- \$4,000 for Tree and Shrub Plantings
- \$3,219 for the Dundas Valley Trails Fund

- \$1,125 for the Dundas Valley Fund
- The remaining \$1,275 was donated to Stewardship, Bench Maintenance and Trail Development

Virtual Equestrian Campout Fundraiser

Back in December, the Dundas Valley Equestrian Association held a virtual fundraiser in lieu of the annual Equestrian Campout Fundraiser that is held in August of each year. Approximately \$1,900 was raised for the Foundation to support the installation of horse friendly bridges across the Dundas Valley CA. Over the past 15 years, the equestrian community has raised nearly \$300,000 for the Dundas Valley trail system.

The Chair congratulated Margaret and the Foundation Board of Directors on the great work they are doing.

Cynthia Janzen inquired about any strategies the Foundation has developed to address the second year of the pandemic. Margaret responded they are fundraising for projects identified in the newly completed master plans, are undertaking more one on one outreach, and are working with HCA staff to identify other funding opportunities. Grace Correia added that the Foundation is adapting based on lessons learned last year, using examples from other charities, and reaching out to more donors by phone. Cynthia suggested the proposed changes to the Conservation Authorities Act and the pandemic have brought to light the importance of green space and conservation areas and might provide an opportunity to attract new donors. Grace confirmed that yes staff are finding donors are commenting on their appreciation of the areas. Grace also noted the environmental education program has also developed great virtual programming that donors may want to support.

BD12, 2848**MOVED BY: Esther Pauls****SECONDED BY: Susan Fielding****THAT the Foundation Chairman's Report be received as information.****CARRIED****9. Other Staff Reports/Memoranda****9.1. 2021 Meeting Schedule and 2021 Annual General Meeting**

Lisa Burnside presented a summary of the report, noting the July meeting falls on Canada Day and suggesting the members may wish to amend the date to the following Thursday.

BD12, 2849**MOVED BY: Jim Cimba
SECONDED BY: Chad Collins****THAT the Board of Directors approve the following:**

- 1. THAT the 2021 meeting dates for the Board of Directors as noted in this report, as amended to change the July 1 meeting to July 8, 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.**

CARRIED**9.2. Permit Application – 41 Edgewater Drive, Stoney Creek**

Scott Peck presented a summary of the report and answered the members' questions. Maria Topalovic thanked Scott for the review and comments, and for exploring this additional option, demonstrating that HCA is trying to make the process as easy for the applicant as possible.

Tom Jackson inquired that in light of legislative changes in Bill 229, as an example, if HCA had recommended denial, would the applicant be able to petition the Minister directly for approval. Scott confirmed that would be possible.

BD12, 2850**MOVED BY: Maria Topalovic
SECONDED BY: Tom Jackson**

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.

CARRIED

9.3. Watershed Conditions Report

Scott Peck presented a summary of the memorandum, highlighting the new format of the report, moving the synopsis to the front page. Scott noted there was a storm warning, however the wind direction was favourable for the Lake Ontario shoreline in our jurisdiction. There are currently no flooding issues in our watershed. Our watershed is out of drought conditions and watercourse base flows and reservoirs are at typical levels.

BD12, 2851**MOVED BY: Esther Pauls
SECONDED BY: Dan Bowman**

THAT the memorandum entitled Watershed Conditions Report be received as information.

CARRIED

9.4. Conservation Areas Experiences Update

Gord Costie provided a verbal update, highlighting that all of our Conservation Areas are open. Visitor attendance continues to be higher than normal for this time of year. HCA is providing access to outdoor recreational areas in accordance with all provincial guidance and direction. It is anticipated that we will experience similar conditions in 2021 as we did in 2020 and staff are preparing based on last year's experiences.

With regard to the letter on the consent agenda, sent by Carol Town, Cynthia Janzen inquired about the process for staff to follow up with delegates to the Board of Directors. Gord responded that due to the technical difficulties at the meeting at

the time, the delegates may not have heard the discussion following their presentation and that the board did not direct staff to undertake any action at the time. He has since contacted the delegates to provide a summary of the discussion and the minutes of the meeting. He has offered to reconnect and serve as a point of contact for them. The Chair added that he has also visited the site in follow up from the delegation and reaffirmed that it is not appropriate to create additional parking at the McCormack Trail at this time.

Esther Pauls advised staff of visitor reports of garbage on the trail between Dundana and Little John Roads. Gord advised he would review the mapping and contact the appropriate HCA or City staff. Lisa Burnside added that we have struggled with garbage during the pandemic. HCA has started very targeted media to request people pack out what they bring. Cynthia thanked staff for the work undertaken to maintain the trails.

Dan Bowman inquired about winter camping and if HCA has started taking reservations for summer camping. Gord responded that winter campers were permitted to stay if they had pre-registered. Nightly winter camping is not permitted. HCA, similar to Ontario Parks, is accepting summer reservations in anticipation that campgrounds will be permitted to operate, possibly with restrictive services. Reservations are being taken to avoid a surge should we open reservations closer to the season.

BD12, 2852

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

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

CARRIED

10. New Business

There was none.

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

BD12, 2853

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

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

CARRIED

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

11.1. Confidential Report – BD/Feb 01-2021

Nancy Watts provided a summary of the report regarding a personnel matter.

BD12, 2854

MOVED BY: Jim Cimba

SECONDED BY: Susan Fielding

THAT the confidential report entitled BD/Feb 01-2021 be approved and remain in camera.

CARRIED

BD12, 2855

MOVED BY: Dan Bowman

SECONDED BY: Esther Pauls

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, March 4, 2021 at 7:00 p.m. by WebEx videoconference.

13. Adjournment

On motion, the meeting adjourned.

Neil McDougall
Secretary-Treasurer

HAMILTON CONSERVATION AUTHORITY

Conservation Advisory Board

MINUTES

October 8, 2020

Minutes of the Conservation Advisory Board meeting held on Thursday, October 8, 2020 at 4:00 p.m. by WebEx videoconference.

PRESENT: Maria Topalovic - in the Chair
Dan Bowman,
Joanne Di Maio
Cheryl Larocque

Lydia Cartlidge
Cynthia Janzen
Wayne Terryberry

REGRETS: Duke O'Sullivan, John Shaw

STAFF PRESENT: Gord Costie, Matt Hall, Neil McDougall, Colin Oaks, Kathy Smith, Mike Stone, and Jaime Tellier

OTHERS: **Zobia Jawed – McMaster University**

1. Chairman's Remarks

The Chair called the meeting to order and welcomed everyone present. Maria called to the members' attention that both Cheryl Larocque and John Shaw had reached the end of their service terms with the Conservation Advisory Board. She commented on the loss of two valued citizen appointees with such history and that have made such notable contributions to the organization. She noted that both Cheryl and John began on the Water Management Advisory Board in 2008 and remained following an amalgamation into the Conservation Advisory Board in 2012. Maria further added that Cheryl's insights and support have been greatly appreciated and that John's academic and employment history provided for unique and important contributions to HCA's advisory boards and committees. John also participated on the Hamilton-Halton Watershed Stewardship Program Project Technical Advisory Committee and Low Water Response. Maria conveyed HCA's appreciation and presented Cheryl and John with lifetime membership passes to HCA.

Maria read a statement on John's behalf where he shared how much he enjoyed his time on the advisory board and working with HCA staff in the delivery of its varied

environmental programs. Cheryl thanked staff and her fellow members for the opportunity to be involved in so many initiatives and projects over the years.

Maria also thanked staff for a recent site visit to the Dundas Peak / Tew Falls site to view capital improvements for the Spencer Gorge reservation system. She thanked staff for the great work completed.

2. Declaration of Conflict of Interest

The Chair asked members to declare any conflicts under the HCA Administrative By-law. There were none.

3. Approval of Agenda

The Chair requested any additions or deletions to the agenda.

CA 2018 MOVED BY: Joanne Di Maio
SECONDED BY: Wayne Terryberry

THAT the agenda be approved.

CARRIED

4. Delegations

There were none.

5. Member Briefing

5.1. McMaster Forest Eco Field Station Design Concept

Wayne Terryberry and Zobia Jawed presented a summary of the history of the McMaster Forest property and a design concept for a proposed Eco Field Station. He highlighted that student volunteers have undertaken a lot of work on the property, including invasive species management, and in the course of the work found that a field station is needed. He advised that Zobia was having technical difficulties and shared building and landscape designs on her behalf, highlighting innovative low impact development design elements. The building will be LEED Platinum certified. The Naturalist Club is a partner in the project. The project is currently in the stakeholder engagement phase. Joanne Di Maio inquired about the intended users of the station. Wayne advised that smaller field classes and labs will utilize the facility as well as field study and art

students. The Naturalist Club is currently using the property for bird studies. The parking lot will remain small to encourage active transportation such as hiking, cycling, and public transit. Dan Bowman congratulated those involved for striving for LEED certification. He inquired about support or endorsement from HCA. Wayne advised that the team will work with HCA staff for any necessary approvals but the project has been presented to CAB for their information and feedback or input. Lydia Cartlidge commented on the future potential for high school students to be exposed to the facility and recommended engagement with the school board. Wayne acknowledged the potential use and thanked Lydia for the input. Maria thanked Wayne and Zobia for the presentation, adding we look forward hearing more as the project progresses.

6. Chairman's Report on Board of Directors Actions

Maria reported the following recommendations were approved by the Board of Directors.

CA 2014 Valens Lake Conservation Area Master Plan

The master plan was tabled at the April Board of Directors meeting until such a time as an in-person staff presentation could be given. This was done at the October Board meeting and was approved.

CA 2015 Spencer Gorge 2020 Operations

In March, staff had put forward to CAB a series of recommendations for the shuttle operation for the 2020 season. However, due coronavirus-related operational challenges, staff presented an amended report to the Board of Directors in June to adapt and initiate a pilot reservation system. The proposal was approved at the June meeting and has since come into effect on September 19th.

CA 2016 Project Technical Advisory Committee

The recommendations to appoint the members of the Project Technical Advisory Committee for a three-year term and ensure the annual insurance for the committee were approved at the April Board of Directors meeting.

7. Approval of Minutes of Previous Meeting

7.1. Minutes – Conservation Advisory Board (March 12, 2020)

CA 2019 **MOVED BY: Cynthia Janzen**
 SECONDED BY: Joanne Di Maio

THAT the minutes of the March 12, 2020 Conservation Areas Advisory Board meeting be approved.

CARRIED

8. Business Arising from the Minutes

There was none.

9. Staff Reports/Memorandums

9.1. Lafarge Trail, Fletcher Creek and Beverly Swamp Management Plans

Kathy Smith provided a summary of the plans, highlighting their purpose in guiding staff activities for the next ten years, to preserve natural heritage and provide recreational infrastructure for future generations. The Chair thanked Kathy for a great presentation and tremendous amount of work required for the development of the plans.

Lydia Cartlidge inquired about parking on Gore Road. Staff have observed some parking challenges in this area. Creation of a parking lot on Gore Road is not possible due to wetlands and roadside ditches. Visitors must use the formal parking lot available and should parking on the road become an issue, staff will work with municipal partners to implement control measures. Staff will monitor the situation closely.

Dan Bowman commented on the importance of the management plans as we see increased pressures on the Conservation Areas. He compared the pressures to those observed at provincial and national parks. The management plans protect Environmentally Significant Areas and provide a road map for the future.

The issue of dogs off leash at the Fletcher Creek Ecological Preserve and on HCA lands in general was discussed, as well as the use of enforcement as a tool to protect natural features and other visitors from these occurrences. Gord commented that the ecological preserve name of the conservation area was intentional to emphasize the purpose of the area as to preserve its natural heritage. He compared the situation to the issue of ATV use that was problematic and that staff have found ways to manage, adding that dogs off leash are now a rising issue. Challenges with enforcement were discussed.

The members discussed the possibility of an HCA area where dogs are prohibited to preserve the ecology of the area, protect wildlife from harassment, and equitable use for all visitors. It was determined that the language in the Fletcher Creek Ecological Preserve Management Plan is flexible to allow for a future decision on

the issue and that any recommendation made with respect to dogs in conservation areas would be brought to CAB for review.

**CA 2020 MOVED BY: Dan Bowman
 SECONDED BY: Wayne Terryberry**

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

THAT this report and accompanying management plans of October 2020 be received as information for project background and general understanding; and further

THAT the Management Plans for the Upper Watershed Beverly Swamp, Lafarge 2000 Trail, and Fletcher Creek Ecological Preserve be approved.

CARRIED

9.2. Fifty Point Conservation Area Wetland / Fishery Restoration Update

Mike Stone introduced the presentation, noting the update is a summary of the findings from ecological and environmental assessments completed for the area. Colin presented the proposed design of the habitat restoration project. Maria thanked Colin for the presentation.

**CA 2021 MOVED BY: Cynthia Janzen
 SECONDED BY: Wayne Terryberry**

THAT the memorandum entitled Fifty Point Conservation Area Wetland / Fishery Restoration Update be received as information.

CARRIED

9.3. Conservation Areas Experiences Update

Gord Costie provided an update on Conservation Area operations: including the reopening of Spencer Gorge, the ongoing popularity of camping at Valens and Fifty Point, and sustained high visitation at all other areas.

Wayne Terryberry inquired about early results of the Spencer Gorge pilot reservation system. Gord advised that visitor numbers are controlled and there is less traffic and pedestrians in the area. There are some challenges noted, including that local

residents would like access to the area without reservations but that we do not have a means to differentiate between residents and the general public. Gord added that the system is still in the early stages; staff are following it closely and will fully analyze information collected

Cynthia Janzen asked about monitoring and tracking comments on the system. Gord advised that Marketing and Communications staff are very engaged with our social media and that calls and emails to the reservation accounts are monitored for common themes in their topics.

**CA 2022 MOVED BY: Dan Bowman
 SECONDED BY: Joanne Di Maio**

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

CARRIED

10. New Business

There was none.

11. Next Meeting

The next meeting of the CAB is scheduled for Thursday, December 10, 2020 at 4:00 p.m., at the HCA Main Office.

12. Adjournment

On motion, the meeting was adjourned.

From: ca.office (MECP) <ca.office@ontario.ca>

Sent: Friday, February 5, 2021 10:46 AM

Subject: Proclamation of Provisions of the Conservation Authorities Act

Good morning,

With the amendments to the *Conservation Authorities Act* ("CAA") in Bill 229, the *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020, now passed by the Legislature, the government has made a series of substantive amendments to the CAA in 2017, 2019 and in 2020, resulting in a number of un-proclaimed provisions in the CAA.

On February 2, 2021, some specific provisions in the CAA were proclaimed to initiate changes to conservation authority governance, for consistency in administration, transparency and financial accountability, as well as increased municipal and provincial oversight of conservation authority operations. These provisions are not tied to any specific regulations, and relate only to provisions from the 2019 and 2020 CAA amendments. Specifically, these include:

- Government requirements (e.g. Non-derogation provision clarifying that nothing in the CAA is intended to affect constitutionally protected Aboriginal and treaty rights);
- Provisions related to conservation authority governance (e.g. changes to the conservation authority municipal membership);
- Minister's powers (e.g., enabling the Minister to issue a binding directive to a conservation authority following an investigation); and
- Housekeeping amendments.

Please refer to the CAA on e-Laws for a complete list of the provisions that are now in force.

We are proposing that the remaining un-proclaimed provisions be proclaimed in two further stages over the coming months to align with the roll out of proposed regulations and policy. These include:

- i) Provisions related to natural hazard management, mandatory programs and services, community advisory boards, the agreements and transition period, and fees.
- ii) Provisions related to municipal levies, and standards and requirements for non-mandatory programs and services.

We have received a number of questions about the implications of certain provisions coming into force, and particularly those related to the composition of conservation authority membership. I can assure you that we are moving forward with a smooth transition to the new framework. Please refer to the attached FAQ for critical information on the implementation of these new measures.

My team in the Conservation Authority Office are available to answer any questions that you may have about the provisions that are now in effect as a result of the stage 1 proclamation. Please do not hesitate to contact us at ca.office@ontario.ca.

The Ministry of the Environment, Conservation and Parks will be in touch at a future date to notify you of the proclamation of the remaining provisions.

I look forward to continuing to work with you through our upcoming consultations on the new regulatory proposals under the CAA to ensure we put conservation authorities in the best position possible to be able to deliver on their core mandate.

Sincerely,

Keley Katona
Director, Conservation and Source Protection Branch
Ministry of the Environment, Conservation and Parks

Implications of Proclamation of Various Provisions: Frequently Asked Questions

1. Do participating municipalities have to appoint new members to conservation authorities now in order to meet the 70% requirement?

Immediate action is not required on the part of conservation authorities or by municipalities related to the provision requiring 70% of municipally appointed members be elected officials.

Current members should complete the remaining duration of their appointments. As new members are appointed, conservation authorities should be appointing members in a way that complies with this new requirement.

A participating municipality may also apply to the Minister of the Environment, Conservation and Parks requesting an exception to this 70% requirement. The request should include the rationale for the request, and what proportion of members the municipality is proposing to be elected officials. Requests should be sent to minister.mecp@ontario.ca.

2. Does a conservation authority need to immediately initiate the term limits of chair/vice-chairs and rotate amongst participating municipalities?

Immediate action is not necessarily required. Implementation of this provision could begin at the first meeting held this year (following the proclamation date of February 2, 2021), or at such other meeting as may be specified by the authority's by-laws.

A participating municipality or conservation authority may also apply to the Minister of the Environment, Conservation and Parks requesting an exception to the term limit or rotation. The request should include the alternative approach being proposed, and the rationale for the request. Requests should be sent to minister.mecp@ontario.ca.

3. When should conservation authorities transition to the use of generally accepted accounting principles?

If not already the practice, conservation authorities will transition to the use of generally accepted accounting principles for local government and ensure that key conservation authority documents are made available to the public (i.e., minutes of authority or executive committee meetings, auditor reports) following proclamation of these provisions on February 2, 2021.

Implications of Proclamation of Various Provisions: Frequently Asked Questions

4. When do copies of municipal member agreements need to be sent to the Minister and made public?

Please submit any existing agreements (on the number of total conservation authority members and number of members per participating municipality in a conservation authority) to the Minister within 60 days of February 2, 2021 (i.e., by April 3, 2021).

If no such agreement is in place as of February 2, 2021, but such an agreement is entered into at a future date, please provide it to the Minister within 60 days of executing the agreement. These agreements should also be made available to the public through the conservation authority's website or other appropriate means within these same timelines.

5. Which provisions of the Conservation Authorities Act (CAA) are you proclaiming in this first phase?

Provisions in the CAA that come into effect February 2, 2021, as part of this first phase include:

Housekeeping Amendments

- Clarifying “Minister” means the Minister of the of the Environment, Conservation and Parks (rather than the Minister of the Natural Resources and Forestry) (Bill 108, 2019).
- Administrative change by striking out “of the Environment” from “Minister of the Environment” (in the section on CA dissolutions – clause 13.1(6)(c)) (Bill 108, 2019).
- Remove a legislative date (now stale) for a past transition period for conservation authorities (CAs) to up-date administrative by-laws (Bill 229, 2020).

Government Requirements

- Non-derogation provision to recognize existing Aboriginal or treaty rights (Bill 229, 2020).
- Enable the Minister to delegate his or her powers to an employee of the Ministry of the Environment, Conservation and Parks (Bill 229, 2020).

Governance

- Changes to the CA municipal membership provisions including requiring 70 per cent of municipally appointed members to be elected officials with provision for the Minister to permit less than 70 per cent on application by a participating municipality (Bill 229, 2020).
- Requiring copies of municipal member agreements on number of total CA members agreed upon and numbers per participating municipality in a CA agreed upon, to be made public and provided to the Minister (Bill 229, 2020).

Implications of Proclamation of Various Provisions: Frequently Asked Questions

- Removal of the regulation making authority regarding the composition of the CA (Bill 229, 2020).
- Minister's power to appoint a member from the agricultural sector with limitations added to the member's voting rights (Bill 229, 2020).
- Limiting the term of the chair/vice-chair and rotating of the chair/vice-chair among a CA's participating municipalities with provision for the Minister to permit an exception to these requirements upon application of the CA or participating municipality. If an exception is granted, this would allow a chair/vice-chair to hold office for more than one year or two terms, or a member to succeed an outgoing chair, vice-chair, appointed from the same participating municipality (Bill 229, 2020).
- Minor amendments to the 'powers of authorities': integrating the CA power to "cause research to be done" with the CA power to "study and investigate the watershed" in order to support the programs and services the CA delivers; to require consent of the occupant or owner of the land before a CA staff can enter the land for the purpose of a CA project (such as land surveying); and to remove the power of a CA to expropriate land (Bill 229, 2020).
- Require CAs to follow generally accepted accounting principles for local governments, make key documents (annual audit, meeting agendas and minutes and member agreements) available to the public (Bill 229, 2020).
- **Minister's Power**
- Enable the Minister to issue a binding directive to a CA following an investigation (Bill 229, 2020).
- Enable the province, upon recommendation by the Minister, to appoint a temporary administrator to assume control of a CA's operations following an investigation or the issuance of a binding directive, if the directive is not followed. Immunity is provided for the administrator (Bill 229, 2020).

Ontario Takes Steps to Grow the Greenbelt

Consultations could result in largest expansion of the protected lands since 2005

February 17, 2021

[Municipal Affairs and Housing](#)

TORONTO — The Ontario government has launched a 60-day consultation to grow the [Greenbelt](#) and help protect more of the province's natural environment — including farmlands, forests, wetlands and watersheds — from future development. The consultations could result in the largest expansion of the greenbelt since its creation in 2005.

"This is truly a unique opportunity to grow the Greenbelt and protect Ontario's environmental, groundwater and agricultural resources for future generations," said Steve Clark, Minister of Municipal Affairs and Housing. "The Premier has been steadfast in his commitment to protect the Greenbelt and our government will not consider any proposals to remove or develop any part of it."

The government is seeking public input on how best to grow the size and quality of the Greenbelt, including:

- the Paris Galt Moraine
- adding, expanding and further protecting urban river valleys, and increasing the Greenbelt's footprint into high density urban areas including the areas around the Don River in Toronto and land around Duffins Creek in Ajax and Pickering.

Comments are welcome by email: greenbeltconsultation@ontario.ca or through the [Environmental Registry of Ontario](#) by April 19, 2021.

Quick Facts

- Established under the Greenbelt Act, 2005, the Greenbelt is a broad band of protected land that currently includes over 800,000 hectares of land in the Greater Golden Horseshoe.
 - The Paris Galt Moraine is a glacial deposit of loose sediment and rock extending from Caledon to north of Paris and Brantford and is home to critical groundwater resources.
 - The Greenbelt currently contains 21 urban river valleys and associated wetlands. These are the valleys of rivers that pass through cities or towns and act as urban gateways to the Greenbelt.
-

Related Topics

Environment and Energy

Learn more about how Ontario protects and restores wildlife and the environment. Includes information on conservation and the electricity system. [Learn more](#)

Government

Learn about the government services available to you and how government works. [Learn more](#)

Travel and Recreation

Learn more about hunting and fishing, provincial parks, festivals and events, and visiting Ontario. [Learn more](#)

Media Contacts

Stephanie Bellotto

Minister's Office

Stephanie.Bellotto@ontario.ca

Conrad Spezowka

Report

TO: Board of Directors

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

MEETING DATE: March 4, 2021

RE: Proclamation of Governance Provisions of the Conservation Authorities Act

STAFF RECOMMENDATION

WHEREAS some specific provisions in the Conservation Authorities Act were recently proclaimed to initiate changes to conservation authority governance; and

WHEREAS the June 3, 2021, HCA Annual General Meeting is affected by the changes as it relates to the rotation of the Chair and Vice Chair positions amongst participating municipalities unless the Authority applies to the Minister of the Environment, Conservation and Parks requesting an exception and

WHEREAS the June 3, 2021, HCA Annual General Meeting is also impacted by term limits for the positions of Chair and Vice Chair unless the Authority applies to the Minister of the Environment, Conservation and Parks requesting an exception; and

WHEREAS the future citizen appointments to the HCA Board of Directors would be impacted by the requirement to have 70% of board members to be elected officials unless HCA's participating municipalities, the City of Hamilton and Township of Puslinch, apply to the Minister of the Environment, Conservation and Parks requesting an exception;

THEREFORE, BE IT RESOLVED

THAT the Board of Directors approve the following:

1. **THAT the Hamilton Conservation Authority apply to the Minister of the Environment, Conservation and Parks requesting an exception to the rotation of the Chair and Vice Chair position to rotate amongst participating municipalities given HCA's unique board composition with only two participating municipalities and just one member from the second participating municipality; and further**
2. **THAT the rotation be based on annual democratic election by board members who wish to stand for these positions and further;**
3. **THAT an exception also be requested to the maximum two consecutive term limits for the position of Chair and Vice Chair to a maximum of four consecutive terms to align with the appointment terms from the participating municipalities and further;**
4. **THAT the maximum four consecutive terms be based on annual democratic election by board members who wish to stand for these positions and further;**
5. **THAT the Board endorse the current complement of five elected officials and five citizen appointments from the City of Hamilton and the option of the Township of Puslinch to appoint either a citizen or elected official and further;**
6. **THAT HCA request the City of Hamilton and Township of Puslinch make application to the Minister of the Environment, Conservation and Parks to request exceptions to maintain the current complement of citizen appointments on the HCA Board.**

BACKGROUND

On February 5, 2021, HCA received an update from the Ministry of the Environment, Conservation and Parks in regard to the Conservation Authorities Act.

This update advised that on February 2, 2021, some specific provisions in the Conservation Authorities Act were proclaimed to initiate changes to the conservation authority governance for consistency in administration, transparency and financial accountability, as well as increased municipal and provincial oversight of conservation authority operations. The provisions relate to governance requirements, Minister's powers and housekeeping amendments

STAFF COMMENT

The specific governance provisions that were proclaimed are outlined for their implications and required HCA action below.

70% requirement for board members to be elected officials

- This requirement impacts HCA's current Board member composition with 50% of City of Hamilton appointments being elected officials and 0% elected officials from Township of Puslinch (the sole member is currently a citizen)
- This would require the City of Hamilton to reduce the number of citizens from five to three and increase the number of elected official members from five to seven and require the Township of Puslinch to appoint an elected official only
- MECP has advised no immediate action is required on the part of conservation authorities or by municipalities related to this provision
- Current members will complete the remaining duration of their appointments
- Participating municipalities may apply to the Minister of the Environment, Conservation and Parks requesting an exception to this 70% requirement
- Staff recommend that HCA request the City of Hamilton and Township of Puslinch make application to the Minister of the Environment, Conservation and Parks to request exceptions to maintain the current complement of citizen appointments on the HCA Board through their respective municipal council resolution

Rotation of Chair and Vice Chair amongst participating municipalities

- This requirement impacts democratic elections for the position of Chair and Vice Chair as HCA only has two participating municipalities and the second municipality only has one member
- Therefore, the member from the Township of Puslinch would be required to be in the position of Chair or Vice Chair for their entire term of appointment
- Implementation of this provision will be at the Annual General Meeting which has been designed as June 3, 2021 for HCA, unless an exception is granted
- A participating municipality or conservation authority may apply to the Minister of the Environment, Conservation and Parks requesting an exception to the rotation
- Staff recommend that HCA apply to the Minister of the Environment, Conservation and Parks requesting an exception to the rotation of the Chair and Vice Chair position to rotate amongst participating municipalities given HCA's unique board composition and propose the rotation be based on annual democratic election by board members who wish to stand for these positions

Term limits for the Chair and Vice Chair

- This requirement sets a maximum term limit of two consecutive years for the Chair / Vice Chair to hold office, unless an exception is requested
- Implementation of this provision will be at the Annual General Meeting on June 3, 2021, for HCA, unless an exception is granted
- The current Chair and Vice Chair have both been in place since June 2019

- A participating municipality or conservation authority may apply to the Minister of the Environment, Conservation and Parks requesting an exception to the term limits
- Staff recommend that HCA apply to the Minister of the Environment, Conservation and Parks requesting an exception to the maximum two consecutive term limits for the position of Chair and Vice Chair to a maximum of four consecutive terms to align with the appointment terms from the participating municipalities and based on annual democratic election by board members who wish to stand for these positions

Municipal member agreements to be sent to the Minister and made public

- This requirement relates to the number of members on the Board of Directors
- Existing agreements on the number of total conservation authority board members and number of members per participating municipality in a conservation authority need to be sent to the Minister with 60 days of February 2, 2021 (by April 3, 2021) if this number differs from the representatives based on municipal population in the CA Act
- HCA Board of Directors endorsed a motion at its December 7, 2000 meeting for a total membership of 11 members to be appointed, with one from the Township of Puslinch and 10 from the City of Hamilton
- This was sent to our participating municipalities for endorsement and then directed to the Ministry of Natural Resources and Forestry (MNRF)
- This change was initiated as result of amalgamation when the five lower tier municipalities ceased to exist as of January 1, 2001, leaving HCA with one participating municipality other than Hamilton, that being the Township of Puslinch
- HCA staff to send documentation to the Minister regarding our member agreement and post on the HCA website

Transition to the use of generally accepted accounting principles

- This requirement directs conservation authorities to transition to the use of generally accepted accounting principles
- Additionally, key conservation authority documents are to be made available to the public (i.e. minutes of Board of Director and advisory board meetings, audited financial statements, fee guide, HCA administrative bylaws)
- HCA already has this in practice and no action required

STRATEGIC PLAN LINKAGE

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

- **Strategic Priority Area – Organizational Excellence**

AGENCY COMMENTS

Not applicable

LEGAL/FINANCIAL IMPLICATIONS

Not applicable

CONCLUSIONS

Staff have provided an overview and analysis of the specific provisions in the Conservation Authorities Act that were proclaimed February 2, 2021 with associated recommendations for exceptions through the Minister and for supporting municipal endorsements as a result of these provisions.



Report

TO: Conservation Advisory Board

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

RECOMMENDED AND PREPARED BY: Gordon R. Costie, Director of Conservation Area Services
Bruce Harschnitz, Manager, Conservation Area Services

MEETING DATE: February 11, 2021

RE: 2021 Reservation Service - Spencer Gorge Conservation Area

STAFF RECOMMENDATION

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

WHEREAS the COVID-19 pandemic continues to drive and reshape HCA Conservation Area operations, visitor attendance levels, and visitor management strategies;

WHEREAS the former Shuttle Bus service based out of Christie Lake was effectively removed as a visitor management measure for the Spencer Gorge Conservation Area due to the COVID-19 pandemic measures and operational challenges;

WHEREAS the pilot 2020 reservation system for Dundas Peak, Tew Falls, and Webster Falls operations for the fall colour season, was highly successful in controlling and regulating the number of visitors, reducing vehicle traffic and congestion within the nearby community;

WHEREAS staff were directed to evaluate the effectiveness of the pilot reservation system and report back regarding its ongoing potential during the regular operation system in 2021;

THEREFORE, be it resolved

THAT staff be directed to implement the following recommendations outlined in the report titled “2021 Reservation Service – Spencer Gorge Conservation Area”;

Recommendation #1 - THAT the reservation system continue as an extension of the 2020 fall pilot program during the main operating season allowing staff the opportunity to further evaluate the effectiveness of a longer reservation service period; and further

Recommendation #2 – THAT the 2021 reservation system for Spencer Gorge Conservation Area continue to operate 7 days a week for a 6-month period extending from May to November, with specific dates to be determined by staff, and further

Recommendation #3 - THAT staff continue to monitor and evaluate the effectiveness of a full main operating season reservation area service at the Spencer Gorge Conservation Area regarding its ongoing potential to be a permanent part of operations to address parking and visitor management for the area.

BACKGROUND

In 2020, the Spencer Gorge Conservation Area was closed, initially in March, along with all other HCA conservation areas due to the COVID-19 pandemic.

While other HCA and city waterfall sites reopened in July, given the immense popularity of this iconic area, particularly to view fall colours, it has always been difficult to maintain proper physical distancing on its trails and viewing platforms. Consequently, with Board approval, HCA staff undertook to prepare for and effectively operate a reservation system. With this pilot reservation program, visitors were required to book a reservation time slot prior to their visit which provided safe, equitable access at a manageable level of occupancy.

The Spencer Gorge conservation area remained closed over the summer as many site enhancements and improvements to the area such as a new gatehouse and automatic entry gates, one-way trail loop and safety fencing at the Dundas Peak were installed, along with the development of a reservation system.

CAB and Board members toured the Dundas Peak/Tew Falls site on September 12, 2020 to preview the enhanced experience and see the area.

STAFF COMMENT

Following Board of Directors June 2020 approval of the pilot reservation program and Fall operation of the system, staff have taken the opportunity to evaluate the results and

experience to make informed recommendations for 2021. Despite some potential concerns about visitor uptake and compliance that were raised in media articles, visitors quickly adapted to the reservation system resulting in much stronger regulation of visitor attendance, reduced traffic congestion, and an improved visitor experience, including a guaranteed parking spot. Staff now have the experience and confidence in drive-up reservation systems, which are trending across Conservation Authorities and Provincial Parks, and are comfortable moving away from the shuttle bus service option as the means of effectively operating and providing safe and equitable access. What should also be noted in this discussion is that the shuttle system also had its flaws. A primary one being that at end of day or during sudden inclement weather, the bus capacity was limited to efficiently shuttle visitors back to their vehicles. Additionally, with dogs not permitted to ride the shuttle, there remained ongoing drop offs at the entrance ways and vehicle traffic in addition to the shuttle buses.

Reservation Overview and Metrics:

The reservation system operated for an 8-week pilot from September 19 to November 15, 2020. Given the fall daylight hours, 2-hour reservation time slots were put in place with the first at 9:00 am and the last at 3:00 pm. For the Dundas Peak/Tew falls experience, 150 reservations were available daily with parking at the Tew Falls parking lot. For the Webster Falls experience, 60 reservations were available daily with parking at the Greensville Optimist Park parking lot.

Out of the 58-day operating pilot, reservations were made every single day during this time period. In total, the reservation system successfully handled 8,160 reservation bookings to safely host over 22,000 visitors.

50% of the days were fully booked for the Dundas Peak/Tew Falls experience and Webster Falls was fully booked for 31%. Additionally, a further 29% of the days for the two experiences were over 75% booked. Only 15% of the operating days for the two experiences were booked less than 25%, related to poor weather days and the drop-in reservations as the pilot neared its end in mid November.

There was a significant decrease in issued parking violations which was a dramatic improvement over fall 2019. The Greensville area experienced a large reduction in parking tickets in the special enforcement area, with municipal bylaw advising of a reduction of approximately 73%, over the same period in 2019.

Staff are recommending an extended reservation system capturing the six-month main operating season based on the format of the pilot used for the 2020 fall colour period. A 7 day per week reservation system provides a consistent and clear communications message for visitors and the public and addresses visitation in a uniform way. While week day reservations are less likely to be fully booked, staff have experience from our other conservation areas of week days quickly experiencing weekend like visitation and being over subscribed. Staff will also be considering any marketing strategies to help spread out visitation through the week.

Additionally, HCA will again work with city staff and ward councillor for area signage to advise of and promote the reservation system.

Similar to the 2020 pilot, the 2021 reservation system will require timely and effective public communication campaign from the HCA Marketing department. This will again include the partners HCA worked with in 2020 including Bell Media, Metroland Media, KX 94.7, Blog TO, Google and HCA's own social media platforms. Google Ads were particularly effective and received over 190,000 views and almost 42,000 clicks.

Based on feedback received from visitors through the customer service support phone line and email that was put in place for the 2020 pilot, HCA staff will be incorporating suggestions where possible to enhance the information and process on the reservation site and on-site experience.

STRATEGIC PLAN LINKAGE

The initiative refers directly to the HCA Strategic Plan 2019 – 2023

Conservation Area Experience

- Initiative – Develop visitor and parking management strategies to support conservation areas for sustainable recreation, education, and tourism.

Organizational Excellence

- Initiative – Providing a positive and safe environment for both staff and visitors

AGENCY COMMENTS

Staff continue to work closely with the city Waterfall Motion Group and ward councillor addressing city and community concerns in a balanced and reflective manner.

The working group has been successful in identifying and implementing meaningful change which will continue to help shape future operations. In 2020, the committee with ward councillor endorsement, also instituted pilot tow away zones on both Harvest Road and Ofield/Fallsvue Roads as a further deterrent to parking in the community. The committee agreed that the 2020 reservation system was successful in providing safe and equitable access and eliminated traffic congestion in the community.

LEGAL/FINANCIAL IMPLICATIONS

Reservation system costs as well as expenses for security, will become part of the operating budget for Christie Lake. The reservation system and security costs are comparable to the past cost for the shuttle bus. The reservation fee will help offset these expenses as well as administration and client support costs for booking support.

CONCLUSIONS

It is anticipated that visitation to this multi-featured and iconic area will continue in popularity particularly as the pandemic continues and given the usual high interest to view fall colours. The effect of traffic and congestion from vehicles on the Greensville community is well documented and requires visitor management to minimize its impact. For 2021 operations, staff recommends the continuation of the 7 day a week reservation system during the six-month operating season. This area remains one of the most prominent challenges for the HCA and the City of Hamilton to manage and the recommendations in this report represent the ongoing evolution of parking and visitor management for this area.

Report

TO: Conservation Advisory Board

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

RECOMMENDED BY: Gord Costie, Director Conservation Area Services

PREPARED BY: Rondalyn Brown, Manager, Westfield Heritage Village
Peter Lloyd, Collections Officer, Westfield Heritage Village

MEETING DATE: February 11, 2021

RE: Westfield Artifact Accessions for 2020

STAFF RECOMMENDATION

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

THAT the Westfield 2020 Artifact Accessions List as noted in the February 11, 2021 Accession report be accepted as the artifacts to be added to the Westfield Heritage Village Conservation Area and the Hamilton Conservation Authority collection.

BACKGROUND

Westfield Heritage Village has a comprehensive Collections Management Policy approved by the HCA's Board of Directors.

Westfield is a living history museum dedicated to the collection, preservation and presentation of objects associated with the cultural and natural history of this area. Westfield maintains an artifact and archival collection consisting of more than 25,000 objects reflecting the social, cultural and material history of the area. This policy affirms the museum's commitment to managing this collection according to current professional standards for acquisition, preservation, documentation, research and use of the artifact collection.

Objects acquired for the collection will be consistent with the mandate, goals and priorities of the site. Objects collected will normally represent the types of material

goods that would have been locally manufactured, routinely available or the product of local activity in Southern Ontario from the period 1790-1925. They must be in a condition suitable for display or research. The decision to accession an artifact into the Westfield Collection will be made by the Collections Committee through consultation with the Collections Officer and the Westfield Manager. A list of accessioned items will be provided to the HCA at year end.

STAFF COMMENT

Westfield staff is diligent about adhering to the very important collections management policies and museum standards to ensure the HCA is managing the artifact collection in a professional manner.

Westfield 2020 Artifact Accessions List

The following items are recommended to be accepted into the Westfield Heritage Village Conservation Area permanent artifact collection in 2020.

- Hand forged ember tongs
- Collection of TH&B tickets and tags
- Group of 10 books, Victorian, fiction and reference
- Group of 11 engraved printing blocks
- Cast Iron match box, wall mounted

STRATEGIC PLAN LINKAGE

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

- **Strategic Priority Area – Conservation Area Experience**
 - Initiatives – Identify and support a more diverse and accessible range of programs for our conservation area users

AGENCY COMMENTS

Not applicable.

LEGAL/FINANCIAL IMPLICATIONS

In accepting these artifacts, HCA assumes liability and responsibility for the care and protection of the artifacts as per the Collections Management Policy.

CONCLUSIONS

Adding the artifacts on this list to the Westfield Heritage Village collection will preserve important pieces of local history and enhance the experience for visitors.



Memorandum

TO: Board of Directors

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

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

Mike Stone, MCIP, RPP, Manager, Planning, Stewardship
& Ecological Services

MEETING DATE: March 4, 2021

RE: Annual Reporting on CA Permit Review Timelines –
January 1, 2020 to December 31, 2020

BACKGROUND

As part of Conservation Ontario's (CO) initiative relating to the Client Service and Streamlining Initiative (CSSI), in September 2019, the Board of Directors of the Hamilton Conservation Authority (HCA) approved the HCA Client Service Standards Commitment.

Related to the implementation of service level targets, CO has asked Conservation Authority's in high growth areas to track their review times for the issuance of Section 28 permits and to periodically report these to CO. For 2020, reporting was completed in April and September with a report presented to the HCA Board on September 3, 2020.

Starting in 2021, reporting will take place annually to CO, the Board and will be published in HCA's Annual report. Using the CO Annual Reporting on Timelines Template, HCA's permit review timelines for 2020 are included as Attachment A.

STAFF COMMENT

HCA is committed to providing excellent client service, and we have a strong history of working cooperatively with our watershed municipalities, residents and businesses to ensure efficient and timely planning and regulatory review processes.

Section 28 Application Service Standard Guidance – MNRF and Conservation Ontario

HCA has tracked permit review timelines for many years, based on standards that were set by the province in 2010 (MNRF, Policies and Procedures for Conservation Authority Plan Review and Permitting Activities, May 2010). This policy directs that conservation authorities are to render an application decision regarding a permit within 90 days for a major application and 30 days for a minor application.

Additionally, as part of a renewed commitment to efficient regulatory services, CO created a second document titled *Client Service Standards for Conservation Authority Plan and Permit Review (2019)*. This guidance established a second set of service standards that conservation authorities would strive to meet as a best practice. The new CO best-practice service standards provide for shorter review and approval time frames in comparison to the previous standards, representing a 52% reduction in the overall timeline for major permit applications and 42% for minor permit applications. Under this framework, conservation authorities would make a decision within 28 days for major applications and 21 days for minor applications.

CO has requested that CAs track permit review times under both the 2010 and 2019 standards. The Annual Reporting on Timelines Template included in Attachment A reports on HCA's permit review times under both standards for January 1, 2020 to December 31, 2020. Attachment A also includes a table comparing the 2010 and 2019 review time standards.

2020 Data and Results

HCA issued 92 permits in 2020 with 87% meeting the 2010 standards 59% meeting the 2019 standards. Variances in meeting review time standards for the 2020 period can generally be attributed to the following:

- Complex applications that required more extensive consultation and review;
- Incomplete information and/or poor quality of technical reports received;
- Extended staff review/processing times due to Covid-related working conditions; and,
- A reduction in staff resources through a staff departure and two extended staff absences for personal health reasons.

While some of the variances are beyond staff control, staffing levels are returning to a normal level and Covid related review times have improved.

STRATEGIC PLAN LINKAGE

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

- **Strategic Priority Area – Organizational Excellence**
 - Initiatives:
 - Continue to update and streamline operational policies and leverage technology to enhance business service delivery
 - Communicate both internally and externally about what HCA does and why

AGENCY COMMENTS

N/A

LEGAL/FINANCIAL IMPLICATIONS

N/A

CONCLUSIONS

HCA is tracking and reporting on its permit review timelines in support of Conservation Ontario's Client Service Streamlining Initiative. On-going tracking and reporting of permit review times will continue to allow HCA staff to identify trends in service delivery and adapt as necessary to ensure continued efficient client service and will be reported on annually to the Board of Directors and CO.

Attachment A

Table 3: Annual Reporting on Timelines for Permissions under Section 28 of the *Conservation Authorities Act* – Hamilton Conservation Authority, January 1 – December 31, 2020

Hamilton Conservation Authority	Number of Permits Issued Within Policy and Procedure timeline ⁱ			Number of Permits Issued Outside of Policy and Procedure Timeline		
	Major	Minor		Major	Minor	
	14	66		1	11	
	Number of Permits Issued Within CO Guideline timeline			Number of Permits Issued Outside of CO Guideline timeline		
	Major	Minor	Routine	Major	Minor	Routine
	6	48		9	29	

ⁱ Ministry of Natural Resources and Forestry. *Policies and Procedures for Conservation Authority Plan Review and Permitting Activities*. 2010

Comparison of 2010 & 2019 Permit Review Time Standards

Permit Process Step	2010 Standards	2019 Standards
	MNRF Policies & Procedures	CO Client Service Guideline
Notification of Complete Application Requirements (Preconsultation)	All applications - 21 days	Major - 14 days Minor - 7 days
Notification of Complete Application	All applications - 21 days	Major - 21 days Minor - 14 days Routine - 10 days
Application Decision	Major - 90 days Minor - 30 days	Major - 28 days (30 days each resubmission) Minor - 21 days (15 days each resubmission) Routine - 14 days (7 days each resubmission)



Report

TO: Board of Directors

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

RECOMMENDED BY: Neil McDougall, Secretary-Treasurer

PREPARED BY: Robert Saccomano, Fleet & Forestry Coordinator

MEETING DATE: March 4, 2021

RE: Lawn Mower Park Equipment Tender Results

STAFF RECOMMENDATION

THAT the Board of Directors award the purchase of nine (9) Zero Turn lawn mowers to Galer Farm Equipment LTD for the amount totaling \$124,845.12 (includes applicable taxes).

BACKGROUND

The HCA maintains the grounds at its conservation areas (Christie Lake, Confederation Beach Park, Dundas Valley, Fifty Point, Valens Lake and Westfield Heritage Village) through a combination of tractor pulled large mowers, midsize ride-on self propelled mowers and smaller manual push mowers. The central fleet department regularly replaces the self-propelled ride-on lawn mowing units at an appropriate time and engine life cycle which is usually 10 to 13 years or 2,500 hours. The nine (9) current units in inventory are a mix of models from various suppliers. The average year of the units is 12 years with an average engine hour of 2,125 hours per unit.

Having a mix of units from different manufacturers has caused an inflated inventory of replacement parts and a reduction in staff efficiency when repairing the units. Replacing the existing units with the same make and model will streamline the inventory required by Fleet mechanics to perform the necessary repairs while reducing the amount of unit down time required.

On November 30, 2020 the HCA Fleet & Forestry Coordinator issued an RFQ to area equipment dealerships for replacement of all units simultaneously. Quotation packages were received on December 18,2020.

STAFF COMMENT

Specifications were established with the assistance of conservation area staff and then the recommended specifications were sent in the RFQ packages to the area dealerships. The main criteria to be met were:

1. Operator safety requirements
2. Operator comfort
3. Fuel efficiency
4. Amount of noise the machine produced and
5. EFI (Electronic Fuel Injection)

A summary of the public RFQ is as follows:

Company	Total Price for all 9 Units (Inc. Taxes)	Anticipated Delivery Date	Models
Galer Farm Equipment Limited	\$124,845.12	14 days from order date	Kubota
Crossroads Equipment	\$130,860.72	April 2021	John Deere
Dickson Equipment	\$138,602.34	April 2021	Exmark

A fourth vendor, Windmill Power Equipment, submitted a bid but the equipment they offered failed to meet the required and specified criteria.

The pricing/quotations for the 9 units are based upon the award of quotation subject to approval of the Board of Directors

Staff recommends purchasing the nine (9) zero turn units from the low bidder, Galer Farm Equipment Limited. Staff have used this equipment in real conditions and are fully satisfied with its performance.

STRATEGIC PLAN LINKAGE

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

- Organization Excellence
 - Initiatives – support the capital development and major maintenance program to enhance our facilities and ensure they are safe, functional and current

- Conservation Area Experience
 - Maintaining passive and active recreational use such as trails, camping and swimming

AGENCY COMMENTS

Not applicable

LEGAL/FINANCIAL IMPLICATIONS

The purchase will be financed from the existing equipment reserve.

CONCLUSIONS

It is recommended that this contract be awarded to the Galer Farm Equipment Limited. The priced units meet all HCA recommended specifications and is the low bid.



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: March 4, 2021

RE: Watershed Conditions Report

SYNOPSIS

There have been no recent or current observations, reports, or expectations of significant watercourse flooding, public safety concerns, or Lake Ontario shoreline flooding. Nor are any such flooding events expected to occur within the next 1 to 2 weeks.

The most recent low water assessment indicated that the watershed is not under drought conditions. Also, normal watershed conditions are expected to continue into March.

There are no concerns with current reservoir levels, which are near the low end of the typical past winter water levels range.

In general, January and February streamflows have been well below long-term averages. That said, flows have been well above flows indicative of drought conditions at most monitored locations. Redhill Creek flows are currently indicative of Level 2 drought conditions, and will be investigated further.

CURRENT WATERSHED CONDITIONS – February 19, 2021

Current Water Levels in Major Area Watercourses

Currently, there are no observations, reports, or expectations of significant watercourse flooding or significant public safety concerns.

Current flows are well below the long-term average monthly flows for February at all five monitored locations (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). In addition, for the months of January and February to date, the average flows have been well below the long-term average monthly flows.

That said, current and recent flows are well above flows indicative of drought conditions at all three Spencer Creek monitored locations and at the monitored location in Ancaster Creek. However, flows have recently decreased considerably at the Redhill Creek monitored location, with current flows indicative of Level 2 drought conditions. Given the lack of similar conditions at the other locations and the relatively fast rate at which flows have decreased, further investigations are planned to confirm the validity of the recorded flows at this gauge.

Current Lake Ontario Water Levels

Currently, there are no observations, reports, or expectations of significant shoreline flooding. The Lake Ontario mean daily water level is approximately 74.53 m IGLD85. This is about 9 cm below average for this time of year, and about 74 cm below the record high set for this time of year (during 1952).

Current Storages in HCA Reservoirs

The current reservoir level at the Christie Lake dam (about 765.31 ft) is at the low end of the range of typical past winter water levels (765.30 - 765.80 ft). The reservoir is at 16 % of its preferred maximum storage capacity (corresponding to a water level of 773 ft).

The current reservoir level at the Valens Lake dam (about 274.07 m) is just under the low 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 fully frozen, presently.

RECENT STORM EVENTS

During the period of January 20, 2021 to February 19, 2021, there were no observations, reports, or expectations of significant watercourse flooding events, public safety issues, or Lake Ontario shoreline flooding events.

RECENT WATERSHED LOW WATER CONDITIONS

The most recent low water assessment indicated that the watershed is not under drought conditions. The 3-month and 18-month precipitation totals indicated normal watershed conditions. The 1-month precipitation totals were all about 60 percent of long-term normals, which is the threshold indicating Level 2 drought conditions. However, 3-month and 18-month precipitation totals are historically relied on as the primary indicators, given they express longer term trends. 30-day average streamflows suggested normal conditions at four of five monitored locations. Flows are indicative of Level 2 drought conditions at the Redhill Creek gauge.

FORECASTED WATERSHED CONDITIONS

Watercourse Flooding

There are currently no significant rainfall events or significant snowmelt events (+20 mm in a day) forecasted for the watershed over the next 2 weeks. HCA staff continue to monitor conditions and forecasts routinely. Resultant water levels and flows from currently anticipated rain and snowmelt amounts are not expected to pose significant watercourse flooding or 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 Ontario levels are expected to continue to decline slightly this week, while a slow seasonal rise in water levels is expected to resume in the following weeks. Lake Erie remains high and this will continue to contribute significant volumes of water to Lake Ontario. It is noted that the actual rate and magnitude of water level fluctuations will depend primarily on the weather conditions which occur.

Watershed Low Water Conditions

Drought conditions are not anticipated within the watershed, moving into March. However, actual watershed conditions will be largely dependant on the amount of rainfall and snowmelt received.

Further investigations are planned to confirm the validity of recently recorded Level 2 drought flows at the Redhill Creek monitored location.