

Hamilton Region Conservation Authority

Minutes

Board of Directors Meeting

March 7, 2024

Minutes of the Board of Directors meeting held on Thursday, March 7, 2024 at 6:00 p.m., at the HCA main office, 838 Mineral Springs Road, in Ancaster, and livestreamed on YouTube.

PRESENT:

Brad Clark – in the Chair	
Craig Cassar	Wayne Terryberry - virtual
Lisa DiCesare	Alex Wilson
Susan Fielding - virtual	Maureen Wilson
Brian McHattie	

Jennifer Stebbing – Foundation Chair - virtual

REGRETS: **Jeff Beattie, Matt Francis, Mike Spadafora**

STAFF PRESENT: **Jonathan Bastien, Lisa Burnside, Grace Correia, Gord Costie, Marlene Ferreira, Scott Fleming, Matt Hall, Scott Peck, Mike Stone, Jaime Tellier, and Sandra Winner**

OTHERS: **Media - Richard Leitner**

1. Call to Order

The Chair called the meeting to order and welcomed everyone present. HCA’s Indigenous Land Acknowledgement was read.

Councillor Clark acknowledged the passing of Mark Shurvin, a former member of the Board of Directors for over ten years and served as chair for 3 years. The HCA recognized his contribution to the HCA through the dedication of the “Shurvin Mile”, a trail between Tew Falls and the Dundas Peak, in 2007.

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. Lisa Burnside advised to two addendums to the agenda: additional items of correspondence and, the second item was to amend item 10.4 to include an appendix.

BD12, 3314

MOVED BY: Craig Cassar

SECONDED BY: Maureen Wilson

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 – February 1, 2024
- 5.3. Approved December 14, 2023 Conservation Advisory Board Minutes
- 5.4. Email from Ministry of Natural Resources and Forestry re. Update: Regulation of Development for Protection of People and Property from Natural Hazards in Ontario, dated February 16, 2024 (to be referred to item 10.4 in the agenda)
- 5.5. 41 Items of correspondence related to item 5.4, Email from Ministry of Natural Resources and Forestry re: Update: Regulation of Development for Protection of People and Property from Natural Hazards on Ontario (to be referred to item 10.4 in the agenda).

6. Foundation Briefing

Jennifer Stebbing reported on the following:

The Foundation received a total of **\$5,464** in new donations from February 1st to February 29th 2024. These funds were directed to various projects including Memorial Benches, Dundas Valley Trails and the Hamilton Mountain CA Fund
This brings the fiscal year-to-date fundraising total to **\$107,453**, which is 13% of our goal and the total is slightly ahead of the same time last year.

The Foundation Board is finalizing our fundraising priorities for 2024, and in addition to continuing to fully fund the Environmental Education Program, has committed to providing funding for the Indigenous Interpretive Plaques in Dundas Valley. Other projects under consideration for funding include Wayfinding Signage across the watershed, the Valens Lookout Tower, as well as other projects identified through HCA master plans.

BD12, 3315

**MOVED BY: Brian McHattie
SECONDED BY: Alex Wilson**

THAT the Foundation Briefing be received.

CARRIED

7. Member Briefing

There was none.

8. Business Arising from the Minutes

8.1 Draft HCA Strategic Plan Report

Anne Bermingham and Michael Howes of 2WA Consulting presented the four proposed strategic directions.

The consultants posed two questions to the Board: are there any areas requiring clarification and what they were pleased to see in the plan/was anything missing.

The consultants facilitated discussion with many comments focusing on greater engagement with Indigenous Peoples and nations, including the urban indigenous. Comments on the Strategic Priority of *Connecting People to Nature* focused on integrating traditional knowledge, restoration as well as the need to incorporate the idea of valuing nature and enhancing/building people's relationship to nature. Differential barriers to accessing nature was also raised. Additionally, it was clarified that there is no priority order to the four strategic element areas.

It was noted that additional time may be needed to finalize the new strategic plan from the original goal of completion for the June board meeting.

BD12, 3316

**MOVED BY: Alex Wilson
SECONDED BY: Lisa DiCesare**

THAT the Draft HCA Strategic Plan Report be received, with suggested revisions with direction share this draft plan with the public, First nations, and some other stakeholders as a final validation step.

CARRIED**9. Reports from Budget & Administration Committee and Conservation Advisory Board**

There weren't any reports from the Budget & Administration Committee.

9.1 Conservation Advisory Board – February 8, 2024**9.1.1 CA 2405 Indigenous Interpretive Signage Proposal**

Wayne Terryberry brought forward the staff report and answered members' questions. It was noted that funding was confirmed through the Hamilton Conservation Foundation.

**BD12, 3317 MOVED BY: Wayne Terryberry
 SECONDED BY: Brian McHattie**

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

THAT the proposed Indigenous Interpretive Panels Project, as outlined in this report, be approved for implementation following the securement of funding.

CARRIED**9.1.2 CA 2406 Westfield Accession and Deaccession List**

Wayne Terryberry brought forward the staff report recommending a number of items for accession by Westfield in 2023.

**BD12, 3318 MOVED BY: Wayne Terryberry
 SECONDED BY: Alex Wilson**

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

THAT the Westfield 2023 Artifact Accessions List be accepted as the artifacts to be added to the Westfield Heritage Village Conservation Area and the Hamilton Conservation Authority collection.

CARRIED

9.1.3 CA 2407 Artaban Road and Lower Lions Club Road Parking Areas - Amended

Wayne Terryberry brought forward a staff report. Following discussion, the proposed recommendation was revised through a friendly amendment to the motion was proposed, deleting the words “carrying capacity” for “visitor use management plan”.

BD12, 3319

**MOVED BY: Wayne Terryberry
SECONDED BY: Lisa DiCesare**

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

THAT Staff be directed to complete detailed design for the Artaban Rd. Parking Lot Expansion project and formally submit a Development Permit Application for this project to the Niagara Escarpment Commission; and further

THAT Staff be directed to complete a visitor management plan of Tiffany Falls Conservation Area and return it to the Conservation Advisory Board prior to completing detailed design for the Parking Lot Addition project on Lower Lions’ Club Road and formally submit a Development Permit Application for this project to the Niagara Escarpment Commission.

CARRIED

10. Other Staff Reports/Memoranda

10.1 WWW Slide Tower Corrosion Abatement Tender

Matt Hall presented a summary of the report and answered member’s questions.

BD12, 3320

**MOVED BY: Alex Wilson
SECONDED BY: Lisa DiCesare**

THAT HCA staff recommends to the Board of Directors:

That the tender for the East Slide Tower Refurbishment at Wild Waterworks be awarded to TruGrp Inc. at a total cost of \$140,685.00 (including contingency & taxes).

CARRIED

10.2 Proposed New Residential Dwelling, 1241 Governor's Rd

Mike Stone presented a summary of the report and answered member's questions.

BD12, 3321

MOVED BY: Alex Wilson

SECONDED BY: Brian McHattie

THAT HCA staff recommends to the Board of Directors:

THAT the Board of Directors direct staff to provide further comments to the Niagara Escarpment Commission (NEC) to indicate that natural hazard issues have been addressed to the HCA's satisfaction and that HCA would have no concerns with the NEC issuing a development permit for the proposed development; and

THAT subject to the NEC's approval and issuance of a development permit for the proposed development, HCA staff be directed to issue 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 new single-family residence within the regulated area associated with Spring Creek, Town of Dundas, City of Hamilton.

CARRIED

10.3 Saltfleet Conservation Area Wetland Restoration Project – SC-5, Stage 2 Archeological Assessment

Scott Peck presented a summary of the report and answered member's questions.

BD12, 3322

MOVED BY: Lisa DiCesare

SECONDED BY: Craig Cassar

THAT HCA staff recommends to the Board of Directors:

THAT the Board of Directors approve the quote submitted by Archaeological Research Associates Ltd., to complete the required Stage 2 Archeological Assessment for the SC-5 Wetland for an upset limit of \$106,485.00 excluding HST and this be funded through the East Mountain Wetland Construction Reserve.

CARRIED

10.4 Provincial Regulatory and Legislative Changes: Regulation of Development for the Protection of People and Property from Natural Hazards

Lisa Burnside provided opening remarks advising of regulatory and legislative amendments coming into effect. These flow from Bills 229 and 23 reported on to the board over the past few years which noted remaining legislative changes to follow regarding the CA development regulation that was not yet in force because the government had not yet proclaimed or released regulations to implement them. The Province has now released the legislative and regulatory changes affecting CAs. Mike Stone then presented a summary of the report and legislative changes effective April 1, 2024.

Board members expressed concern with the changes limiting CA development permits to natural hazards and other regulatory and legislative changes.

The CAO and Deputy CAO advised the Board that staff must follow the changes made to the *CA Act* and the regulation that will take effect on April 1, 2024. While the Board considered a friendly amendment to adopt WHEREAS statement to address their concerns, the Board ultimately opted during the meeting to table the staff report and recommendation and, instead requested that staff report back on the implications and to seek a legal opinion with the following motions:

BD12, 3323

MOVED BY: Brian McHattie

SECONDED BY: Brad Clark

THAT staff report back on the implications of the changes that the regulations are forcing and that this information be related to development impacts in the watershed and other metrics such as number of watercourses no longer regulated.

CARRIED

BD12, 3324

MOVED BY: Alex Wilson

SECONDED BY: Craig Cassar

THAT staff be directed to seek a legal opinion in regard to the recent changes made to the *Conservation Authorities Act* and Ontario Regulation 41/24 that will take effect on April 1, 2024 and for legal to facilitate an in-camera discussion with the Board of Directors

CARRIED

10.5 Annual Reporting on CA Permit Review Timelines

Mike Stone reviewed the report and answered member's questions

BD12, 3325**MOVED BY: Craig Cassar
SECONDED BY: Alex Wilson****THAT the memorandum entitled Annual Reporting on CA Permit Review Timelines – January 1, 2023 to December 31, 2023 be received.****CARRIED**10.6 Watershed Conditions Report

Jonathan Bastien presented a summary of the memorandum.

BD12, 3326**MOVED BY: Alex Wilson
SECONDED BY: Craig Cassar****THAT the memorandum entitled Watershed Conditions Report be received.****CARRIED**10.7 Conservation Areas Experiences Update

Gord Costie provided a summary of the memorandum and answered the members' questions.

BD12, 3327**MOVED BY: Brian McHattie
SECONDED BY: Maureen Wilson****THAT the memorandum entitled Conservation Areas Experiences Update be received.****CARRIED**

The Board agreed to extend the meeting time past 10:00 pm

BD12, 3328**MOVED BY: Lisa DiCesare
SECONDED BY: Maureen Wilson****THAT the Board of Directors extend the meeting past 10:00 pm.****CARRIED**

CARRIED**13. Next Meeting**

The next meeting of the Board of Directors will be held on Thursday, April 4, 2024 at 6:00 p.m. at the HCA Main Administration Office – Woodend Auditorium, 838 Mineral Springs Road, Ancaster, Ontario.

14. Adjournment

On motion, the meeting adjourned.



Scott Fleming
Secretary-Treasurer