



Board of Directors Meeting Agenda

Thursday, November 5, 2020



Board of Directors Meeting

Thursday, November 5, 2020 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**
 - 4.1. Proposed Enbridge Gas Pipeline – Don McLean, Hamilton 350 Committee
- 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 – October 1, 2020
 - 5.3. Approved March 12, 2020 Conservation Advisory Board Minutes – for receipt only
 - 5.4. Correspondence dated October 9, 2020 from Dundas Rides regarding Hamilton to Brantford Rail Trail
 - 5.5. Correspondence dated October 22, 2020 from Enbridge Gas Inc regarding 2021 Dawn Parkway Expansion Projects – Project Status Report (Withdrawal)
- 6. Member Briefing**
- 7. Business Arising from the Minutes**
- 8. Reports from Budget & Administration Committee, Conservation Advisory Board, and the Foundation**

8.1. Conservation Advisory Board – October 8, 2020
(Recommendations)

– Topalovic

8.1.1. CA 2020 Lafarge Trail, Fletcher Creek and Beverly Swamp
(Valens Area) Management Plans

8.2. Foundation Chairman's Remarks

– Margaret Reid

9. Other Staff Reports/Memorandums

9.1. Natural Heritage Offsetting/Compensation Policies at
Conservation Authorities Review

– Peck

9.2. Fifty Point Shoreline Repair Tender Results

– Hall

9.3. Designation of Provincial Offences Officers

– Costie

9.4. Current Watershed Conditions as of October 21, 2020

– Peck

9.5. Conservation Areas Experiences Update

– Costie

10. New Business

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

12. Next Meeting – Thursday, December 3, 2020 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: November 5, 2020

RE: Summary Enforcement Report – Development, Interference with Wetlands and Alterations to Shorelines and Watercourses
Regulation 161/06 Applications for November 5, 2020

HCA Regulation applications approved by staff between the dates of September 22, 2020 and October 26, 2020 are summarized in the following Summary Enforcement Report (SER-8/20).

RECOMMENDATION

THAT the Board of Directors receive this Summary Enforcement Report SER-8/20 as information.

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

October 26, 2020

Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Applications Report to the Board of Directors of the Hamilton Region Conservation Authority, November 05, 2020

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

SUMMARY ENFORCEMENT REPORT SER 8/20

File Number	Date Received	Date Permit Issued	Review Days	Applicant Name	Location	Application Description	Recommendation / Conditions
SC/F,C/20/67	27-Aug-20	23-Sep-20	44		Arvin Ave between Fruitland Rd and Grays Rd Lot 18,19, Concession 1 Stoney Creek	Installation of new cable conduit by directional bore in a regulated area of Stoney Creek Watercourse No. 2.	Approved subject to standard conditions
SC/F,C/19/77	04-Nov-19	28-Sep-20	51		668, 672 and 676 Arvin Ave Lot 14, Concession 1 Stoney Creek	Construction of an approximately 10,000 ft ² steel distribution and fabrication warehouse, in a regulated area of Stoney Creek Watercourse 5.0.	Approved subject to standard conditions
SC/F,C,A/20/21	28-Feb-20	29-Sep-20	101		1069 North Service Rd Lot 8, Concession BF Stoney Creek	Retrofit of an existing shoreline retaining wall in a regulated area of the Lake Ontario shoreline.	Approved subject to standard conditions
SC/F,C,A/19/14	07-Mar-19	29-Sep-20	92		15 Lakegate Dr Lot 22, Concession BF Stoney Creek	Retrofit of an existing shoreline retaining wall in a regulated area of the Lake Ontario shoreline.	Approved subject to standard conditions
F/F,C,A/20/75	01-Sep-20	02-Oct-20	31		355 Rock Chapel Rd Lot 20, Concession 2 Flamborough	Placement of 8,000 cubic metres of fill and associated grading for the expansion of an existing mushroom farm operation in a regulated area of Borer's Creek.	Approved subject to standard conditions

HAMILTON REGION CONSERVATION AUTHORITY

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

October 26, 2020

Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Applications Report to the Board of Directors of the Hamilton Region Conservation Authority, November 05, 2020

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

SUMMARY ENFORCEMENT REPORT SER 8/20

SC/F,C,A/20/34	07-Apr-20	20-Oct-20	46		47 Windemere Rd Lot 1, Concession BF Stoney Creek	Retrofit of an existing shoreline retaining wall in a regulated area of the Lake Ontario shoreline.	Approved subject to standard conditions
SC/F,C,A/20/35	07-Apr-20	20-Oct-20	37		49 Windemere Rd Lot 1, Concession BF Stoney Creek	Retrofit of an existing shoreline retaining wall in a regulated area of the Lake Ontario shoreline.	Approved subject to standard conditions
SC/F,C,A/20/36	07-Apr-20	20-Oct-20	37		51 Windemere Rd Lot 1, Concession BF Stoney Creek	Retrofit of an existing shoreline retaining wall in a regulated area of the Lake Ontario shoreline.	Approved subject to standard conditions

Hamilton Region Conservation Authority

Minutes

Board of Directors Meeting

October 1, 2020

Minutes of the Board of Directors meeting held on Thursday, October 1, 2020, at Woodend Auditorium, 838 Mineral Springs Road, Ancaster, Ontario, and by teleconference, at 7:00 p.m.

PRESENT: **Lloyd Ferguson – in the Chair**
 Dan Bowman (by telephone) **Jim Cimba**
 Susan Fielding (by telephone) **Tom Jackson (by telephone)**
 Cynthia Janzen **Santina Moccio**
 Esther Pauls (by telephone) **Maria Topalovic (by telephone)**

Margaret Reid – Foundation Chair (by telephone)

REGRETS: **Brad Clark, Chad Collins**

STAFF PRESENT: **Lisa Burnside, Gord Costie, Matt Hall, Scott Peck, Kathy Smith, and Jaime Tellier**
 Grace Correia, Bruce Harschnitz, and Laura Stinson (by telephone)

OTHERS: **Sergio Manchia, Stefan Savelli and Le'Ann Seely**
 Ken Glasbergen (by telephone)
 Richard Leitner – Media (by telephone)

NOTE: For clarity, the minutes are reported in the original agenda order.

1. Call to Order

The Chair called the meeting to order and welcomed everyone present. The Chair conveyed regrets for Brad Clark and Chad Collins for the evening.

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 indicated the delegation under item 5.1 will be presented prior to the hearing under item 4.1. The Chair advised of an item of correspondence recognizing staff at Fifty Point Conservation Area to be added to the consent agenda as item 6.6 and a walk-on staff report regarding a Specific Agreement with the Haudenosaunee Wildlife and Habitat Authority for the annual deer harvest to be added as item 10.3. The Chair requested any further additions or deletions to the agenda.

**BD12, 2802 MOVED BY: Jim Cimba
 SECONDED BY: Cynthia Janzen**

THAT the agenda be approved, as amended.

CARRIED

4. Section 28 Hearing

4.1. 195 Highway 5 West, Flamborough

The Chair instructed the Board that it would conduct a hearing under Section 28 of the Conservation Authorities Act in respect of an application by Steve Manych for permission to construct a 14' x 16' (224ft²) addition to the existing 12'19" x 16' (205ft²) wood frame shed for the purpose of tool and vehicle storage at 195 Highway 5 West, City of Hamilton. The Chair requested a motion to sit as the hearing board.

**BD12, 2803 MOVED BY: Jim Cimba
 SECONDED BY: Santina Moccio**

THAT the Board of Directors sit as the Hearing Board.

CARRIED

Scott Peck provided a summary of the staff report.

L. Ferguson introduced Steve and Rebecca Manych who provided a summary of their application.

The Chair thanked staff and the applicants for their presentations.

Both Scott and the applicants answered the members questions. The members inquired about alternatives to the siting of the building in the requested location, floodproofing requirements and the history of flooding in the area.

The applicants responded the non-flood prone area of the property is the existing driveway and other alternatives were cost prohibitive.

Scott advised the floodplain of the watercourse is regulated to the Hurricane Hazel storm event. There has not been a history of flooding in this area. The nearby main channel of Borer's Creek was channelized in the 1980's to accommodate the Regulatory floodplain.

**BD12, 2804 MOVED BY: Cynthia Janzen
 SECONDED BY: Santina Moccio**

THAT Hearing Board moves *in camera*.

CARRIED

During the *in-camera* session, the hearing board deliberated on the application.

**BD12, 2805 MOVED BY: Jim Cimba
 SECONDED BY: Santina Moccio**

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

CARRIED

The meeting reconvened in open session and the following resolution was passed:

**BD12, 2806 MOVED BY: Tom Jackson
 SECONDED BY: Esther Pauls**

THAT the application by Steve Manych for permission to construct a 14' x 16' (224ft²) addition to the existing 12'19" x 16' (205ft²) wood frame shed for the purpose of tool and vehicle storage at 195 Highway 5 West, City of Hamilton, be approved.

CARRIED

5. Delegations

5.1. Formal Consultation Application – 140 Garner Road East, Ancaster

Sergio Manchia, Ken Glasbergen and Le'Ann Seely presented an industrial development proposal in Ancaster, on behalf of the owner Stefan Savelli, that would include the relocation of a wetland and answered the members questions. The delegates asked the Board of Directors for consideration for the proposal.

Scott Peck advised the Board that HCA's current planning and regulations policies do not support the proposal. The Board members directed staff to review policies of other Conservation Authorities with regard to wetland relocation or compensation and report back at the next meeting.

BD12, 2807

MOVED BY: Jim Cimba

SECONDED BY: Santina Moccio

THAT staff be directed to review neighbouring Conservation Authority policies on a last resort option for the relocation of wetlands.

CARRIED

6. Consent Items for Applications, Minutes and Correspondence

The following consent items were adopted:

- 6.1. Applications – Development, Interference with Wetlands, Alterations to Shorelines and Watercourses
- 6.2. Approval of Board of Directors Minutes – September 3, 2020
- 6.3. Thank you email and Reflections on the Bruce Trail Re-opening on Old Dundas Road, from Elham Farah, dated September 7, 2020
- 6.4. Media Release – Spencer Gorge Reopening and Advance Reservation System, dated September 8, 2020
- 6.5. Email and City of Hamilton News Release – E. coli outbreak at Valens Lake Conservation Area, dated September 18, 2020

- 6.6. Email from Hans van Wijk recognizing staff at Fifty Point Conservation Area, dated September 30, 2020

The Chair highlighted the reopening of the Bruce Trail to Sherman Falls and expressed gratitude to the owners for reinstating the public access. Lisa Burnside added that staff are working with the owners and BTC to update and install new signage on-site

Lisa Burnside provided an update on the E. coli outbreak at Valens Lake Conservation Area. The beach closure order remains in place while representatives from Ontario Public Health and the Ministry of the Environment, Conservation, and Parks complete an investigation into potential sources of the E. coli. Agricultural activities surrounding Valens will be assessed. Further updates throughout the month are anticipated.

The Chair asked that the Board's appreciation be passed on to Fifty Point Conservation Area staff for their efforts.

7. Member Briefing

There was none.

8. Business Arising from the Minutes

There was none.

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

- 9.1. Conservation Advisory Board – March 12, 2020
(Recommendations)

9.1.1. CA 2014 Valens Lake Conservation Area Master Plan

Kathy Smith presented a summary of the report and thanked the members for the opportunity on behalf of all staff involved in the project. The presentation highlighted key points from the master plan and how the document will guide the work of staff over the next ten years.

L. Ferguson thanked Kathy for her presentation and inquired about design details for the cabins currently under construction. Matt Hall provided a summary of the layouts and amenities for the 2 large cabins, resulting from the retrofit of an existing pavilion, and the 6 small cabins.

BD12, 2808**MOVED BY: Maria Topalovic
SECONDED BY: Santina Moccio****THAT the Conservation Advisory Board recommends
to the Board of Directors:****THAT this report and accompanying master plan of
March 2020 be received as information for project
background and general understanding; and further;****THAT the Valens Lake Conservation Area Master Plan
be approved.****CARRIED****9.2. Budget and Administration Committee – September 17, 2020
(Recommendations)****9.2.1. BA 2011 Request for Quote – Audit Services**

S. Moccio presented a summary of the report, also noting Grant Thornton's ten years of experience providing auditing services for HCA.

BD12, 2809**MOVED BY: Santina Moccio
SECONDED BY: Jim Cimba****THAT the Budget & Administration Committee
recommend to the Board of Directors:****THAT the proposal for Audit Services submitted by
Grant Thornton be accepted at a total cost of \$234,000
plus HST for the five-year term ending with the audit
of the 2024 financial statements.****CARRIED****9.2.2. BA 2012 HCA 2021 Fee Schedule**

S. Moccio presented a summary of the report. Lisa Burnside answered the members questions, noting the fees are largely experiencing a 2% increase, with some higher to harmonize pricing for consistency in grouped areas.

T. Jackson inquired about projected added operational revenues for 2021 and consideration for a full price freeze in light of challenging economic circumstances resulting from the coronavirus pandemic. Lisa advised that increased fees at

some sundry parking areas will be allocated for additional maintenance and security necessitated by significantly increased visitation. Fees for HCA's annual membership and trail access passes have not increased and remain a strong value option for visitors.

BD12,2810

MOVED BY: Santina Moccio

SECONDED BY: Jim Cimba

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

THAT the 2021 Fee Schedule as presented herein be approved.

CARRIED

9.2.3. BA 2013 Capital Budget 2021

Santina Moccio presented a summary of the report. It was noted HCA's capital budget request has remained at \$2 million for many years. The capital improvements outlined in the Valens Master Plan were cited as examples of the capital improvements to come.

BD12,2811

MOVED BY: Maria Topalovic

SECONDED BY: Tom Jackson

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

THAT the 2021 Capital Budget request as presented herein be submitted to the City of Hamilton for consideration and be included in their block funding budget of 2021.

CARRIED

9.3. Foundation Chairman's Remarks

Margaret Reid presented on the following:

We received a total of **\$35,280** in donations from September 1 to 30. They break down as follows:

- \$22,500 for the Saltfleet CA Wetland Project

- A boat valued at \$4,784 was donated to the Foundation to be auctioned off at Fifty Point CA
- \$3,246 to be used as needed
- \$2,500 to the Tribute Tree Fund
- \$2,000 for a volunteer cleanup event along the Hamilton to Brantford Rail Trail
- The remaining \$250 was donated to support land acquisition, Westfield Heritage Village and Outdoor Environmental Education.

This brings our **Fiscal Year-to-Date (Dec 1, 2019 to September 30, 2020) total to \$230,615.**

Our Annual General Meeting of Members took place on Tuesday, September 29, at the Westdale Theatre. The Foundation elected 3 new Board Members (Suresh Daljeet, Graham Reid and Dave Vander Ploeg). One member (Renee Bulger) stepped down from the board at the end of her first term. Election of Officers will take place at our October Board meeting.

The Foundation took advantage of a Canada Post Small Business promotion for free postage on up to 6,000 pieces of unaddressed admail. We solicited donations from Postal Codes in Dundas. To date we have received 25 donations totalling \$1,322. Of those donations, 21 were from donors who are new to the Foundation. We also received 6 complaints from Greensville residents upset about the Webster's Falls / Spencer Gorge CA in response, which is a very small percentage of the size of the mailing.

The Foundation also continues to promote the opportunity for donors to leave a gift through their estates and has partnered in the Canadian Association of Gift Planners' Will Power public education campaign. The campaign is live now and features the story of two of our donors, Chitra and Robbie Singh, who have pledged a gift to the Foundation in their Will.

BD12,2812

MOVED BY: Susan Fielding

SECONDED BY: Maria Topalovic

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

CARRIED

10. Other Staff Reports/Memoranda**10.1. Current Watershed Conditions as of September 18, 2020**

Scott Peck presented a summary of the memorandum, advising the HCA watershed continues to be in a level one drought condition, with significantly more rain required to raise the watershed out of the condition.

BD12, 2813**MOVED BY: Santina Moccio****SECONDED BY: Tom Jackson**

THAT the memorandum entitled Current Watershed Conditions as of September 18, 2020 be received as information.

CARRIED**10.2. Conservation Areas Experiences Update**

Gord Costie provided a verbal update, highlighting the reopening of Spencer Gorge, the ongoing popularity of camping at Valens and Fifty Point, sustained high visitation at Confederation Beach Park, the beginning of the boat lift at Fifty Point, and anticipated high visitation at Dundas Valley for the Fall colours. He also highlighted the surge in membership pass sales which have crested 7000 sold year-to-date, the first time HCA has reached that number.

Gord also provided a further summary on the first few weeks of the Spencer Gorge reservation system, noting HCA has dramatically reduced the number of visitors and traffic to the area compared with past years, improved visitor experience by reduced crowding, and with capital improvements, increased visitor safety. The pilot system will continue to strengthen and take hold. Visitor management measures are regularly evaluated and refined and at this time, Staff are cautiously optimistic about this system being a tool for modernizing the operation of this area.

C. Janzen commented on the number of good news stories in the update, suggesting the renewed public appreciation of our areas would be good content for a potential communications piece.

BD12, 2814**MOVED BY: Maria Topalovic****SECONDED BY: Cynthia Janzen**

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

CARRIED**10.3. Specific Agreement with the Haudenosaunee Wildlife and Habitat Authority**

Gord Costie presented a summary of the report recommending HCA enter into a two-year agreement with the Haudenosaunee Wildlife and Habitat Authority for the annual deer harvest.

BD12, 2815**MOVED BY: Jim Cimba****SECONDED BY: Santina Moccio**

THAT the Board of Directors approve the attached agreement allowing for a deer harvest in an area of Dundas Valley Conservation Area as identified on Schedule 'A', and generally bounded by Martin Road to the east, Jerseyville Road to the south, Paddy Green Road to the west, and Powerline Road to the north and; as identified on Schedule 'B' and generally bounded by 50 metres into HCA lands between Weir's Lane to the east, the CN rail line to the north, the lot line of private properties along the south and west only on weekdays excluding Fridays between November 9 and December 3, 2020, inclusive for 2020 and further,

THAT the agreement extends to 2021 for the same locations only on weekdays excluding Fridays between November 8 to December 2, 2021, inclusive.

CARRIED**11. New Business**

There was none.

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

There were none.

13. Next Meeting

The next meeting of the Board of Directors will be held on Thursday, November 5, 2020 at 7:00 p.m.

14. Adjournment

On motion, the meeting adjourned.

Neil McDougall
Secretary-Treasurer

HAMILTON CONSERVATION AUTHORITY

Conservation Advisory Board

MINUTES

March 12, 2020

Minutes of the Conservation Advisory Board meeting held on Thursday, March 12, 2020 at HCA's Main office Administration Building commencing at 4:00 p.m.

PRESENT:

Maria Topalovic - in the Chair

Dan Bowman,

Joanne Di Maio

Wayne Terryberry

Lydia Cartlidge

Cynthia Janzen

Santina Moccio

REGRETS:

Cheryl Larocque, Duke O'Sullivan, John Shaw

STAFF PRESENT:

Rondalyn Brown, Lisa Burnside, Grace Correia, Gord Costie, Cherish Elwell, Matt Hall, Bruce Harschnitz, Cari Hobbs, Scott Peck, Kathy Smith, Jeff Stock, Mike Stone, Jaime Tellier, Nancy Watts

OTHERS:

**Media – Richard Leitner
Mark Osborne**

1. Chairman's Remarks

2. Declaration of Conflict of Interest

There were none.

3. Approval of Agenda

The Chair noted a correction needed in the ordering of the items of the agenda; particularly that approval of the agenda be moved ahead of the delegation. The Chair also advised that Mark Osborne from Preserve and Protect Webster and Tew Falls Community Group is here with a request to delegate. The request was not

received within the timeframe required to be included on the agenda, however, per HCA's administrative by-law the request can be approved by the majority of the board. Approval by the majority of members for the request to delegate was achieved.

CA2009 MOVED BY: Joanne Di Maio
SECONDED BY: Lydia Cartlidge

THAT the agenda be approved, as amended.

CARRIED

4. Delegations

Mark Osborne provided the members with a verbal presentation. Visitor numbers to Spencer Gorge Conservation Area have grown exponentially every year. Residents would like a maximum limit put on the number of visitors to the area, better control of walk-ins to the area, and for social media messaging about measures that are in place to mitigate impacts associated with high visitation, including the operation of the shuttle from Christie Lake Conservation Area, to reach the Toronto market.

Mr. Osborne requested the CAB members be provided with copies of correspondence he recently sent to HCA. The group he represents would like to be involved in any decisions about the operation, as stakeholders. He shared that HCA staff had recently met with the residents, however, that the report included in the agenda package as item 10.2 did not mention the meeting or include the concerns and requests of the residents.

Mr. Osborne requested the report be put on hold until there can be more community engagement. In summary, Mr. Osborne reiterated the request for an online reservation system that has a maximum limit on the number of visitors. Concerns with speeding buses were also raised. The residents also anticipate traffic challenges in the precinct this season with the closure of Highway 8.

The members thanked Mark for his presentation and inquired about a website where they may learn more about the group he represents. The members also acknowledged the impacts to the residents and empathized with the frustration felt. It was noted that similar situations are being experienced at many other recreation facilities throughout the province.

The members inquired about the effectiveness of mitigation measures that have been implemented to-date and any additional recommendations from the community. Mr. Osborne acknowledged the shuttle operation has been effective, however indicated the earlier requests related to visitor numbers, walk-ins, and social media would improve the situation further.

Members inquired about meetings between HCA and City of Hamilton staff. Lisa Burnside advised that Councillor Robert Pasuta initiated the Waterfalls Motion Working Group which includes HCA. The group has been continued by Councillor Arlene Vanderbeek. Community meetings were held. Mitigation measures have been developed and implemented through the group, including signage and increased parking fines in a special enforcement area. Measures continue to be implemented and adjusted as effectiveness is evaluated.

5. Election of Vice-Chair

The Chair reviewed the election procedures to be as follows:

- A motion to appoint scrutineers and the destruction of ballots will be required
- Nominations only require a “mover”;
- Nominations will be called 3 times for each office;
- Closing of nominations will require a “mover” and a “seconder”;
- Each nominee will be asked if they are willing to serve;
- If more than one person is nominated and willing to serve, there will be a vote:
 - Each nominee will be allowed to speak in support of his/her nomination with a time limit of 5 minutes;
 - A vote will be held by secret ballot and no member may vote by proxy;

The Chair asked if there were any questions, and hearing none, declared the office of Vice-Chair vacant.

Appointment of Scrutineers

CA2010

MOVED BY: Dan Bowman

SECONDED BY: Joanne Di Maio

THAT, if more than one person is nominated, Matt Hall and Bruce Harschnitz be appointed scrutineers; and further

THAT all voting ballots (AGM Election Procedure) be destroyed after the meeting is concluded.

CARRIED

Election of 2020 Vice-Chair

The Chair called for nominations for the 2020 Vice-Chair for the Hamilton Conservation Authority Conservation Advisory Board.

Nominated: Wayne Terryberry

By – Mover: Joanne Di Maio

The Chair called for nominations twice more. Having no further nominations, the office of Authority Chair for 2020 was declared closed with the following resolution.

CA2011 MOVED BY: Joanne Di Maio
SECONDED BY: Lydia Cartlidge

THAT nominations for the 2020 Vice-Chair of the Hamilton Conservation Authority Conservation Advisory Board be closed.

CARRIED

The Chair asked Wayne Terryberry if he would serve. Wayne indicated he would. The Chair declared Wayne Terryberry Vice-Chair of the Conservation Advisory Board by acclamation.

CA2012 MOVED BY: Lydia Cartlidge
SECONDED BY: Dan Bowman

THAT Wayne Terryberry be confirmed as Vice-Chair of the Hamilton Conservation Authority Conservation Advisory Board for 2020.

CARRIED

6. Member Briefing

There was none.

7. Chairman's Report on Board of Directors Actions

The Chair reported there has not been a Board of Directors meeting since the CAB meeting on February 13, 2020 and therefore there is nothing to report.

8. Approval of Minutes of Previous Meeting

8.1. Minutes – Conservation Advisory Board (February 13, 2020)

**CA2013 MOVED BY: Cynthia Janzen
 SECONDED BY: Joanne Di Maio**

THAT the minutes of the February 13, 2020 Conservation Areas Advisory Board meeting be approved.

CARRIED

9. Business Arising from the Minutes

There was none.

10. Staff Reports/Memorandums

10.1. Valens Lake Conservation Area Master Plan

Kathy presented a summary of the report and answered the members questions.

The members commended staff on the comprehensiveness of the document, including the field research and discussed opportunities for citizen science monitoring to engage visitors.

The members also inquired about the long-term vision for the area, particularly any plans to expand the size. Kathy explained that staff are working toward bringing the pine plantations to a more natural and diverse state. In the long-term this may also be considered for agricultural lands. Both require a plan for active management while naturalizing. Kathy added that HCA always has an open mind with regard to expanding Conservation Areas.

The members thanked staff for the report and all of the work on the master plans.

**CA2014 MOVED BY: Wayne Terryberry
 SECONDED BY: Lydia Cartlidge**

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

THAT this report and accompanying master plan of March 2020 be received as information for project background and general understanding;

and further;

THAT the Valens Lake Conservation Area Master Plan be approved.

CARRIED

10.2. Spencer Gorge 2020 Operations

Gord Costie presented a summary of the report, noting that 2019 was an unprecedented challenge, particularly for the Fall colours. In support of the recommendations, he highlighted that visitor attendance to the Gorge increased by 70% last October, in comparison to the same month in 2018. He also noted that 87% of visitors utilized the shuttle service, with 15% buying walk-in tickets at the gate.

Key goals for 2020 are to direct visitors to Christie Lake Conservation Area before reaching Greensville and to implement the pilot online reservation system.

Logistics of the reservation system and community engagement were discussed. Acknowledging the recommendations are time sensitive, the members moved the recommendations, with the addition of a recommendation to coordinate with the City of Hamilton for joint communication / community engagement. Lisa Burnside indicated she will bring the request to the Waterfalls Motion Working Group.

**CA2015 MOVED BY: Wayne Terryberry
 SECONDED BY: Dan Bowman**

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

WHEREAS the shuttle bus service for Spencer Gorge Conservation Area continues to evolve with the ongoing operation based out of Christie Lake Conservation Area;

THEREFORE, be it resolved

THAT Staff be directed to implement the following recommendations outlined in the report titled “Shuttle Bus Service 2020 – Spencer Gorge Conservation Area”;

Recommendation #1 - THAT the shuttle service be extended until mid November to align with the City of Hamilton’s special enforcement parking Fall timeframe; and further

Recommendation #2 - THAT staff be directed to undertake permit applications with the Ministry of Transportation Ontario

to obtain permission for the Fall colour period road side signage along Highway #5 to help direct visitors to the shuttle hub at Christie Lake Conservation Area; and further

Recommendation #3 - THAT staff initiate a pilot ticketing program consisting of an online prepaid ticket system supporting visitor management to be ready and operate for the Fall colour period; and further

Recommendation #4 - THAT staff evaluate the effectiveness of these measures and report back regarding their ongoing potential.

CARRIED

10.3. Project Technical Advisory Committee

Mike provided a summary of the report and answered the members questions.

CA2016

MOVED BY: Joanne Di Maio

SECONDED BY: Wayne Terryberry

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

THAT to meet annual insurance coverage requirements, the responsibilities of the Project Technical Advisory Committee for the Hamilton and Halton Watershed Stewardship Programs be approved as identified in this report; and further

THAT the members on the Project Technical Advisory Committee be appointed for a three-year term, from April 1st, 2020 to March 31, 2023.

CARRIED

10.4. Upcoming HCA & Partner Events

Bruce Harschnitz presented a summary of the memorandum, highlighting the busy season at Westfield Heritage Village, upcoming race season, including the Paris to Ancaster Race, and the Christie Antique and Vintage Show. Bruce noted that Christie and Valens already have swan sightings for the season.

The members inquired about the bread and jam festival. Rondalyn Brown advised the festival has been run for a few years however is now in the Spring. Fresh bread is baked in the village and homemade jam has been added to the program.

The members also inquired about potential impacts of COVID-19 to Conservation Area events. Lisa Burnside advised the members of HCA's pandemic policy. Staff are taking direction from public health officials. Bruce shared measures that are currently being implemented at Westfield as the season progresses and the situation develops. Each event will be evaluated on a case by case basis.

CA2017 MOVED BY: Dan Bowman
SECONDED BY: Wayne Terryberry

THAT the memorandum on upcoming HCA and partner events
be received as information.

11. New Business

There was none.

12. Next Meeting

The next meeting of the CAB is scheduled for Thursday, April 9th at 4:00 p.m., at the HCA Main Office.

13. Adjournment

On motion, the meeting was adjourned.



c/o 45 Mercer Street, Dundas, ON L9H 2N8
 dundasrides@gmail.com

October 9th, 2020

Hamilton Conservation Authority
 Board of Directors
 838 Mineral Springs Road
 Ancaster, ON L9G4X1

Attention: **Lisa Burnside, C.A.O.**

Dear Ms. Burnside and Directors:

RE: Hamilton-Brantford Rail Trail

Dundas Rides is a local grassroots organization that advocates for the interests of cyclists, both recreational and commuter, in the Valley Town.

As a group, we are very grateful for the commitment of the Hamilton Conservation Authority to providing, maintaining and preserving a beautiful series of recreational and commuter trails. Whether it is mountain biking, family rides or people getting to and from work, the trail network is second to none.

We also understand how difficult it must have been to have had to close the system in its entirety as a result of the first lockdown last spring. It certainly was a prudent course of action to close the trails outside of the Rail Trail itself, where hikers, cyclists and equestrians may have come into close contact.

However, we also saw the impact that closing the Hamilton-Brantford Rail Trail had on cycling commuters who, in spite of the lockdown, were still required to get themselves to work. Not having access to the Rail Trail proved to be a significant

burden and, indeed, a safety issue for those who rely on that corridor for their daily commute.

You can imagine how relieved the cycling community was when the Rail Trail re-opened, separately from the rest of the trail system and conservation areas, to allow cyclists to resume their daily commute.

We are writing today to ask you to use your good offices to ensure that the Rail Trail, specifically, is not closed should a future lockdown occur. It serves as a vital transportation link for bike commuters and must be seen as separate from the rest of the trail system, which might be viewed as predominantly recreational.

There are several access points to the Rail Trail under the Conservation Authority's jurisdiction, which allow cyclists to use it as a safe means of transportation. These include Copetown Road, Binkley Road, Sulphur Springs Road, Sanctuary Drive, Old Ancaster Road, Lynden Avenue, all leading into the urbanized parts of west Hamilton. These allow bike commuters to access the Rail Trail from their homes, while minimizing the need to share road space with fast moving car traffic.

We understand that these decisions might be made for you as a function of provincial mandates, but we hope you might use what influence you have to ensure that essential cycling commuter infrastructure remains accessible while the necessary measures are taken to promote physical distancing.

We thank you for this consideration.



Richard Gelder
For Dundas Rides

cc Ward 13 Councillor Arlene VanderBeek

From: [Tellier, Jaime L.](#)
To: Brad Clark (Brad.Clark@hamilton.ca); Chad Collins (Chad.Collins@hamilton.ca); Cynthia Janzen; Dan Bowman; Esther Pauls (Esther.Pauls@hamilton.ca); James Cimba; Lloyd Ferguson (Lloyd.Ferguson@hamilton.ca); Maria Topalovic; Santina Moccio; Susan Fielding; Tom Jackson (Tom.Jackson@hamilton.ca)

Cc: [Burnside, Lisa](#)
Subject: EGI Kirkwall to Hamilton project update
Date: October 23, 2020 8:47:00 AM
Attachments: [update - 2021 Kirkwall to Hamilton.pdf](#)

Sent on behalf of Lisa Burnside

To Board of Directors:

I wish to advise that the application by Enbridge Gas for the Kirkwall-Hamilton Pipeline project has been withdrawn. Please see the attached letter from Enbridge Gas to HCA. This information is also posted on the Ontario Energy Board website under the Kirkwall-Hamilton project.

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



The contents of this e-mail and any attachments are intended for the named recipient(s). This e-mail may contain information that is privileged and confidential. If you have received this message in error or are not the named recipient(s), please notify the sender and permanently delete this message without reviewing, copying, forwarding, disclosing or otherwise using it or any part of it in any form whatsoever. Thank you.



Enbridge Gas Inc.
50 Keil Drive North
Chatham, ON
N7M 5M1

VIA EMAIL

October 22, 2020

Hamilton Conservation Authority
838 Mineral Springs Road, P.O. Box 81067
Ancaster, ON L9G 4X1

Attention: **T. Scott Peck**
Deputy Chief Administrative Officer /
Director, Watershed Planning & Engineering

Reference: ENBRIDGE GAS KIRKWALL-HAMILTON PIPELINE PROJECT

Dear Sir:

I would like to share an update on the proposed Kirkwall-Hamilton natural gas pipeline project that is being undertaken by Enbridge Gas.

In May, Enbridge Gas asked the Ontario Energy Board (OEB) for a temporary pause in the regulatory review of this project to give us time to assess any potential impacts to the project as a result of the COVID-19 pandemic.

This temporary pause was granted by the OEB on May 19, 2020, with a requirement that Enbridge Gas report back on the project's status by November 19, 2020.

Via this letter I am informing you that, with the ongoing pandemic persisting for the foreseeable future, Enbridge Gas has determined that there is no longer a need for the project in the timeframe originally proposed. Therefore, Enbridge Gas has withdrawn its application to the OEB for leave to construct the Kirkwall-Hamilton pipeline project.

Enbridge Gas will review the project in 2021 and advise if conditions change and necessitate a new project application filing with the OEB.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Chantelle Rodger
Advisor Permitting

Report

TO: Conservation Advisory Board Members

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

RECOMMENDED & PREPARED BY: Matthew Hall, Director; Capital Projects & Strategic Services

Kathy Smith, Design Projects Coordinator; Capital Projects & Strategic Services

DATE: September 25, 2020

RE: Management Plans for Upper Watershed Beverly Swamp, Lafarge 2000 Trail, and Fletcher Creek Ecological Preserve

STAFF RECOMMENDATION

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.

BACKGROUND

An HCA 10 Year Masterplan Update Strategy was approved by CAB on February 14th, 2019 and by the Board of Directors on March 7, 2019 for properties that HCA owns and manages. As per this strategy document, the scheduled properties for review in 2019 were Valens Lake Conservation Area, Fletcher Creek Ecological Preserve, Upper Watershed Beverly Swamp Conservation Lands, and the Lafarge 2000 Trail.

An interim report on these plans was provided to CAB in March 2019. Since that time the Valens Master Plan was completed and endorsed by CAB March 2020, and then

reviewed by the Board of Directors at their April meeting. Presentation of these management plans was intended to follow the March 2020 meeting. However, due to the covid-19 pandemic this was delayed.

These plans support HCA's Vision and Mission Statements in the current Strategic Plan and provide HCA with updated resource management information and best management practices for the next ten years of operation.

Work on these plans began January 2019, concurrent with work on the Valens Master Plan, and was implemented by HCA staff through a four stage process. Throughout the process the plan was refined through ongoing staff consultation, reviews by an in-house steering committee, and public circulation and input as follows:

Phase 1 Background was completed by March 2019 with engagement of staff and the steering committee, collection of mapping information, gathering background information, and presentation of an information report to the HCA Conservation Advisory Board.

Phase 2 Inventory was completed by January 2020 with the collection and assembly of all natural areas field surveys and mapping information, ecological reports, and vehicle and trail counter data.

Phase 3 Draft Plans were presented to the public with the Valens Master Plan September 11, 2019 at the Valens Community Centre. Members of the public interested in reviewing the compiled management plans were invited to join the stakeholders list and to provide comments in Phase 4.

Phase 4 Summary and Public Input included reviews of the compiled draft plans by staff, stakeholders, and board advisory members. The draft plan was posted on the HCA website for public review and comment from June to August 2020. Outside agencies, stakeholders, CAB, Board of Directors, staff, steering committee, and members of the public who provided us with their contact information during the draft process were directly circulated with the plans and advised of the deadline for commenting. With the closing of the public commenting period August 7th, the management plans are now at 95% and will be completed upon endorsement by the Conservation Advisory Board, and adoption by the HCA Board of Directors.

STAFF COMMENT

During the public commenting period comments were received from HCA staff, Township of Puslinch, and the Public. All comments received were reviewed with the HCA steering committee and executive team, and have been addressed in the revised draft accompanying this report.

Following is a brief overview of the key items brought forward that resulted in edits to the draft management plans:

Upper Watershed Beverly Swamp Management Plan

- The new ecological mapping, species inventories, and natural areas recommendations in the plan support long-term protection of environmentally significant areas and sensitive features. Capital costs are allocated in the plan for invasive species management and restoration of some natural areas.
- The Safari Road parking lot is the only designated public access point for these lands. Public comments were received of property damage, encroachments, trespassing, and ATV activity in this area. These concerns are highlighted in the plan. Capital costs are allocated in the plan for more perimeter fencing and gates, property signage, and closing unauthorized trails.
- Hunting will still be permitted. The plan sets out hunting areas, rules, and guidelines for this regulated activity.

Lafarge 2000 Trail Management Plan

- The trail infrastructure will require more attention in the next ten years to repair or replace the original bridges, boardwalks, benches, trail signs, and gate signs. As well some continually eroding trail sections require improved design and trail rebuilding. Capital costs are allocated in the plan to address these needed improvements.
- The key ecological recommendation is invasive species management of the off-road trail edges. Almost 12 Km of trail edge will need to be managed, and funding and assistance for this work will be necessary.
- The trail currently connects to Christie Lake and Dundas Valley Conservation Areas. Proposed routes are identified in the plan to connect to the Hamilton to Brantford Rail Trail, Valens Lake and Fletcher Creek. Capital costs are allocated in the plan for route signage and trail staging areas, co-ordination with the City will be required to implement these routes.

Fletcher Creek Ecological Reserve Management Plan

- The plan contains HCA's first complete Ecological Land Classification Survey of this ecological reserve. This provides a baseline inventory to help guide the natural areas management and restoration items recommended in the plan.
- The significant wetland and watercourses are to be managed for long-term protection of the resource. Consequently, public access will remain limited to the existing parking lot area and trail system for passive recreation and nature appreciation only.
- Recommended capital improvements in the plan are to improve aging infrastructure of the trail system to support increased visitation.
- During the covid pandemic the site experienced double the normal visitation, as confirmed by trail and vehicle counter records. Public reports of dog attacks, dog bites, and conflicts between visitors necessitated increased HCA staff patrols. This resulted in the staff recommendations in the plan that Fletcher Creek move

towards becoming a dog free area.

- Township of Puslinch staff received and forwarded to HCA public comments of safety issues from dog owners walking their dogs leash free. This resulted in the staff recommendations in the plan that HCA work with the Township on a public education campaign on dog walking at Fletcher Creek.

STRATEGIC PLAN LINKAGE

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

- **Strategic Priority Area – Organizational Excellence**
 - Initiatives – Identify opportunities to engage the community, adjacent landowners, and Indigenous Peoples.
- **Strategic Priority Area – Natural Heritage Conservation**
 - Initiatives – Identify restoration projects in master plans.
 - Initiatives – Identify details of the approved Invasive Species Strategy and natural heritage plans in HCA master plans.
- **Strategic Priority Area – Conservation Area Experience**
 - Initiatives – Update and develop master and management plans, and implement priorities to further enhance conservation areas for current and future generations.

AGENCY COMMENTS

The plan reviews include lands in the watersheds of the Grand River Conservation Authority and Conservation Halton, Township of Puslinch, and the City of Hamilton. These agencies were circulated and comments are addressed in these documents.

LEGAL/FINANCIAL IMPLICATIONS

Not applicable.

CONCLUSIONS

These management plans will support the goals as outlined in HCA's 2019-2023 Strategic Plan as well as the Ten Year Masterplan Update Strategy. This information has been provided as background for review, and recommendation that the Management Plans for the Upper Watershed Beverly Swamp, Lafarge 2000 Trail, and Fletcher Creek Ecological Preserve be endorsed by the Board of Directors as the official policy document for the management and development of these conservation areas.

Report

TO: Board of Directors

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

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

DATE: November 5, 2020

RE: Neighbouring Conservation Authority Policy Review – Relocation of Wetlands

STAFF RECOMMENDATION

THAT the Board of Directors direct staff to review and develop natural heritage offsetting policy to be included in the Hamilton Conservation Authority's Planning & Regulation Policies and Guidelines document.

BACKGROUND

At the October 1, 2020 Board of Directors meeting, a deputation was made regarding a proposed industrial development on the south side of Garner Road in Ancaster and an associated proposal to relocate an existing wetland to facilitate the development. At that meeting, HCA staff advised the Board that the HCA's current planning and regulations policies do not allow for proposals to remove and relocate natural features. The Board directed staff to review policies of other Conservation Authorities and passed the following motion.

THAT staff be directed to review neighbouring Conservation Authority policies on a last resort option for the relocation of wetlands

STAFF COMMENT

Staff have completed an internet search and review of the 36 Conservation Authorities in Ontario as it relates to conservation authority policy that allows for removal and relocation of natural features. The process that allows for removal and relocation of

natural heritage features is referred to as natural heritage offsetting. Credit Valley Conservation defines natural heritage offsetting as an “approach to offset the adverse impacts of land use change on the natural heritage system through the creation or restoration of natural features.” Out of the 36 Conservation Authorities, the following 6 conservation authority’s have policies that relate to offsetting.

- Grand River Conservation Authority
- Niagara Peninsula Conservation Authority
- Toronto and region Conservation Authority
- Credit Valley Conservation Authority
- Lake Simcoe Conservation Authority
- Nottawasaga Valley Conservation Authority

Based on staff review, the various policies from the conservation authority’s have the same general approach and requirements as follows:

- No reasonable alternative exists to locate the development elsewhere
- Only considered as last resort – avoidance, minimize and mitigation first
- In consultation with municipal requirements and landowner – it has been determined through the land use planning or environmental assessment process as being required
- Appropriate studies have been completed that support the proposal
- Achieve no net loss – build back better
- Monitoring of restoration
- Not affect the control of flooding or pollution of the conservation of land

While it may be possible to use offsetting in some circumstances to ensure natural heritage features and functions lost through development are restored to maintain and enhance the overarching natural heritage system, offsetting should not be used as a method to by-pass existing environmental policies and protections and not incorporate these existing features as part of a development proposal. Natural heritage offsetting is complex, both from a policy perspective and in practice, and a number of the Conservation Authorities with policies in place have also invested considerable time and effort in developing detailed supporting offsetting guidelines. With that said, there is merit to considering offsetting policy as part of an update to the HCA’s Planning & Regulation Policies and Guidelines document.

HCA staff have been working on an update to the HCA policy document and had already completed some preliminary review of offsetting approaches. However, staff have deferred moving the policy manual review process forward pending the Province of Ontario confirming the timing for the changes to the Conservation Authorities Act and providing the updated regulations to confirm the scope of the HCA’s programs in this regard. Including a review and consideration of offsetting policies can be undertaken independently but timing is dependent on the above noted provincial process, HCA staff time and resources and allowances for agency and public consultation.

STRATEGIC PLAN LINKAGE

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

- **Strategic Priority Area – Natural Heritage Conservation**
 - Initiatives – Promote sustainable development by working with the City of Hamilton on natural heritage issues and undertake the HCA plan input and

AGENCY COMMENTS

N/A

LEGAL/FINANCIAL IMPLICATIONS

N/A

CONCLUSIONS

This report has been prepared to provide the information requested by the Board of Directors. This report also outlines that there is merit in considering the development of natural heritage offsetting policy as part of the HCA's Planning & Regulation Policies and Guidelines document.

Report

TO: Board of Directors

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

**PREPARED &
RECOMMENDED BY:** Matt Hall, C.E.T., Director; Capital Projects & Strategic Services

DATE: November 5, 2020

RE: Fifty Point Shoreline Rehabilitation Project – Tender Results

STAFF RECOMMENDATION

HCA Staff recommends to the Board of Directors:

THAT the construction tender for the Fifty Point Shoreline Rehabilitation Project, be awarded to R&M Construction Inc. for a total cost of \$631,846.85 which includes a contingency sum and HST.

BACKGROUND

In the winter of 2018/2019, HCA staff obtained the services of a hydrologic and coastal engineering services consulting firm, Planmac Engineering Ltd., in order to review three areas of concern along HCA owned shoreline, at the Fifty Point Conservation Area in Stoney Creek. A map (appendix 1.0) has been provided in this package which shows the three areas that were reviewed, along with some photographs (appendix 2.0) which help illustrate some of the extent of shoreline erosion the area has been experiencing.

Upon completion of the final detailed engineering review of these three areas, construction tender documents were developed in order to secure contracting services required to complete the necessary repair & restoration works. Two of the three areas were determined to be a much higher priority for remediation efforts and have both been included within the tender package. The last area of concern will be addressed using HCA capital construction forces and is outside of the project scope for this tender.

This Public Tender was issued on September 16, 2020. Tenders closed on October 20, 2020 at 1:00 p.m. A summary of bid results is as follows:

Company Name	Necessary Bonding	Total Price (including tax and contingency)	Notes
R&M Construction	yes	\$ 631,846.85	Low Bid meeting tender spec
Marbelle Group Inc.	yes	\$ 694,973.43	
Anthony's Excavating Central Inc.	yes	\$ 934,074.95	
Bronte Construction	yes	\$ 1,009,417.58	
Rankin Construction Inc.	yes	\$ 1,078,658.45	
Seawaves Development Services Inc.	yes	\$ 1,271,329.10	
O'Hara Trucking and Excavating Inc.	yes	\$ 1,274,606.10	
J-AAR Excavating Inc.	yes	\$ 1,465,107.90	
Neptune Security Services Inc.	yes* photocopies	\$ 1,540,303.00	
Catalina Excavating Inc.	yes	\$ 1,557,253.00	
Buildscapes Construction Ltd.	yes	\$ 1,632,669.70	
Oakridge Landscape Contractors	yes	\$ 2,277,555.12	

STAFF COMMENT

This project is necessary to protect valuable recreational day-use space within the Fifty Point Conservation Area. Over 2016 & 2017 the HCA implemented a new trail system and lookout platform in very close proximity to where these erosion areas have subsequently occurred. Without action to address this erosion, which has been mainly attributed to high Lake Ontario water levels and heavy wave uprush events that we have seen much more frequently in recent years, the HCA is at risk of losing these valuable assets and recreational space. Further to this, as the shoreline continues to erode it undermines previously undisturbed ground, creating an unpredictable and unstable slope. This presents a safety risk to the general public as well as HCA staff working in the area.

The work proposed is expected to safeguard and stabilize our shoreline in these areas for many years to come.

The anticipated schedule for this project is as follows:

Oct. 20, 2020 - 1:00pm	Public Tenders closed
Nov. 5, 2020	Recommendation Report to HCA Board of Directors
Nov. 6, 2018	Contract awarded
Nov. 9, 2018	Contract work period commencement
April 30, 2021	Project Substantial Completion Date

It is anticipated that the scope of work will be substantially completed on or before April 30, 2021. Planmac Engineering Ltd. has been retained to review key milestone points during the construction period. HCA staff will also be actively involved in site review as the project progresses.

STRATEGIC PLAN LINKAGE

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

- **Strategic Priority Areas – Organizational Excellence**
 - Initiatives – support the capital development and major maintenance program to enhance our facilities and ensure they are safe, functional and current

AGENCY COMMENTS

Details of this project were submitted to and approved under a work permit, by Ministry of Natural Resources and Forestry staff.

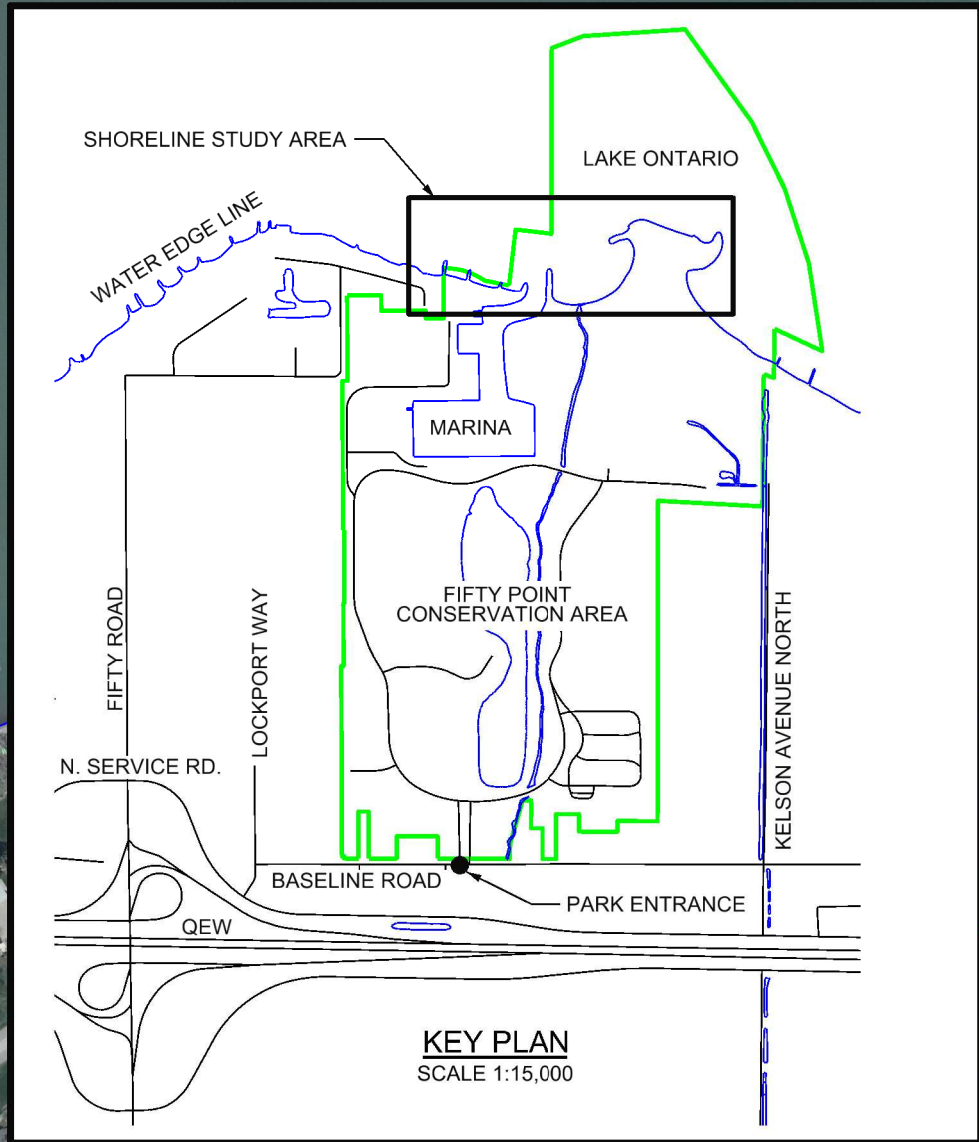
LEGAL/FINANCIAL IMPLICATIONS

Sufficient funding for this work has been allocated within the HCA Capital and Major Maintenance Budget. A contingency sum of \$50,000 for unforeseen issues during construction works has also been allocated for this project. This has been included in the prices listed above.

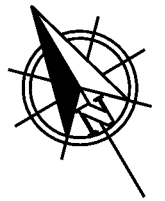
CONCLUSIONS

It is recommended that this contract be awarded to R&M Construction Inc. located in Acton, Ont. They are a fully qualified and bonded, contracting firm that specializes in water and natural landscape restoration projects, including shoreline protection. Recent, similar projects of theirs include three substantial shoreline rehabilitation and improvement projects completed for the Town of Oakville. Some recent projects completed by R&M Construction Inc. within HCA properties include six out of seven

Christie Lake Conservation Area pond removal and restoration projects, along with Lower Spencer Creek watercourse improvements which were completed in 2019.



FOR TENDER
date: 2018/11/27



NOTE
STUDY AREA LIMITS TO BE CONFIRMED WITH SUCCESSFUL BIDDER AT CONTRACT START-UP MEETING.

LEGEND

- HCA PROPERTY LIMIT
- WATER EDGE LINE
- STUDY AREA OF CONCERN

rev no.	description	date
---------	-------------	------

Hamilton Conservation Authority
Healthy Streams...Healthy Communities!

838 Mineral Springs Rd.
Ancaster, ON L9G 4X1
Tel: 905.525.2181
Web: www.conservationhamilton.ca

2018 FIFTY PT SHORELINE SITE PLAN

FIFTY POINT C.A.	
project number	3-6868-00-07
scale	AS NOTED
date	2018/11/27
drawn	K.SMITH
checked	M.HALL
approved	M.HALL
drawing number	G01

SHORELINE STUDY AREA #1

November 8, 2018

Shoreline erosion at lookout platform:



Shoreline erosion at lookout bench:



SHORELINE STUDY AREA #2

November 8, 2018

Shoreline:



Stone terrace along shoreline:



SHORELINE STUDY AREA #3

November 8, 2018

Shoreline at trail:



Shoreline near north-west groin:



END OF SECTION

Report

TO: Board of Directors

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

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

DATE: November 5, 2020

RE: Designation of Two Conservation Area Staff Members as a Provincial Offences Officer

STAFF RECOMMENDATION

THAT the HCA staff recommends to the Board of Directors:

THAT the HCA Board of Directors endorse the designation of Evan McKnight, Assistant Superintendent of Valens Lake Conservation Area and Jonathan Roberts, Assistant Superintendent of Confederation Beach Park as a Provincial Offences Officers to enforce Section 29 of the Conservation Authorities Act.

BACKGROUND

In March of 2010, a report was brought to Water Management Advisory Board outlining the Ministry of Natural Resources (MNR) protocol for designation of Provincial Offences Officers. The protocol is as follows:

The following criteria shall be satisfied when appointing an employee as an “officer” for enforcing Section 28 and / or Section 29 of the Conservation Authorities Act:

- 1. The officer shall provide proof of a clean criminal record check (immediately prior to their appointment)*
- 2. The officer shall be adequately trained* in the legislation they are to enforce (i.e. Conservation Authorities Act, and Trespass to Property Act).*

**Provincial Regulatory Compliance Foundations Training (or equivalent training) is the most familiar option that has been utilized by Conservation Authorities of Ontario.*

When the essential requirements are satisfied, the officer shall be appointed as a Provincial Offences Officer by the respective Conservation Authority Board, in order to enforce Section 28 and/or Section 29 of the Conservation Authorities Act for the respective jurisdiction in which the officer has received the appointment. The Conservation Authority and Provincial Offences Officer shall each maintain a file of appointments including proof that the “essential requirements” have been satisfied, to confirm that staff are properly empowered to enforce the legislation respective to their appointment. The file should be updated on a regular basis to include all relevant training.

Staff recommend that Evan McKnight and Jonathan Roberts be designated as a Provincial Offences Officer under the protocol. In addition to on-the-job experience and training, staff successfully completed the formal Provincial Regulatory Compliance Foundations Training Course (5 day course) through Conservation Ontario in March 2020. All staff have provided the required 2020 criminal background check with the appropriate Police Services as directed.

STAFF COMMENT

Based on the above, both staff members have successfully met all of the MNRF protocol requirements for designation as a Provincial Offences Officer.

STRATEGIC PLAN LINKAGE

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

- **Strategic Goal – Organizational Excellence**
 - Initiative – Support a dynamic and resilient culture of learning, safety and engagement through professional development, training, and ongoing assessment
 - Foster strong working relationships with our federal, provincial and municipal partners through regular meetings to discuss issues of mutual interest

AGENCY COMMENTS

Not applicable.

LEGAL/FINANCIAL IMPLICATIONS

The Provincial Offences Officer designation will allow staff members to conduct all regular components of their enforcement duties including working with other enforcement agencies such as Hamilton Polices Service, Ministry Natural Resources and Forestry and City of Hamilton By Law enforcement by giving statements and testimony as needed.

The ability for HCA enforcement staff to be trained and designated as Provincial Offence Officers is considered part of the job requirements for Managers/Superintendents within our Conservation Areas.

CONCLUSIONS

In light of the above, it is appropriate for the Board of Directors to designate Evan McKnight and Jonathan Roberts as a Provincial Offences Officer.

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: November 5, 2020

RE: Watershed Conditions Report

SYNOPSIS

As of October 21, 2020, there are no expectations of significant watercourse flooding, significant public safety concerns, or Lake Ontario shoreline erosion / flooding.

Regarding the dry watershed conditions, the most recent re-assessment suggested that Level 1 Low Water conditions continue to be an appropriate overall characterization of the watershed. It is expected that the HCA watershed will remain at Level 1 Low Water conditions in the short term. Level 1 Low Water conditions were declared by the Hamilton Low Water Response Team (Hamilton LWRT) for the entire HCA watershed on July 27. This included communication with the public about watershed conditions, and a request that water users of surface and groundwater sources voluntarily reduce their normal water use by 10%.

Levels in both the Christie Lake and Valens Lake reservoirs are well below preferred summer operating levels, due to the dry summer. Levels in both reservoirs are being gradually decreased over the coming weeks, as part of the planned annual drawdown to typical winter operating levels. This is providing supplemental flow to Lower Spencer Creek during the salmon spawning season.

Currently, watercourse flows are below to well below normal in Spencer Creek, while near normal in the other gauged watercourses. Watercourse flows have been increasing over the last week, due to rain received.

CURRENT WATERSHED CONDITIONS – October 21, 2020

Current Water Levels in Major Area Watercourses

Currently, flows are below to well below longterm average October flows in Upper Spencer Creek at Safari Road, Middle Spencer Creek at Highway 5, and Lower Spencer Creek at Market Street. However, flows are presently near longterm average October flows in Ancaster Creek at Wilson Street, Redhill Creek at Barton Street, and Stoney Creek at Queenston Road.

Over the month of October, flows were generally significantly below longterm average October flows in Upper Spencer Creek at Safari Road, Middle Spencer Creek at Highway 5, and Lower Spencer Creek at Market Street, as well as Ancaster Creek at Wilson Street. Contrastingly, October flows were generally near longterm average October flows in Redhill Creek at Barton Street, and Stoney Creek at Queenston Road.

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

Current Lake Ontario Water Levels

Currently, the Lake Ontario mean daily water level is approximately 74.68 m IGLD85. This is about 3 cm above average for this time of year, and about 56 cm below the record high set for this time of year (during 1947).

There are no observations, reports, or expectations of shoreline flooding or active significant shoreline erosion currently.

Current Storages in HCA Reservoirs

Levels in both reservoirs are being gradually decreased over the coming weeks, as part of the planned annual drawdown to typical winter operating levels. This is providing supplemental flow to Lower Spencer Creek during the salmon spawning season.

Based on current levels at Christie Lake dam (about 766.92 ft), the reservoir remains well below preferred summer operating levels (771.0 to 771.5 ft) but is above typical past winter levels (765.30 to 765.80 ft). The reservoir is at about 25 percent of its preferred maximum storage capacity (corresponding to a water level of 773 ft).

Based on current levels at Valens Dam (about 274.74 m), the reservoir is presently below the typical summer operating levels (275.30 to 275.50 m) but above the typical winter operating levels (274.15 to 274.30 m). The Valens reservoir is at about 65 percent 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 expected to be moist presently.

RECENT STORM EVENTS

During the period of September 22, 2020 to October 21, 2020, there were no significant watercourse flooding events, or Lake Ontario shoreline erosion / flooding events.

RECENT WATERSHED LOW WATER CONDITIONS

The most recent assessment suggests that Level 1 Low Water conditions continue to be considered an appropriate overall characterization of the watershed. The 1-month precipitation totals indicated Normal or Level 1 Low Water conditions. The 3-month precipitation totals suggested continuing Level 1 Low Water conditions. There were no stations that currently have 3 consecutive weeks with total precipitation amounts less than 7.6mm, which indicates Level 1 Low Water conditions remained suitable. Current 30-day average streamflows suggested Level 2 Low Water conditions in Middle and Lower Spencer Creek, but normal conditions in Upper Spencer Creek, Ancaster Creek, and Redhill Creek.

On July 27, the Hamilton Low Water Response Team (Hamilton LWRT) declared Level 1 Low Water conditions for the entire Hamilton Conservation Authority (HCA) watershed, which includes Spencer Creek, Chedoke Creek, Redhill Creek, Stoney Creek and Battlefield Creek, Stoney Creek Numbered Watercourses, as well as all of their tributaries and other minor watercourses.

Level 1 Low Water conditions are indicated by three- or eighteen-month precipitation totals that are 60 to 80% of long-term averages. Level 1 Low Water conditions are also designated when the 30-day average streamflows are 50 to 70% of the lowest historical average summer month flow.

A July 27 news release, HCA website posting, and letters distributed to area water users encouraged that water users of surface and groundwater sources within the watershed voluntarily reduce their normal water use by 10%. In addition, Hamilton LWRT members have been encouraged to share this water conservation message with other water users in their area / sector.

FORECASTED WATERSHED CONDITIONS

Watercourse Flooding

There are currently no significant rainfall 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 are not expected to pose significant watercourse flooding or significant public safety concerns.

Lake Ontario Shoreline Erosion / Flooding

There is currently no significant Lake Ontario shoreline erosion / flooding anticipated within the watershed over the next 5 days.

According to International Lake Ontario – St. Lawrence River Board information, Lake Erie remains just below record-highs, and this will continue to prevent any rapid lowering of Lake Ontario levels. That said, Lake Ontario levels are expected to continue to decline through the fall, but weather conditions will primarily determine the rate and magnitude of water level fluctuations.

Watershed Low Water Conditions

Although largely dependant on the actual amount of forecasted rainfall received, it is expected that the HCA watershed will remain at Level 1 Low Water conditions in the short term.