



Board of Directors Meeting Agenda

Thursday, May 6, 2021



Board of Directors Meeting

Thursday, May 6, 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. Section 28 Hearing**
 - 4.1. 24 Lakeshore Road, Stoney Creek – Alex Szabo
 - 4.2. 140 Garner Road East, Ancaster – One Properties Real Estate Inc.
- 5. Delegations**
- 6. Consent Items for Applications, Minutes and Correspondence**
 - 6.1. Applications – Development, Interference with Wetlands, Alterations to Shorelines and Watercourses
 - 6.2. Approved February 11, 2021 Conservation Advisory Board Minutes – for receipt only
 - 6.3. Approved March 18, 2021 Budget & Administration Committee Minutes – for receipt only
 - 6.4. Approval of Board of Directors Minutes – April 1, 2021
 - 6.5. Email from Frank Shaw re. Hamilton Conservation Authority – Annual Report & Success in 2020, dated April 6, 2021
 - 6.6. Letter from the Corporation of the Town of Fort Erie to the Honourable Doug Ford, Premier of Ontario, re. Province Investigating and Updating Source Water Protection Legislation, dated April 27, 2021

7. Member Briefing

8. Business Arising from the Minutes

- 8.1. Conservation Ontario Governance Accountability and Transparency Initiative – Burnside

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

- 9.1. Conservation Advisory Board – Topalovic

- 9.1.1. CA 2109 Christie Lake Dam & Valens Lake Dam Public Safety Risk Assessments and Valens Lake Dam Safety Review

- 9.2. Budget and Administration Committee – Moccio

- 9.2.1. BA 2105 Report by the Auditors and Twelve-month Financial Results – Audited Financial Statements

- 9.2.2. BA 2106 Reserve Funds and Balances as of December 31, 2020

- 9.3. Foundation Chairman’s Remarks – Margaret Reid

10. Other Staff Reports/Memorandums

- 10.1. Spencer Gorge Security Costs Tender Report – Harschnitz
- 10.2. Designation of City of Hamilton Municipal Law Enforcement Officers as Provincial Offences Officers – Costie
- 10.3. Watershed Conditions Report – Peck
- 10.4. Conservation Areas Experiences Update – Costie

11. New Business

12. In-Camera Items

13. Next Meeting – Thursday, June 3, 2021 at 7:00 p.m.

Please note this will be the Annual General Meeting of the Board of Directors.

14. Adjournment

Hearing Report

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

Elizabeth Reimer, Conservation Planner, Watershed Planning, Stewardship & Ecological Services

DATE: May 6, 2021

RE: Hearing under Section 28(12) of the *Conservation Authorities Act* for an Application by Alex Szabo for Development in a Regulated Area of Lake Ontario at 24 Lakeshore Road, City of Hamilton (Stoney Creek) – Permit Application No. SC/C/20/102

STAFF RECOMMENDATION

THAT HCA staff recommends to the Board of Directors:

THAT the Board of Directors refuse the application made by Alex Szabo for development of a second-storey addition to an existing single residence in a regulated area of Lake Ontario at 24 Lakeshore Road, City of Hamilton (Stoney Creek), as the development does not conform to the requirements of the Hamilton Conservation Authority's *Planning & Regulation Policies and Guidelines (October, 2011)* as they relate to the implementation of *Ontario Regulation 161/06 (HCA's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses)* made under the *Conservation Authorities Act, R.S.O. 1990*.

BACKGROUND

Site Description

The property at 24 Lakeshore Road is a 0.2 ha (0.5 ac) property located on the north side of Lakeshore Road adjacent to the Lake Ontario shoreline (Attachment A). The lot is irregularly shaped, ±122.0 m deep, and ±22.5 m wide at the widest point. The lot contains an existing two-storey residential dwelling, approximately 130 m² (1400 sq. ft), plus a single-level attached garage of 57 m² (600 sq. ft).

The property is regulated pursuant to to *Ontario Regulation 161/06 (HCA's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses)* made under the *Conservation Authorities Act, R.S.O. 1990* due to the proximity of Lake Ontario and its associated flooding and erosion hazards.

The rear of the house has a second-storey walk-out above an existing single-storey sunroom approximately 35 m² (375 sq. ft). Between 2017 and 2019, a covered porch was constructed to create an additional 20 m² (217 sq. ft.) walk-out.

The Proposal

The subject application proposes to construct a second storey addition 14.05 m by 4.40 m above an existing one storey sunroom, and the covered porch. The drawings prepared by DeFillipis Design for the applicant are attached to this report (Attachment D).

Application Review to Date

On October 16, 2019, an erosion assessment report prepared by Dillon Consulting for the property at 24 Lakeshore Drive was submitted to HCA in support of a proposed addition to the existing dwelling at 24 Lakeshore Drive. In reviewing the information provided, along with file history and current aerial imagery for the property, staff noted that a covered porch had been constructed sometime between 2017 and 2019. The covered porch was noted to be located within the hazard limit, and had been constructed without a written authorization (permit) from HCA. Staff also noted that repairs to the shore protection structure appeared to be inconsistent with the works authorized by the HCA in a permit issued in 2017 for shoreline repair work. Furthermore, side yard access for the property was noted to be limited due to the width of the existing dwelling and the irregular lot shape. On November 19, 2019, staff advised that the proposed addition was within the shoreline hazard, and as such the application would not be supported by HCA policy.

In December, 2019, HCA staff met with the consultant to discuss the report, the unauthorized covered porch, the design and construction of the shore protection, and the limited side yard access. In January, 2020, Dillon submitted a revised coastal hazard assessment. HCA staff reviewed and provided further comments, as follows:

- The proposed addition is within the shoreline hazards, and is not supported by HCA policy;
- The design life of the shore protection repairs is not known, as the designs approved in 2017 were for minimal repairs, and no design life was assigned.
- The erosion hazard may be reduced if it can be demonstrated that the shorewall has a design life of 50 years, or is retrofitted to achieve a design life of 50 years.
- Policies require a 6 m side yard setback; side yard access of less than 6 m, but more than 3.5 m may be considered, and side yard access can be shared between two properties if the easement is registered on both property titles.

HCA staff met with the applicant and the consultant on March 5, 2020, to further discuss the HCA's policies with respect to the proposal. In order to clarify the side yard access, the applicant hired an Ontario Land Surveyor to survey the property limits. A survey was provided by the applicant on June 30, 2020, which demonstrated that side yard access is 2.841 m at the narrowest point on the west side of the property, and 2.063 m at the narrowest point on the east side.

To address the outstanding issue of the porch constructed without authorization, the HCA provided a letter to the applicant on August 20, 2020, which indicated that the HCA was not able to retroactively issue a permit because the structure is partially within the shore hazard and does not comply with policy. However, as the porch was not considered to increase the risk to the property, no further measures were required to address the issue, and the matter was considered resolved.

On November 23, 2020, the applicant submitted a permit application form, along with a site plan for the proposed second-storey addition. Additional detail was requested, and further drawings were submitted December 3, 2020. In order to move the application forward, the outstanding issue of the repairs to the shore protection needed to be addressed. On February 8, 2021, staff issued a notice of violation in recognition of the additional stone that had been placed in front of the shore wall, which was not indicated on the approved permit design from 2017. In order to resolve the issue, HCA staff attended a site visit on February 11, 2021, and Dillon Consulting prepared an additional report submitted March 8, 2021. Based on the information gathered at the site visit and provided in the Dillon Consulting report, HCA accepts the report's recommendation of applying a 35 year design life to the repaired wall, and that there is a low risk of failure of the shore protection structure if the wall is properly maintained. Accordingly, staff issued a letter on March 29, 2021, indicating that the HCA considers the shore wall matter resolved.

Upon resolution of this issue, staff provided information to the applicant on April 6, 2021, that the permit application submission for the proposed addition was deemed complete but could not be supported by staff given the proposal did not conform to policy. In

accordance with *Conservation Authority Act Hearing Guidelines* (MNRF October 2005, Amended 2018 and 2020) and the *Hamilton Region Conservation Authority Administrative By-law* (HCA, September 3, 2020), HCA provided the Notice of Hearing to the applicant, as well as a copy of this Hearing Report, which outlines HCA staff's analysis of the application and reasons for recommending refusal, on April 9, 2021.

STAFF COMMENT

Applicable Policy

HCA has a mandate to ensure that people and property are protected from impacts associated with natural hazards. The Province has delegated the authority for representing and implementing the provincial interest in natural hazards to Conservation Authorities. In evaluating the subject application, HCA staff must ensure that Provincial and HCA policies regarding development and hazardous lands are considered and met. The following outlines the key provincial and HCA hazard policies relevant to the subject application.

Provincial Policy

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS provides a policy framework for allowing appropriate development, while protecting resources of provincial interest, conserving the natural and built environment, and ensuring public health and safety.

With respect to hazards, the PPS states that development shall generally be directed to areas outside of hazardous lands, including hazardous lands adjacent to the shorelines of the Great Lakes, which are impacted by flooding and erosion hazards (PPS 3.1.1). Notwithstanding these restrictions, development may be permitted in those portions of hazardous lands where the effects and risks to public safety are minor and can be mitigated in accordance with provincial standards, and new hazards are not created or existing hazards aggravated (PPS 3.1.7).

HCA Policy

In accordance with *Ontario Regulation 161/06 (HCA's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses)* made under the *Conservation Authorities Act, R.S.O. 1990*, no person shall undertake development in a regulated area without permission from the HCA. HCA may grant permission (issue a permit) for development in a regulated area if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

HCA's *Planning & Regulation Policies and Guidelines*, as approved by the HCA Board of Directors in October 2011, were developed to support the administration of HCA's Regulation (*Ontario Regulation 161/06*) and to implement provincial policy (PPS)

direction, including provincial natural hazard policies. HCA applies these policies to its review of planning and regulation proposals.

HCA policies generally do not permit development within the shoreline hazard limits associated with Lake Ontario. The shoreline hazard limit is the furthest landward extent of the combined flooding hazard, erosion hazard, and dynamic beach hazard. The following policies are particularly relevant to the subject application.

2.2.1.1. Flooding Hazard Limits

- b. For the Lake Ontario shoreline, excluding Hamilton Harbour, the flooding hazard limit has been determined to be 78.5 m IGLD 1955 (International Great Lakes Datum). This elevation includes the 100-year flood level (76.0 m IGLD) plus the wave action and other water-related hazards (2.5 m) [Great Lakes-St. Lawrence River System and Large Inland Lakes Technical Guides (MNR & Watershed Science Centre, 2001) and Lake Ontario Waterfront Study, Stoney Creek (F.J. Reinders and Assoc. and Conroy Dowson Planning Consultants Inc., March 1980)].

2. 2. 1. 2 Erosion Hazard Limits

Where Authority staff consider development proposals and/or site alterations in or on the areas adjacent or close to the Lake Ontario shoreline the erosion hazard limit shall be applicable.

- a. Erosion hazards are based on a combined influence of:
 - i. Stable slope allowance of 3(H):1(V);
 - ii. A 30 m toe erosion allowance (measured from stable slope allowance); and
 - iii. The existence or absence of shoreline protection works.
- b. A valid engineering study, undertaken by a qualified coastal engineer and at the expense of the proponent, may be undertaken or may be required to be undertaken, in areas where the exact extent of the erosion hazard limit needs to be verified. The need for greater hazard land limits may be demonstrated through the completion of this study.

2. 2. 2. 2 Additions and Replacement Structures

- a. Additions to structures existing within the shoreline hazard limits will not be permitted, unless the proposed addition meets Policy 2.2.2 (b) and Policy 2.2.2.1 (a). Additionally, adequate side and rear yard access for regular maintenance purposes and/or to repair the protection works is required.
- b. Additions may be permitted on existing structures outside of the shoreline hazard limits, but within the regulated area.
- c. The viability of locating replacement structures or additions on a portion of the property where the shoreline hazards are the least significant must be examined in the case of all proposals and applied wherever possible. Replacement structures can

only be rebuilt within the shoreline hazard limits if the structure is adequately protected from the shoreline hazards through the installation of shoreline protection works as per Section 2.2.2.1.

2. 2. 2 Development

- b. The Authority will generally direct development to occur outside of hazardous lands adjacent to the Lake Ontario shoreline that are impacted by flooding and/or erosion, unless the following conditions are met:
- i. The ecological function of areas adjacent or close to the shoreline have been evaluated and it has been demonstrated through the submission of an EIS that there will be no negative impacts on natural features or their ecological functions;
 - ii. The hazards can be safely addressed, and the development and/or site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;
 - iii. Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
 - iv. New hazards are not created and existing hazards are not aggravated; and
 - v. No adverse environmental impacts will result.

Application Assessment

The property at 24 Lakeshore Drive is affected by shoreline hazards associated with Lake Ontario. A recent survey of the subject property identifies that the crest of the existing shore protection structure is at ± 78.9 m, suggesting the property is not susceptible to the flooding hazard associated with Lake Ontario, which is identified at the 78.5m elevation. However, the rear of the property is subject to erosion hazards associated with the lake.

The erosion hazard was more specifically reviewed in erosion hazard assessments prepared by Dillon Consulting in 2019, 2020, and 2021. These assessments identified a residual design life of 35 years for the shore protection structure at 24 Lakeshore Drive, which results in an erosion allowance of 19.5 m, given a recession rate of 0.3 m/year on the Stoney Creek shoreline. In addition, a stable slope allowance of 7 m is applied to account for a 2:1 slope for the lakeshore. Based on these calculations, the majority of the proposed addition is within the erosion hazard associated with Lake Ontario (Attachment B).

HCA staff also note that inadequate side yard access is available to provide for long-term access from the roadway to the shoreline, to allow for future maintenance and repair of the shore protection structure. HCA policies require a minimum 6m allowance where possible. Staff have previously indicated a reduced side yard access of no less than 3.5m could be accepted in this case given the constrained lot, and that this access could be provided as a shared access with a neighbor if registered as an easement on title to the properties. In reviewing the site survey provided staff note that side yard access on the west side of the property ranges from 2.84 to 2.96m.

HCA policies, as outlined above, do not permit additions within the shoreline erosion hazard. Further, policies do not support additions to structures when side yard access is limiting. In considering the applicable policies, it is HCA staff's opinion the conditions under which a permit can be issued under *Ontario Regulation 161/06 (HCA's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses)* are not met. Staff note that retrofitting the shore protection to achieve a 50 year design life has not been undertaken, though it would reduce the extent of the erosion hazard where the addition is proposed. Shared side yard access has also not been pursued to address future access.

STRATEGIC PLAN LINKAGE

HCA's Strategic Plan 2019 – 2023 outlines its major strategic priority areas and related initiatives for advancing HCA's Vision to provide a healthy watershed for everyone. HCA implements a wide variety of programs to fulfill this mandate, including programs to manage water resources and protect people and property from natural hazards. Administration of HCA's regulation (*Ontario Regulation 161/06*) contributes to the achievement of these program objectives and HCA's Strategic Plan more generally.

AGENCY COMMENTS

None

LEGAL/FINANCIAL IMPLICATIONS

It is important to note that approval of this application may create liabilities for the Hamilton Conservation Authority in that the proposal would allow construction within the erosion hazard associated with Lake Ontario. The HCA Board of Directors need to be aware of the possible associated liability to the Hamilton Conservation Authority if this application is approved.

CONCLUSION

The subject application proposes development within the erosion hazard associated with Lake Ontario, and the property does not provide adequate access to the shoreline at the rear. Provincial and HCA policies take a preventative approach to addressing the potential risks and impacts associated with natural hazards by generally directing development to areas outside of hazardous lands. It is HCA staff's opinion the policy framework outlined in HCA's *Planning and Regulation Policies and Guidelines (October, 2011)* does not support the proposed development.

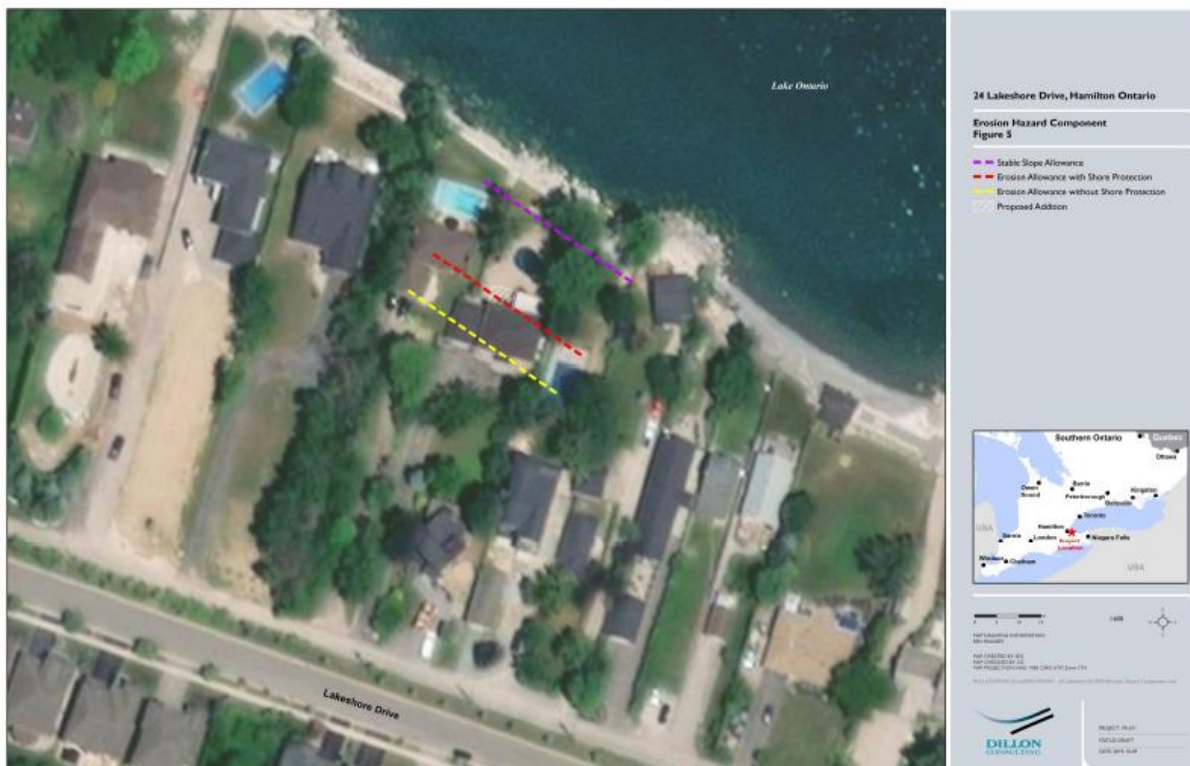
On this basis, the proposed development does not meet the conditions under which HCA may issue a permit under *Ontario Regulation 161/06 (HCA's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses)* made under the *Conservation Authorities Act, R.S.O. 1990*. As such, it is the recommendation of HCA staff that the application be refused.

Attachment A – Site Location

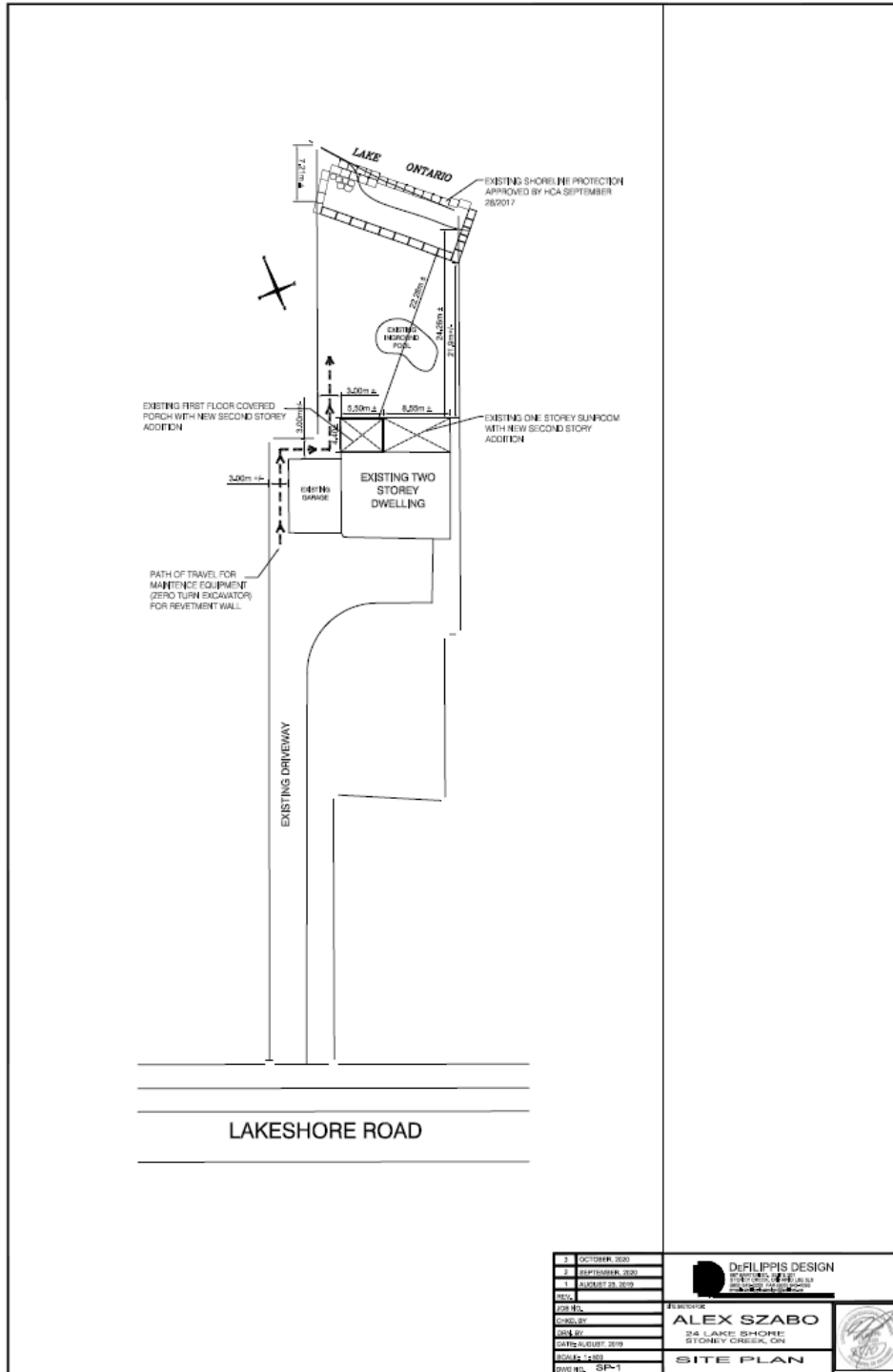
24 Lakeshore Road, City of Hamilton (Stoney Creek)

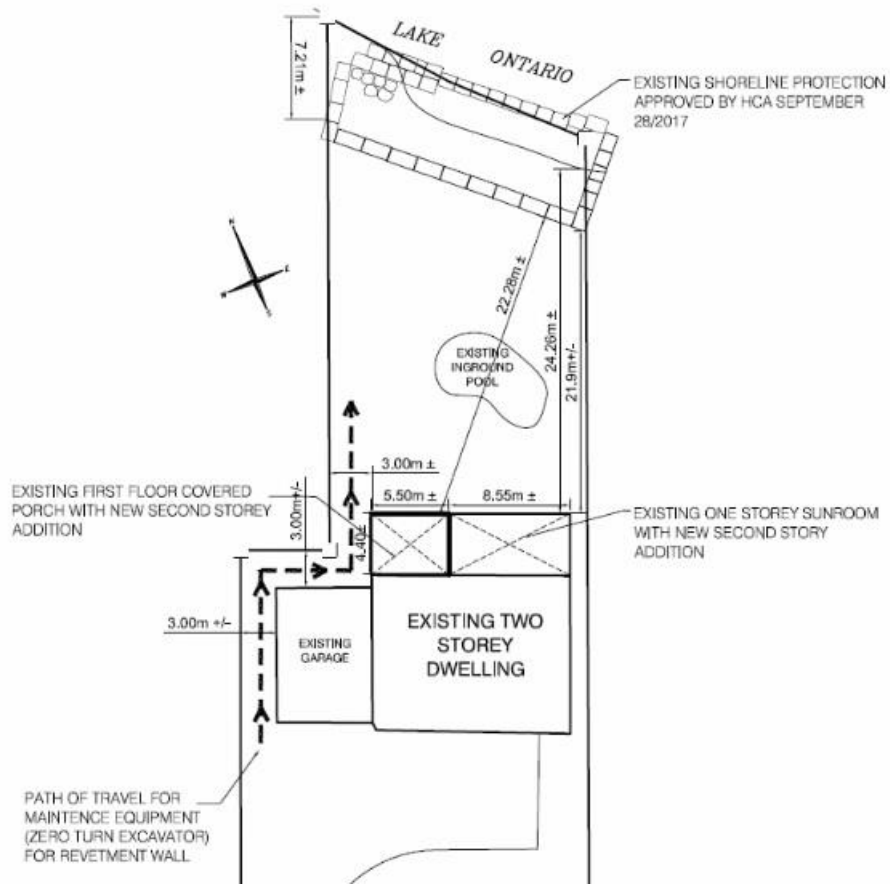


Attachment B – Erosion Hazard Delineation
Prepared by Chris Gibbons, Dillon Consulting



Attachment D – Proposed Second Storey Addition Plans







EXISTING REAR ELEVATION



NEW REAR ELEVATION



DeFILIPPIS DESIGN
 687 BARTON STREET, SUITE 201
 STONEY CREEK, ONTARIO L8E 5L6
 (905) 643-2250 FAX (905) 643-1095

ALEX SZABO
 24 LAKESHORE ROAD,
 STONEY CREEK, ONTARIO

DATE : DEC / 2020.

REVISED :

SCALE : 1/8"=1'-0"

SK - 1



Hamilton
Conservation
Authority

A Healthy Watershed for Everyone

April 9, 2021

File: SC/C/20/102

BY EMAIL

Alex Szabo
24 Lakeshore Road
Stoney Creek, ON
L8E 5C7

Dear Mr. Szabo:

**RE: NOTICE OF HEARING
DEVELOPMENT, INTERFERENCE WITH WETLANDS AND ALTERATIONS TO
SHORELINES AND WATERCOURSES REGULATION 161/06 APPLICATION
Alex Szabo
24 Lakeshore Road, City of Hamilton (Stoney Creek)**

This letter serves to inform you that the application by Alex Szabo, received November 23, 2020 for development in a regulated area of Lake Ontario will be considered by the Board of Directors at the meeting scheduled for:

**7:00 p.m. on May 6, 2021
Please note this Hearing will be held electronically by Webex
video conference.
Details on the video meeting link will be sent separately.**

This is a Hearing under Section 28, Subsection 12 of the Conservation Authorities Act. A copy of the staff report is included with this notice. Please note that Authority staff is recommending **refusal** of the application on the basis that the development does not comply with the Authority's *Planning & Regulation Policies and Guidelines (October, 2011)*. Attached is an outline of the Hearing Procedures.

You are invited to speak in support of your application and submit supporting written material for the Hearing. You will be allotted approximately 20 minutes to speak at the Hearing. You may be represented by legal Counsel or have advisors present information to the Board of Directors. If you intend to appear, or if you believe that holding the hearing electronically is likely to cause significant prejudice, please contact Mike Stone, Manager, Watershed Planning Services. Written material will be required by April 23, 2021, to enable the Board members to review the material along with the staff report.

This Hearing is governed by the provisions of the Statutory Powers Procedure Act. Under the Act, a witness is automatically afforded a protection that is similar to the protection of the Ontario Evidence Act. This means that the evidence that a witness gives may not be used in subsequent civil proceedings or in the prosecutions against the witness under a Provincial Statute. It does not relieve the witness of the obligation of this oath since matters of perjury are not affected by the automatic affording of the protection. The significance is that the legislation is Provincial and cannot affect Federal matters. If a witness requires protection of the Canada Evidence Act, that protection must be obtained in the usual manner.

The Ontario Statute requires the tribunal to draw this matter to the attention of the witness as this tribunal has no knowledge of the effect of any evidence that a witness may give.

If you do not attend at this Hearing, the Board of Directors of the Hamilton Conservation Authority may proceed in your absence, and you will not be entitled to any further notice of proceedings.

Please contact the undersigned at ext. 133 at this office if you have any questions regarding this matter.

Yours truly,



Mike Stone MCIP, RPP
Manager, Watershed Planning Services

Cc: Chris Gibbons, Dillon Consulting Ltd.

Enclosures: Hamilton Conservation Authority Hearing Procedures
Hamilton Conservation Authority Hearing Report

Appendix B

HEARING PROCEDURES

1. Motion to sit as Hearing Board.
2. Roll Call followed by the Chairperson's opening remarks. For electronic hearings, the Chairperson shall ensure that all parties and the Hearing Board are able to clearly hear one another and any witnesses throughout the hearing.
3. Staff will introduce to the Hearing Board the applicant/owner, his/her agent and others wishing to speak.
4. Staff will indicate the nature and location of the subject application and the conclusions.
5. Staff will present the staff report included in the Authority/Executive Committee agenda.
6. The applicant and/or their agent will present their material
7. Staff and/or the conservation authority's agent may question the applicant and/or their agent if reasonably required for a full and fair disclosure of matters presented at the Hearing.¹
8. The applicant and/or their agent may question the conservation authority staff and/or their agent if reasonably required for full and fair disclosure of matters presented at the Hearing.²
9. The Hearing Board will question, if necessary, both the staff and the applicant/agent.
10. The Hearing Board will move into camera. For electronic meetings, the Hearing Board will separate from other participants for deliberation.
11. Members of the Hearing Board will move and second a motion.
12. A motion will be carried which will culminate in the decision.
13. The Hearing Board will move out of camera.
14. The Chairperson or Acting Chairperson will advise the owner/applicant of the Hearing

¹ As per the Statutory Powers Procedure Act a tribunal may reasonably limit further examination or cross-examination of a witness where it is satisfied that the examination or cross-examination has been sufficient to disclose fully and fairly all matters relevant to the issues in the proceeding.

² As per the Statutory Powers Procedure Act a tribunal may reasonably limit further examination or cross-examination of a witness where it is satisfied that the examination or cross-examination has been sufficient to disclose fully and fairly all matters relevant to the issues in the proceeding.

Board decision.

15. If decision is "to refuse", the Chairperson or Acting Chairperson shall notify the owner/applicant of his/her right to appeal the decision to the Mining and Lands Tribunal within 30 days of receipt of the reasons for the decision.
16. Motion to move out of Hearing Board and sit as Executive Committee.

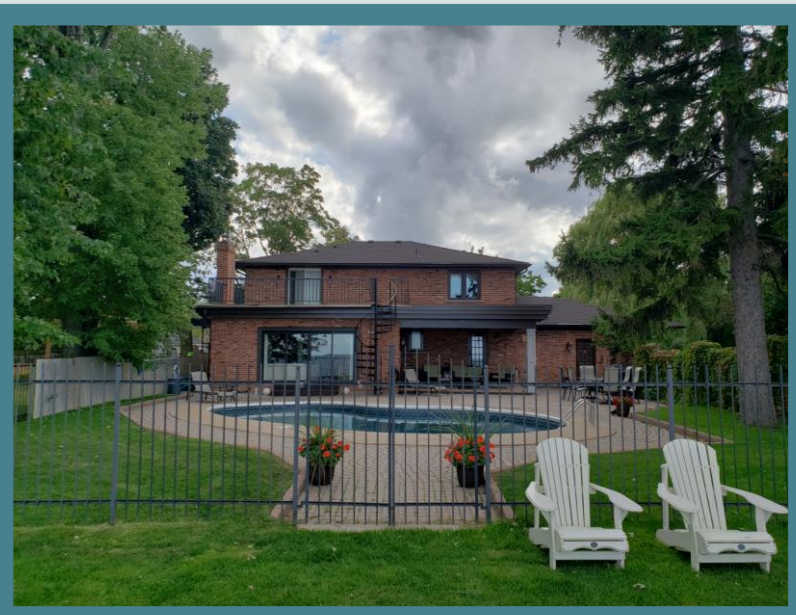
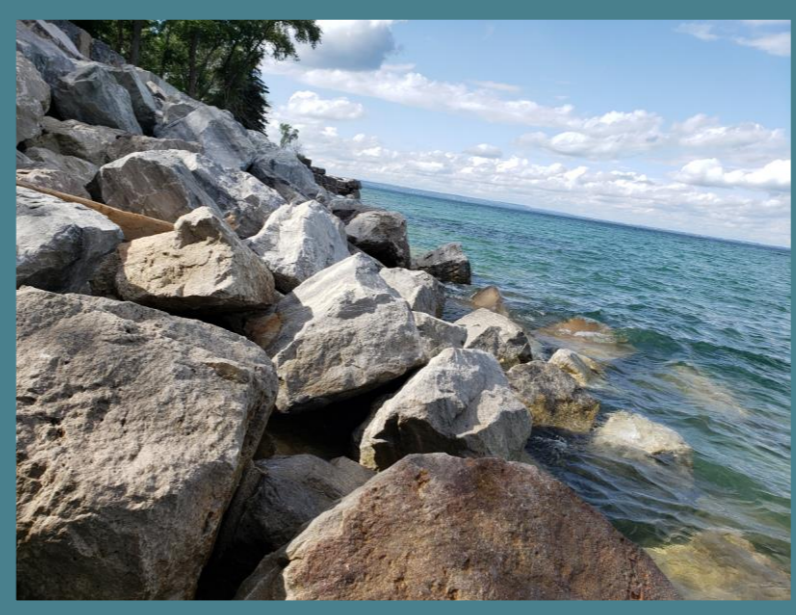
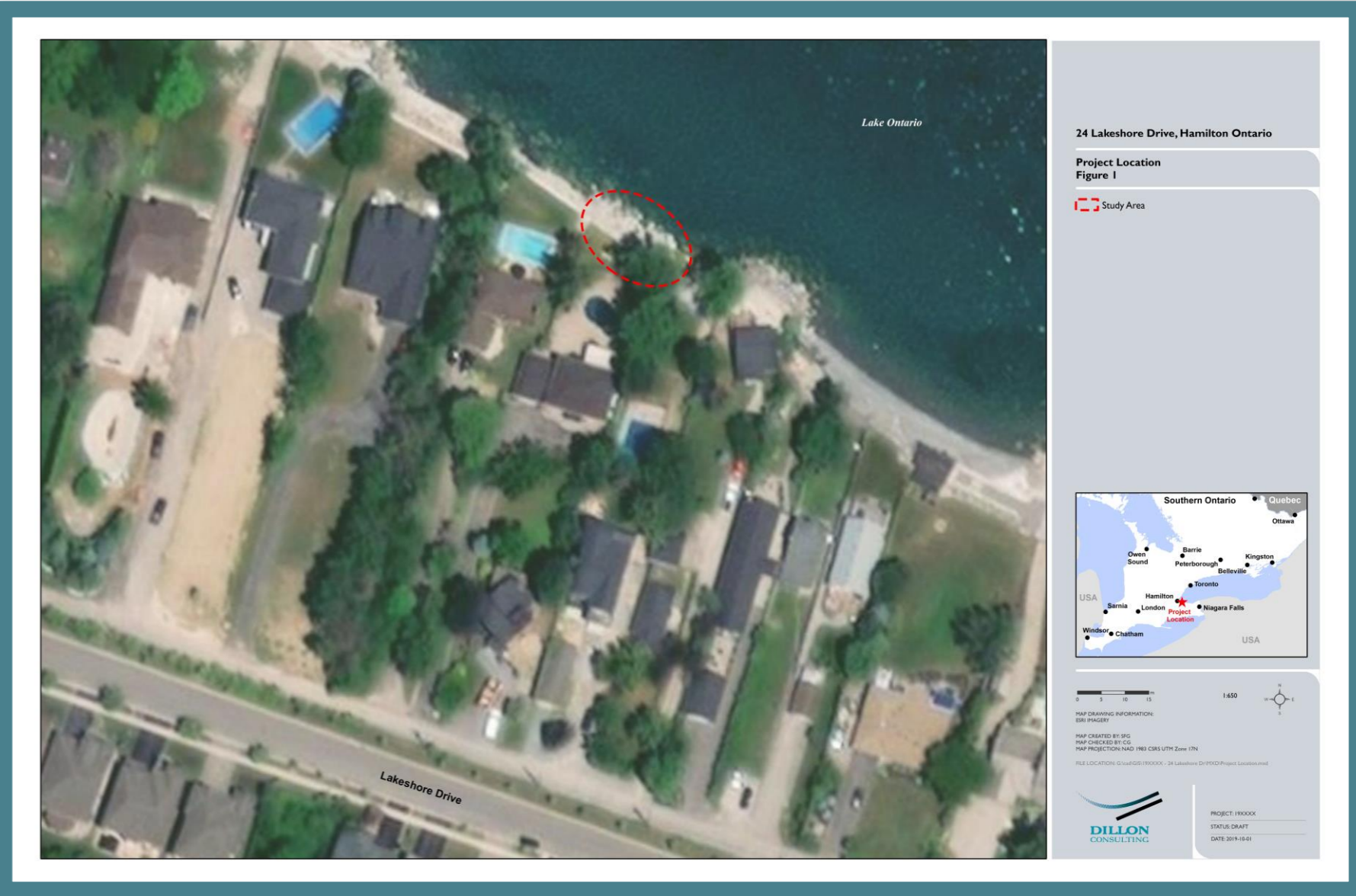


24 Lakeshore Drive

Outline

- **Site Description**
- **Shore Protection Description**
 - Design Life
 - Estimate of Residual Life
- **Erosion Hazard Limit**
- **Risk Profile**
- **Maintenance Corridor**

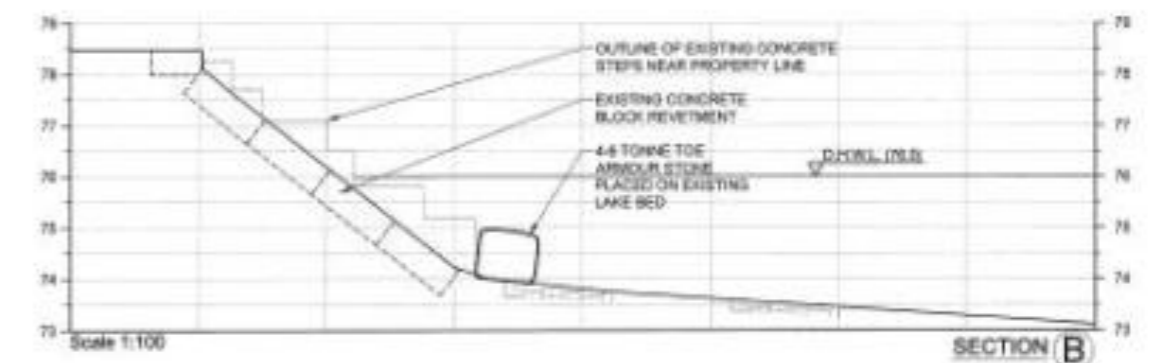
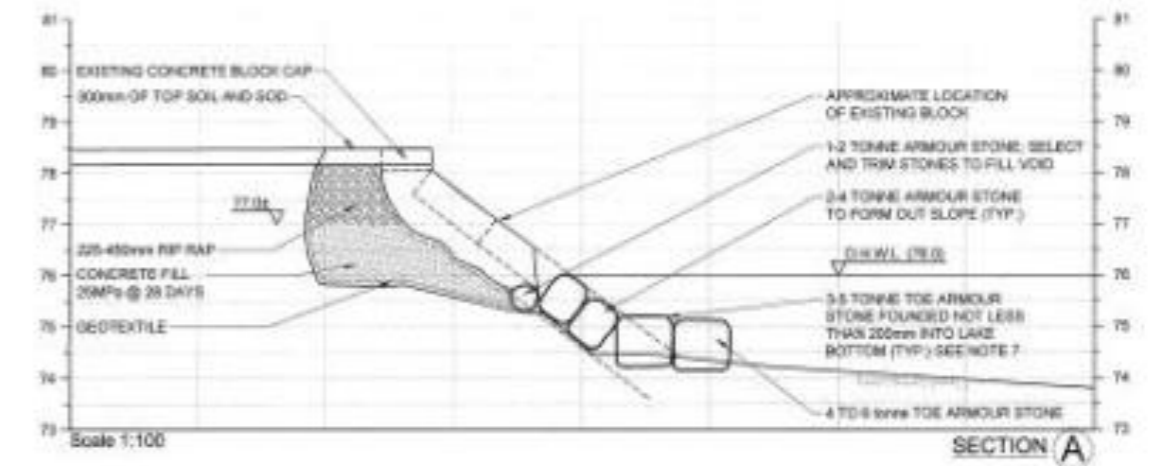
Site Description



Shore Protection Description

Armour Stone Revetment

- Design by Shoreplan (2017)
 - Design Life Unknown
- Constructed in 2018
- 2-4 Primary Armour Stone
- 4-5 Tonne Toe Stones
- Typically Designed to Service Limit States
 - Generally do not Fail Catastrophically
 - Some Maintenance is Anticipated
- Stone Extended Up the Slope
 - Provides Additional Protection
- Estimated Residual Life
 - 25-35 Years (Dillon, 2019)



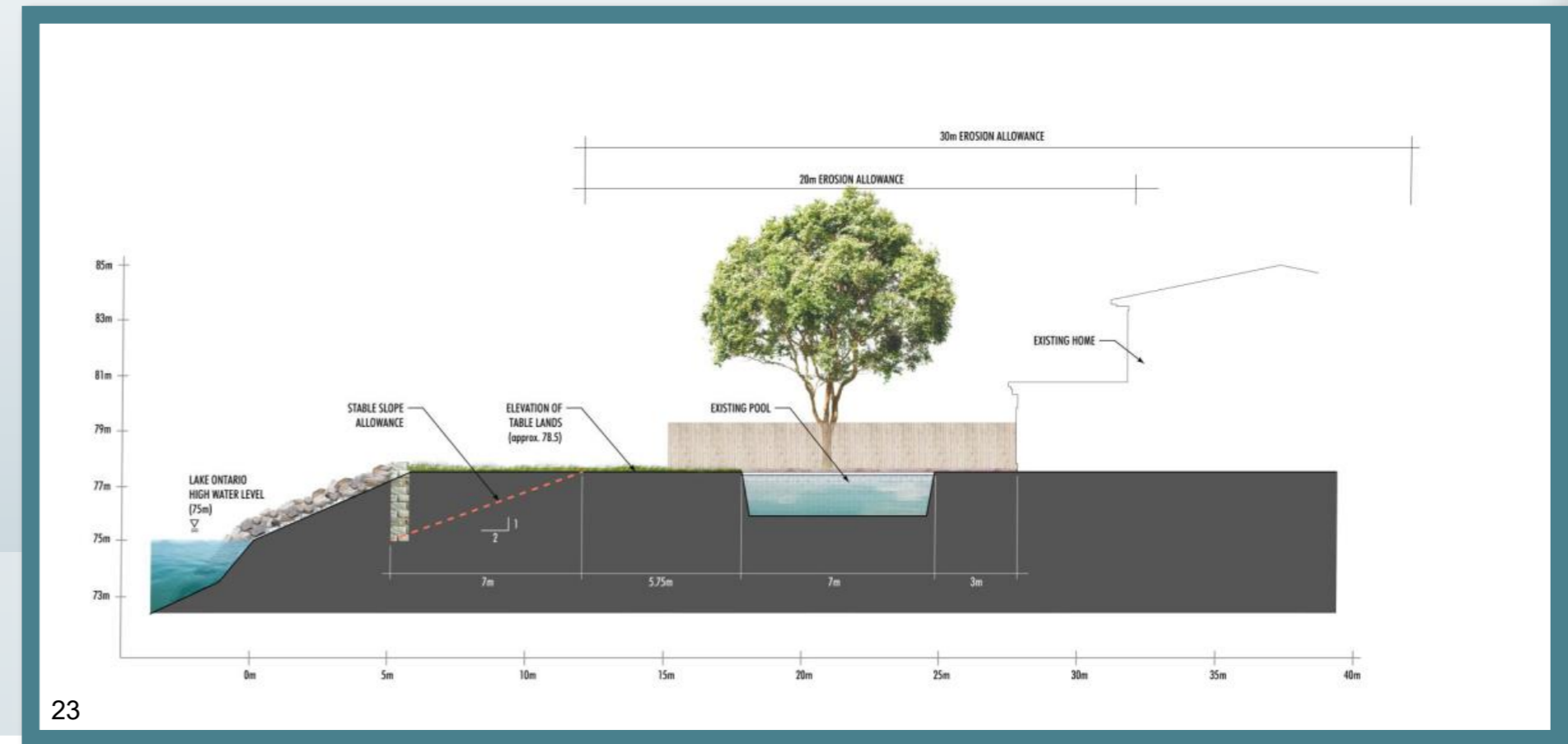
Erosion Hazard Limit

- **Erosion Allowance**

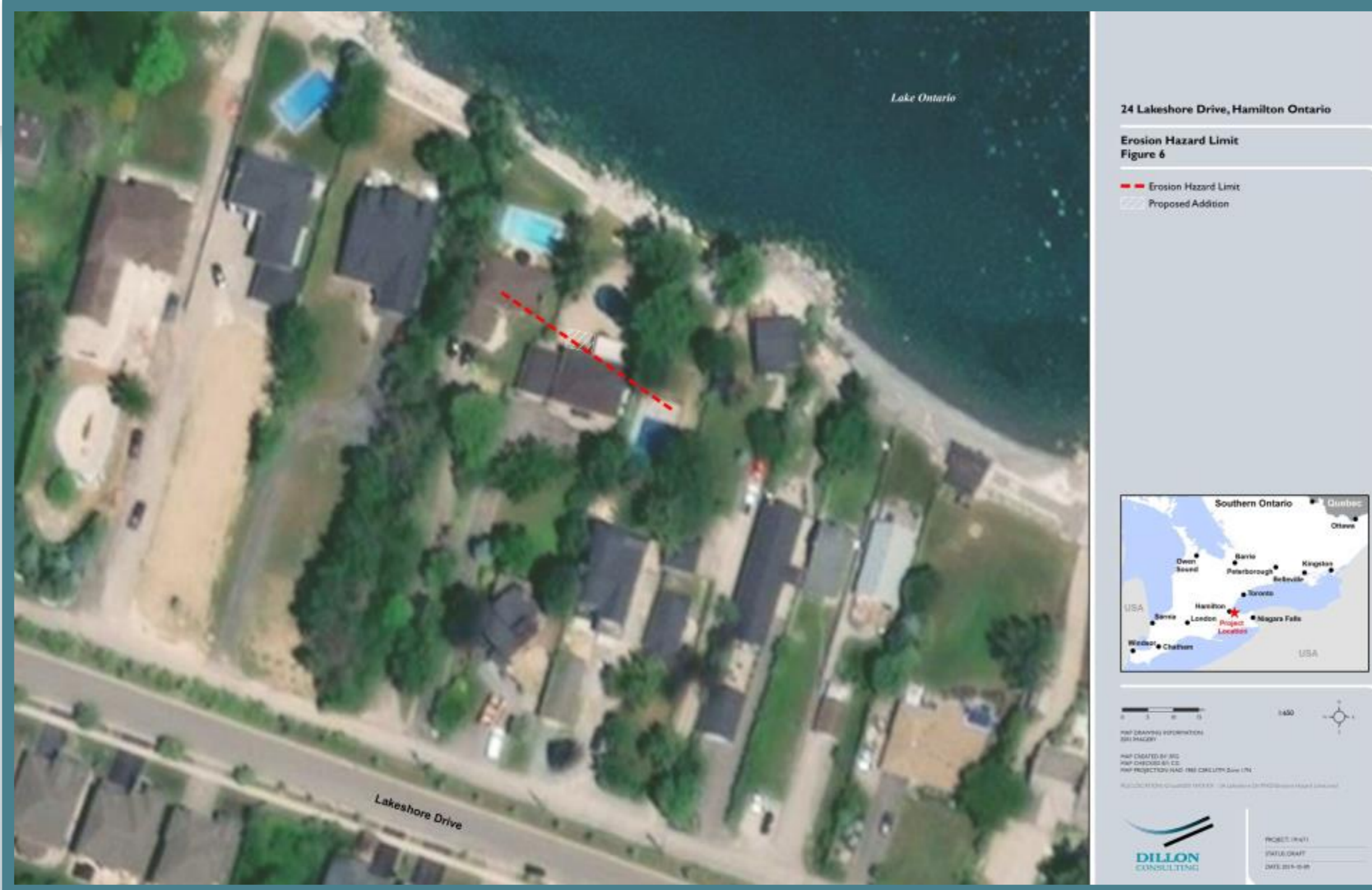
- Long-Term (100-year) Recession of Unprotected Shoreline
- Can be Reduced by Constructing Shore Protection
 - **Generally reduced by the design life or residual life of a structure**

- **Stable Slope Allowance**

- Geotechnical Properties of Soil
- Default 3:1 (Other Local Property 2:1)



Erosion Hazard Limit



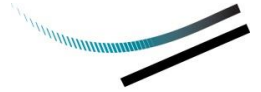
Risk Profile

- There is minimal risk of failure to the revetment that would lead to erosion of the table lands in the rear yard. Armour stone revetments are designed to service limit states, and are designed to fail gradually, as opposed to failing catastrophically. If this revetment is properly maintained, the structure could continue to address the erosion hazard beyond its original intended design life.
- From a coastal engineering perspective, there is minimal risk in building a small renovation on the northwest corner of the existing property, provided it does not extend beyond the lakeward limit of the footprint of the existing home.

Maintenance Corridor

- **A local shoreline contractor has confirmed that the access corridor between the subject property and the property to the west is sufficiently wide for equipment suitable to maintain the revetment to access the shoreline.**

Alex Szabo
Page 1
January 17, 2020



January 17, 2020

Alex Szabo
24 Lakeshore Drive
Stoney Creek, ON L8E 5C7

Delivered Via Email: alex@dvccinc.ca

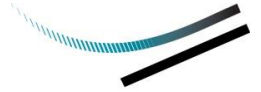
Erosion Assessment of Shoreline at 24 Lakeshore Drive, Stoney Creek

Dillon Consulting Limited (Dillon) has been retained by Alex Szabo (Owner) to complete a coastal assessment of the property located on 24 Lakeshore Drive in Stoney Creek, Ontario. It is our understanding that the Owner is hoping to construct an addition along the back of the existing home, and recently upgraded the shore protection in support of this renovation.

Due to the proximity to Lake Ontario, the property is located within the hazardous lands, and is therefore subject to approval and permitting by the Hamilton Conservation Authority (HCA) under Ontario Regulation 161/06 made under the *Conservation Authorities Act*, R.S.O. 1990. Policies and regulations regarding coastal hazards and shoreline management are outlined in the *Planning and Regulation Policies and Guidelines (HCA, 2011)*.

Approvals from the HCA, and any other regulatory body, may be required in order to construct this addition. Each agency may consider this assessment in their review for approval.

Recent correspondence from HCA indicates that an erosion assessment of the property completed by a qualified coastal engineer is required. The erosion hazard limit will need to be delineated as part of this erosion assessment. This report provides the details of an erosion assessment, conducted by Chris Gibbons, P.Eng., a professional coastal engineer from Dillon. Chris Gibbons visited the subject property to assess the site conditions on September 23, 2019. Measurements, observations and photographs from this reconnaissance visit are included in this assessment.



Shoreline and Property Description

The property is located along the southern shoreline of Lake Ontario in Stoney Creek. A map of the subject property is provided in **Figure 1**. The property has a single detached house with a swimming pool in the rear yard. A photo of the rear yard of the home taken from the shoreline is provided in **Photo 1**. The rear yard of the property is approximately 23 m in length, and is quite flat. The elevation of this rear yard is approximately 78.5 m.

An armour stone revetment built on top of a concrete block wall is located along the shoreline. Views of the armour stone revetment are provided in **Photo 2** and **Photo 3**. The revetment was designed by Shoreplan Engineering Limited. Design drawings of the revetment are provided in **Figure 2**. It is understood that the revetment was constructed in 2018. The revetment was in good condition at the time of the site visit.

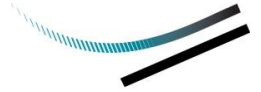
Erosion Hazard Limit

The Lake Ontario erosion hazard is the portion of land that may be subject to erosion and is determined by the sum of the erosion allowance and the stable slope allowance. The erosion hazard is measured horizontally from the toe of the existing bank. A visual representation of the erosion hazard limit is provided in **Figure 3** (HCA, 2011).

The erosion allowance is defined by consideration of the long-term recession of the unprotected shoreline. HCA policies require a planning horizon of 100 years with respect to any shoreline development. No average annual shoreline recession rate is defined in the HCA policies, and any historic satellite imagery of the shoreline in the project vicinity contains shore protection along the subject property. The HCA policy document does state that the erosion allowance on the Great Lakes is 30 m for unprotected shorelines. This corresponds to a recession rate of 0.3 m/year using a 100-year planning horizon. For reference, this recession rate is consistent with the recession rate used by Conservation Halton for the Lake Ontario shoreline.

If shore protection exists, then the erosion allowance component of the erosion hazard limit may be reduced. The erosion hazard limit may be reduced by subtracting the effective remaining life of the shore protection from the long-term planning horizon.

Structural design life is the length of time that a structure, with routine maintenance, is able to safely and adequately perform its function. Structure design life differs from the planning horizon of the project. The design life of a structure can be extended beyond its original design life by rehabilitation or restoration provided sufficient funds and suitable construction access are available.



In our experience, the maximum design life of shoreline protection typically permitted by conservation authorities is 35 years. The existing shore protection at 24 Lakeshore Drive is in good condition, and is essentially new (constructed in 2018). For the purposes of this assessment, we have assumed that the remaining effective life of the shore protection is 35 years, resulting in an erosion allowance of approximately 19.5 m [(100 yrs – 35 yrs) x 0.3 m/yr].

Once the erosion allowance has been determined, the stable slope allowance is then added to the erosion allowance to determine the Erosion Hazard Limit. The stable slope allowance is defined by consideration of the geotechnical conditions at a site and the appropriate factors of safety. In the absence of a site-specific geotechnical assessment, the HCA policies require a 3:1 (horizontal: vertical) be used to define the stable slope allowance. Based on our experience, the soils in this area are comprised of stiff, cohesive clay with a stable slope of approximately 2:1.

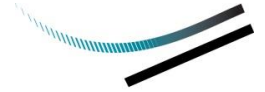
The stable slope allowance is typically calculated starting at the intersection of the high water level and the unprotected shoreline. This intersection has to be assumed in cases where shore protection is present. The high lake level for Lake Ontario often used for these purposes is at elevation 75.0 m. The elevation of the top of the bank at 24 Lakeshore Drive is approximately 78.5 m, which results in a stable slope allowance of approximately 7 m, beginning behind the concrete wall.

The estimated components of the erosion hazard, based on the aforementioned erosion allowance and stable slope allowance, are summarized in **Table 1** and visualized in **Figure 4** and **Figure 5**. The erosion hazard limit is approximately located along the lakeward limits of the existing home, as depicted in **Figure 6**.

TABLE 1 EROSION HAZARD SUMMARY FOR 24 LAKESHORE DRIVE

Shore Protection	Estimated Residual Design Life	Erosion Allowance	Stable Slope Allowance	Erosion Hazard Limit
Present	35 years	19.5 m	7 m	26.5 m
None	-	30 m	7 m	37 m

* Note that the Erosion Hazard Limit is measured horizontally from the toe of the existing bank.



Maintenance

HCA requires that a minimum erosion access allowance of 6 m wide be incorporated, where possible, and that the erosion access allowance permit access from a municipal roadway to and along the top of slope for regular maintenance and/or repair of the shore protection. The side yard access allowances may be shared between adjacent landowners provided that the shared easement is registered on title.

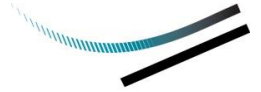
During the construction of shore protection in 2018, the shoreline was accessed from the east. Further, the westward limit of the proposed addition is approximately 6.5 m from the east side of the home at 26 Lakeshore Drive. The proposed addition should not prohibit access to the shoreline at 24 Lakeshore Drive.

Addendum – HCA Review

Dillon met with HCA on December 19, 2020 to review this assessment. HCA has the following concerns with the proposed renovation:

- The second story walkout was completed without a permit and that specific redevelopment is in violation of the HCA regulations (development within the hazardous lands).
 - This renovation was done prior to Mr. Szabo purchasing the property.
- The drawings submitted to HCA indicate that the design of shore protection is considered “for repair” and also that the revetment was designed to the minimum acceptable standard.
 - This impacts the remaining life of the structure. The remaining life cannot be 35 years, as stated above.
- HCA indicated that the crest elevation of the structure is too low.
 - Damage from wave overtopping was observed on the lawn prior to the shore protection upgrades. Sloping armour stone structures help to reduce the impacts from wave overtopping in comparison to vertical structures.
- HCA indicated that the elevation of the toe of the structure is likely not low enough.
- HCA indicated that the width of the access along the west side of the property is insufficient. Their policy requires a minimum of 5 m to allow access for heavy equipment.

Based on the information available, including this assessment, HCA has stated they will not support approval for the proposed redevelopment.



Conclusions and Recommendations

The existing home and the proposed addition are both located within the erosion hazard limit. The decision to provide approval for the proposed addition ultimately rests with the HCA.

The upgrades to the shore protection at this property readily address the erosion allowance component of the erosion hazard. If this shore protection is properly maintained, there is little risk of failure or erosion of the table lands in the rear yard. The limit of the proposed development is in close proximity to the delineation of the erosion hazard limit.

In our professional opinion, there is little risk in building a small renovation on the northwest corner of the existing property, provided it does not extend beyond the lakeward limit of the footprint of the existing home. The proposed addition will not exacerbate coastal hazards or have any significant impact on neighboring properties.

Further, the coastal hazards pose little risk to the proposed renovation. The home is well outside of the flood hazard, and just within the erosion hazard. Although the armour stone revetment may be damaged by coastal hazards over time, the revetment will continue to function. Armour stone revetments fail gradually, allowing homeowners to maintain the structure and make repairs, as needed.

We trust that the information provided in this letter satisfies your requirements. Should you have any questions or concerns, please feel free in contacting us.

Sincerely,

DILLON CONSULTING LIMITED

Chris Gibbons, P.Eng.



References

Hamilton Conservation Authority (HCA). "Hamilton Conservation Authority Planning & Regulation Policies and Guidelines. (October, 2011).

Shoreplan Engineering Limited. "Revetment Repair" – Design Drawings. Project #17-2669. 2017.

Figures



24 Lakeshore Drive, Hamilton Ontario

Project Location
Figure 1

 Study Area



0 5 10 15
MAP DRAWING INFORMATION:
EPRI IMAGERY

MAP CREATED BY: SPG
MAP CHECKED BY: CGS
MAP PROJECTION: NAD 1983 CSRS UTM Zone 17N

FILE LOCATION: G:\proj\GIS\1900000 - 24 Lakeshore Dr\PSXD\Project Location.mxd



PROJECT: 190000
STATUS: DRAFT
DATE: 2019-10-01

Figure 1 – Map of Shoreline at 24 Lakeshore Drive

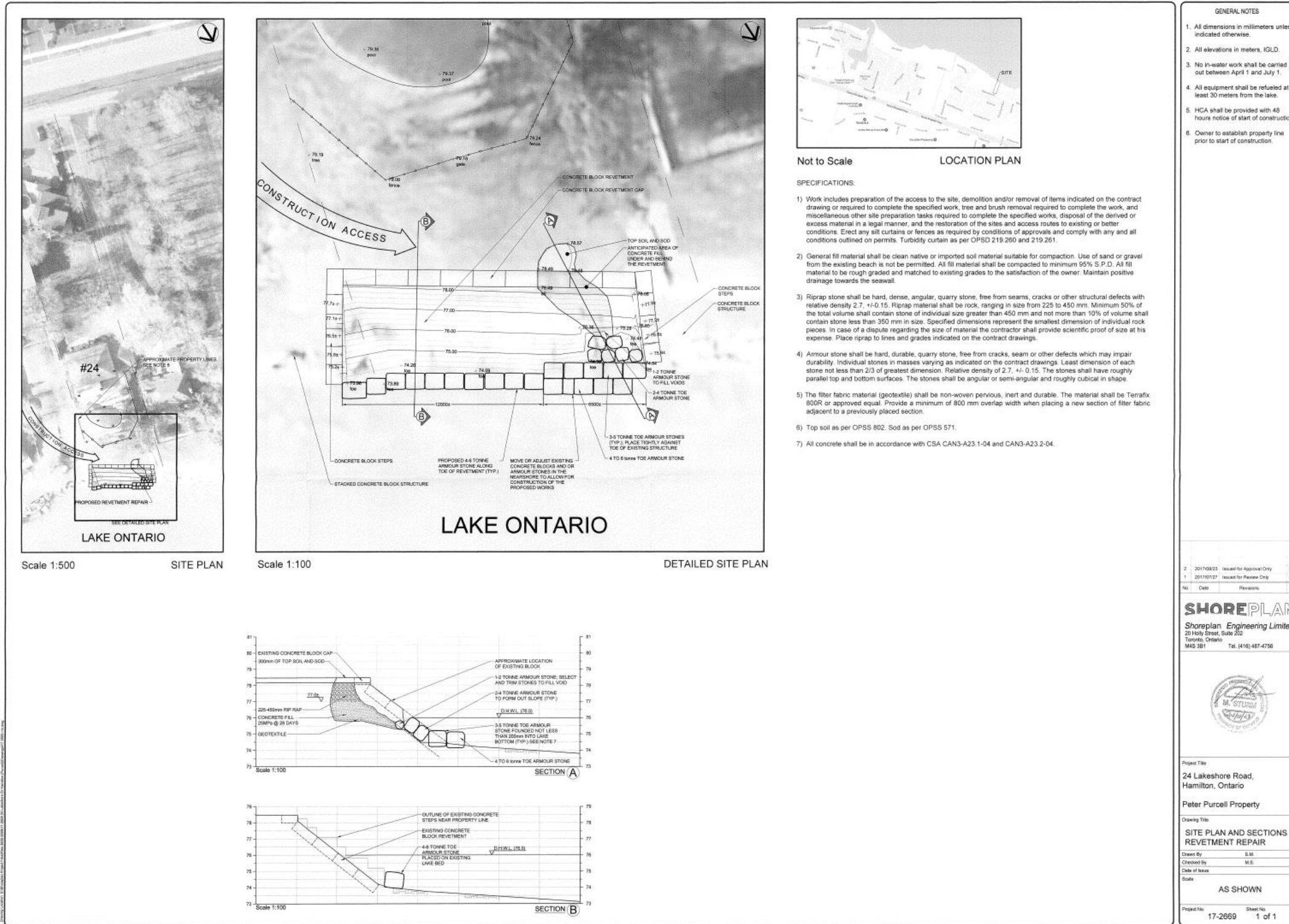


Figure 2 – Revetment Repair Design Drawings (Shoreplan, 2017)

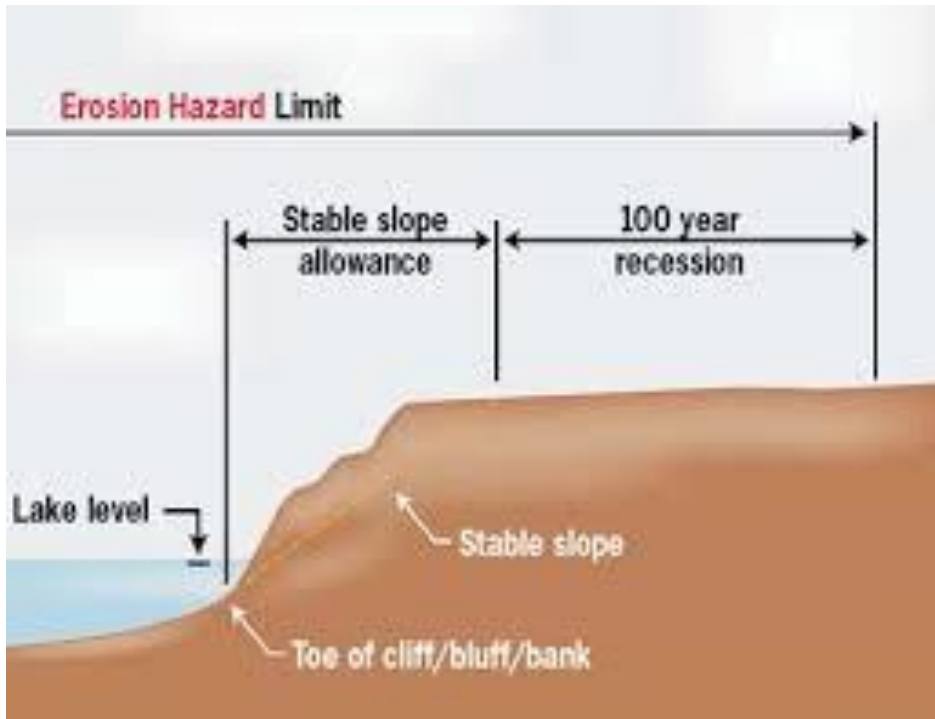


Figure 3 – Erosion Hazard Limit Schematic (HCA, 2011)

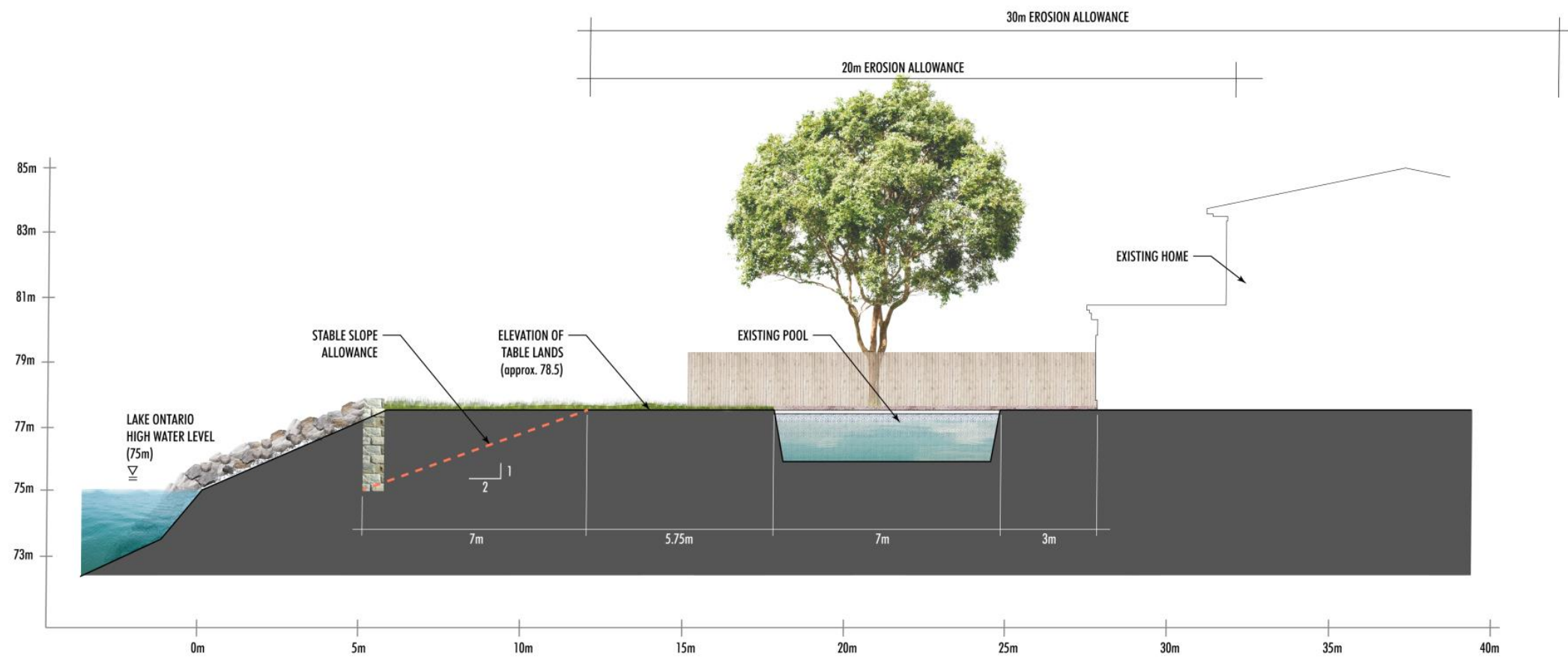


Figure 4 – Shore-Perpendicular Profile of 24 Lakeshore Drive Showing Erosion Hazard Components



Figure 5 – Plan View of Erosion Hazard Components at 24 Lakeshore Drive

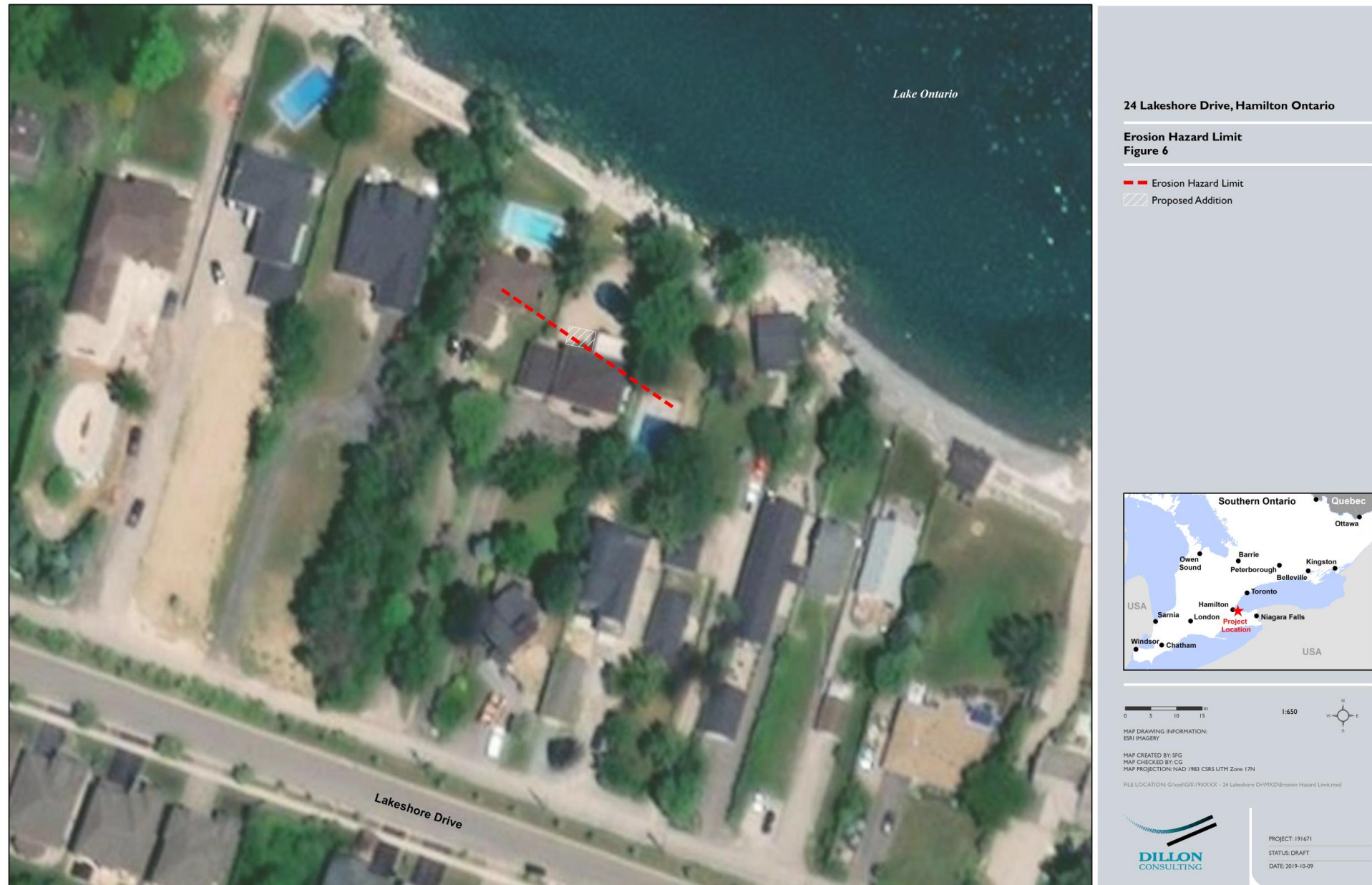


Figure 6 – Delineation of Erosion Hazard Limit at 24 Lakeshore Drive

Photos



Photo 1 – Rear Yard of Subject Property (looking south)

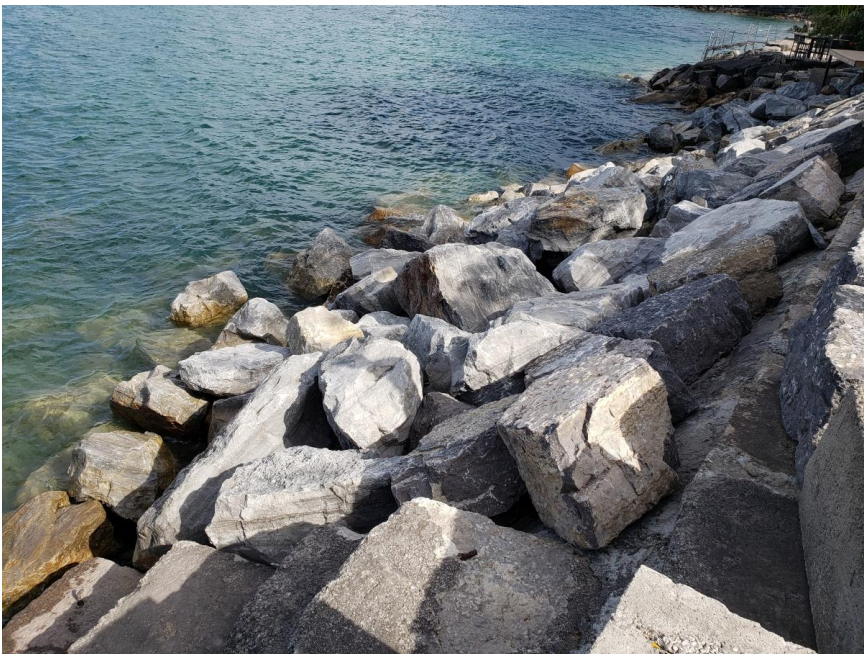


Photo 2 – Shoreline of Subject Property (looking east)

Alex Szabo
Page 15
January 17, 2020



Photo 3 – Shoreline of Subject Property (looking west)



April 7, 2021

Alex Szabo
24 Lakeshore Drive
Stoney Creek, ON L8E 5C7

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1155 North Service
Road West
Unit 14
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905.901.2918

Erosion Assessment of Shoreline at 24 Lakeshore Drive, Stoney Creek

Dillon Consulting Limited (Dillon) has been retained by Alex Szabo (Owner) to complete an evaluation of the shore protection located on 24 Lakeshore Drive in Stoney Creek, Ontario. The intent of the letter is to address concerns from the Hamilton Conservation Authority (HCA).

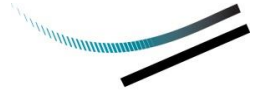
This letter is supplementary to a condition assessment previously provided by Dillon, dated January 17, 2020 (provided in **Appendix A**). The conclusions of this letter were that the existing armour stone revetment sufficiently addresses the erosion hazard and that there is minimal risk for the proposed addition along the back of the existing home.

This letter report provides the details the shore protection evaluation, conducted by Chris Gibbons, P.Eng., a professional coastal engineer from Dillon.

Shoreline Protection Description

The property is located along the southern shoreline of Lake Ontario in Stoney Creek. An armour stone revetment built on top of a concrete block wall is located along the shoreline. The revetment was designed by Shoreplan Engineering Limited. Design drawings of the revetment are provided in **Figure 2 of Appendix A**. It is understood that the revetment was constructed in 2018. The revetment was in good condition at the time of the site visit. As-built drawings of the revetment are not available.

The design by Shoreplan does not show a full armour stone revetment. Instead it shows a sloping toe buttress placed at the toe of the existing concrete wall. The homeowner extended the armour stone up to the crest of the wall. This extension will likely provide an improved benefit to the overall life of the structure, as it will mitigate impacts from overtopping waves, and pushes the toe of the armour out further in front of the wall, which will provide additional protection against toe scour and lakebed downcutting.



Design Life

The design life (or design service life) of a structure is a design parameter, and is typically defined as a period of time after which the structure may need to be replaced. Before this period has elapsed, it should remain fit for purpose.

Guidance on the selection of the design life of coastal structures is provided in several publications, including *Actions in the Design of Maritime and Harbour Works* (ROM 0.2-90). The selection of the design life is generally based on two criteria:

1. Damage Criteria or Limit State Requirements, e.g. SLS vs ULS;
2. Safety Class.

Damage Criteria

The damage criteria for rubblemound structures, such as armour stone revetments, are based on **Service Limit States (SLS)** or repairable limit states, as opposed to Ultimate Limit States (ULS), which suggests the structure fails catastrophically. Under SLS, structures are designed to allow for some damage to occur and generally still perform, despite being damaged. Whereas a vertical wall (e.g. concrete or steel sheet pile) is designed for ULS, as they tend to fail catastrophically. Armour stone revetments are typically designed based on SLS.

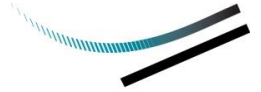
Safety Class

The selection of the safety class is based on the consequences of failure of the structure. Guidance for selection of safety classes for coastal structures is provided in *Reliability analysis of geotechnical failure modes for vertical wall breakwaters*, (Sorensen Et, al., 2000), and are summarized below.

- Very low – No risk of human injury with small environmental and economic consequences.
- Low – No risk of human injury with some environmental and economic consequences.
- Normal – Frisk of human injury and significant environmental, economic, and political consequences.
- High – Risk of human injury and/or significant environmental, economic, and political consequences.

It is fairly standard engineering practice to select a “**Low**” safety class for shore protection structures on the Great Lakes, especially for private residences.

The minimum recommended design life for a coastal structure with a low safety class designed to service limit states is 25-50 years (Table 2.2.1.1, ROM 0.2-90). In our



experience, the maximum design life of shoreline protection typically permitted by conservation authorities on Lake Ontario is 35 years; however, based on recent correspondence with HCA, it is understood that HCA would consider a 50-year design life for shore protection structures. It is noted that a 35-year design life is within the range recommended in ROM 0.2-90.

In the absence of design reports or being directly involved in the design of a structure, it is assumed that the design engineer followed standard engineering practices in the selection of the design life. The most likely assumed design life for this revetment would be 25-35 years; however, this is simply an assumption based on likely best engineering practices.

Anticipated Residual Life

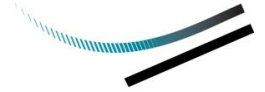
The anticipated residual life of a structure is an estimate of the remaining period of time for a structure to remain functional or fit for purpose. The residual functional life of the structure can be estimated based on the condition and age of the structure. The difference between design life and residual lifespan is simply that the design life is an estimate of how long a structure will last before it is built, whereas the residual lifespan is an estimate of the remaining life before failure based on the structure's condition.

The anticipated residual life does not necessarily decrease as a structure ages, especially if the structure is not exposed to damage or extreme coastal hazards. Alternatively, the anticipated residual lifespan of a structure can be less than its intended design life if the structure is damaged, or if there were issues during construction. If periodic maintenance and repairs are made to rubblemound structures, the lifespan of the structure can be extended (i.e. the structure can be fully or partially restored to its original design life), (Burcharth, H. F., 2003).

As stated in our original assessment, our estimate of the residual life of the revetment is 35 years; however, with periodic maintenance and repairs it is possible that this could be extended beyond 35 years.

Maintenance

As previously stated, periodic maintenance and repairs for rubblemound structures, such as armour stone revetments, may be required after significant events or damage to the structure. Damage to these types of structures is often anticipated by coastal engineers, which is why monitoring and maintenance plans are often included in design submissions. The lifespan of a structure can actually be reduced if periodic maintenance and repairs are not made. This type of maintenance and upkeep would be the expectation for a shoreline property.



HCA requires that a minimum erosion access allowance of 6 m wide be incorporated, where possible, and that the erosion access allowance permit access from a municipal roadway to and along the top of slope for regular maintenance and/or repair of the shore protection. The side yard access allowances may be shared between adjacent landowners provided that the shared easement is registered on title.

The existing side-yard access is not quite 6 m; however, it is our understanding that Mr. Szabo has received confirmation from a local shoreline contractor that the access corridor between the subject property and the property to the west is sufficiently wide for equipment suitable to maintain the revetment to access the shoreline.

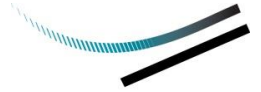
Erosion Allowance

Specific details regarding the erosion hazard of the property were provided in the original assessment, included in Appendix A. However, a short synopsis is provided below.

The erosion allowance is defined by consideration of the long-term recession of the unprotected shoreline. HCA policies require a planning horizon of 100 years with respect to any shoreline development. No average annual shoreline recession rate is defined in the HCA policies, and any historic satellite imagery of the shoreline in the project vicinity contains shore protection along the subject property. The HCA policy document does state that the erosion allowance on the Great Lakes is 30 m for unprotected shorelines. This corresponds to a recession rate of 0.3 m/year using a 100-year planning horizon. For reference, this recession rate is consistent with the recession rate used by Conservation Halton for the Lake Ontario shoreline.

If shore protection exists, then the erosion allowance component of the erosion hazard limit may be reduced. The erosion hazard limit may be reduced by subtracting the design life of the shore protection from the long-term planning horizon. In our opinion, this policy could be adjusted from the “original design life” to “the anticipated residual life.” It is also our opinion that the armour stone revetment readily address the erosion allowance and should continue to do so for the foreseeable future, provided it is properly maintained.

It is noted that slope stability has not been evaluated as part of either assessment; however, due to the elevation of the table lands and based on nearby geotechnical assessments for other works, slope stability is likely not a risk at this site. Further, it is likely that the proposed addition will have little impact on the slope stability.



Conclusions and Recommendations

In our professional opinion, there is little risk of failure to the revetment that would lead to erosion of the table lands in the rear yard. Armour stone revetments are designed to service limit states, and are designed to fail gradually, as opposed to failing catastrophically. If this revetment is properly maintained, the structure could continue to address the erosion hazard beyond the original intended design life.

From a coastal engineering perspective, there is minimal risk in building a small renovation on the northwest corner of the existing property, provided it does not extend beyond the lakeward limit of the footprint of the existing home. The home is well outside of the flood hazard, and although the proposed addition is located partially within the erosion hazard, the risk of being impacted by coastal hazards is minimal. The proposed addition will not exacerbate coastal hazards or have any significant impact on neighboring properties.

In our professional opinion, there is minimal risk of failure to the revetment that would lead to erosion of the table lands in the rear yard. Armour stone revetments are designed to service limit states, and are designed to fail gradually, as opposed to failing catastrophically. If this revetment is properly maintained, the structure could continue to address the erosion hazard beyond its original intended design life.

HCA Board Hearing

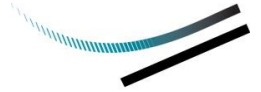
It is our understanding that Mr. Szabo has requested a hearing with the HCA Board to review his application and the supporting documentation, which includes the Dillon assessment and this supplementary letter. Dillon would be pleased to attend this meeting on behalf of Mr. Szabo, to respond to any questions or concerns HCA staff or the board may have with respect to this report.

We trust that the information provided in this letter satisfies your requirements. Should you have any questions or concerns, please feel free in contacting us.

Sincerely,

DILLON CONSULTING LIMITED

Chris Gibbons, P.Eng.



References

Burcharth, H. F. (2003). Breakwaters with Vertical and Inclined Concrete Walls: Report of Working Group 28 of the Maritime Navigation Commission. PIANC General Secretariat.

Dillon Consulting Limited. *“Erosion Assessment of Shoreline at 24 Lakeshore Drive, Stoney Creek”* – January 17, 2020

ROM 0.2-90: Actions in the project of maritime and port works, Ministry of Public Works and Urbanism, 9788474337013,

Sorensen, J.D. and Burcharth, H.F. (2000). “Reliability analysis of geotechnical failure modes for vertical wall breakwaters”. *Computer and Geotechnics* 26, pp 225-245, 2000.

Hearing Report

TO: Board of Directors

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

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

DATE: May 6, 2021

RE: Hearing under Section 28(12) of the *Conservation Authorities Act* for an Application by One Properties Real Estate Inc., for Development in a Regulated Area of Ancaster Creek at 140 Garner Road, City of Hamilton (Ancaster) – Permit Application No. A/F,C,A/21/15

STAFF RECOMMENDATION

THAT HCA staff recommends to the Board of Directors:

THAT the Board of Directors refuse the application made by One Properties Real Estate Inc., for the relocation of a watercourse and the removal of a locally significant wetland and the creation of a new wetland feature in a regulated area associated with Ancaster Creek as the proposed development does not conform to the requirements of Section 3.1.7 of the Hamilton Conservation Authority's *Planning and Regulation Policies and Guidelines (October, 2011)*) as they relate to the implementation of *Ontario Regulation 161/06 (HCA's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses)* made under the *Conservation Authorities Act, R.S.O. 1990*.

BACKGROUND

Site Description

The subject property is located at 140 Garner Road East and is approximately 35.27 ha in size. The subject lands are bounded on the north side by Garner Road East, on the east side by Hwy. No. 6, on the south side by a hydro corridor, and on the west side by agricultural lands.

The current application before the Hamilton Conservation Authority (HCA) is requesting a permit to remove the existing wetland and associated watercourse as shown on Schedule "A" and create a new wetland feature and relocate the watercourse in the Proposed Wetland Block as shown on Schedule "B"

As shown on Schedule "A", the subject property is traversed along the east side of the lot by a headwater tributary of Ancaster Creek, which flows through a small locally significant wetland near the upper reaches of the intermittent watercourse. The watercourse on site flows to the north and converges with other watercourses part of the Ancaster Creek system, flowing through Ancaster, over the Niagara Escarpment and into Spencer Creek, then into Cootes Paradise, Hamilton Harbour and ultimately Lake Ontario.

The watercourse and the wetland located on the property are located within the jurisdiction of the HCA and are regulated pursuant to *Ontario Regulation 161/06 (HCA's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses)* made under the *Conservation Authorities Act, R.S.O. 1990*. As noted, the applicant proposes to remove the existing wetland and associated watercourse as shown on Schedule "A" and create a new wetland feature and relocate the watercourse in the Proposed Wetland Block as shown on Schedule "B".

Proposal History/Timeline

The proposal is to remove an existing wetland and subsequently create a new wetland within a regulated area associated with Ancaster Creek.

- A Formal Consultation Application (FC-15-059) was submitted in July 2015 to the City of Hamilton for circulation and comment. This application was submitted by a previous landowner/proponent. The proposal at that time was for an industrial subdivision. The HCA received this application August 5, 2015. In our August 18, 2015 response, we note the eastern tributary of Ancaster Creek and the desire to maintain this feature as a natural system, the requirements for a floodplain and erosion analysis, stormwater management and the need to complete an environmental impact study to characterize the watercourse and identify the extent of natural heritage features onsite.

- On November 16, 2018, a draft plan of subdivision application (25T-2018-06) was circulated for agency comment by the City of Hamilton. The HCA received the application November 19, 2018. This application was also submitted by a previous landowner/proponent. Included in this application circulation was an environmental Impact study dated March 2018 and completed by Stantec. That draft plan of subdivision is show as Schedule “C” and the wetland was identified through this process and it was proposed to retain the wetland feature as part of the development. As per HCA policies, a 30 metre setback was noted as a requirement for the wetland buffer. To date, no further submissions have been received for this specific proposal.

- On July 30, 2020, a Formal Consultation Application (FC-20-067) was submitted to the City of Hamilton for review and comment and this was circulated to the HCA. The application was submitted by One Properties Real Estate Inc., for the current proposal as shown on Schedule “B”. In our August 18, 2020 response, HCA staff provided the following summary of the proposal.
 - “HCA staff, based on the policy of the Hamilton Conservation Authority, are not supportive of the proposal and application as submitted. We recommend that the proposal be revised to include the existing wetland. If the applicant decides to proceed with the proposal as submitted, comments have been provided to consider in moving forward with the proposal and receiving land use planning approvals. We note that subsequent to obtaining municipal planning approvals, a permit to proceed with the removal of the wetland and creation of the new wetland will be required from the HCA. It is noted that staff will not be in a position to issue such a permit and in this regard, a Hearing before the Board of Directors of the Hamilton Region Conservation Authority will be required to determine if a permit will be issued for this proposal.”

- On October 1, 2020, the applicant’s consultant, Urban Solutions Planning & Development, appeared as a delegation at the HCA Board of Directors meeting. The consultant outlined the proposed development and suggested that “the existing wetland is low-quality due to the simplistic plant community and proliferation of *Phragmites australis*. As such, we believe that relocation of the feature is feasible and provides a good opportunity to address the issues of invasive species and increase the overall form and function of the wetland. Overall, the relocation plan provides a net ecological benefit to the wetland community on the property that would not be realized without developing other portions of the property.” The consultant requested “the Board to consider the wetland relocation and enhancement based on the information provided.” The Board of Directors in response to the delegation approved the following motion, “That staff be directed to review neighbouring Conservation Authority policies on a last resort option for the relocation of wetlands.”

- On November 5, 2020, HCA staff provided information to the Board of Directors regarding the completed review of neighbouring conservation authority policies on a last resort option for the relocation of wetlands. The Board approved the following motion “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.”
- On February 4, 2021, staff presented a memo to the Board of Directors detailing the framework for the development of natural heritage offsetting policy for the HCA. Staff detailed that a Discussion Paper would be developed for consultation with stakeholders and the public. It was noted that a policy in whatever form it may take would be available for Board of Directors consideration for the fall of 2021, but that a permit application submitted in the interim must be considered under existing HCA policy. The direction from the Board of Directors to develop natural heritage offsetting policy should not be considered in the review of this permit application.
- On February 5, 2021, One Properties Real Estate Inc., submitted a permit application pursuant to *Ontario Regulation 161/06 (HCA’s Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses)* made under the *Conservation Authorities Act, R.S.O. 1990* for “the relocation of the existing locally non-significant wetland”. Staff Note: the wetland is a locally significant wetland.
- On March 8, 2021, staff sent a letter to the applicant’s consultant Urban Solutions Planning & Development noting that as of March 5, 2021, the application was considered complete. Staff noted that the application does not comply with HCA policy as it proposes to remove a regulated wetland. The applicant’s agent was advised that a Hearing had therefore been scheduled for May 6, 2021 for the Board of Directors to consider the application. To meet the requirements of the HCA Administrative By-Law and to have the Hearing on May 6, 2021, a Notice of Hearing and the Hearing Report would be provided to the applicant by April 9, 2021. The applicant was notified that any submissions they have based on the proposal and the Hearing Report were required by April 23, 2021. This timing allows for all Hearing information to be included in the May 6, 2021 Board of Directors agenda.
- March 17, 2021 – HCA staff provided detailed comments to the applicant’s agent on the supporting Consolidated Environmental Impact Statement and the Functional Stormwater Management Report.

The Proposal

As shown on Schedule “B” – Conceptual Master Plan Layout, it is proposed to develop an industrial draft plan of subdivision consisting of eight blocks of Airport Prestige Business Park lands (Sites ‘A’ through ‘H’), two blocks for existing woodlots, a

stormwater management facility block, an open space block, a block for the relocation of the existing wetland, and the creation of future public roads (Streets 'A' and 'B'). The current application before the HCA is requesting a permit to remove the existing wetland and associated watercourse as shown on Schedule "A" and create a new wetland feature and relocate the watercourse in the Proposed Wetland Block as shown on Schedule "B".

A Consolidated Environmental Impact Statement and a Functional Stormwater Management Report has been submitted with the application and HCA staff have provided technical comments back on these reports for the applicant's information. These comments identified a number of ecological and engineering issues and concerns regarding this proposal. While these concerns can largely be addressed through refinements to the design and clarifications to the reports, the primary issue is that the application as submitted fails as it does not comply with HCA policy.

Application Review to Date

In considering this application, the following planning and regulation requirements must be considered and addressed.

Section 2.1 of the Provincial Policy Statement (PPS) addresses natural heritage and applicable policy from the PPS are as follows:

2.1 Natural Heritage

Provincial Policy Statement

2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

City of Hamilton Official Plan

The existing wetland is not identified in the City of Hamilton's Urban Official Plan. It was identified as a wetland through the completed EIS that was submitted with the original draft plan of subdivision application. Section 2.2.4 of the City's Urban Official Plan states "Notwithstanding the designations on Schedule E-1 - Urban Land Use Designations, the policies of this Plan shall apply to Core Areas not currently identified on Schedule B - Natural Heritage System and Schedules B-1 to B-8 - Detailed Natural Heritage Features. Additional Core Areas may be mapped and identified, or Core Area boundaries may be refined under the following circumstances and may require an amendment to this Plan:

- a) individual Environmental Impact Statements;

- b) watershed or subwatershed studies;
- c) natural areas inventories;
- d) Environmental Assessments; or,
- e) other similar studies.”

Given the above, the wetland subject of this permit application is considered a Core Area for the purposes of the City’s Urban Official Plan. Further, an official plan amendment may be required to facilitate the removal and relocation of the wetland.

Section C.2.3 Natural Heritage System of the City of Hamilton Official Plan notes that Core Areas are to be preserved and enhanced and any development or site alteration within or adjacent to them shall not negatively impact their natural features or their ecological functions. An environmental impact study is required by policy to ensure that development does not impact the natural features and functions of the Core Area.

It is important to note here that there are no municipal planning approvals in place for this development. While there is a draft plan of subdivision application submitted for these lands, that application does not reflect the current proposal subject of this permit application. There are no planning applications submitted to the City for the current proposal, and the Council of the City of Hamilton has not provided any approvals for this development. A decision to issue a Hamilton Conservation Authority permit pursuant to *Ontario Regulation 161/06 (HCA’s Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses)* made under the *Conservation Authorities Act, R.S.O. 1990* would be premature pending a decision regarding the ultimate development proposal for the subject lands by the City of Hamilton.

HCA Planning and regulation Policies and Guidelines

Section 3.1.7 Wetlands of the HCA’s October 2011 *Planning and Regulation Policies and Guidelines* state that:

Development, site alteration, and/or interference with wetlands will generally not be permitted:

- i. In or on the areas of Non-PSWs;
- ii. Within the *adjacent lands* of PSWs (120 m); or
- iii. Within the *adjacent lands* of Non-PSWs (30 m)

Unless the hydrological, hydrogeological, and *ecological function* of the subject lands and of the *adjacent lands* has been evaluated and it has been demonstrated that there will be no *negative impacts* on natural features or their *ecological functions*, such proposals may require the completion of an *EIS*, and should utilize all opportunities for protection and rehabilitation of the *wetland* feature.

Further, Section 3.1.7 c: outlines that:

Except as provided for in Section 3.1.7 (i), no *development, site alteration, and/or interference with wetlands* is permitted within 30 m of any *wetland*

The noted exceptions in Section 3.1.7 i) include, septic systems, swimming pools, replacement structures and accessory structures.

HCA policy direction is that wetlands and wetland buffers be maintained and protected. In this regard, HCA policy does not support the removal of an existing locally significant wetland and the creation of a new wetland in a new location. As outlined previously in this report, the HCA Board of Directors have given staff direction to develop a natural heritage offsetting policy. This policy in whatever form it may take would be available for Board of Directors consideration for the fall of 2021. Given this, the submitted permit application must be considered under existing HCA policy. The direction from the Board of Directors to develop natural heritage offsetting policy should not be considered in the review of this permit application.

The policies outlined in Section 3.1.7 Wetlands above provides for consideration of development associated with a locally significant wetland provided it is demonstrated that the hydrological, hydrogeological and ecological function has been evaluated and it is demonstrated through an EIS that there will be no negative impacts on the features and functions of the wetland. An example of this is a development that requires an encroachment to the required 30 metre wetland setback. If it is demonstrated through an EIS that this is acceptable, there may be an allowance to encroach into the setback area. The policy direction is that development should not take place in or adjacent to wetlands with exceptions as noted.

It is HCA's staff position that this policy framework does not support the removal of one locally significant wetland to allow for the creation of a new wetland to accommodate development. It is noted that the policy specifically states, "such proposals should utilize all opportunities for protection and rehabilitation of the *wetland* feature". The application as submitted is not supported by HCA policy.

Related Development Examples and Policy

The applicant's agent has highlighted two examples of development to support the submitted application. The following background is provided as information.

Central Park Subdivision

The Central Park subdivision located to the immediate west of the Eramosa Karst Conservation Area went through the municipal planning approval process to allow development. The subdivision is currently being developed. As part of the planning approvals and given concerns regarding the requirement for a wildlife corridor between the Mount Albion Conservation Area and the Eramosa Karst Conservation Area, HCA

staff proposed that an eco-corridor be incorporated into the development of the Central Park subdivision and an industrial subdivision to the west. The corridor concept is shown on Schedule "D" and a report on this issue that went to the Board of Directors in June 2013 is attached as Schedule "E". It is noted that the Board of Directors approved the motion in the attached report on June 6, 2013. The proposal involved the development of a 60-metre-wide eco-corridor connecting the Eramosa Karst Conservation Area to the Mount Albion Conservation Area, the development of a stormwater management pond where a locally significant wetland existed and the construction of a new wetland on the adjacent Eramosa Karst Conservation Area. While this project did allow for the removal of a wetland approximately 0.5 hectares in size and the construction of a new wetland, this was done to address larger environmental issues associated with linkages and wildlife movement, it secured a 60 metre wide eco-corridor over the length of the subdivision and the adjacent subdivision to the west, it provided for an enhanced wetland feature on HCA lands and it ultimately reduced the developable area of the subdivision. As noted, this proposal was endorsed by the HCA Board of Directors.

Of note regarding the above noted proposal, the landowner submitted an Official Plan Amendment, Zoning By-Law Amendment and Draft Plan of Subdivision application to implement the proposal and these planning applications were approved by the City of Hamilton Council. HCA staff issued a permit to allow this work after the principle of the development and the municipal land use approvals had been obtained by the landowner and based on the HCA Board of Directors endorsement of the proposal.

Ancaster Industrial Park

The other example relates to development in the Ancaster Industrial Park and this area is located outside of the HCA's watershed and in the jurisdiction of the Grand River Conservation Authority (GRCA). Staff are uncertain as to what specific development(s) in this area is being used as an example, however, we have spoken to GRCA staff and they have confirmed that they do not have wetland compensation policies.

GRCA staff highlighted two examples in this area relating to work associated with wetlands. The one related to an older development that had secured approvals in the past and the work was grandfathered. The other example related to work associated with a wetland that was permitted to take place, but no compensation work was involved.

It is noted that GRCA policy does not allow for wetland relocation or compensation, but it does allow for wetland loss. The following provides the GRCA policy direction in this regard.

"Development within a naturally-occurring wetland may be permitted where the wetland is less than 0.5 hectares (1.24 acres), and it can be demonstrated that the wetland is not:

- a) part of a Provincially Significant Wetland,
- b) located within a floodplain or riparian community,
- c) part of a Provincially or municipally designated natural heritage feature, a significant woodland, or hazard land,
- d) a bog, fen,
- e) fish habitat,
- f) significant wildlife habitat,
- g) confirmed habitat for a Provincially or regionally significant species as determined by the Ministry of Natural Resources and Forestry or as determined by the municipality,
- h) part of an ecologically functional corridor or linkage between larger wetlands or natural areas,
- i) part of a groundwater recharge area, or
- j) a groundwater discharge area associated with any of the above.

Development within or interference with an anthropogenic wetland less than 2 hectares (5 acres) may be permitted where it can be demonstrated that the wetland functions can be maintained or enhanced elsewhere within the subwatershed or planning area and the wetland is not:

- a) part of a Provincially Significant Wetland,
- b) located within a floodplain or riparian community,
- c) part of a Provincially or municipally designated natural heritage feature, a significant woodland, or hazard land,
- d) fish habitat,
- e) significant wildlife habitat,
- f) confirmed habitat for a Provincially or regionally significant species as determined by the Ministry of Natural Resources and Forestry or determined by the municipality,
- g) part of an ecologically functional corridor or linkage between larger wetlands or natural areas,
- h) part of a groundwater recharge area, or
- i) a groundwater discharge area associated with any of the above.”

If these policies were in place for the HCA’s watershed, the first policy above would not apply as the wetland subject of this application is approximately 1.8 hectares in size and exceeds the minimum size criteria of 0.5 hectares. While the second policy could be considered as the size criteria is met, the wetland would not be allowed to be lost as the wetland is part of a riparian community, linkages are present to other natural areas and it is also part of a groundwater recharge area.

STAFF COMMENT

Application Assessment

This proposal involves the removal of a locally significant wetland approximately 1.8 hectares in size and the creation of a new wetland in a different location on site to accommodate development. This application does not comply with Policy 3.1.7

Wetlands of the HCA's October 2011 *Planning and Regulation Policies and Guidelines*. The policy direction is that natural features, in this case a wetland, should be retained in place and enhanced and restored. The policy framework does not envision the removal of these features to facilitate development.

As also noted in the report, HCA staff have noted our technical concerns regarding this proposal and these concerns have been relayed to the applicant for consideration. The primary concern however for this proposal is that the application as submitted fails as it does not comply with HCA policy.

STRATEGIC PLAN LINKAGE

HCA's Strategic Plan 2019 – 2023 outlines its major strategic priority areas and related initiatives for advancing HCA's Vision to provide a healthy watershed for everyone. HCA implements a wide variety of programs to fulfill this mandate, including programs to manage water resources and protect people and property from natural hazards. Administration of HCA's regulation (*Ontario Regulation 161/06*) contributes to the achievement of these program objectives and HCA's Strategic Plan more generally.

AGENCY COMMENTS

None

LEGAL/FINANCIAL IMPLICATIONS

It is important to note that approval of this application may create liabilities for the Hamilton Conservation Authority. As a regulatory agency with responsibility for reviewing development proposed in natural hazard prone areas and natural heritage areas, the HCA is aware the subject property contains a watercourse and a wetland and that the development as proposed will impact these features. The HCA Board of Directors need to be aware of these possible eventualities and the associated liability to the Hamilton Conservation Authority if this application is approved.

CONCLUSION

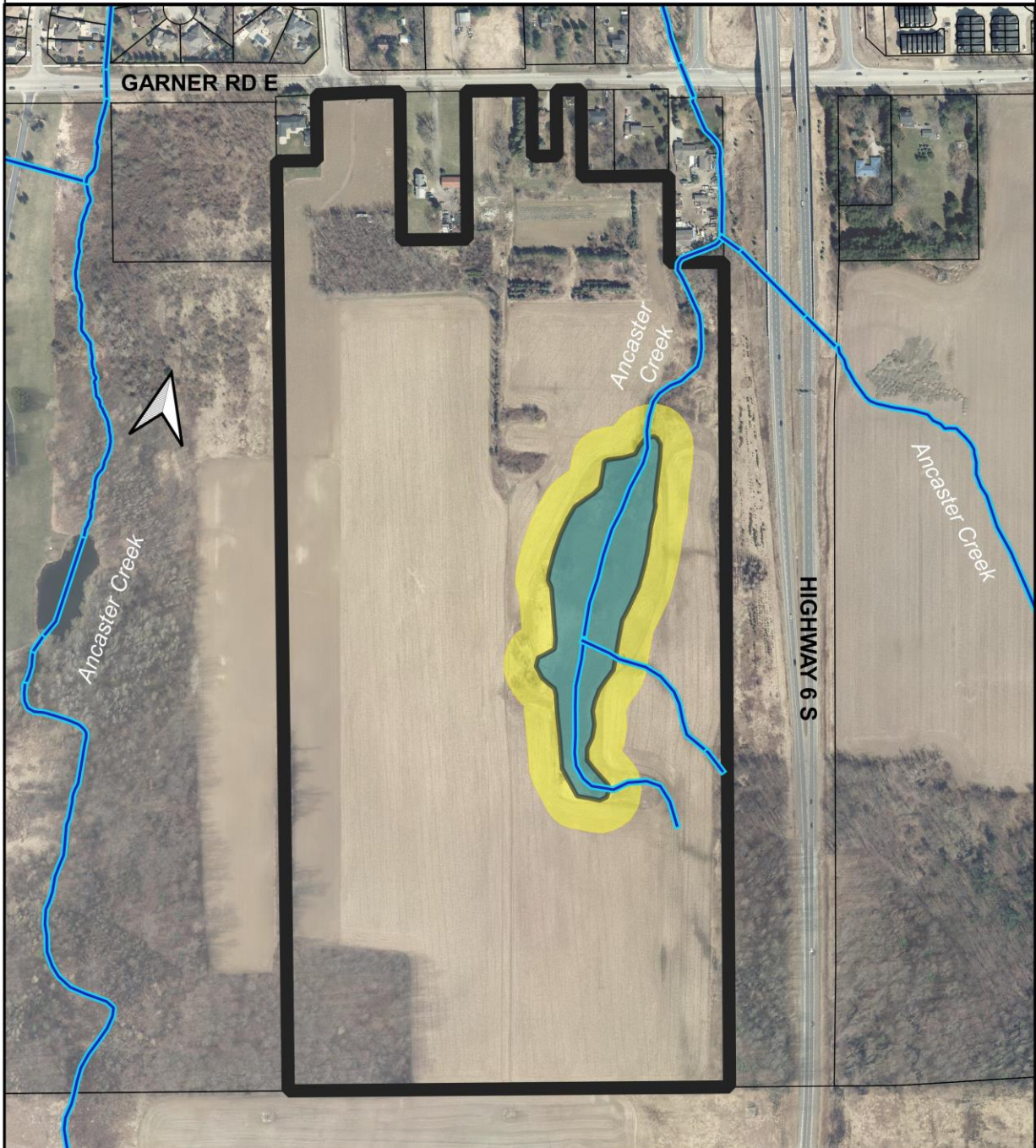
In summary, the proposal to remove the existing wetland and create a new wetland elsewhere on site does not conform to HCA *Planning and Regulation Policies and Guidelines (October 2011)*.

As such, staff recommend:

That the Board of Directors **refuse** the application made by One Properties Real Estate Inc., for the relocation of a watercourse and removal of a locally significant wetland and the creation of a new wetland feature in a regulated area associated with Ancaster Creek as the proposed development does not conform to the requirements of Section

3.1.7 of the Hamilton Conservation Authority's *Planning and Regulation Policies and Guidelines (October 2011)*.



SCHEDULE 'A'



Legend

-  SUBJECT LANDS
-  EXISTING WETLAND LIMIT
-  30m BUFFER
-  EXISTING WATERCOURSE

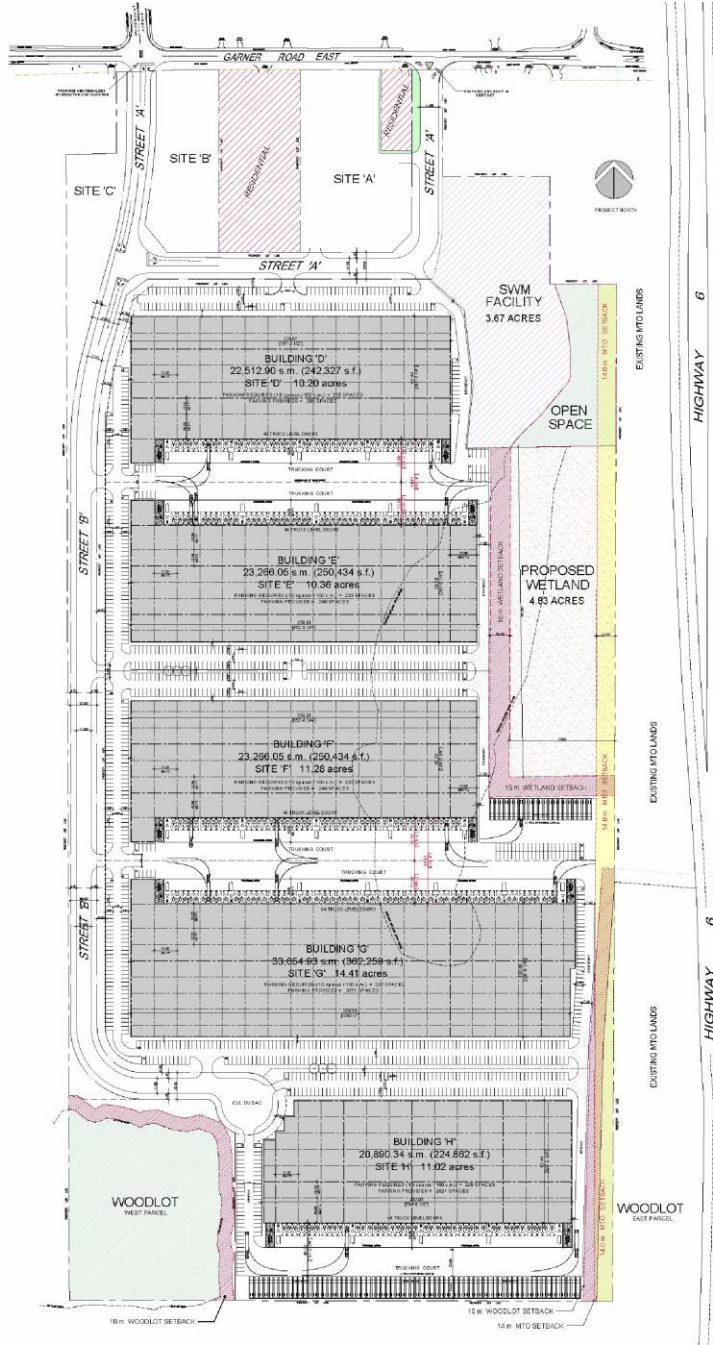
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Base Mapping supplied by the City of Hamilton, and the Ministry of Natural Resources. © Queen's Printer for Ontario 2021. City of Hamilton and Teranet Land Information Services Inc. and its licensors. THIS IS NOT A PLAN OF SURVEY. May not be reproduced without permission. All information provided is believed to be accurate and reliable. We will make changes, updates and deletions as required and make every effort to ensure the accuracy and quality of the information provided. However, the Hamilton Conservation Authority assumes no responsibility for any errors or omissions and is not liable for any damages of any kind resulting from the use of, or reliance on, the information contained herein.

SCHEDULE 'B'

CONCEPTUAL MASTER PLAN LAYOUT FOR GARNER ROAD EAST DEVELOPMENT ANCASTER, ONTARIO



SITE STATISTICS		OPTION 2A
SITE 'A'	3,988.00 m ²	242 ACRES
SITE 'B'	9,754.19 m ²	148 ACRES
SITE 'C'	5,535.21 m ²	137 ACRES
SITE 'D'	41,207.63 m ²	632 ACRES
SITE 'E'	41,378.62 m ²	635 ACRES
SITE 'F'	49,652.36 m ²	751 ACRES
SITE 'G'	68,521.23 m ²	1041 ACRES
SITE 'H'	44,526.92 m ²	672 ACRES
BUILDING SITE AREA		
BUILDING 'A'	11,116.63 m ²	170 ACRES
BUILDING 'B'	17,429.35 m ²	263 ACRES
BUILDING 'C'	16,547.29 m ²	250 ACRES
BUILDING 'D'	5,535.21 m ²	84 ACRES
BUILDING 'E'	14,858.91 m ²	222 ACRES
BUILDING 'F'	5,531.61 m ²	83 ACRES
BUILDING 'G'	38,872.91 m ²	583 ACRES
BUILDING 'H'	39,555.62 m ²	593 ACRES
SWM FACILITY		
SWM FACILITY	14,858.91 m ²	222 ACRES
OPEN SPACE		
OPEN SPACE	5,531.61 m ²	83 ACRES
WETLANDS		
PROPOSED WETLAND	24,858.91 m ²	373 ACRES
TOTAL SITE AREA		
TOTAL SITE AREA	352,727.22 m ²	539 ACRES
WOODLOTS		
BUILDING 'A' WOODLOT	T.B.D.	T.B.D.
BUILDING 'B' WOODLOT	T.B.D.	T.B.D.
BUILDING 'C' WOODLOT	T.B.D.	T.B.D.
BUILDING 'D' WOODLOT	23,212.35 m ²	352 ACRES
BUILDING 'E' WOODLOT	23,212.35 m ²	352 ACRES
BUILDING 'F' WOODLOT	23,212.35 m ²	352 ACRES
BUILDING 'G' WOODLOT	23,212.35 m ²	352 ACRES
BUILDING 'H' WOODLOT	23,212.35 m ²	352 ACRES
TOTAL G.F.A.		
TOTAL G.F.A.	123,500.27 m ²	1,830,316 sq ft



OPTION 2A - 20th R.O.W. JUNE 9, 2020 P. 20073



Schedule C



300 WATERLOO ROAD
WATERLOO, ON N2L 1G1
TEL: 519-885-2400
WWW.STANTEC.COM

Notwithstanding to whomsoever these drawings are delivered, the user shall remain responsible for the accuracy and completeness of the information contained herein. The user shall not rely on these drawings for any purpose other than that for which they were prepared. The user shall not be held liable for any damages, including consequential damages, arising from the use of these drawings.



Map of Neighbourhood
 1. GARNER ROAD
 2. HYDRO
 3. BLOCK 12
 4. BLOCK 13
 5. BLOCK 14
 6. BLOCK 15
 7. BLOCK 16
 8. BLOCK 17
 9. BLOCK 18
 10. BLOCK 19
 11. BLOCK 20

PROPOSED SUBDIVISION
 1. BLOCK 12
 2. BLOCK 13
 3. BLOCK 14
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 7. BLOCK 18
 8. BLOCK 19
 9. BLOCK 20

PROPOSED DEVELOPMENT
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PROPOSED DEVELOPMENT
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SECTION	AREA (sq. m)	PERCENTAGE
BLOCK 12	10,000	10.00%
BLOCK 13	10,000	10.00%
BLOCK 14	10,000	10.00%
BLOCK 15	10,000	10.00%
BLOCK 16	10,000	10.00%
BLOCK 17	10,000	10.00%
BLOCK 18	10,000	10.00%
BLOCK 19	10,000	10.00%
BLOCK 20	10,000	10.00%
TOTAL	100,000	100.00%

PROPOSED DEVELOPMENT
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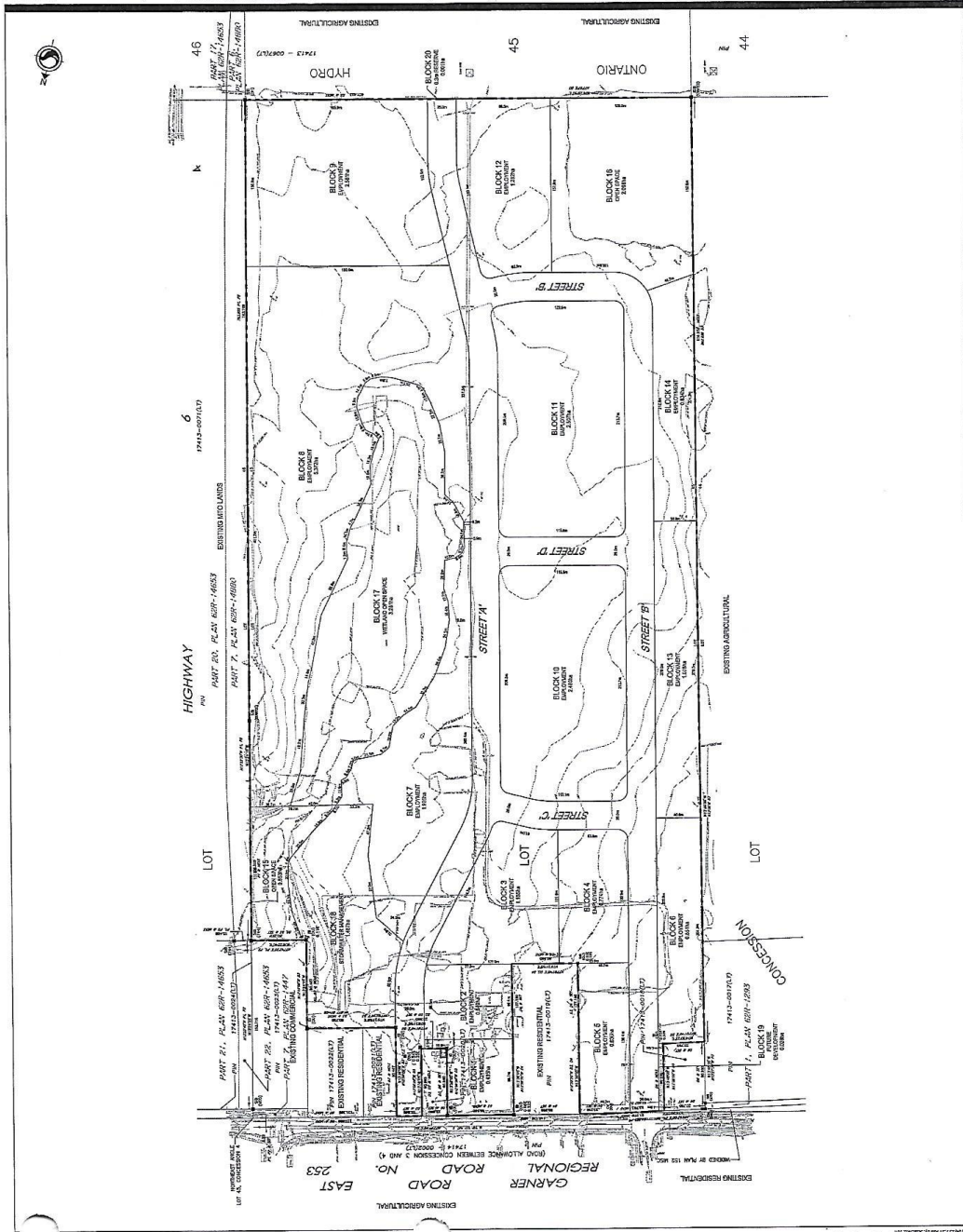
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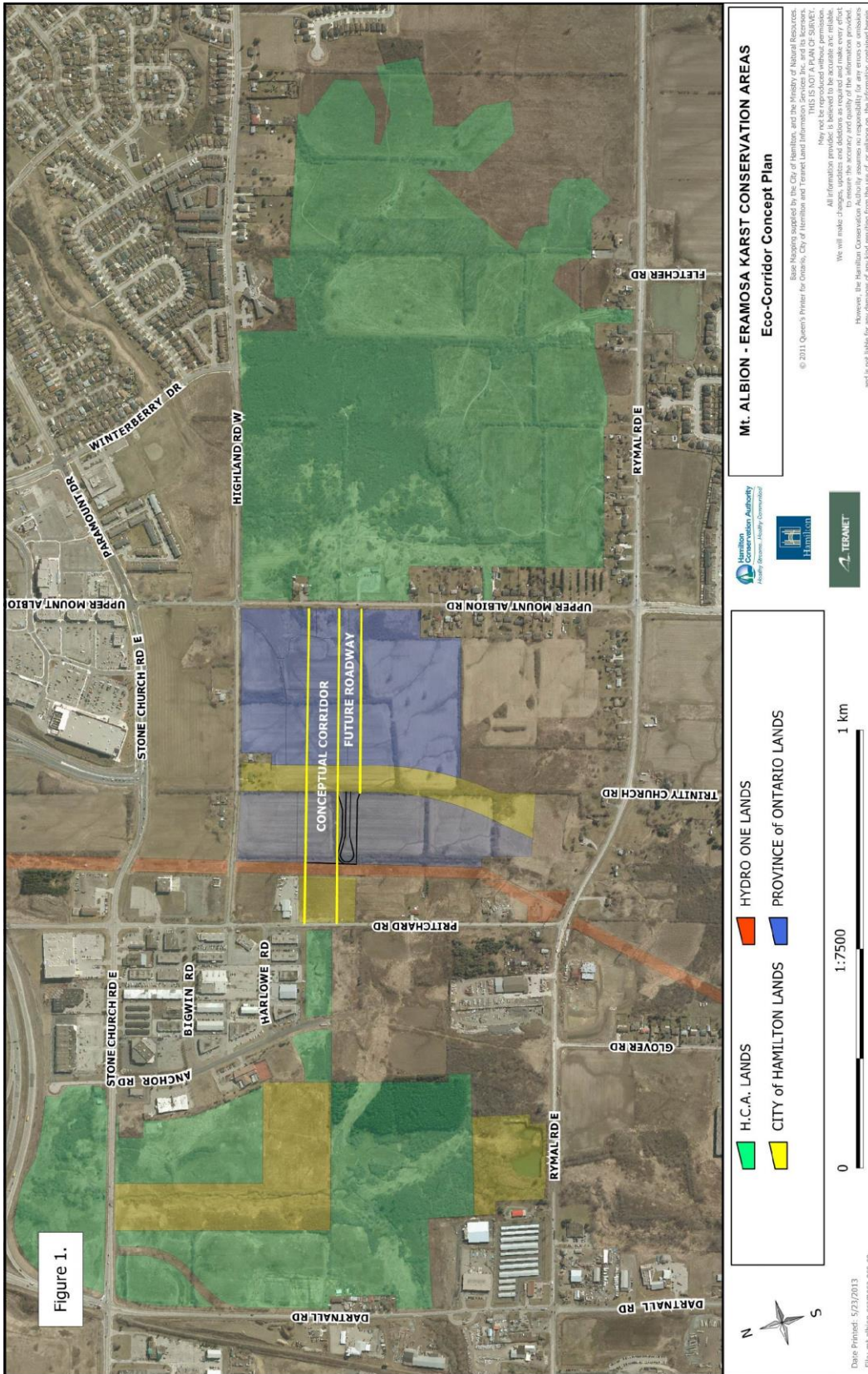
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Schedule D



Schedule “E”



Report

TO: Hamilton Conservation Authority Board of Directors

FROM: Chris Firth-Eagland, Chief Administrative Officer (CAO)

RECOMMENDED BY: T. Scott Peck, MCIP, RPP, Director, Watershed Planning & Engineering

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

DATE: May 22, 2013

RE: Mount Albion – Eramosa Karst Conservation Areas Eco-Corridor

STAFF RECOMMENDATION

THAT the HCA staff recommends to the Board of Directors:

THAT the Board of Directors support the concept of a 60-metre wide corridor located between Pritchard Road and Upper Mount Albion Road connecting Mount Albion Conservation Area and the Eramosa Karst Conservation Area as shown conceptually on the attached Figure 1, and

THAT the HCA agree to the removal of the wetland feature located at the southwest corner of Highland Road and Upper Mount Albion Road and the creation of a compensating wetland area including features and functions on a like for like basis on the Eramosa Karst Conservation Area and within the corridor subject to detailed design, and

THAT the following shall be incorporated into the development of the lands located south of Highland Road, west of Upper Mount Albion Road, north of Rymal Road and east of Pritchard Road;

- a) Maintain the hydrologic features and functions of the area,**
- b) Maintain an open channel in the corridor area,**
- c) Maintain base flows to the watercourse and wetland and the downstream cold water fishery, and**
- d) Maintain a natural corridor for natural heritage purposes and to accommodate the East Hamilton Trail.**

THAT this motion by the Board of Directors endorsing the proposed corridor concept be forwarded to the City of Hamilton for their information and implementation through the planning and development process.

BACKGROUND

The idea of a multi-use eco-corridor in this area was first raised in late 2011 and is based on Hamilton Conservation Authority experience in other areas of our watershed where conservation and other natural areas are located adjacent to developed and developing lands. In these areas there have been situations where there has been negative interaction between wildlife, traffic and people. Iroquoia Heights Conservation Area is a good example of a natural area surrounded by development with the resulting impact to personal property and wildlife mortality. In an urbanized environment that includes natural areas, there is a need to plan for and address wildlife movement to reduce wildlife mortality and impacts to personal property and people. There is also the need to facilitate the use of these areas for recreational purposes and to link these areas as part of the City's trail system and the inter-regional trail system. The existing situation in the area of the Mount Albion and Eramosa Karst Conservation Areas affords the Hamilton Conservation Authority, the City of Hamilton and the local landowners the opportunity to address these issues as these lands develop.

STAFF COMMENT

As noted, HCA staff have been working on this proposal since late 2011. Originally, the HCA proposal suggested a corridor width of 75 to 100 metres to accommodate wildlife movement (specifically deer as they would be the largest mammal to use the corridor) and also the East Mountain Trail. The proposal for the corridor came late in the planning process for this area as a Secondary Plan had been approved and it did not include an eco-corridor. The approved Secondary Plan also included a wetland area located at the southwest corner of Highland Road and Upper Mount Albion Road.

The intention with the proposal has always been to maintain a link between the two conservation areas to allow for present and future wildlife movement and to include the East Mountain Trail. Additionally, it is intended to maintain the hydrologic features and functions of the area, maintain an open channel in the corridor area, maintain base

flows to the watercourse and wetland and the downstream cold water fishery and to have a natural corridor for natural heritage purposes and to accommodate the East Hamilton Trail. This would all be accomplished with the development of the subject lands and the construction of the Trinity Church Road extension.

Through a series of discussions with City staff and the area landowners, it became evident that a corridor width of 75 to 100 metres was not feasible from a development and economic perspective. Through staff review and ongoing discussions, the concept of a corridor at 60 metres wide over the length of the lands and the relocation of the wetland identified in the approved secondary plan was proposed. HCA staff support this approach provided the size, features and functions of the wetland to be removed are replicated as part of the development on a like for like basis. HCA staff are also supportive of the concept of the replacement wetland being located on HCA lands at the Eramosa Karst Conservation Area on the south east corner of Upper Mount Albion and Highland Road and within the corridor. The details of this would be confirmed through the required amendment to the secondary plan and the associated studies. HCA staff have provided all parties with a listing of required studies to facilitate this proposal and the development of the subject lands.

AGENCY COMMENTS

N/A

LEGAL/FINANCIAL IMPLICATIONS

N/A

CONCLUSIONS

HCA staff have been proceeding with the idea of the eco-corridor on the subject lands since late 2011. During that time we have held numerous meetings with City staff and the landowners to move the idea to reality. The proposal submitted in this report has support from the parties involved and achieves water management, natural heritage, recreational and urban design benefits in the east end of Hamilton. HCA Board of Directors approval is now being sought to provide certainty to the City and the landowners regarding moving this concept forward and addressing the required planning approvals.



Hamilton
Conservation
Authority

A Healthy Watershed for Everyone

April 9, 2021

File: A/F,C,A/21/15

BY EMAIL

One Properties Real Estate Inc.
333 Bay Street, Suite 2710
Toronto, Ontario
M5H 2R2

Attention: S. Savelli

Dear Mr. Savelli:

**RE: NOTICE OF HEARING
DEVELOPMENT, INTERFERENCE WITH WETLANDS AND ALTERATIONS TO
SHORELINES AND WATERCOURSES REGULATION 161/06 APPLICATION
One Properties Real Estate Inc.
140 Garner Road, City of Hamilton (Ancaster)**

This letter serves to inform you that the application by *One Properties Real Estate Inc.*, received February 5, 2021 for development in a regulated area of Ancaster Creek will be considered by the Board of Directors at the meeting scheduled for:

7:00 p.m. on May 6, 2021

Please note this Hearing will be held electronically by Webex video conference.

Details on the video meeting link will be sent separately

This is a Hearing under Section 28, Subsection 12 of the Conservation Authorities Act. A copy of the staff report is included with this notice. Please note that Authority staff is recommending **refusal** of the application on the basis that the development does not comply with the Authority's *Planning and Regulation Policies and Guidelines (October, 2011)*. Attached is an outline of the Hearing Procedures.

You are invited to speak in support of your application and submit supporting written material for the Hearing. You will be allotted approximately 20 minutes to speak at the Hearing. You may be represented by legal Counsel or have advisors present information to the Board of Directors. If you intend to appear or if you believe that holding the hearing electronically is likely to cause significant prejudice, please contact Scott Peck, Deputy CAO/Director, Watershed Planning & Engineering. Written material will be required by

April 23, 2021, to enable the Board members to review the material along with the staff report.

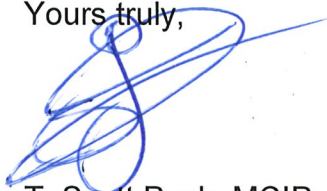
This Hearing is governed by the provisions of the Statutory Powers Procedure Act. Under the Act, a witness is automatically afforded a protection that is similar to the protection of the Ontario Evidence Act. This means that the evidence that a witness gives may not be used in subsequent civil proceedings or in the prosecutions against the witness under a Provincial Statute. It does not relieve the witness of the obligation of this oath since matters of perjury are not affected by the automatic affording of the protection. The significance is that the legislation is Provincial and cannot affect Federal matters. If a witness requires protection of the Canada Evidence Act, that protection must be obtained in the usual manner.

The Ontario Statute requires the tribunal to draw this matter to the attention of the witness as this tribunal has no knowledge of the effect of any evidence that a witness may give.

If you do not attend at this Hearing, the Board of Directors of the Hamilton Conservation Authority may proceed in your absence, and you will not be entitled to any further notice of proceedings.

Please contact the undersigned at ext. 130 at this office if you have any questions regarding this matter.

Yours truly,



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

TSP/tsp

pc: Sergio Manchia, Urban Solutions Planning & Land Development Consultants Inc.

Enclosures: Hamilton Conservation Authority Hearing Procedures
Hamilton Conservation Authority Hearing Report

Appendix B

HEARING PROCEDURES

1. Motion to sit as Hearing Board.
2. Roll Call followed by the Chairperson's opening remarks. For electronic hearings, the Chairperson shall ensure that all parties and the Hearing Board are able to clearly hear one another and any witnesses throughout the hearing.
3. Staff will introduce to the Hearing Board the applicant/owner, his/her agent and others wishing to speak.
4. Staff will indicate the nature and location of the subject application and the conclusions.
5. Staff will present the staff report included in the Authority/Executive Committee agenda.
6. The applicant and/or their agent will present their material
7. Staff and/or the conservation authority's agent may question the applicant and/or their agent if reasonably required for a full and fair disclosure of matters presented at the Hearing.¹
8. The applicant and/or their agent may question the conservation authority staff and/or their agent if reasonably required for full and fair disclosure of matters presented at the Hearing.²
9. The Hearing Board will question, if necessary, both the staff and the applicant/agent.
10. The Hearing Board will move into camera. For electronic meetings, the Hearing Board will separate from other participants for deliberation.
11. Members of the Hearing Board will move and second a motion.
12. A motion will be carried which will culminate in the decision.
13. The Hearing Board will move out of camera.
14. The Chairperson or Acting Chairperson will advise the owner/applicant of the Hearing

¹ As per the Statutory Powers Procedure Act a tribunal may reasonably limit further examination or cross-examination of a witness where it is satisfied that the examination or cross-examination has been sufficient to disclose fully and fairly all matters relevant to the issues in the proceeding.

² As per the Statutory Powers Procedure Act a tribunal may reasonably limit further examination or cross-examination of a witness where it is satisfied that the examination or cross-examination has been sufficient to disclose fully and fairly all matters relevant to the issues in the proceeding.

Board decision.

15. If decision is "to refuse", the Chairperson or Acting Chairperson shall notify the owner/applicant of his/her right to appeal the decision to the Mining and Lands Tribunal within 30 days of receipt of the reasons for the decision.
16. Motion to move out of Hearing Board and sit as Executive Committee.



April 23, 2021

351-20

Via Email

Mr. Scott Peck, B.A., DPA, MCIP, RPP, CMMIII
Deputy Chief Administrative Officer / Director
Watershed Planning & Engineering

Hamilton Conservation Authority
838 Mineral Springs Road
Ancaster, ON L9G 4X1

Dear Mr. Peck,

**RE: 140 Garner Road East, Town of Ancaster
Hamilton Conservation Authority Permit Application No. A/F,C,A/21/15**

In keeping with ongoing discussions, and in response to the Hamilton Conservation Authority Hearing Report, please find enclosed a digital copy of our presentation material for the Board of Director's Hearing.

We look forward to working with Hamilton Conservation Authority staff regarding this application. Should you have any questions or require anything further, please do not hesitate to contact the undersigned.

Regards,
UrbanSolutions

A handwritten signature in blue ink, appearing to read 'Spencer McKay', is written over a light blue horizontal line.

Spencer McKay, BA, CPT
Project Manager

Encl.

Cc: Messrs. Stefan Savelli and Jeffrey Marshall, One Properties Limited Partnership
Mr. Sergio Manchia, UrbanSolutions
Mr. John Krpan, Odan-Detech
Mr. Ken Glasbergen, GeoProcess Research Associates
Ms. Le'Ann W. Seely, Whitehouse Urban Design



URBAN SOLUTIONS

PLANNING & LAND DEVELOPMENT

140 Garner Road East

Hamilton Conservation Authority Hearing

Owner: ONE Properties Limited Partnership c/o Stefan Savelli



Agents: UrbanSolutions Planning & Land Development Consultants Inc. c/o Sergio Manchia

Whitehouse Urban Design c/o Le' Ann W. Seely

GeoProcess Research Associates c/o Ken Glasbergen

Odan Detech c/o John Krpan

May 6th 2021



Project Team



One Properties Limited Partnership – *Stefan Savelli*



UrbanSolutions – *Sergio Manchia*



Whitehouse Urban Design – *Le' Ann W. Seely*



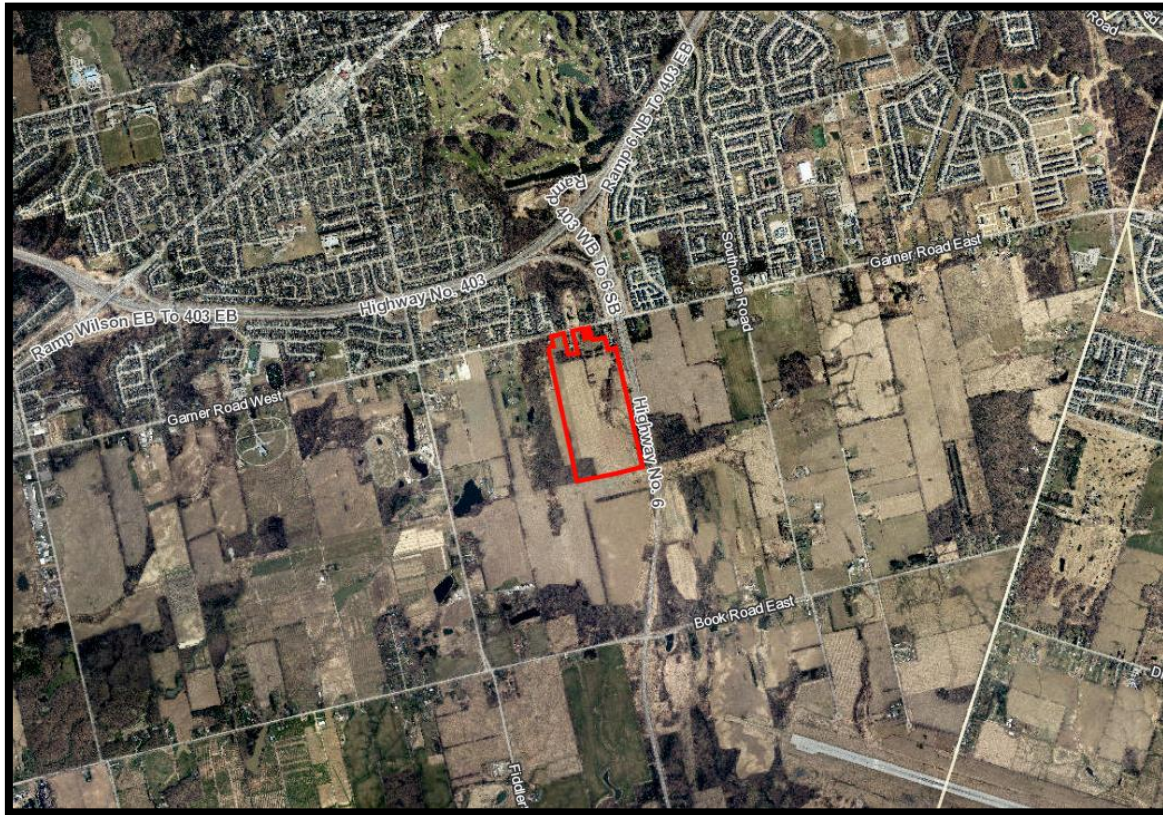
Odan-Detech – *John Krpan*



GeoProcess – *Ken Glasbergen*



Subject Lands

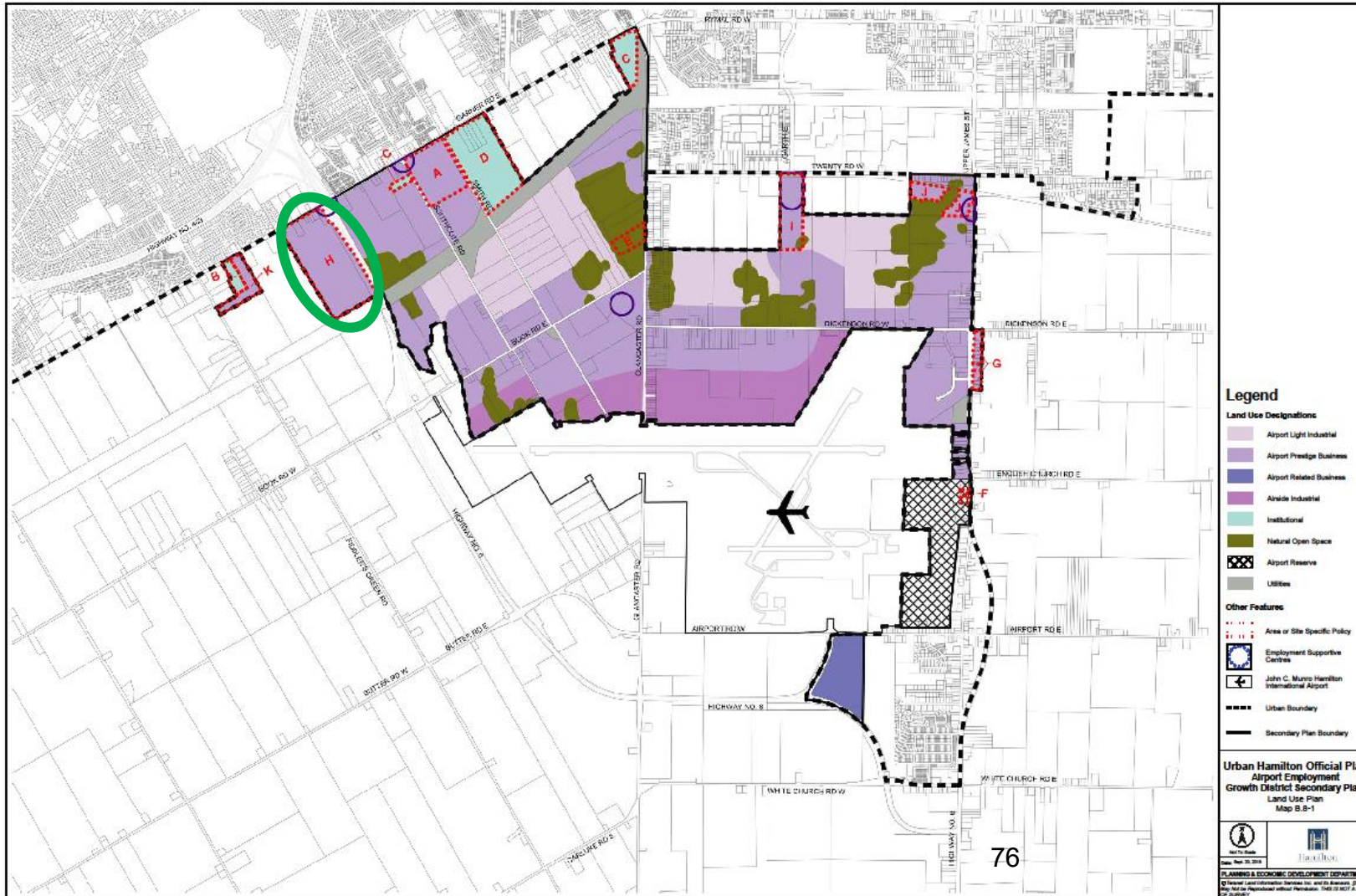


Lot Area = 35.27 ha (87.15 acres)





Airport Employment Growth District Secondary Plan

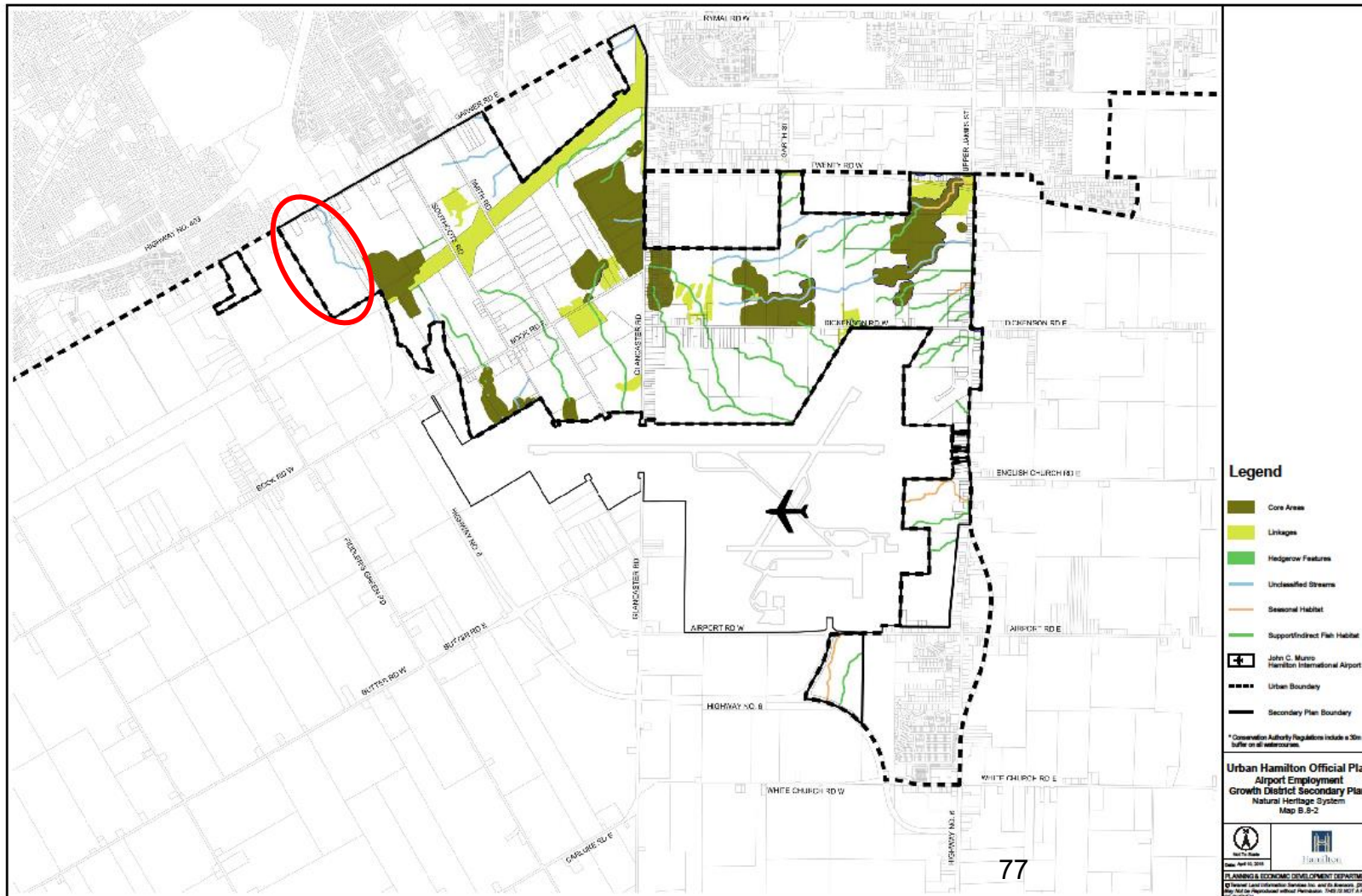


Designation:
Airport Prestige Business

- Permitted Uses:
- **Manufacturing**
 - **Warehousing**
 - **Research and Development**
 - **High Technology Industry**
 - **Training Facilities**
 - **Etc.**



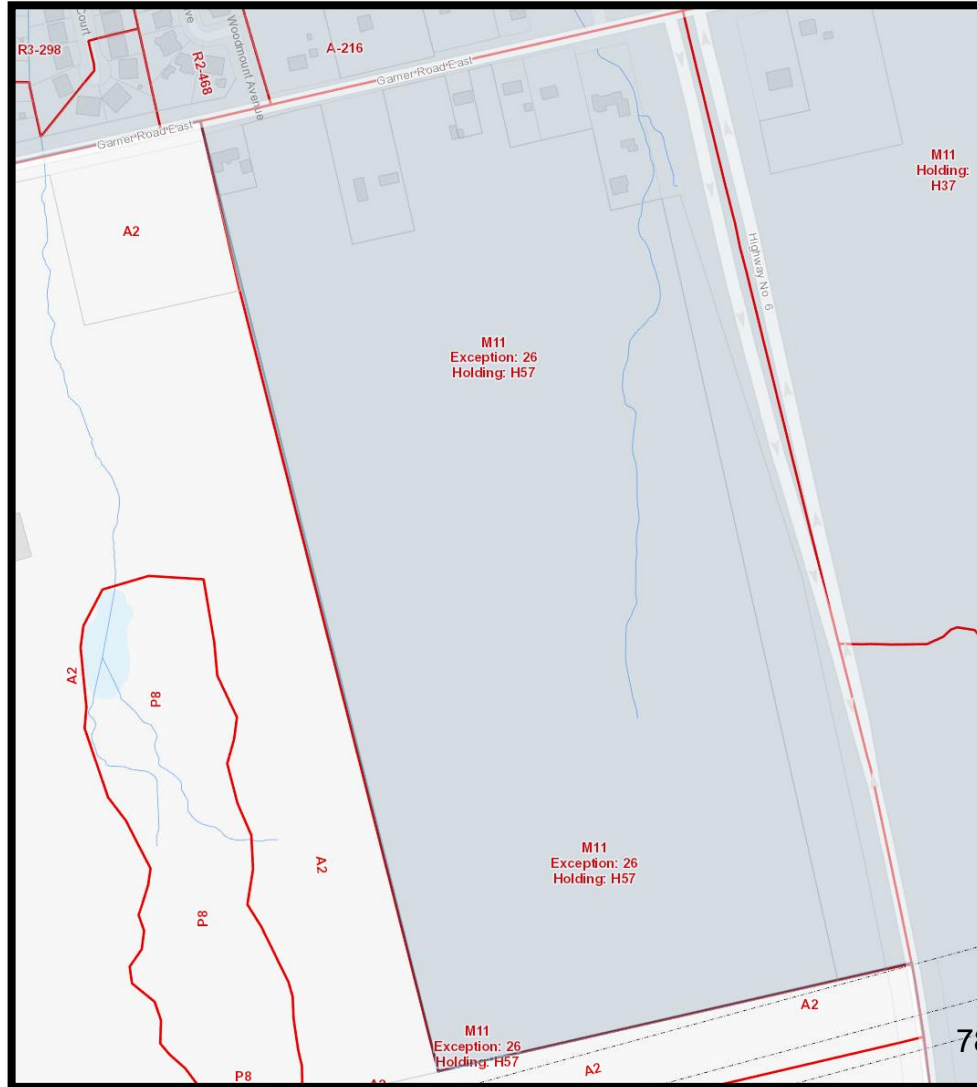
Airport Employment Growth District Secondary Plan – Natural Heritage



As you can see on Map B.8-2 of the Airport Employment Growth District Secondary Plan the only identified natural feature is an **Unclassified Stream**.



Zoning By-law No. 05-200



Zoning:

Airport Prestige Business (M11)

Permitted Uses:

Trade School

Warehouse

Research and Development Establishment


Laboratory

Communications Establishment

Etc.



Chronology

Date	Item
July 2015	Initial Formal Consultation application by submitted previous land owner
November 2018	Draft Plan of Subdivision application submitted by previous land owner
July 30 th , 2020	Formal Consultation application submitted by One Properties
October 1, 2020	UrbanSolutions delegation to the HCA Board of Directors
November 5, 2020	HCA Board of Directors directed staff to review neighbouring CA policies
February 4, 2021	HCA staff confirmed a natural heritage offsetting policy would be ready for the Fall
February 5, 2021	HCA Permit application submitted for the relocation of the non-provincially significant wetland
March 17, 2021	HCA comments received
April 5, 2021	Response to the HCA comments submitted back to HCA staff
April 9, 2021	HCA Hearing Report received
May 6, 2021 	HCA Board of Directors Hearing



Proposed Development

New Employment and Tax Base Growth

- More than 1.3 million square feet of new logistics and warehousing space
- Approximately 3000 new permanent jobs created in addition to thousands of temporary jobs relating to the development and construction
- 30-35 million dollars directly related to land servicing costs/improvements
- Overall project value in excess of 250 million dollars

Net Ecological Gain

- Improved shape by creating a more regular shape with greater interior area
- Increased overall size of the wetland
- Increased plant community complexity
- Increased wildlife habitat complexity
- Creation of open water areas to enhance amphibian habitat
- Maintenance of headwater drainage feature hydraulic connections to natural areas north and south of the wetland
- Improved connectivity to local natural heritage features
- Maintenance of existing water balance with the opportunity to enhance it





Existing Non-Provincially Significant Wetland



Current Wetland

- Size: As staked by HCA staff on September 21, 2006, is 1.8 ha
- Location: Toward eastern property limit, adjacent to the Hwy 6 corridor
- Shape: Irregular and undulating
- Water Balance: Headwater Drainage Feature originating from the wetland and flows north.
- Habitat Complexity: Comprised of two dominant vegetation communities, which are Phragmites, and Cattail. Phragmites appears to be expanding in area since 2016. Amphibian calling surveys in 2016 and 2020 found very limited use (one American Toad calling during both surveys).

Wetland is a good candidate for location adjustment and enhancement because:

- Low vegetation species diversity
- No open water habitats
- Limited wildlife usage due to simplistic vegetation structure
- Isolated from adjacent natural areas (surrounded by agricultural fields)
- Does not support Species at Risk or locally important species



Proposed Wetland

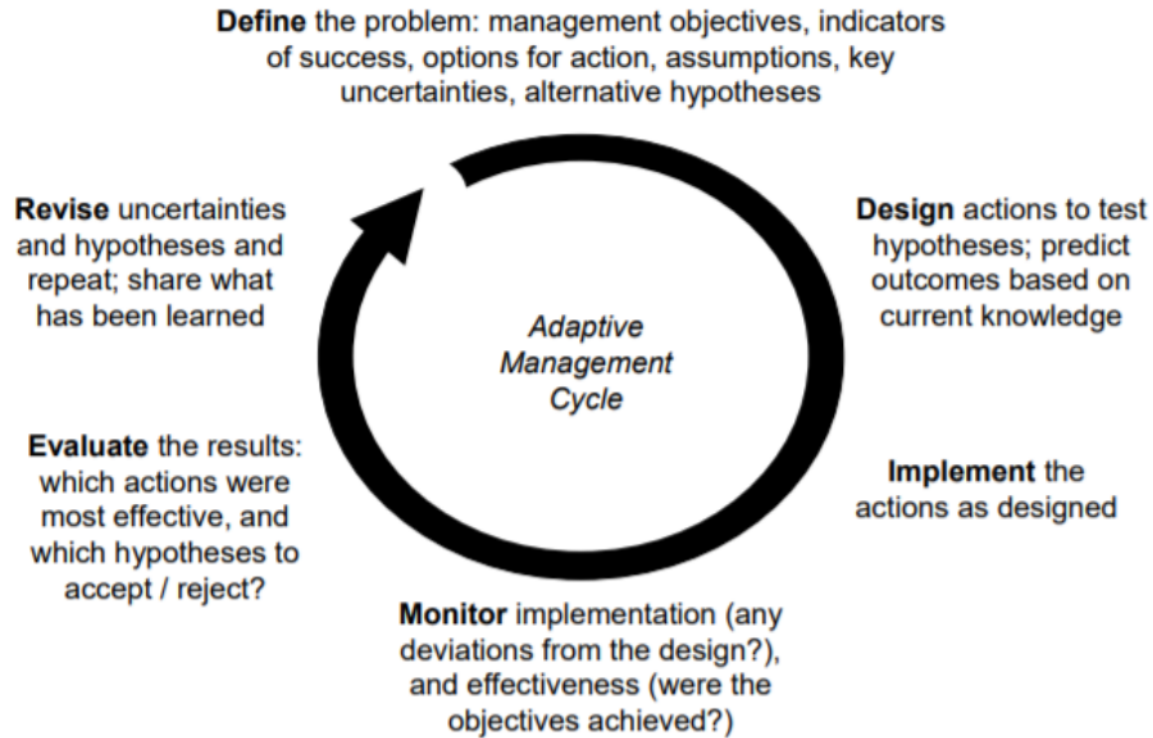
New Enhanced Wetland

- Size: 1.95 ha (larger than existing)
- Location: Eastern property limit, tying into the Open Space and SWM blocks to the north, immediately adjacent to the Hwy 6 corridor, and ties into the woodland to the south.
- Shape: Rectangular to increase core area within the wetland. Undulations added to increase edge diversity.
- Water Balance: Hydraulic connections to the southern woodlot will be maintained through swales along the eastern property limit. Roof-top storage will be used to match pre to post flow conditions.
- Low Impact Development: Bioswales will be integrated throughout the development, providing surface water supply to the wetland and recharge to the shallow groundwater table (supporting the wetland).
- Habitat Complexity: Create an undulating topography with topographic highs and lows to diversify plant communities and create open water areas.





Adaptative Management Plan



- Iterative Adaptive Management (AM) cycle
- Poses and addresses management questions like: *will it be possible to enhance amphibian use of the wetland*
- Appropriate management actions implemented based on monitoring results (e.g., Best Management Practices)

Adaptive management cycle, from Murray and Marmorek (2004).



HCA Hearing Report

- Following the October 1, 2020 delegation to HCA Board of Directors, the Board directed staff to review neighbouring Conservation Authority policies regarding the relocation of wetlands.
 - This report preparation is in progress, however will not come before the board until later in the year.
- HCA Hearing Report April 9, 2021 notes existing HCA Planning and Regulation Policies and Guidelines, don't have a mechanism for approving the relocation of a wetland.
 - The report notes that ecological and engineering comments, **“... can largely be addressed through refinements to the design and clarifications to the reports...”**.



Section 3.1.7 of HCA Guidelines

Development, site alteration, and/or interference with wetlands will generally not be permitted:

- i. In or on the areas of Non-PSWs;
- ii. Within the adjacent lands of PSWs (120 m); or
- iii. Within the adjacent lands of Non-PSWs (30 m)

Unless the hydrological, hydrogeological, and ecological function of the subject lands and of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on natural features or their ecological functions, such proposals may require the completion of an EIS, and should utilize all opportunities for protection and rehabilitation of the wetland feature.

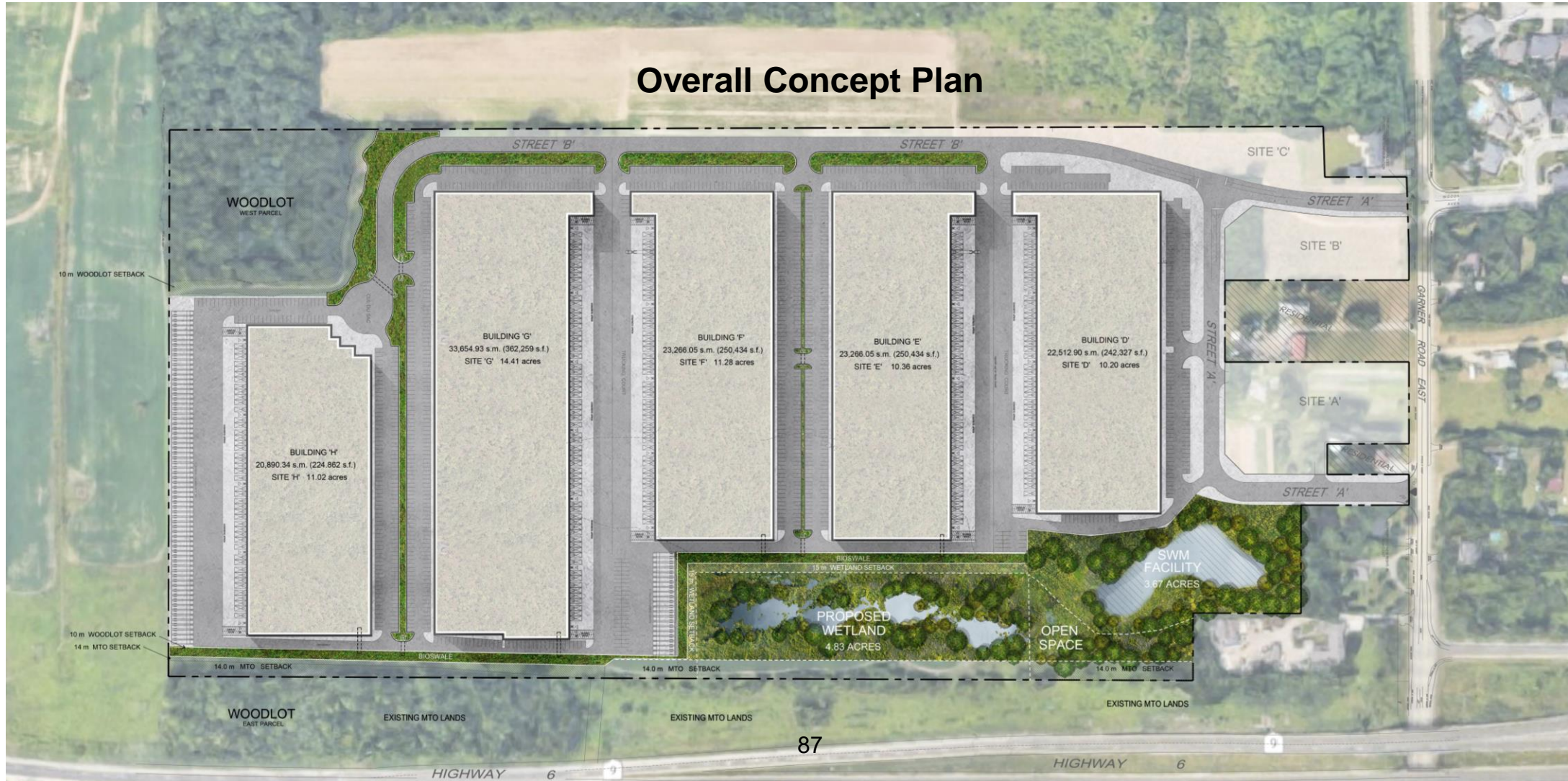


Request

That the Board of Directors advise Hamilton Conservation Authority staff to issue Permit No. A/F,C,A/21/15, approving the design and plans in principle, subject to approval of the required *Planning Act* applications as it represents a net ecological gain.



Thank You



PERMIT

No. _____

ISSUED UNDER THE CONSERVATION AUTHORITIES ACT, PURSUANT TO ONTARIO REGULATION 161/06 – HAMILTON CONSERVATION AUTHORITY DEVELOPMENT, INTERFERENCE WITH WETLANDS, AND ALTERATIOS TO SHORELINES AND WATERCOURSES REGULATION.

Permission has been granted to: **One Properties Limited Partnership c/o Stefan Savelli**

Phone: **1 (647) 256-1014**

Mailing Address: **333 Bay Street, Suite 2710, Toronto, ON, M5H 2R2**

Location: **140 Garner Road East**

For the: **Relocation of a non-provincially significant wetland in order to permit the development of an industrial subdivision.**

on the above property during the period of _____ to _____ subject to the following conditions:

1. The owner shall retain a copy of the HCA permit and approved plans on site at all times during construction;
2. The owner shall adhere to the HCA permit and approved plans, documents and conditions, including HCA redline revisions, herein referred to as the “works”, to the satisfaction of HCA. The owner further acknowledges that all proposed revisions to the design of the proposed wetland must be submitted for review and approval by HCA prior to implementation of the redesign;
3. The owner shall notify the HCA Watershed Officer 48 hours prior to the commencement of any of the works referred to in this permit and within 48 hours upon completion of the works referred to herein;
4. The owner shall arrange a final site inspection of the works with the HCA Watershed Officer prior to the expiration date n the permit to ensure compliance with terms and conditions of the permit to the satisfaction of the HCA;
5. The owner shall submit a final detailed Site Plan, Grading Plan, Drainage Plan, Erosion and Sediment Control Plan, and Landscape Restoration Plan for the proposed Wetland; and,
6. The owner shall submit a fill management plan, in accordance with HCA’s Application Checklist for Fill Application Submissions.



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: May 6, 2021

RE: Summary Enforcement Report – Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation 161/06 Applications for May 6, 2021

HCA Regulation applications approved by staff between the dates of March 19, 2021 and April 23, 2021 are summarized in the following Summary Enforcement Report (SER-4/21).

RECOMMENDATION

THAT the Board of Directors receive this Summary Enforcement Report SER-4/21 as information.

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

April 23, 2021

Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Applications Report to the Board of Directors of the Hamilton Region Conservation Authority, May 06, 2021

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

SUMMARY ENFORCEMENT REPORT SER 4/21

File Number	Date Received	Date Permit Issued	Review Days	Applicant Name	Location	Application Description	Recommendation / Conditions
SC/F,C/21/19	03-Mar-21	19-Mar-21	14		1458 Hwy 8 Lot 1, Concession 2 Stoney Creek	Construction of a workshop and installation of a pool in a regulated spill area of Stoney Creek Watercourse Number 12.	Approved subject to standard conditions
A/F,C/21/13	03-Feb-21	19-Mar-21	46		592 Old Dundas Rd Lot 46, Concession 2 Ancaster	Completion of upgrades to the Old Dundas Road (HC005) Wastewater Pumping Station in a regulated area of Ancaster Creek.	Approved subject to standard conditions
F/F,C/21/21	15-Mar-21	26-Mar-21	13		792 Safari Rd Lot 7,8, Concession 6 Flamborough	Upgrades to electrical servicing in a regulated area of Flamborough Creek and the Hayesland-Christie Provincially Significant Wetland Complex at Gulliver's Lake Park.	Approved subject to standard conditions
SC/F,C,A/21/24	18-Mar-21	26-Mar-21	45		582 Fifth Rd E Lot 14, Concession 4 Stoney Creek	Alteration of a watercourse consisting of the installation of a culvert and driveway in a regulated area of a tributary of Stoney Creek.	Approved subject to standard conditions

HAMILTON REGION CONSERVATION AUTHORITY

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

April 23, 2021

Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Applications Report to the Board of Directors of the Hamilton Region Conservation Authority, May 06, 2021

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

SUMMARY ENFORCEMENT REPORT SER 4/21

SC/F,C/21/18	24-Feb-21	31-Mar-21	20	355 Jones Rd Lot 13, Concession 1 Stoney Creek	Construction of a garage in a regulated spill area of Watercourse 6.	Approved subject to standard conditions

HAMILTON CONSERVATION AUTHORITY

Conservation Advisory Board

MINUTES

February 11, 2021

Minutes of the Conservation Advisory Board meeting held on Thursday, February 11, 2021 at 4:00 p.m. by WebEx videoconference.

PRESENT: Maria Topalovic - in the Chair
Dan Bowman, Lydia Cartlidge
Joanne Di Maio Cynthia Janzen
Duke O’Sullivan Wayne Terryberry

REGRETS: None

STAFF PRESENT: Rondalyn Brown, Lisa Burnside, Grace Correia, Gord Costie, Matt Hall, Bruce Harschnitz, Peter Lloyd, Neil McDougall, Scott Peck and Jaime Tellier

OTHERS: None

1. Chairman’s Remarks

The Chair called the meeting to order and welcomed everyone present.

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. There were none.

CA 2101 **MOVED BY: Dan Bowman**
SECONDED BY: Joanne Di Maio

THAT the agenda be approved.

CARRIED

4. Delegations

There were none.

5. Member Briefing

5.1. 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 and advised that Conservation Authorities have just received guidance on how to apply for exemptions.

Wayne Terryberry inquired about feedback from local MPP Donna Skelley. Lisa commented that she had a good conversation with MPP Skelley about impacts the changes will have locally. Lisa highlighted that HCA's conservation area operations are funded by non-levy dollars. The discussion focussed on programs that are funded by municipal levy and the relatively small provincial contribution to HCA's overall budget.

Joanne Di Maio asked about communication with other CA's and Conservation Ontario for regular updates on the activities of the working group. Lisa responded that HCA staff are in contact with them, however the working group members have had to sign confidentiality agreements and cannot speak about the nature of the discussions until the regulations are released. HCA, other stakeholders and the public will be able to provide comments at that time.

Dan Bowman commended Lisa and staff for their leadership through the Conservation Authorities Act changes, commending their efforts to keep the members apprised so they are aware of the issues.

Dan also inquired about the impacts of the removal of the powers to expropriate from the legislation. Lisa advised that HCA has not used the powers recently. It was used in the 1960's and 1970's for the creation of the Valens and Christie Lake reservoirs, and for a portion of Spencer Gorge. Scott Peck added that while not used recently, the change to the legislation is a loss of that tool.

Maria thanked Lisa for the presentation and echoed Dan's comments regarding keeping members updated on the CA Act changes.

CA 2102

MOVED BY: Cynthia Janzen

SECONDED BY: Wayne Terryberry

THAT the presentation entitled Overview of Bill 229 – Protect, Support and Recover from COVID-19 Act (Budget Measures

Act) – Schedule 6 – Conservation Authorities Act be received for information.

CARRIED

6. Chairman’s Report on Board of Directors Actions

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

Maria advised the members that the Lafarge Trail, Fletcher Creek and Beverly Swamp (Valens Area) Management Plans were approved by the Board of Directors at the November meeting.

Maria also informed the members that the Board of Directors Annual General Meeting was postponed until June and therefore, the Chairs and Vice Chairs of the Board of Directors, Conservation Advisory Board, and Budget & Administration will remain the same until then.

7. Approval of Minutes of Previous Meeting

7.1. Minutes – Conservation Advisory Board (October 8, 2020)

**CA 2103 MOVED BY: Joanne Di Maio
 SECONDED BY: Lydia Cartlidge**

THAT the minutes of the October 8, 2020 Conservation Advisory Board meeting be approved.

CARRIED

8. Business Arising from the Minutes

There was none.

9. Staff Reports/Memorandums

9.1. 2021 Reservation System – Spencer Gorge Conservation Area

Gord Costie presented a summary of the report and answered the members’ questions.

Joanne Di Maio inquired about the ongoing use of the reservation fee as part of the pilot. She commented that Conservation Halton allows members to make reservations free of charge and also can provide for same day reservations.

Gord advised that the reservation fee, paid by HCA membership pass holders, assists with recovering costs associated with operating the reservation system and for security staff. Parking and admission remain free for members and up to five passengers in their vehicle. Gord further added that Credit Valley Conservation is also applying a reservation fee for its reservation system in 2021 for cost recovery. This is also consistent with the HCA camping reservation system in effect at Valens Lake and Fifty Point campgrounds. Lisa advised members that the fee helps ensure those that have made reservations honour that booked time slot as there were many days when the reservations were full and other visitors were not able to book a time slot. Members Doug Bowman and Cynthia Janzen expressed their support and importance for the fee to ensure the reservation is taken seriously, citing an example of back country permits in Algonquin with no cancellation fee being misused. Gord added the experience was the same when we did not have reservation fees at our campgrounds. Lisa added that staff will continue to review potential throughout the season for any marketing or communication strategies for pass holders, which could include reduced fees, on week days should there be capacity within the reservation system.

Gord shared that staff are exploring options to offer same day reservations, such as a later cut off time for making reservations. The purpose of the cut off time is to discourage visitors without reservations coming to the area, causing traffic congestion.

Cynthia inquired about any consideration for employing the reservation system year-round. Gord responded that there is uncertainty about future visitation pressures, but that a 6-month reservation system is the next logical step. Staff are monitoring visitation trends closely.

Dan Bowman inquired about the financial impact of implementing the reservation system, Neil McDougall advised that it has impacted revenues for Webster and Tew Falls, but that it has been a worthwhile investment to manage visitation pressures in the area.

Dan also inquired about any abuse of reservation time slots, or vandalism to the infrastructure. Gord shared that people have been respectful of their timeslots. Gord commented that a reservation also entitles the visitors to visit any of our other Conservation Areas for the remainder of the day. He also added there has not been any vandalism to date. He believes the visitors and community respect the professional infrastructure that has been put in place.

Cynthia Janzen inquired about the status of community relations with Greenville residents. Gord responded that staff continue to liaise with the community through

the Ward Councillor and noted the undeniable improvement in traffic and pedestrians in the community with the pilot reservation system for the fall.

Lisa Burnside added that the report for 2021 has been shared with Councillor VanderBeek and reviewed with the City waterfall motion working group and both were supportive.

Maria acknowledged all of the staff efforts that have gone into the pilot and thanked everyone for their contributions to the discussion.

CA 2104

**MOVED BY: Wayne Terryberry
SECONDED BY: Duke O'Sullivan**

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.

CARRIED

9.2. Westfield Heritage Village Accession and Deaccession Lists

Rondalyn introduced Peter Lloyd to present the report. Peter presented the report, advising that the accession list is historically short due to the pandemic limiting donations. Peter reviewed the list and provided descriptions of each item. All of the items meet Westfield's criteria for donations. One criterion is that the item must relate to the Westfield Heritage Village. Peter highlighted Robert Lewis Stevenson novels and a collection of Toronto, Hamilton, & Buffalo Railway (TH&B) tickets, which directly relates to a TH&B locomotive that is on-site at Westfield.

The Chair commented that the members would appreciate seeing the items in person. Peter commented that the tickets will be under display glass in the village.

**CA 2105 MOVED BY: Dan Bowman
 SECONDED BY: Joanne Di Maio**

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.

CARRIED

9.3. 2020 Visitor Attendance – Verbal Update

Bruce presented on visitor attendance estimates for 2020, in comparison to 2019, noting increases in visitation at many areas despite the closure of the conservation areas from the middle of March until the middle of May and cancellation of all large events due to the Covid-19 pandemic, as well as the implementation of the pilot reservation system for Spencer Gorge. Wild Waterworks was also closed for the season as a result of the pandemic. Day use visitation at many areas, including Christie Lake, Confederation Beach Park, Dundas Valley, Fifty Point and Valens Lake, remained high throughout the year. Overall, HCA hosted 1,350,000 visitors in 2020, approximately 36,500 more than in 2019.

**CA 2106 MOVED BY: Cynthia Janzen
 SECONDED BY: Duke O’Sullivan**

**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, April 8, 2021 at 4:00 p.m., location to be determined.

12. Adjournment

On motion, the meeting was adjourned.

Hamilton Conservation Authority

Minutes

Budget & Administration Committee

March 18, 2021

Minutes of the Budget & Administration Committee meeting held on Thursday, March 18, 2021 at 6:00 p.m., by videoconference and livestreamed via YouTube.

Present: **Santina Moccio, in the Chair**
 Dan Bowman
 Jim Cimba
 Lloyd Ferguson
 Maria Topalovic

Regrets: **None**

Staff Present: **Lisa Burnside, Gord Costie, Bruce Harschnitz, Neil McDougall,**
 and Jaime Tellier, and Nancy Watts

Others Present: **None**

1. Chairman's Remarks

The Chair called the meeting to order and welcomed everyone present.

2. Declarations of Conflict of Interest

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

3. Approval of Agenda

The Chair requested any additions or deletions to the agenda. Lisa Burnside advised of one item to add under New Business, an update on Hamilton Conservation

Authority's applications to the Ministry of Environment, Conservation and Parks, for exceptions to the Chair and Vice Chair provisions of the Conservation Authorities Act.

BA2101

MOVED BY: Dan Bowman
SECONDED BY: Maria Topalovic

THAT the agenda be approved, as amended.

CARRIED

4. Delegations

There were none.

5. Consent Items

The following consent items were adopted:

- 5.1. Approval of Budget & Administration Committee Minutes – November 19, 2020
- 5.2. WSIB Injury Statistics

Lloyd Ferguson congratulated staff on the strong safety record with zero WSIB incidents so far this year.

6. Chairman's Report on Board of Directors Actions

The Chair advised the members that all reports recommended at the November 19, 2020 meeting were approved by the Board of Directors at the December 3, 2020 meeting.

BA 2015	2021 HCA Operating Budget
BA 2016	Mileage Report
BA 2017	Honorariums and Per Diems

7. Business Arising from the Minutes

There was none.

8. Staff Reports/Memoranda

8.1. Twelve-month Financial Results – Operating

Neil McDougall presented a summary of the memorandum highlighting the strong financial position for last year, notwithstanding the pandemic related closure, as well as the rebound effect once our facilities reopened. The efforts of all staff to adapt and manage increased demands were also noted.

Lloyd Ferguson reiterated the comment that staff have done a great job persevering through a pandemic. It was clarified that surplus funds will be put into a reserve fund, earmarked for the Saltfleet Conservation area and land acquisition. Staff were requested to bring an update on the operating reserve to the upcoming meeting.

8.2. Twelve-month Financial Results – Capital & Major Maintenance

Neil McDougall presented a summary of the memorandum, noting significant projects at each of HCA's facilities. The main focus at Valens Lake was the construction of the cabins. At Christie Lake, the emphasis was on Spencer Gorge, including fencing at Dundas Peak, installation of autogates, and other infrastructure for the visitor reservation system. At the Main Office improvements included installation of the science lab for the environmental monitoring programs in Watershed, Planning and Engineering. Fifty Point Conservation Area is planning for a major shoreline protection project. Planning has also begun for the update to the Fifty Point Master Plan. On the Hamilton Mountain, staff have been working to expand and prepare the parking lot at the Saltfleet Conservation Area, as well as the re-decking of the Dofasco Trail boardwalk, further establishing these recreational areas in the east end of our watershed. A water well system was installed at Westfield Heritage Village, resolving the issue of a potable water supply to the site.

Lloyd Ferguson inquired about resurfacing the two waterslides at Wild Waterworks that are visible from the Queen Elizabeth Way. Matt Hall advised that the costs for the work would be approximately \$140,000.00 per slide and would be funded using the Confederation Beach Park operational reserve. Matt added that staff are prepared to issue tenders for that work should the decision be to close WWW for another season. The slides will need sealing and specialised paint. Staff will hire a consultant to put together a technical specification for the work that is required.

8.3. Fourth Quarter Vendor Report

Neil McDougall corrected the title of the item on the agenda from the twelve-month vendor report to be the fourth quarter vendor report. Neil provided an overview of the report and answered the members' questions.

It was clarified that the membership fee for Royal Botanical Gardens is for the Cootes to Escarpment project. Matt Hall advised that HCA is a partner on the Board

for the project and provided a summary of the purpose and activities of the project. The expenses of the project are outlined in the memorandum of understanding. He further added the MOU is set to be renewed later this year and will be brought to the Budget & Administration Committee.

BA2102

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

THAT the memoranda entitled Twelve-month Financial Results – Operating, Twelve-month Financial Results – Capital & Major Maintenance, and 4th Quarter Vendor Report, be received for information.

CARRIED

9. New Business

9.1. Exception Applications to MECP for Chair and Vice Chair Provisions of the Conservation Authorities Act

Lisa Burnside advised the members that staff submitted HCA's exception requests to MECP on March 9th. Confirmation was received from MECP on March 11th. Based on the customer service guidelines stated by the Province, HCA should expect a decision by the middle of April. Lisa added she has contacted MPP Donna Skelly's office to ensure they received HCA's exception request letter and application and inquired if they could extend their support to the Minister and MECP staff for the request. Lisa has a phone call scheduled with MPP Ted Arnott next week to review the request and seek his support.

Lloyd Ferguson advised the members that the City of Hamilton's Clerk's office has received the letter from HCA advising of the exception requests, including the request for the city to make its own exception application to MECP to retain HCA's current complement of citizen members from the city of Hamilton. Lloyd added he will be taking a motion to City Council on March 31st to make a formal request that Council retain the current membership of five council members and five citizen appointees and have the City apply to MECP for the exception to the 70% requirement for municipal appointments.

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

There were none.

11. Next Meeting

The next meeting of the Budget and Administration Committee will be held on Thursday, April 15, 2021 at 6:00 p.m.

12. Next Meeting Adjournment

On motion, the meeting adjourned.

Hamilton Region Conservation Authority

Minutes

Board of Directors Meeting

April 1, 2021

Minutes of the Board of Directors meeting held on Thursday, April 1, 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: Chris Garofalo - public

1. Call to Order

The Chair called the meeting to order and welcomed everyone present.

2. Declarations of Conflict of Interest

The Chair asked members to declare any conflicts under the Board's Governance Policy. There were none.

3. Approval of Agenda

The Chair requested any additions or deletions to the agenda. Lisa Burnside requested an email from MPP Ted Arnott to Jeff Yurek, Minister of Environment, Conservation and Parks regarding HCA's application for exceptions for the Chair and Vice-Chair Provisions in the Conservation Authorities Act be added to the agenda as

item 5.4 under Consent Items. The email was circulated to the members prior to the meeting.

BD12, 2868

**MOVED BY: Jim Cimba
SECONDED BY: Santina Moccio**

THAT the agenda be approved, as amended.

CARRIED

4. Delegations

4.1. Chris Garofalo, home and landowner next to Tew Falls parking lot

Chris Garofalo advised that he and his family are constructing a new home on the property adjacent to Tew Falls. He noted that HCA has installed fencing and landscaping along the boundary between the two properties, however in the Fall and Winter they have developed concerns with privacy and security. He commented that the number of cars and visitors to the area at this time of year was unanticipated. He requested additional fencing and security measures be put in place.

The members sought clarification from the delegate on the details of the site, and on the additional measures requested. Mr. Garofalo described the site in greater detail, and requested the privacy fencing in the vicinity of the dwelling be extended and after-hours security measures be put in place.

BD12, 2869

**MOVED BY: Esther Pauls
SECONDED BY: Dan Bowman**

THAT the delegation be received.

CARRIED

The Chair thanked Mr. Garofalo for his presentation and advised the remainder of the meeting, including the members' questions of staff and discussion on the matter, could be viewed on HCA's YouTube channel. Mr. Garofalo left the meeting.

Lisa Burnside advised of the long historic use of this parking lot dating back decades. She commented that HCA welcomes over one million visitors to its properties each year, Spencer Gorge being very popular. HCA has had to pivot and adjust a number of times to manage increased visitation. Lisa added that HCA is not insensitive to our neighbours concerns, and measures were undertaken to buffer the newly constructed residential dwelling. The measures included fencing, planting and privacy screens, at a cost of approximately \$15,000.00. Mr. Garofalo was advised in November 2020 that

no further privacy works are planned or staff approved but certainly, he could undertake additional fencing, or planting measures on his own property.

Gord Costie shared photos of the site, illustrating the parking lot configuration before and after the improvements were undertaken and past and current visitation levels. The fencing and plantings installed along the subject property boundary were also shown. The parking lot improvements undertaken in 2020 were done to facilitate a reservation system to help manage high visitation to the area and community, and were effective in this regard in the 2020 pilot season.

Matt Hall provided an overview of the work that was undertaken along the property boundary both in 2019 and 2020, in consultation with Mr. Garofalo. Matt expressed concerns with extending the page wire fencing requiring additional vegetation removal which would worsen the privacy screening.

Obligations to fence HCA property boundaries were discussed. It was noted that the majority of HCA lands are not fenced and would be cost prohibitive based on the 11,000 acres of land owned. The members expressed satisfaction with the measures that have already been put in place by staff.

BD12, 2870

MOVED BY: Chad Collins
SECONDED BY: Santina Moccio

THAT no action be taken in regard to the property owners request.

CARRIED

5. Consent Items for Applications, Minutes and Correspondence

The following consent items were adopted:

- 5.1. Applications – Development, Interference with Wetlands, Alterations to Shorelines and Watercourses
- 5.2. Approval of Board of Directors Minutes – March 4, 2021
- 5.3. Letter from Gwyneth Xagoraris regarding visitor / parking management at waterfall locations, dated February 24, 2021
- 5.4. Email from MPP Ted Arnott to Jeff Yurek, Minister of Environment, Conservation and Parks regarding HCA's application for exceptions for the Chair and Vice-Chair Provisions in the Conservation Authorities Act, dated March 31, 2021

With regard to item 5.4, Susan Fielding thanked MPP Ted Arnott for his responsiveness and support.

The Chair advised that the City of Hamilton Council unanimously passed a resolution for HCA to retain its 5 citizen members on the Board of Directors and to submit a request for the exception to the Minister of Environment, Conservation and Parks.

6. Member Briefing

6.1. 2020 Annual Report – Presentation

Lisa Burnside presented an overview of the annual report, including highlights from each section of the document. The report marks the second year of progress for the 2019-2023 strategic plan. Lisa added it represents a great team effort amongst staff to share our accomplishments and bring the information to light with amazing photos from across our watershed.

The members congratulated staff on the document, particularly Marketing and Communications staff who assembled the report, as well as all staff who undertook the work described within.

Distribution of the report to the public was discussed. Lisa responded that the report will be posted on our website and promoted through social media. It will also be shared with the Foundation Board of Directors and donors and the Conservation Advisory Board. It will also be sent to all other Conservation Authorities and partner agencies. In addition, as part of the recent government relations policy, we will also be looking at sharing it with local politicians to promote all the great work we are doing in our watershed.

The Chair thanked the Hamilton Conservation Foundation for their fund-raising efforts and contributions to the education program as well as our trail systems which were captured well in report.

Tom Jackson asked about including a list of the Board members in future annual reports, as a reference to HCA's commitment to strong governance. This suggestion was endorsed by the CAO for the next annual report.

BD12, 2871

**MOVED BY: Dan Bowman
SECONDED BY: Susan Fielding**

THAT the Hamilton Conservation Authority 2020 Annual Report be received for information.

CARRIED

7. Business Arising from the Minutes

7.1. Natural Heritage Offsetting Policy Discussion Paper

Scott Peck provided a summary of the report and discussion paper.

Cynthia Janzen commended staff on the comprehensive report. She requested clarification on how the changes to the Conservation Authorities Act relate to the policy framework. Scott responded that the discussion paper would have no standing if a Ministerial Zoning Order (MZO) is given. Scott advised that the discussion paper is not intended to address MZO's and is instead to have a Board approved policy in place to follow when a natural heritage offsetting proposal is being considered.

It was suggested that the questions posed to the public should be clear and clarification was requested to confirm that we are asking for comments on the discussion paper and not on whether or not to have a policy as the Board has directed staff to develop a policy. Scott confirmed that staff will develop a policy and bring that policy back to the Board for consideration including municipal, stakeholder and public comments received as part of the consultation process. Scott confirmed that it would be up to the Board of Directors to approve or reject the policy provided by staff. Cynthia questioned if a summary document could be prepared for the public audience.

Promotion of the document with the call for public comments was discussed. Scott advised that staff will circulate the paper directly to our member municipalities and directly contact municipal staff for feedback. The document will also be circulated to stakeholders. The document will also be posted on our website and social media. Staff are developing a new web-based application for public engagement. The document will also be promoted through this forum.

The time needed by staff to create a summary was discussed as well as public consultation. Brad Clark commented that this is a dramatic shift in Conservation Authority policy and did not feel it should be rushed. He asked to remain recorded as opposed to the development of the policy.

Susan Fielding also requested to be recorded as opposed in consideration of best efforts for conservation.

The members discussed that the discussion paper will provide the members with additional information to assist in making a decision on the policy. It was noted that the research and public input will be taken into consideration. The members commended staff on the detailed discussion paper and report.

Scott commented that staff will develop the policy as directed and will provide a policy to the Board for final consideration. Scott outlined that the Board is not

bound to approve an offsetting policy. While the Board has directed staff to develop a policy, the Board is not required to approve such a policy once presented to their consideration. Lisa noted that as a result of consultation, the only policy the Board may wish to endorse are guidelines for offsetting in the event of an MZO, when the decision to offset is already required by the Minister. Without any policy or guidelines, HCA has no direction on offsetting in these required circumstances.

BD12, 2872 **MOVED BY: Chad Collins**
SECONDED BY: Jim Cimba

THAT the Board of Directors approve the Natural Heritage Offsetting Policy Development Discussion Paper, dated April 1, 2021;

THAT staff be directed to circulate the Discussion Paper and to initiate consultation with the City of Hamilton, County of Wellington and the Township of Puslinch, and;

THAT the Discussion Paper be made available on the HCA website and through social media in order to obtain stakeholder and public feedback.

CARRIED

Brad Clark, Susan Fielding and Cynthia Janzen were recorded as opposed.

7.2. Consultation of Growing the Greenbelt (ERO#019-3136) – HCA Submission

Scott Peck presented a summary of the report.

Susan Fielding advised the members that the study area includes 70% of the Township of Puslinch and proposed protections for the Paris Galt Moraine potentially limit the viability of properties in the areas identified for growth in Puslinch. Susan added that protections exist for the Paris Galt Moraine through County of Wellington and Township of Puslinch policies. The Township of Puslinch Council has advised the province they are not supportive of the expansion.

It was suggested the staff comment on the defined boundary of the Paris Galt Moraine on page 72 of agenda package could be amended to include language that there be consideration for settlement areas, hamlets and industrial areas.

BD12, 2873 **MOVED BY: Brad Clark**
SECONDED BY: Maria Topalovic

THAT the Board of Directors approve the HCA responses provided in the table attached to the April 1, 2021 report titled “Consultation on growing the size of the Greenbelt”, as amended;

THAT staff be directed to submit this information to the Province of Ontario prior to April 19, 2021 as the HCA comments to the Environmental Registry of Ontario posting ERO#019-3136, and;

THAT HCA staff confirm with Conservation Ontario that the Board of Directors of the HCA have endorsed the comments as detailed in the attached table and previously provided to Conservation Ontario.

CARRIED

BD12, 2874

**MOVED BY: Susan Fielding
SECONDED BY: Brad Clark**

THAT the HCA staff comments be amended to add, “The direction of the County of Wellington must be considered in finalizing the boundaries of the Greenbelt expansion relating to settlement areas, hamlets, and industrial areas”.

CARRIED

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

8.1. Foundation Chairman’s Remarks

Margaret Reid presented on the following:

Donations

We received a total of **\$14,868** in donations from March 1 to 31, 2021. They break down as follows:

- \$6,370 for Westfield Heritage Village
- \$2,500 for Tribute Benches
- \$2,043 for Environmental Education
- \$1,550 for the Area of Greatest Need Fund

- \$800 for Tree and Shrub planting
- The remaining \$1,605 was donated to the Dundas Valley CA Fund, the Dundas Valley Trails Fund, the Trail Development Fund and Land Securement

This brings our fiscal year-to-date (Dec 2020 to Mar 2021) fundraising total to **\$81,821**. This total is somewhat below the same period last year, but we are expecting to see a positive change to these numbers in the next few months as corporate donors are starting to re-engage.

As part of our strategic planning, using completed HCA master plans, and with the assistance of HCA staff, the Foundation has now identified a number of projects to focus its active fundraising efforts. These include Environmental Education, the Saltfleet Wetland Restoration, Fifty Point Fisheries Enhancement, Trails and Locomotive Tender improvements at Westfield, and the Lookout Tower at Valens Conservation Area. A more comprehensive list of all projects that require funding has also been created to allow us to respond to donor interests as they arise.

Margaret added that she plans to raise the natural heritage offsetting policy at the upcoming meeting for the Foundation Board of Directors as there is the potential to negatively affect donors.

BD12, 2875 **MOVED BY: Santina Moccio**
SECONDED BY: Brad Clark

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

CARRIED

8:58 Chad left the meeting.

9. Other Staff Reports/Memoranda

9.1. Watershed Conditions Report

Scott Peck presented a summary of the memorandum advising the conditions are similar to last month. We are not in a drought conditions, however we are below the long-term average conditions in our watercourses. The Lake Ontario levels are also 18 cm below the long-term average for this time of year.

BD12, 2876 **MOVED BY: Santina Moccio**
SECONDED BY: Cynthia Janzen

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

CARRIED**9.2. Conservation Areas Experiences Update**

Gord Costie provided a verbal update, advising that visitation rates remain high across all Conservation Areas. Private security will be on site at select areas to assist with visitor and parking management on the Easter long weekend. He commended the efforts of staff to maintain service levels and operations with the continued high visitation.

Lloyd Ferguson advised that the City of Hamilton Council approved the special enforcement area with increased parking fines for the areas surrounding Tiffany Falls and Sherman Falls.

Esther Pauls inquired about physical distancing within the Conservation Areas and on trails. Gord responded that our signage is still in place asking people to stay the appropriate distance apart. He noted the limited number of parking spaces also assists with managing the number of visitors. In addition, staff are directed to contact the City of Hamilton by-law enforcement staff to report issues with physical distancing.

BD12, 2877**MOVED BY: Santina Moccio
SECONDED BY: Dan Bowman****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

There were none.

12. Next Meeting

The next meeting of the Board of Directors will be held on Thursday, May 6, 2021 at 7:00 p.m.

13. Adjournment

On motion, the meeting adjourned.

Neil McDougall
Secretary-Treasurer

From: [Frank Shaw](#)
To: [Lisa Burnside](#)
Cc: [T.S. Peck](#); [Jaime Tellier](#)
Subject: Hamilton Conservation Authority - Success in 2020
Date: April 6, 2021 12:06:15 PM
Attachments: [Frank G. Shaw - 2021 Biographical Sketch CV v1.7.pdf](#)

Lisa Burnside and All in the Hamilton Conservation Authority

I just finished reading your HCA Annual Report 2020 and HCA Strategic Plan 2019-2023.

As a former Asst. General Manager & Director of Operations (1970 to 1977) in the early years of HRCA, under the leadership of Ben Vanderbrug & Bill Powell, I remember the wise lessons that we learned as we rapidly expanded conservation area holdings, watershed programs and conservation education services in the 1970s.

I often visit your website and am constantly impressed with new and continued HCA achievements. Having invested my personal energy & time with others in HCA, it is so heart-warming to see an organization prosper.

Enduring in Covid has been a leadership challenge but your HCA success is outstanding.

You are a leadership example in growing community conservation and regional resilience.

Please pass on my most sincere appreciation and thank you to the HCA Board and Staff.

Best Regards to HCA, Be Safe and Stay Well, Frank Shaw

Biographical Sketch for Frank G. Shaw

Frank Shaw graduated with a Bachelor of Science in Honours Biology and Chemistry as a gold medalist from the University of Western Ontario in 1967. Frank has over 50 years of professional experience in resources management, water conservation, parks operation, land use planning, heritage tourism, customer service and program development. He has served as a senior executive manager with several Ontario government ministries, local conservation authorities and public agencies including Natural Resources, Environment, Tourism, Municipal Affairs, Hamilton Region Conservation Authority, St. Lawrence Parks Commission (SLPC) and the Niagara Escarpment Commission (NEC).

As General Manager for the SLPC, Frank Shaw coordinated business development and strategic planning initiatives to revitalize tourism attractions, improve customer service, strengthen community partnership & stimulate economic growth. As Executive Director for the NEC, he facilitated implementation of the provincially approved land use plan for Ontario's Niagara Escarpment including all policy development, stakeholder relations, regulatory permits and legislation improvement. Frank has been affiliated with several associations e.g. Ontario Institute of Agrologists, Soil Conservation Society, American Institute of Planning, Ontario Society for Environmental Biologists, Ontario's Natural Heritage League, York Region Tourism Advisory Committee, Ontario East Tourism Association, Monitoring of the Moraine and the Ontario Land Trust Alliance.

Since 2000, Frank Shaw has provided consulting services in policy development, natural heritage management and program governance as a volunteer in support of not-for-profit, community and stewardship organizations. Frank enjoys working with regional boards, councils and other community groups in developing their long term sustainable vision through open dialogue, strategic teamwork and practical action. During 2002, he was a volunteer professional on an international exchange team in rural Pennsylvania, USA, researching options for managing rural growth and land conservation issues.

Frank is an active contributor in grass roots, citizen-based initiatives that support more conservation & stewardship actions for the Oak Ridges Moraine and other Greenbelts to promote long term ecological health, land & water stewardship and vibrant, sustainable communities. He has served as a Board Member, Land & Stewardship Chair, Governance Chair, Planning & Partnership Chair, Board Secretary and Vice-President for Oak Ridges Moraine Land Trust. Frank also sits on the Board of the Ontario Farmland Trust, where he has been Board Secretary, Governance Chair and on the Land Committee. In 2015, Frank was elected to the Board of Governors for the Ontario Land Trust Alliance, where he has contributed as Governance Chair, Board Secretary and Policy Writer in policy development, best practices and pursuing excellence in Ontario's land trusts.

He is also the joint owner & manager of the Shaw family century farm in Norfolk County and a managed heritage forest in Bruce County on the Niagara Escarpment. Frank resides with his wife Susan at home in Aurora and on the farm near Simcoe, Ontario.

Frank G. Shaw UE, B.Sc. (Hon), Assoc. AIP, P.Ag. (ret.)



Community Services

Legislative Services

April 27, 2021

File #120203

Sent via email: premier@ontario.ca

The Honourable Doug Ford, Premier of Ontario
 Legislative Building
 Queen's Park
 Toronto, ON M7A 1A1

Honourable and Dear Sir:

Re: Province Investigating and Updating Source Water Protection Legislation

Please be advised the Municipal Council of the Town of Fort Erie at its meeting of April 26, 2021 passed the following resolution:

Whereas the Municipal Council of the Town of Fort Erie passed a resolution on October 21st, 2019 identifying that 1,100 private water wells were in operation in the Town of Fort Erie, of which 75% were used for domestic purposes including human and livestock consumption, and

Whereas the Municipal Council of the Town of Fort Erie further identified in that resolution that Council requires the protection of water in the aquifer supplying water to those wells from contamination as the result of any remediation of Pit One owned by the Port Colborne Quarries in the City of Port Colborne, and further

Whereas Report No. PDS-23-2021, approved by Council on March 22, 2021, identified that while the Niagara Peninsula Conservation Authority, The Regional Municipality of Niagara and Local Area Municipalities work together to protect source water, these plans do not generally apply to private servicing, and

Whereas Report No. PDS-23-2021 further identified efforts undertaken by the Town of Fort Erie through available provincial planning policy, regulation and legislation to protect source water within the Town of Fort Erie without any explicit ability to designate source water protection for private services, and

Whereas on July 28, 2010, through Resolution 64/292, the United Nations General Assembly explicitly recognized the human right to water and sanitation and acknowledged that clean drinking water and sanitation are essential to the realization of all human rights, and

.../2

Mailing Address:

The Corporation of the Town of Fort Erie
 1 Municipal Centre Drive, Fort Erie ON L2A 2S6

Office Hours 8:30 a.m. to 5:00 p.m. Phone: (905) 871-1600 FAX: (905) 871-4022

Web-site: www.forterie.ca

Whereas it would be desirable to ensure that those in our community who rely on wells and other private servicing for clean drinking water are afforded the same source water protection as municipal drinking water systems;

Now therefore it be resolved,

That: The Municipal Council of the Town of Fort Erie recognizes and acknowledges that clean drinking water and sanitation are basic human rights and essential to the realization of all human rights, and further

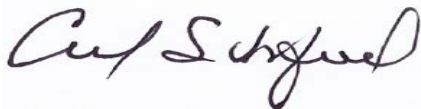
That: The Municipal Council of the Town of Fort Erie requests that the Ministry of Environment, Conservation and Parks consider legislative changes that would permit the expansion of source water protection to aquifers and private services, and further

That: This resolution be circulated to The Honourable Doug Ford, Premier of Ontario, the Honourable Jeff Yurek, Minister of the Environment, Conservation and Parks, Wayne Gates, MPP Niagara Falls, Jeff Burch, MPP Niagara Centre, Jennifer Stevens, MPP St. Catharines and Sam Oosterhoff, MPP Niagara West, and further

That: This resolution be circulated to all Conservation Authorities and Municipalities in Ontario for their endorsement and support.

Thank you for your attention to this matter.

Yours very truly,



Carol Schofield, Dipl.M.A.
Manager, Legislative Services/Clerk

cschofield@forterie.ca

CS:dlk

c.c.

The Honourable Jeff Yurek, Minister of Environment, Conservation and Parks jeff.yurekco@pc.ola.org

Jeff Burch, MPP, Niagara Centre jburch-gp@ndp.on.ca

Sam Oosterhoff, MPP, Niagara West sam.oosterhoff@pc.ola.org

Jennifer Stevens, MPP, St. Catharines JStevens-co@ndp.on.ca

Wayne Gates, MPP, Niagara Falls wgates-co@ndp.on.ca

Ontario Conservation and all Ontario Conservation Authorities: kgavine@conservationontario.ca; bhomer@abca.ca; kfurlanetto@crca.ca; generalmanager@catfishcreek.ca; @cloca.com; mvytyvtskyy@hrca.on.ca; deb.martindowns@cvc.ca; tim.pidduck@crowevalley.com; tbyrne@erca.org; llaliberte@grca.on.ca; karmstrong@grandriver.ca; t.lanthier@greysauble.on.ca; Lisa.Burnside@conservationhamilton.ca; majchrowski@kawarthaconservation.com; elizabeth@kettlecreekconservation.on.ca; cullen@lsrca.on.ca; tammy@lakeheadca.com; jmaxwell@lprca.on.ca; mark.peacock@lvca.ca; kelly.vandette@ltc.on.ca; beard@mvca.on.ca; David.Vallier@mattagamiregion.ca; smcintyre@mvc.on.ca; csharma@npca.ca; carl.jorgensen@conservationsudbury.ca; brian.tayler@nbmca.ca; dhevenor@nvca.on.ca; dlandry@otonabeeconservation.com; bmcnevin@quinteconservation.ca; richard.pilon@rrca.on.ca; sommer.casgrain-robertson@rvca.ca; j.stephens@svca.on.ca; cbarrett@ssmrca.ca; acoleman@nation.on.ca; bmcdougall@scrca.on.ca; John.MacKenzie@trca.ca; annett@thamesriver.on.ca

Ontario Municipalities

Report

TO: Board of Directors

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

MEETING DATE: May 6, 2021

RE: Conservation Ontario Governance Accountability and Transparency Initiative

STAFF RECOMMENDATION

WHEREAS the provincial government has passed legislative amendments related to the governance of Conservation Authorities;

AND WHEREAS Conservation Authorities remain committed to fulfilling accountable and transparent governance;

THEREFORE, BE IT RESOLVED

THAT the Board of Directors approve the following:

THAT the three key actions developed by the Conservation Ontario Steering Committee be endorsed to:

- 1. Update the Conservation Authority Administrative By-laws**
- 2. Report proactively on priorities**
- 3. Promote/demonstrate results**

AND THAT Staff be directed to work with Conservation Ontario to implement these actions and to identify additional improvements and best management practices.

BACKGROUND

As a result of the passage of Bill 229, a number of amendments have been made to the Conservation Authorities Act and presentations and reports have been brought to the

Board in this regard. In particular, on February 2, 2021, a number of clauses related to governance were proclaimed.

The new clauses will require updates to all CA approved Administrative by-laws. To assist Conservation Authorities in this regard, Conservation Ontario has struck up a steering committee to pursue governance accountability and transparency measures. At the April 12, 2021 Conservation Ontario Council Meeting, steering committee members were endorsed which included representation by HCA with the participation by the CAO. Conservation Ontario council requests that all CA's endorse a commitment to pursue the noted governance accountability and transparency measures in the continued pursuit of collaboration and engagement with the Province.

STAFF COMMENT

On behalf of the collective Conservation Authorities, Conservation Ontario has been communicating our commitment to accountability and transparency over the past several years and all CAs updated their administrative by-laws using a new template standard in 2018. With changes to the CA Act with Bill 229, additional amendments will be required. HCA already undertakes an annual review of our administrative by-laws and governance policies led by the Budget and Administration Committee and the work by the steering committee will align well to guide our own internal review.

In addition to updates to the by-laws, the steering committee will proactively track and biannually report to Conservation Ontario Council on the status of exception requests made to MECP. The steering committee will also identify required actions and best management implementation plans for any newly proclaimed governance-related clauses. A checklist of materials for all CA websites will also be created.

Finally, updates and results will be promoted and demonstrated through advocacy materials for the public and the Province. These advocacy materials will be promoted on Conservation Ontario's webpage.

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

Conservation Ontario and the Conservation Authorities share the Provincial government's commitment to governance accountability and transparency. The work of the steering committee will help position CAs as accountable and transparent.

Report

TO: Conservation Advisory Board

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

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

PREPARED BY: Jonathan Bastien, Water Resources Engineering

MEETING DATE: April 8, 2021

RE: Christie Lake Dam & Valens Lake Dam Public Safety
Risk Assessments and the Valens Lake Dam Safety
Review

STAFF RECOMMENDATION

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

THAT the Public Safety Risk Assessments for Christie Lake Dam and Valens Lake Dam and the Dam Safety Review for Valens Lake Dam be received;

THAT the recommended public safety risk reduction measures contained within these reports be approved by the Board of Directors for implementation within appropriate time frames determined by HCA staff;

THAT the Board of Directors approve the risk tolerance level (Moderate) that was adopted in the Public Safety Risk Assessments;

THAT the Board of Directors approve the implementation of recommended public safety risk reduction measures to reduce all identified High-risk hazards to at least Medium risk; and,

THAT the recommended dam safety remedial measures contained within the Valens Lake Dam Safety Assessment be approved by the Board of Directors for implementation within the suggested time frames.

BACKGROUND

The HCA is required to undertake public safety assessments and dam safety assessments for the Valens Lake and Christie Lake dams. This report highlights the recent work completed by HCA staff and the hired consultants to address these requirements.

STAFF COMMENT

Public Safety Risk Assessments – General

The objective of Public Safety Risk Assessments (PSRA) is to identify the potential hazards associated with the dam related to public safety, assess the level of risk associated with the potential hazards and recommend risk reduction measures to mitigate the potential hazards.

A PSRA was previously completed for both Christie Lake Dam and Valens Lake Dam by Exp Services Inc in 2015. Exp Services Ltd recommended that the PSRAs be reviewed and amended as necessary, specifically whenever physical changes are implemented that may affect public safety, and at least every five (5) years.

In 2020, D.M. Wills Associates Limited was retained to completed updated PSRAs for both dams.

For the updated PSRAs, a Moderate HCA risk tolerance level was adopted. This was consistent with the 2015 PSRAs and with the Ministry of Natural Resources & Forestry's 2010 Risk Assessment Tool. Additionally, D.M. Wills Associates Limited has advised HCA staff that the Moderate risk tolerance appears to be appropriate for HCA, based on their understanding of these dam sites and the practices of other similar dam owners.

Knowledge of known public activity and interaction with safety hazards was gained through information provided by HCA Christie Lake and Valens Lake Conservation Area staff as well as on-site observation of anecdotal evidence.

D.M. Wills Associates Limited identified a number of opportunities where the modification / replacement of existing public safety measures or the addition of new public safety measures has the potential to reduce the Risk Level (RL) for some activities and component areas.

If the recommended risk reduction measures are implemented, no High-risk hazards would be remaining. It should be noted that additional, and more restrictive, public safety measures would be needed if HCA decided to reduce all identified risks to Low risk. According to D.M. Wills Associates Limited, it is likely that access to the dams would need to be completely restricted in order to achieve this target, and even then, some risks may remain at a Medium risk level.

50% external funding, through the Ministry of Natural Resources and Forestry's (MNRF) Water & Erosion Control Infrastructure (WECl) program, is expected to be available for most (if not all) recommended measures. That said, the MNRF WECl program has limited funds available each year, and it is anticipated that multiple years would be required to secure this external funding for all eligible measures. It is suggested that additional required funding be sourced from annual HCA Capital Works budgets.

It was recommended that the public safety risk reduction measures should generally be implemented following a staged approach. The purpose of following a staged approach is to demonstrate due diligence while balancing other factors such as cost and need.

The process for the staged approach can be summarized as follows:

1. Implement the recommended new / revised public safety measures.
2. Monitor and keep records of the types of activities and frequency of those activities being undertaken by members of the public within each component area.
3. Review the information at the time of the next PRSA (5 years) to determine if the public safety measures that were previously implemented have been effective.
 - a. If the previously implemented public safety measures have been effective, continue the monitoring and review cycle as described above.
 - b. If the previously implemented public safety measure have not been effective, implement additional / revised public safety measures and continue the monitoring and review cycle described above.

Notwithstanding the above, if a significant public safety issue is identified during the monitoring and record keeping phase, the HCA may choose to implement additional public safety measures sooner than the next PRSA in order to demonstrate due diligence and enhance public safety at the dam. The effectiveness of these public safety measures would then be considered as part of the next PRSA.

Public Safety Risk Assessments – Findings for Christie Lake Dam

Members of the public generally have access to portions of all component areas. The dam and the areas up and downstream are popular places to visit and recreate due to the presence of the Christie Lake Conservation Area and its proximity to larger population centres.

Based on the information provided / collected, public activities at various times of the year are expected to consist of:

- . Fishing from boat.
- . Boating (under power)
- . Canoeing/kayaking/rowing.
- . Ice fishing.
- . Paddle boarding.
- . Fishing from shore.
- . Walking.
- . Climbing.
- . Camping.
- . Picnicking.
- . ATV / dirt biking.
- . Hiking.
- . Skiing.
- . Snowshoeing
- . Driving.
- . Biking.
- . Swimming/diving.
- . Accessing electrical equipment.
- . Accessing mechanical equipment.
- . Skateboarding on weir structure.
- . Horseback riding.
- . Tobogganing.
- . Playing in Darnley Cascade.

In general, the public safety hazards identified at the site include:

- . Rapidly increasing water levels.
- . Rapidly increasing flows
- . Strong currents or undertows.
- . Presence of spillway with sluiceway.
- . Presence of spillway with stoplogs.
- . Presence of overflow spillway or dam.
- . Presence of discharge valve/pipe.
- . Steep or slippery banks.
- . Falling from height > 3 m.
- . Pinching or crushing.
- . Thin ice.
- . Changing flow/depth may result in stranding.
- . Floating debris.
- . Unsecured mechanical/electrical equipment.
- . Unsecured or exposed live electrical conductors.
- . Inadequate guardrails/handrails for public.
- . Open holes or tripping.
- . Wind / rough water.
- . Unstable masonry/concrete walls and floors.

For Christie Lake Dam, there are currently a number of public safety measures in place including, public safety signage, a seasonal public safety boom, a safety buoy, fencing, railings, a security system, security patrols and operational controls.

When accounting for the current public safety measures, the risk assessment of activities and hazards identified 17 High risks, 36 Medium risks and 6 Low risks.

If the recommended risk reduction measures are implemented, it is expected that there would be 0 High risks, 45 Medium risks and 14 Low risks.

The below Table1 summarizes the recommended public safety risk reduction measures, and estimated required budgets.

Table1–Christie Lake Dam Recommended Public Safety Risk Reduction Measures

Priority No.	Category	Recommendation No. and Description		Estimated Cost
1	Security Patrols	11.	Continue Security Patrols on a Random Basis	N/A
2	Security Patrols	12.	Document all Public Activities using CDA Form and a Spreadsheet	N/A
3	Darnley Mill Ruins	18.	Removal from Websites	N/A
4	Public Education	5.	Public Safety Warnings at Christie Lake Conservation Area Entrance	\$2,000
5	Fencing/Railings/Barricades	9.	Drop Inlet Structure Ladder Cover	\$6,500
6	Darnley Mill Ruins	19.	Cover for Steel Penstock	\$5,500
7	Darnley Mill Ruins	15.	Fencing Replacement/Improvement	\$24,800
8	Darnley Mill Ruins	16.	Small No Trespassing Signs (assume 15)	\$4,200
9	Darnley Mill Ruins	17.	Small Hazard Warning Signs (assume 15)	\$4,200
10	Public Safety Plan	20.	Prepare Public Safety Plan	\$5,000
11	Signage	2.	Small Signs Prohibiting Ice Activities (assume 25)	\$9,700
12	Signage	3.	Small Public Safety Signs on Left	\$1,200

Priority No.	Category	Recommendation No. and Description		Estimated Cost
			Side of Emergency Spillway (3)	
13	Signage	4.	Medium Public Safety Signs at Darnley Cascade (assume 2)	\$3,900
14	Audible Danger Signaling Device	7.	Install Audible Danger Signaling Device (or implement noted alternate measure)	\$6,300
15	Video Surveillance	13.	Replace Security Camera(s)	\$6,300
16	Public Safety Boom	6.	Replace Public Safety Boom	\$188,500
17	Signage	1.	Large Public Safety Signs at Public Safety Boom Anchors (2)	\$5,500
18	Fencing/Railings/Barricades	10.	Railings Along Tops of Gabion Basket Retaining Walls	\$33,000
19	Operational Controls	14.	Update OMSS Manual	\$10,000
20	Fencing/Railings/Barricades	8.	Fencing Between Upstream Wingwalls and Public Safety Boom	\$33,000

Public Safety Risk Assessments – Findings for Valens Lake Dam

Members of the public generally have access to portions of all component areas. The dam and the areas up and downstream are popular places to visit and recreate due to the presence of the Valens Lake Conservation Area and its proximity to larger population centres.

Based on the information provided / collected, public activities at various times of the year are expected to consist of:

- . Fishing from boat.
- . Boating (under power)
- . Canoeing/kayaking/rowing.
- . Swimming.
- . Swimming/diving.
- . Skating.
- . Ice fishing.
- . Fishing from shore.
- . Walking.

- . Climbing.
- . Camping.
- . Picnicking.
- . Hiking.
- . Skiing.
- . Snowshoeing
- . Driving.
- . Biking.

In general, the public safety hazards identified at the dam include:

- . Rapidly increasing water levels.
- . Rapidly increasing flows.
- . Strong currents or undertows.
- . Presence of spillway with stoplogs.
- . Presence of discharge valve/pipe.
- . Submerged Underwater Structures.
- . Steep or slippery banks.
- . Falling from height > 3 m.
- . Thin ice.
- . Floating debris.

For Valens Lake Dam, there are currently a number of public safety measures in place including, public safety signage, railings, security patrols and operational controls.

When accounting for the current public safety measures, the risk assessment of activities and hazards identified 11 High risks, 22 Medium risks and 4 Low risks.

If the recommended risk reduction measures are implemented, it is expected that there would be 0 High risks, 25 Medium risks and 12 Low risks.

The below Table2 summarizes the recommended public safety risk reduction measures, and estimated required budgets.

Table2–Christie Lake Dam Recommended Public Safety Risk Reduction Measures

Priority No.	Category	Recommendation No. and Description		Estimated Cost
1	Security Patrols	9.	Continue Security Patrols on a Random Basis	N/A
2	Security Patrols	10.	Document all Public Activities using CDA Form and a Spreadsheet	N/A
3	Public Education	6.	Public Safety Warnings at Valens	\$2,000

Priority No.	Category	Recommendation No. and Description		Estimated Cost
			Lake Conservation Area Entrance	
4	Public Safety Plan	12.	Prepare Public Safety Plan	\$5,000
5	Fencing/Railings/Barricades	8.	Outlet Structure Railing Modifications	\$8,300
6	Signage	1.	Small Signs Prohibiting Ice Activities in Headpond (4)	\$1,600
7	Signage	2.	Small Signs for Headpond Component Area (4)	\$1,600
8	Signage	3.	Small Signs for Dam Approaches (2)	\$800
9	Signage	4.	Replace No Trespassing Sign Near Private Dwelling	\$400
10	Signage	5.	Large Downstream Facing Public Safety Sign	\$1,100
11	Fencing/Railings/Barricades	7.	Vehicular Gates on Dam Approaches	\$8,800
12	Operational Controls	11.	Update OMSS Manual	\$10,000

Dam Safety Review at Valens Lake Dam – General

A Dam Safety Review (DSR) is an independent and systematic review and evaluation of the design, construction, maintenance, operation, and management systems affecting dam safety. DSRs are to be reviewed and amended as necessary, and at least every ten (10) years.

A DSR for Valens Lake Dam was previously carried out by Acres International in 2004, and by Exp Services Limited in 2015. From 2016 to 2020, a series of groundwater monitoring wells were installed, and the ground water monitoring program was carried out. An analysis of the collected groundwater monitoring data was completed by AECOM in 2020 and raised concerns regarding the dam core and the presence of the toe drain.

In 2020, TULLOCH Engineering Inc. was retained to carry out an updated DSR for Valens Lake Dam. The updated DSR provided HCA with an independent and comprehensive assessment of the adequacy of the current Valens Lake Dam to meet or exceed the applicable dam safety requirements. In addition, the DSR assessed and

addressed the concerns raised by AECOM. Also, the updated DSR identified and categorized all dam safety issues that require remedial attention.

Dam Safety Review at Valens Lake Dam – Findings for Valens Lake Dam

In general, the Valens Lake Dam is in good condition and meets the requirements from CDA dam safety guidelines for its upstream and downstream slope stability.

The Hazard Potential Classification of Valens Lake Dam was confirmed as “Very High”.

The available freeboards for both embankment crest and core were considered acceptable as per the updated survey data and hydrotechnical assessment.

TULLOCH’s review of the borehole data by AECOM (June 2020) confirmed that the core of the Valens Lake Dam embankment consists of low permeable glacial till, which effectively control seepage through the dam. There is no concern regarding the absence of core material.

The presence of the toe drain was confirmed by assessing the piezometer responses and seepage analysis results, supported with the review of the as-built drawings and construction photos. The toe drain in the current condition performed well in lowering the phreatic line and keeping a dry and sound condition of the downstream slope.

The instruments at the dam site work properly except for the monitoring piezometer at BH-103. TULLOCH’s field inspection and testing showed this piezometer was clogged.

There is standing water present at the toe swale. The ponding water has been reported consistently for the past five years since the last DSR (Exp Services Limited 2015). The ponding water in the current condition is not considered as a dam safety issue as the water was clear of any suspended solids and no sign of piping or sink hole were observed. TULLOCH recommends HCA keep monitoring any change of the ponding water at the toe swale during the routine inspection and maintenance program.

The concrete at the upstream intake structure is in good condition. Several random cracks and map cracks along the side walls of structure were evident. These cracks are considered insignificant for the safety of the structure. Routine monitoring of the concrete condition is recommended.

A monthly inspection frequency is considered suitable for the good condition of the dam. HCA should notify a qualified geotechnical engineer for further assessment if any sink hole, piping, or sign of seepage is encountered at the downstream slope.

The other recommendations are summarized below.

- Routine dam safety inspections (DSI) annually and an updated DSR as per OMS requirements.
- Seal animal burrows at downstream slope, if encountered.

- Readdress the riprap where riprap dislocation or bare slope is encountered at the upstream.
- Regularly remove shrub, bushes, tall plants from dam surface.
- Repair the local peeled paint and rust spots at the handrail.
- Update Operations, Maintenance and Security (OMS) manual, as well as the Emergency Preparedness Plan (EPP) manual

The below Table3 summarizes the recommended dam safety remedial measures, and estimated required budgets.

Table3-Valens Lake Dam Recommended Dam Safety Remedial Measures

Component	Key Items	Objectives	Estimated Cost (2020 \$)	Priority	Comments
Piezometers	Rehab BH-103 & verification test	Repair BH-103 & Field testing to verify the performance	\$5,000	Within 1 – 2 years	BH-103 provides information for the phreatic level, which is an important factor for the slope stability.
	Replace BH-103, material, installation, supervision, and reporting	Monitoring groundwater level below the downstream slope	\$15,000	Within 1 – 2 years	Required if BH-103 is not repairable. Suitable rig should be used for drilling on a sloped surface. Suitable filter should be installed to prevent the piezometer from clogging.
Upstream	Riprap repair	Local riprap dislocations	\$1,000	Within 5 years	Repairs are local.
Public Safety	Handrail rust repair	Local rust spot	\$500	Within 5 years	Repairs are not safety issue.
General	<ul style="list-style-type: none"> • Routine DSI and DSR. • Seal animal burrows at downstream slope if encountered. • Readdress the riprap where riprap dislocation or bare slope is encountered at the upstream. • Regularly remove shrub, bushes, tall plants from dam surface. • Repair the local peeled paint and rust spots at the handrail. 	Routine inspection, maintenance, dam safety assessment and document updates	HCA Staff	N/A	

Component	Key Items	Objectives	Estimated Cost (2020 \$)	Priority	Comments
	• Update OMS and EPR				

50% external funding, through the MNRF’s WECI program, may be available for the BH-103 repair or replacement. It is suggested that additional required funding would be sourced from annual HCA Capital Works budgets.

STRATEGIC PLAN LINKAGE

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

- **Strategic Priority Area – Water Management**
 - Initiatives – Maintain and enhance our flood control infrastructure to address flooding and work to augment low flow conditions

AGENCY COMMENTS

N/A

LEGAL/FINANCIAL IMPLICATIONS

The estimated costs to implement the recommendations of the public safety assessments and the dam safety assessment have been detailed in this report. Staff will work to obtain funding through the MNRF’s WECI program as appropriate as well as through the HCA budget process to fund these projects and to address the recommendations on a priority basis.

CONCLUSIONS

The public safety assessments and the dam safety assessments are completed to ensure public safety at HCA dams and to ensure the continued safety operation and maintenance of HCA dams. The recommendations contained in the reports have been reviewed by HCA staff and staff will work to implement the recommendations following a staged approach to address our due diligence requirements while balancing other factors such as cost and priority.



Report

TO: Budget & Administration Committee

FROM: Neil McDougall, Secretary-Treasurer

DATE: April 15, 2021

RE: Report by the Auditors and
2020 Twelve-Month Audited Financial Statements

STAFF RECOMMENDATION

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

THAT the Report by the Auditors be approved; and further

THAT the 2020 Twelve-Month Audited Financial Statements for Hamilton Conservation Authority and Confederation Beach Park be approved.

Hamilton Region Conservation Authority and Confederation Beach Park

For the year ended December 31, 2020

Report to the Budget and Administration Committee
Audit strategy and results

April 15, 2021

Melanie Dugard, CPA, CA
Principal
T 416 607 7303
E Melanie.Dugard@ca.gt.com

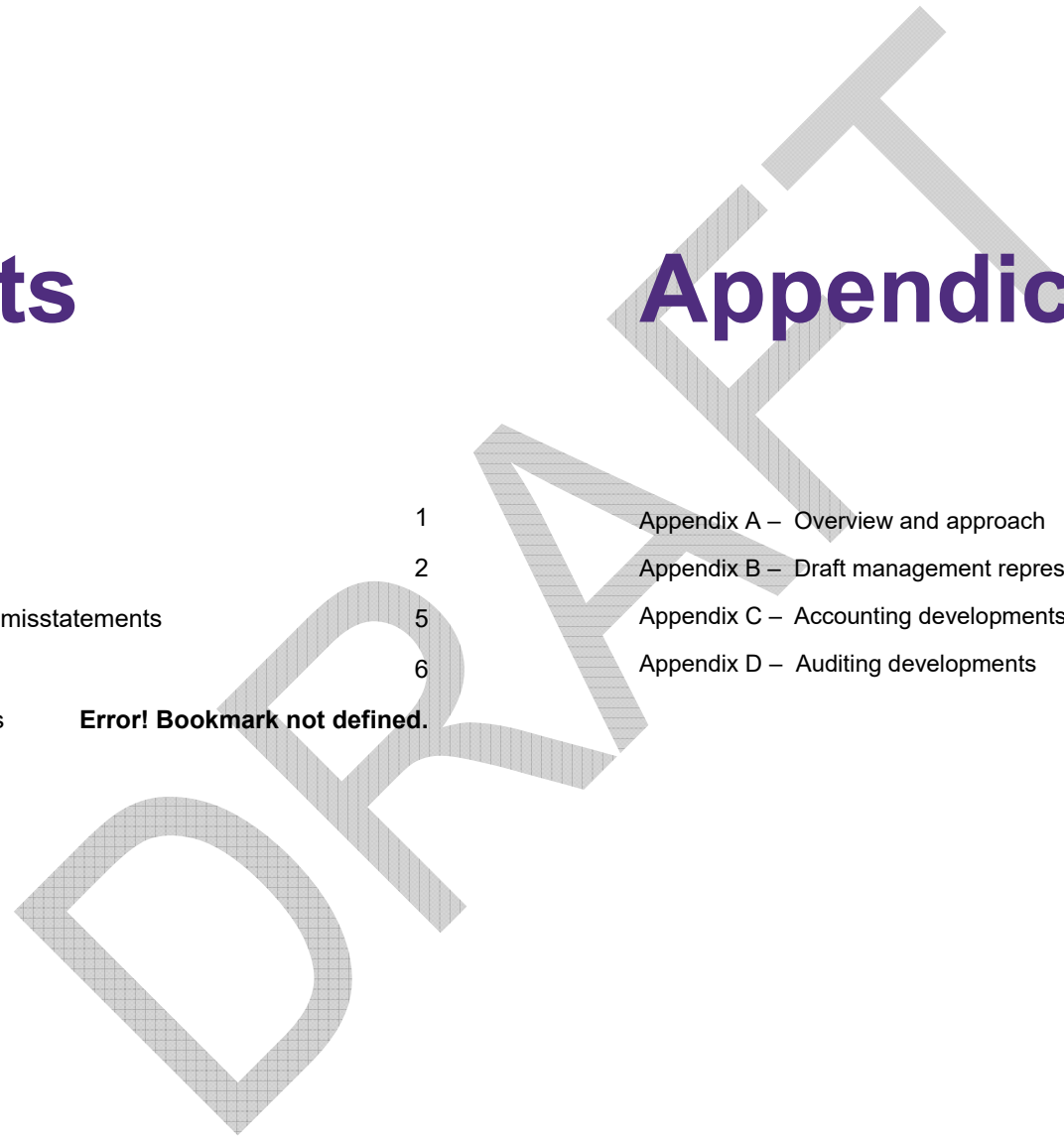


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Appendix A – Overview and approach
Appendix B – Draft management representation letter
Appendix C – Accounting developments
Appendix D – Auditing developments



Executive summary

Purpose of report and scope

The purpose of this report is to engage in an open dialogue with you regarding our audit of the financial statements of Hamilton Region Conservation Authority and Confederation Beach Park (the "Authority") for the year ended December 31, 2020. This communication will assist the Budget and Administration Committee in understanding our overall audit strategy and results of audit procedures and includes comments on misstatements, significant accounting policies, sensitive estimates and other matters.

The information in this document is intended solely for the information and use of the Budget and Administration Committee. It is not intended to be distributed or used by anyone other than these specified parties.

We have obtained our engagement letter dated September 5, 2018, which outlines our responsibilities and the responsibilities of management. Our engagement letters are used for three years, so we anticipate obtaining a new one for the 2021 fiscal year end.

We were engaged to provide the following deliverables:

Deliverable
Report on the December 31, 2020 financial statements
Communication of audit strategy and results

Status of our audit

We have substantially completed our audit of the financial statements of the Authority and the results of that audit are included in this report.

We will finalize our report upon resolution of the following items that were outstanding as at April 15, 2021:

- Receipt of signed management representation letter (a draft has been attached in the appendix B)
- Approval of the financial statements by the Board
- Response from the Authority's legal counsel to be dated within five days of when the financial statements are approved by the Board; and
- Inquiries which will be required between the date of the report to the date the financial statements are approved by the Board.

Approach

Our audit approach requires that we establish an overall strategy that focuses on risk areas. We identify and assess risks of material misstatement of the financial statements, whether due to fraud or error. The greater the risk of material misstatement associated with an area of the financial statements, including disclosures, the greater the audit emphasis placed on it in terms of audit verification and analysis. Where the nature of a risk of material misstatement is such that it requires special audit consideration, it is classified as a significant risk.

Our approach is discussed further in the Appendix A.

Audit risks and results

Audit risks

The spread of COVID-19 is severely impacting economies around the globe, causing extensive disruptions to many industries and business operations and a level of economic uncertainty that is unprecedented in our time. Given the impact on ongoing operations, we have considered how these events may affect the Organization's financial reporting. As every entity will be impacted differently, we highlight our significant findings in respect of COVID-19 impacts on audit risks and responses, significant transactions, risks, accounting practices and other areas of focus.

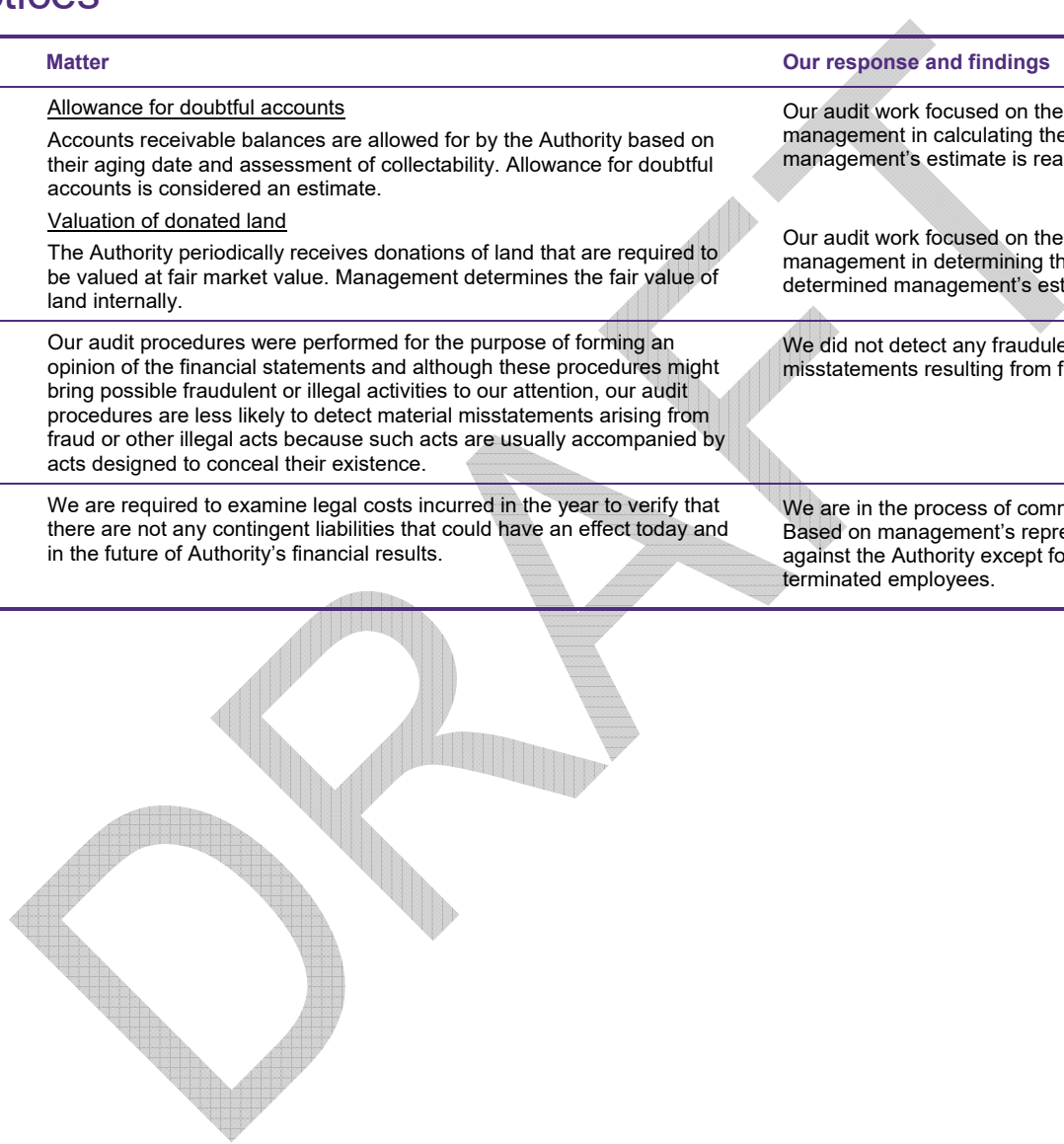
Area of focus	Why there is a risk	Our response and findings
<p>Impact of COVID-19</p>	<p>COVID-19 continues to impact economies around the globe, causing extensive disruptions to many sectors and creating a level of economic uncertainty that is unprecedented in our time. This is having a significant impact on organizations, their operations and financial reporting. Management determined the impact resulting from COVID-19 and has included the appropriate disclosures in the financial statements.</p> <p>Management believes the Authority will continue as a going concern and that there are no indicators of impairment that would require assets to be tested for impairment.</p>	<ul style="list-style-type: none"> We have reviewed the fiscal 2021 budget for the Authority and have had extensive discussions with management regarding the impact of COVID-19. We noted that while rental revenue decreased due to mandated closure and gathering restriction, the Authority had higher day attendance during the year as the conservation areas are safe places to go during the pandemic. A surplus of \$3.6M was realized this year. This coupled with \$2.6M in unrestricted accumulated surplus available for use indicates that the Authority does not have a risk relating to going concern. Management believes the Authority will continue as a going concern and that there are no indicators otherwise. <p>Our findings:</p> <p>Based on the nature of the assets held by Authority, we agree with management that there are no indicators of impairment.</p>

Significant risks

Area of focus	Why there is a risk	Our response and findings
Admission, product, service and program fees	<p>There is a presumed risk of fraud in revenue.</p> <p>The risk primarily relates to revenue recognized under user fees and other revenue.</p>	<p>We verified significant revenues to supporting documentation on sample basis, as well as an analysis of user fees by month compared to expectations (prior year).</p> <p>We performed reasonability analysis of the accounts receivable at year end by testing subsequent receipts and reviewing any accounts written off during the year.</p> <p>We tested key controls around the user fee process on sample basis.</p> <p><i>No matters of concern were found.</i></p>
Fraud risk from management override or weakness in segregation of duties	<p>This is a presumed fraud risk.</p> <p>The risk primarily relates to inherent pressure for a public sector entity to not exceed any budgeted amounts. The combination of the opportunity and motivation makes this presumed fraud risk applicable to the Authority.</p>	<p>We obtained the entire population of journal entries for the year and using data analytics, tested a sample based on characteristics deemed unusual given our knowledge of the Authority's operations.</p> <p>We reviewed any accounting estimates for biases.</p> <p>We evaluated the business rationale for significant transactions that are or appear to be outside the normal course of business.</p> <p><i>No matters of concern were found.</i></p>
Risk of expenditures and payables understated or not recorded in the correct period	<p>This risk primarily relates to the inherent bias to manage the budget.</p>	<p>We performed a variance analysis of operating expenses and accrued liabilities between prior year and current year and then investigated any significant or unusual variances.</p> <p>We tested a sample of expenses to ensure that the expenses were recorded in the appropriate period; and</p> <p>We performed a search for unrecorded liabilities by testing a sample of disbursements after year end to ensure they were recognized in the correct period.</p> <p><i>No matters of concern were found.</i></p>

Accounting practices

Area of focus	Matter	Our response and findings
Accounting estimates and disclosures	<p><u>Allowance for doubtful accounts</u> Accounts receivable balances are allowed for by the Authority based on their aging date and assessment of collectability. Allowance for doubtful accounts is considered an estimate.</p> <p><u>Valuation of donated land</u> The Authority periodically receives donations of land that are required to be valued at fair market value. Management determines the fair value of land internally.</p>	<p>Our audit work focused on the judgments and assumptions used by management in calculating the allowance. We have determined that management's estimate is reasonable.</p> <p>Our audit work focused on the judgments and assumptions used by management in determining the fair market value of donated land. We have determined management's estimate to be reasonable.</p>
Fraud and illegal acts	<p>Our audit procedures were performed for the purpose of forming an opinion of the financial statements and although these procedures might bring possible fraudulent or illegal activities to our attention, our audit procedures are less likely to detect material misstatements arising from fraud or other illegal acts because such acts are usually accompanied by acts designed to conceal their existence.</p>	<p>We did not detect any fraudulent or illegal activities or material misstatements resulting from fraudulent or illegal activities during our audit.</p>
Litigation proceedings	<p>We are required to examine legal costs incurred in the year to verify that there are not any contingent liabilities that could have an effect today and in the future of Authority's financial results.</p>	<p>We are in the process of communicating with the Authority's legal counsel. Based on management's representations, we are not aware of any claims against the Authority except for the ongoing lawsuit relating to two terminated employees.</p>



Adjustments and uncorrected misstatements

Adjustments

We have no adjusted misstatements to report.

Uncorrected misstatements

We have no non-trivial unadjusted misstatements to report.

Summary of disclosure matters

Our audit did not identify any unadjusted non-trivial misstatements of disclosure matters.

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Other reportable matters

Internal control

The audit is designed to express an opinion on the financial statements. We obtain an understanding of internal control over financial reporting to the extent necessary to plan the audit and to determine the nature, timing and extent of our work. Accordingly, we do not express an opinion on the effectiveness of internal control.

If we become aware of a deficiency in your internal control over financial reporting, the auditing standards require us to communicate to the Budget and Administration Committee those deficiencies we consider significant. However, a financial statement audit is not designed to provide assurance on internal control.

Based on the results of our audit, we did not identify any reportable observations.

Accounting standards update

There have been no significant changes in accounting standards that would impact the financial statements. However, please refer to Appendix C on further changes.

Assurance standards update

There have been no significant changes in assurance standards that would impact the financial statements. However, please refer to Appendix D on further changes.

Independence






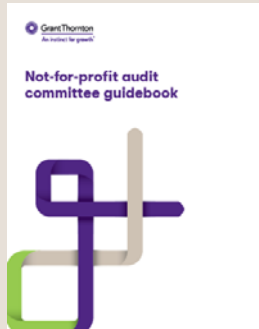
We have a rigorous process where we continually monitor and maintain our independence. The process of maintaining our independence includes, but is not limited to:

- Identifying threats to our independence and implementing safeguards to mitigate those threats; and
- Confirming the independence of our engagement team members

We have not identified any information regarding our independence that in our judgment should be brought to your attention.

Thought leadership

We are leaders in the charity, not-for-profit and government accounting industries, and we pass our knowledge on to our clients through numerous “Thought Leadership” publications. We have included below our most recent publications.

 <p>NOT-FOR-PROFIT ORGANIZATIO...</p> <p>How to evolve your charity & not-for-profit in pace with technology</p>	<p>How to evolve your charity & not-for-profit in pace with technology</p> <p>Available upon request</p>	 <p>Grant Thornton An member firm of PwC</p> <p>CNPOs and agility: Expanding the conversation</p> <p>In recent years, charities and not-for-profit organizations (CNPOs) have been faced by a range of shifting market forces that are altering the way they operate. And as Canadian charities have seen a steady decline in donations, associations and clubs have seen their membership erode—results that are hampering CNPOs' capacity to meet their mandates.</p>	<p>CNPOs and agility: Expanding the conversation</p> <p>Available upon request</p>	 <p>NOT-FOR-PROFIT ORGANIZATIO...</p> <p>Diversity as a differentiator in the charity and not-for-profit...</p>	<p>Diversity as a differentiator in the charity and not-for-profit sector</p> <p>Available upon request</p>
 <p>Grant Thornton An member firm of PwC</p> <p>Changes to auditor reporting standards in Canada: What to expect</p>	<p>Changes to auditor reporting standards in Canada</p> <p>Available upon request</p>	 <p>ADVISORY</p> <p>Three reasons to strengthen your cybersecurity posture</p>	<p>Three reasons to strengthen your cybersecurity posture</p> <p>Available upon request</p>	 <p>Grant Thornton An member firm of PwC</p> <p>Not-for-profit audit committee guidebook</p>	<p>Not-for-profit audit committee guidebook</p> <p>Available upon request</p>

Appendix A – Overview and approach

Our audit is planned with the objective of obtaining reasonable assurance about whether the financial statements as a whole are free from material misstatement, so that we are able to express an opinion on whether the financial statements are prepared, in all material respects, in accordance with Canadian public sector accounting standards. The following outlines key concepts that are applicable to the audit, including the responsibilities of parties involved, our general audit approach and other considerations.

Roles and responsibilities

Role of the board of directors	<ul style="list-style-type: none">• Help set the tone for the organization by emphasizing honesty, ethical behaviour and fraud prevention• Oversee management, including ensuring that management establishes and maintains internal controls to provide reasonable assurance regarding reliability of financial reporting• Oversee the work of the external auditors
Role of management	<ul style="list-style-type: none">• Prepare financial statements in accordance with Canadian public sector accounting standards• Design, implement and maintain effective internal controls over financial reporting processes, including controls to prevent and detect fraud• Exercise sound judgment in selecting and applying accounting policies• Prevent, detect and correct errors, including those caused by fraud• Provide representations to external auditors• Assess quantitative and qualitative impact of misstatements discovered during the audit on fair presentation of the financial statements
Role of Grant Thornton LLP	<ul style="list-style-type: none">• Provide an audit opinion that the financial statements are in accordance with Canadian public sector accounting standards• Conduct our audit in accordance with Canadian Generally Accepted Auditing Standards (GAAS)• Maintain independence and objectivity• Be a resource to management and to those charged with governance• Communicate matters of interest to those charged with governance• Establish an effective two-way communication with those charged with governance, to report matters of interest to them and obtain their comments on audit risk matters

Audit approach

Our understanding of the Authority and its operations drives our audit approach, which is risk based and specifically tailored to Hamilton Region Conservation Authority and Confederation Beach Park.

The five key phases of our audit approach



Phase	Our approach
1. Planning	<ul style="list-style-type: none"> We obtain our understanding of your operations, internal controls and information systems We plan the audit timetable together
2. Assessing risk	<ul style="list-style-type: none"> We use our knowledge gained from the planning phase to assess financial reporting risks We customize our audit approach to focus our efforts on key areas
3. Evaluating internal controls	<ul style="list-style-type: none"> We evaluate the design of controls you have implemented over financial reporting risks We identify areas where our audit could be more effective or efficient by taking an approach that includes testing the controls We provide you with information about the areas where you could potentially improve your controls
4. Testing accounts and transactions	<ul style="list-style-type: none"> We perform tests of balances and transactions We use technology and tools, including data interrogation tools, to perform this process in a way that enhances effectiveness and efficiency
5. Concluding and reporting	<ul style="list-style-type: none"> We conclude on the sufficiency and appropriateness of our testing We finalize our report and provide you with our observations and recommendations

Our tailored audit approach results in procedures designed to respond to an identified risk. The greater the risk of material misstatement associated with the account, class of transactions or balance, the greater the audit emphasis placed on it in terms of audit verification and analysis.

Throughout the execution of our audit approach, we maintained our professional skepticism, recognizing the possibility that a material misstatement due to fraud could exist notwithstanding our past experiences with the entity and our beliefs about management's honesty and integrity.

Internal control

Our audit will include gaining an understanding of the Authority' internal control over financial reporting. Our understanding will focus on processes associated with the identified risk areas, as described in this report. We use this understanding to determine the nature, extent and timing of our audit procedures.

Our understanding may also result in valuable internal control findings for your consideration. Note that the auditor's objectives with regards to internal control are different from those of management and those charged with governance. For example, we primarily target controls that relate to financial reporting and not those that relate to the Authority' operations or compliance which may also be relevant to its objectives. Therefore, management and those charged with governance cannot solely rely on our findings to discharge their responsibilities in this area.

Quality control

We have a robust quality control program that forms a core part of our client service. We combine internationally developed audit methodology, data analytics technology that allows us to examine large amounts of data, rigorous review procedures, mandatory professional development requirements, and the use of specialists to deliver high quality audit services to our clients. In addition to our internal processes, we are subject to inspection and oversight by standard setting and regulatory bodies. We are proud of our firm's approach to quality control and would be pleased to discuss any aspect of our approach to quality control with you at your convenience.

Appendix B – Draft management representation letter

DRAFT

Date, 2021

Grant Thornton LLP
33 Main Street East
Hamilton, ON
L8N 4K5

Dear Ms. Dugard:

We are providing this letter in connection with your audit of the financial statements of Hamilton Region Conservation Authority (the “Authority”) as of December 31, 2020, and for the year then ended, for the purpose of expressing an opinion as to whether the financial statements present fairly, in all material respects, the financial position, and results of operations, and cash flows of the Authority in accordance with Canadian public sector accounting standards.

We acknowledge that we have fulfilled our responsibilities for the preparation of the financial statements in accordance with Canadian public sector accounting standards and for the design and implementation of internal controls to prevent and detect fraud and error. We have assessed the risk that the financial statements may be materially misstated as a result of fraud, and have determined such risk to be low. Further, we acknowledge that your examination was planned and conducted in accordance with Canadian generally accepted auditing standards (GAAS) so as to enable you to express an opinion on the financial statements. We understand that while your work includes an examination of the accounting system, internal controls and related data to the extent you considered necessary in the circumstances, it is not designed to identify, nor can it necessarily be expected to disclose, fraud, shortages, errors and other irregularities, should any exist.

Certain representations in this letter are described as being limited to matters that are material. An item is considered material, regardless of its monetary value, if it is probable that its omission from or misstatement in the financial statements would influence the decision of a reasonable person relying on the financial statements.

We confirm, to the best of our knowledge and belief, as of Date, 2021, the following representations made to you during your audit.

Financial statements

- 1 The financial statements referred to above present fairly, in all material respects, the financial position of the Authority as at December 31, 2020 and the results of its operations and its cash flows for the year then ended in accordance with Canadian public accounting standards, as agreed to in the terms of the audit engagement.

Completeness of information

- 2 We have made available to you all financial records and related data and all minutes of the meetings of directors, and committees of directors, as agreed in the terms of the audit engagement. Summaries of actions of recent meetings for which minutes have not yet been prepared have been provided to you. All significant board and committee actions are included in the summaries.
- 3 We have provided you with unrestricted access to persons within the Authority from whom you determined it necessary to obtain audit evidence.
- 4 There are no material transactions that have not been properly recorded in the accounting records underlying the financial statements. The adjusting journal entries which have been proposed by you are approved by us and will be recorded on the books of the Authority.
- 5 There were no restatements made to correct a material misstatement in the prior period financial statements that affect the comparative information.
- 6 We are unaware of any known or probable instances of non-compliance with the requirements of regulatory or governmental authorities, including their financial reporting requirements.
- 7 We are unaware of any violations or possible violations of laws or regulations the effects of which should be considered for disclosure in the financial statements or as the basis of recording a contingent loss.
- 8 We have disclosed to you all known deficiencies in the design or operation of internal control over financial reporting of which we are aware.
- 9 We have identified to you all known related parties and related party transactions, including revenues, purchases, loans, transfers of assets, liabilities and services, leasing arrangements guarantees, non-monetary transactions and transactions for no consideration.

Fraud and error

- 10 We have no knowledge of fraud or suspected fraud affecting the Authority involving management; employees who have significant roles in internal control; or others, where the fraud could have a non-trivial effect on the financial statements.
- 11 We have no knowledge of any allegations of fraud or suspected fraud affecting the Authority's financial statements communicated by employees, former employees, analysts, regulators or others.
- 12 We acknowledge our responsibility for the design, implementation and maintenance of internal control to prevent and detect fraud.

Recognition, measurement and disclosure

- 13 We believe that the significant assumptions used by us in making accounting estimates, including those used in arriving at the fair values of financial instruments as measured and disclosed in the financial statements, are reasonable and appropriate in the circumstances.

- 14 We have no plans or intentions that may materially affect the carrying value or classification of assets and liabilities, both financial and non-financial, reflected in the financial statements.
- 15 All related party transactions have been appropriately measured and disclosed in the financial statements.
- 16 The nature of all material measurement uncertainties has been appropriately disclosed in the financial statements, including all estimates where it is reasonably possible that the estimate will change in the near term and the effect of the change could be material to the financial statements.
- 17 Any business combination that occurred during the year has been properly accounted for with appropriate consideration of amounts that should be allocated to goodwill and other intangible assets.
- 18 All outstanding and possible claims, whether or not they have been discussed with legal counsel, have been disclosed to you and are appropriately reflected in the financial statements.
- 19 All liabilities and contingencies, including those associated with guarantees, whether written or oral, have been disclosed to you and are appropriately reflected in the financial statements.
- 20 With respect to environmental matters:
 - a) at year end, there were no liabilities or contingencies that have not already been disclosed to you;
 - b) liabilities or contingencies have been recognized, measured and disclosed, as appropriate, in the financial statements; and
 - c) commitments have been measured and disclosed, as appropriate, in the financial statements.
- 21 The Authority has satisfactory title to (or lease interest in) all assets, and there are no liens or encumbrances on the Authority's assets nor has any been pledged as collateral.
- 22 We have disclosed to you, and the Authority has complied with, all aspects of contractual agreements that could have a material effect on the financial statements in the event of non-compliance, including all covenants, conditions or other requirements of all outstanding debt.
- 23 The Harmonized Sales Tax (HST) transactions recorded by the Authority are in accordance with the federal and provincial regulations. The HST liability/receivable amounts recorded by the Authority are considered complete.
- 24 Employee future benefit costs, assets, and obligations have been determined, accounted for and disclosed in accordance with the requirements of Section PS3255 *Post-Employment Benefits, Compensated Absences and Termination Benefits* of the Chartered Professional Accountants of Canada (CPA Canada) Handbook Part II– Accounting.
- 25 There have been no events subsequent to the date of the statement of financial position up to the date hereof that would require recognition or disclosure in the financial statements. Further, there

have been no events subsequent to the date of the comparative financial statements that would require adjustment of those financial statements and related notes.

- 26 We have provided sufficient and appropriate disclosure of the impact of COVID-19 on the Authority in note to the financial statements. The representation makes therein accurately reflect the impact to the Authority; and its continued operations.

Other

- 27 We have considered whether or not events have occurred or conditions exist which may cast significant doubt on the Authority's ability to continue as a going concern and have concluded that no such events or conditions are evident.

Yours very truly,

Lisa Burnside
Chief Administration Officer

Neil McDougall
Secretary-Treasurer

Appendix C – Accounting developments

Public Sector Accounting Standards	Effective date
<p>Section PS 1000 <i>Financial statement concepts</i>, Section 1201 <i>Financial Statement Presentation</i>, and PSG-8 <i>Purchased intangibles</i></p> <p>Section PS 1000 has been amended to remove the prohibition of recognition of purchased intangibles in public sector financial statements. Consequentially, Section PS 1201 has also been amended to remove disclosure requirements for unrecognized purchased intangibles since entities can now recognize purchased intangibles in their financial statements. Entities still reporting in accordance with Section PS 1200 <i>Financial Statement Presentation</i> can also adopt the amendments and recognize purchased intangible assets. New Public Sector Guideline, PSG-8 <i>Purchased intangibles</i>, has been issued to explain the scope of the intangibles that are allowed to be recognized in the financial statements given this amendment to Section PS 1000. However, it is important to note that no further recognition, measurement, disclosure and presentation guidance has been provided.</p> <p>The main features of PSG-8 include:</p> <ul style="list-style-type: none"> • A definition of purchased intangibles • Examples of items that are not purchased intangibles • References to other guidance in the PSA Handbook on intangibles • Reference to the asset definition, general recognition criteria and the GAAP hierarchy for accounting for purchased intangibles • Retrospective or prospective application is permitted. 	<p>Fiscal years beginning on or after April 1, 2023.</p> <p>Earlier adoption is permitted.</p>
<p>Section PS 3400 <i>Revenues</i></p> <p>New Section PS 3400 <i>Revenue</i> establishes standards on how to account for and report on revenue. It does not apply to revenues for which specific standards already exist, such as government transfers, tax revenue or restricted revenues. The Section distinguishes between revenue that arises from transactions that include performance obligations (i.e., exchange transactions) and transactions that do not have performance obligations (i.e., non-exchange transactions). The main features of the new Section are:</p> <ul style="list-style-type: none"> • Performance obligations are defined as enforceable promises to provide specific goods or services to a specific payer • Revenue from transactions with performance obligations will be recognized when (or as) the performance obligation is satisfied by providing the promised goods or services to the payer • Revenue from transactions with no performance obligations will be recognized when a public sector entity has the authority to claim or retain the revenue and identifies a past transaction or event that gives rise to an asset 	<p>***NEW***</p> <p>Fiscal years beginning on or after April 1, 2023.</p> <p>Earlier adoption is permitted.</p> <p>(NOTE: The effective date was previously April 1, 2022, but as a result of the COVID-19 pandemic, the Public Sector Accounting Board (PSAB) has deferred the effective date by one year.)</p>
<p>Section PS 3280 <i>Asset retirement obligations</i></p> <p>New Section PS 3280 <i>Asset Retirement Obligations</i> establishes standards on how to account for and report a liability for asset retirement obligations. An asset retirement obligation is a legal obligation associated with the retirement of a tangible capital asset.</p> <p>Asset retirement costs associated with a tangible capital asset increase the carrying amount of the related tangible capital asset and are expensed in a rational and systematic manner, while asset retirement costs associated with an asset no longer in productive use are expensed. Measurement of the liability for an asset retirement obligation should result in the best estimate of the amount required to retire a tangible capital asset at the financial statement date. A</p>	<p>***NEW***</p> <p>Fiscal years beginning on or after April 1, 2022.</p> <p>Earlier adoption is permitted.</p>

Public Sector Accounting Standards

Effective date

present value technique is often the best method to estimate the liability. Subsequent measurement of the liability can result in either a change in the carrying amount of the related tangible capital asset, or an expense, depending on the nature of the remeasurement or whether the asset remains in productive use.

As a result of the issuance of Section PS 3280, the Public Sector Accounting Board (PSAB) approved the withdrawal of Section PS 3270 *Solid waste landfill closure and post-closure liability* as asset retirement obligations associated with landfills will be within the scope of PS 3280. PS 3280 does not address costs related to remediation of contaminated sites, which will continue to be addressed in Section PS 3260 *Liability for contaminated sites*. Some consequential amendments have been made to PS 3260 to conform with PS 3280 and further clarify the scope of each standard.

(NOTE: The effective date was previously April 1, 2021, but as a result of the COVID-19 pandemic, the PSAB has deferred the effective date by one year.)

Section PS 3450 *Financial instruments*, Section PS 2601 *Foreign currency translation*, Section PS 1201 *Financial statement presentation*, and PS 3041 *Portfolio investments*

NEW

PS 3450 *Financial instruments* is a new Section that establishes standards for recognizing and measuring financial assets, financial liabilities and non-financial derivatives. Some highlights of the requirements include:

The new requirements are all required to be applied at the same time.

For governments - Fiscal years beginning on or after April 1, 2022.

For government organizations that applied the CPA Canada Handbook – Accounting prior to their adoption of the CPA Canada Public Sector Accounting Handbook - Fiscal years beginning on or after April 1, 2012.

For all other government organizations - Fiscal years beginning on or after April 1, 2022.

Earlier adoption is permitted.

(NOTE: For public sector entities other than government organizations that applied the CPA Canada Handbook – Accounting prior to adopting the CPA Canada Public Sector Accounting Handbook, the effective date was previously April 1, 2021, but as a result of the COVID-19 pandemic, the PSAB has deferred the effective date by one year.)

- a public sector entity should recognize a financial asset or a financial liability on its statement of financial position when it becomes a party to the contractual provisions of the instrument
- financial instruments within the scope of the Section are assigned to one of two measurement categories: fair value, or cost / amortized cost
- almost all derivatives are measured at fair value
- fair value measurement is required for portfolio investments in equity instruments that are quoted in an active market
- other financial assets and financial liabilities are generally measured at cost or amortized cost
- until an item is derecognized, gains and losses arising due to fair value remeasurement are reported in the statement of remeasurement gains and losses when the public sector entity defines and implements a risk management or investment strategy to manage and evaluate the performance of a group of financial assets, financial liabilities or both on a fair value basis, the entity may elect to include these items in the fair value category
- additional disclosures with respect to financial instruments will be required, including the nature and extent of risks arising from a public sector entity's financial instruments

PS 2601 *Foreign currency translation* revises and replaces Section PS 2600 *Foreign currency translation*. Some highlights of the requirements include:

- the deferral and amortization of foreign exchange gains and losses relating to long-term foreign currency denominated monetary items is discontinued
- until the period of settlement, foreign exchange gains and losses are recognized in the statement of remeasurement gains and losses rather than the statement of operations

PS 1201 *Financial statement presentation* revises and replaces Section PS 1200 *Financial statement presentation*. The main amendment to this Section is the addition of the statement of remeasurement gains and losses.

PS 3041 *Portfolio investments* revises and replaces Section PS 3040 *Portfolio investments*.

The issuance of these new sections also includes consequential amendments to:

- *Introduction to accounting standards that apply only to government not-for-profit organizations*
 - PS 1000 *Financial statement concepts*
 - PS 1100 *Financial statement objectives*
 - PS 2125 *First-time adoption by government organizations*
 - PS 2500 *Basic principles of consolidation*
 - PS 2510 *Additional areas of consolidation*
 - PS 3050 *Loans receivable*
 - PS 3060 *Government partnerships*
 - PS 3070 *Investments in government business enterprises*
-

- PS 3230 *Long-term debt*
- PS 3310 *Loan guarantees*
- PS 4200 *Financial statement presentation by not-for-profit organizations*

PSG-6 *Including results of organizations and partnerships applying fair value measurement* was withdrawn as a result of the issuance of these sections.

In April 2020, the PSAB issued amendments to clarify aspects of Section PS 3450's application and add new guidance to its transitional provisions.

The amendments introduce changes to the accounting treatment for bond repurchase transactions. Specifically, the amendments no longer require bond repurchase transactions to be treated as extinguishments, unless they are discharged or legally released from the obligation or the transactions meet certain criteria to be considered an exchange of debt.

The amendments also provide clarification on the application of certain areas of Section PS 3450, these include:

- Section PS 3450 does not apply unless a contractual right or a contractual obligation underlies a receivable or payable
- how a transfer of collateral pursuant to a credit risk management mechanism in a derivative contract is accounted for, and
- derecognition of a financial asset does not occur if the transferor retains substantially all the risks and benefits of ownership

Finally, the amendments have added new guidance to the transitional provisions as follows:

- controlling governments should use the carrying values of the financial assets and liabilities in the records of its government organizations when consolidating a government organization
- any unamortized discounts, premiums, or transaction costs associated with a financial asset or financial liability in the cost/amortized cost category should be included in the item's opening carrying value, and
- in cases where derivatives were not recognized or were not measured at fair value prior to adopting PS 3450, any difference between the previous carrying value and fair value should be recognized in the opening balance of accumulated remeasurement gains and losses

Strategic plan for not-for-profit organizations in the public sector

Since 2012, government not-for-profit organizations (GNPOs) have been required to adopt PSAS but were given the option of applying the specific GNPO accounting standards in PSAS. Some GNPOs have utilized those standards, while others have not. The PSAB recognized that a "one-size-fits-all" approach may not be appropriate for all stakeholders. As a result, in PSAB's 2017-2022 Strategic Plan, the Board signaled intent to understand the needs and concerns of GNPOs and consider if some standards should be applied differently by them. In 2018, PSAB consulted with over 100 GNPO stakeholders to understand their fiscal and regulatory environment, their financial reporting needs, and their financial reporting perspectives in its first Consultation Paper. Diversity in the financial reporting framework, presentation of net debt and fund accounting, the impact of balanced budget requirements and endowments were some of the items stakeholders raised. In January 2021, PSAB released a second Consultation Paper. The purpose of the paper is to:

- summarize the feedback to Consultation Paper I;
- describe the options considered for a GNPO Strategy;
- describe the decision-making criteria used to evaluate the options; and
- propose a GNPO Strategy.

The deadline to respond to the Consultation paper is May 12, 2021.

Concepts underlying financial performance

In response to feedback from stakeholders, the PSAB is proposing changes to its conceptual framework and its reporting model with a focus on measuring the financial performance of public sector entities. A conceptual framework is a clear set of related concepts that act as the foundation for the development of standards and the application of professional judgment. In January 2021, PSAB issued four important exposure drafts:

- *The Conceptual Framework for Financial Reporting in the Public Sector* - PSAB has proposed to issue a revised Conceptual Framework that would include 10 chapters:
 - Chapter 1: Introduction to the Conceptual Framework
 - Chapter 2: Characteristics of public sector entities
 - Chapter 3: Financial reporting objective
 - Chapter 4: Role of financial statements
 - Chapter 5: Financial statement foundations
 - Chapter 6: Financial statement objectives
 - Chapter 7: Financial statement information
 - Chapter 8: Elements of financial statements
 - Chapter 9: Recognition and measurement in financial statements
 - Chapter 10: Presentation concepts for financial statements

The proposed Conceptual Framework would replace the existing conceptual framework in Section PS 1000 *Financial Statement Concepts* and Section PS 1100 *Financial Statement Objectives*

- *Financial Statement Presentation, Proposed Section PS 1202* – PSAB has proposed replacing the existing reporting model standard in Section PS 1201 *Financial Statement Presentation*. The proposed changes would make some significant changes to financial presentation for public sector entities
- *Consequential Amendments Arising from the Proposed Conceptual Framework* – This Exposure Draft will summarize the implications for the rest of the CPA Canada Public Sector Accounting (PSA) Handbook; and
- *Consequential Amendments Arising from the Financial Statement Presentation Standard, Proposed Section PS 1202* – This Exposure Draft will summarize the implications for the rest of the PSA Handbook as a result of new proposed Section PS 1202.

The deadline for responses to the exposure drafts is May 12, 2021.

Appendix D – Auditing developments

Canadian Auditing Standards (CASs) and other Canadian Standards issued by the AASB	Effective date
<p data-bbox="107 462 1365 487">Revisions to CAS 540 Auditing Accounting Estimates, including Fair Value Accounting Estimates, and Related Disclosures</p> <p data-bbox="107 495 1554 592">In June 2018, the IAASB approved a revised version of ISA 540 <i>Auditing Accounting Estimates and Related Disclosures</i>. In revising the standard, the IAASB focused on improving the scalability of the ISA to very simple accounting estimates, as well as the most complex accounting estimates. The AASB concluded that the changes to the ISA would be adopted as CASs, with no special amendments being necessary with respect to the Canadian auditing environment. The key changes to the revised standard include:</p> <ul data-bbox="107 600 1554 828" style="list-style-type: none">• Explicit recognition of the spectrum of inherent risk and introduction of concept of inherent risk factors• Requirement for enhanced risk assessment procedures relating to understanding the entity, including internal control• Inclusion of objectives-based work effort requirements directed to methods, data and assumptions when responding to the risks of material misstatement• Enhanced “stand back” requirement for audit evidence obtained, including an increased emphasis on professional scepticism• Clarification of the relationship between CAS 540 (revised) and the other CASs and the requirements when using the work of management’s expert as audit evidence in testing how management made the accounting estimate	<p data-bbox="1554 462 1906 560">The revised standard is effective for audits of financial statements with periods beginning on or after December 15, 2019.</p>
<p data-bbox="107 852 924 876">Revisions to CAS 315 Identifying and Assessing Risks of Material Misstatement</p> <p data-bbox="107 885 1554 982">In July 2018, the IAASB issued an Exposure Draft proposing changes to ISA 315 that could drive more consistent and effective identification and assessment of the risks of material misstatement by auditors. The AASB published an Exposure Draft of the equivalent Canadian standard, which included the same proposed revisions as the ISA with no Canada-specific amendments. The revised CAS 315 has been issued and key amendments to the standard include the following:</p> <ul data-bbox="107 990 1554 1177" style="list-style-type: none">• Focusing on the applicable financial reporting framework in identifying and assessing risks of material misstatement• Updating the understanding of the system of internal control, including clarifying the work effort for understanding each of the components of internal control and “controls relevant to the audit”, as well as the relationship between this understanding and the assessment of control risk• Updating aspects relating to IT, in particular to the IT environment, the applications relevant to the audit and general IT controls relevant to the audit• Introducing the new concepts of inherent risk factors, relevant assertions, significant classes of transactions, account balances and disclosures, and the spectrum of inherent risk <p data-bbox="107 1185 1554 1234">Separating the inherent risk and control risk assessments for assertion level risks, enhancing the requirements relating to financial statement level risks, and updating the definition of “significant risks”</p>	<p data-bbox="1554 876 1906 925">Periods beginning on or after December 15, 2021.</p>

Hamilton Region Conservation Authority

Financial Statements

December 31, 2020

DRAFT

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Independent auditor's report

To the Members of
Hamilton Region Conservation Authority

Opinion

We have audited the financial statements Hamilton Region Conservation Authority, which comprise the statement of financial position as at December 31, 2020, and the statements of operations, changes in net financial assets and cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of Hamilton Region Conservation Authority as at December 31, 2020, and the results of its financial performance and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of our report. We are independent of Hamilton Region Conservation Authority in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing Hamilton Region Conservation Authority's ability to continue as a going concern, disclosing, as applicable, matters related to a going concern and using the going concern basis of accounting unless management either intends to liquidate Hamilton Region Conservation Authority or to cease operations, or has no realistic alternative to do so.

Those charged with governance are responsible for overseeing Hamilton Region Conservation Authority's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of Hamilton Region Conservation Authority's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on Hamilton Region Conservation Authority's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Hamilton Region Conservation Authority to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Hamilton, Canada
Date, 2021

Chartered Professional Accountants
Licensed Public Accountants

Hamilton Region Conservation Authority

Statement of Operations

For the Year Ended December 31

2020

2020

2019

	Budget (Note 16)	Actual	Actual
Revenues			
Municipal levy & special projects	\$ 6,412,972	\$ 6,585,955	\$ 6,513,964
Admissions, product, service & program fees	5,547,805	5,994,100	5,823,145
Federal & Provincial grants	217,350	1,134,720	268,262
Rentals	1,072,442	558,828	981,780
Hamilton Conservation Foundation	200,100	444,491	649,716
Regulatory fees	300,000	227,134	282,382
Management fees	426,000	182,977	447,976
Interest	190,000	114,375	255,389
Private and In-Kind donations (Note 11)	8,500	9,304	5,235
Other income	33,490	195,094	112,562
	<u>14,408,659</u>	<u>15,446,978</u>	<u>15,340,411</u>
Expenditures			
Wages & benefits	8,198,238	6,718,769	6,667,384
Staff expenses	269,250	1,115,703	1,258,714
Contractors / consultants	607,840	802,526	640,506
Utilities	644,500	582,489	611,759
Materials & supplies	436,610	342,694	480,540
Products for resale	320,875	227,468	280,865
Professional fees	350,695	200,770	306,217
Miscellaneous expense (Note 13)	1,162,544	659,400	882,749
	11,990,552	10,649,819	11,128,734
Amortization	1,050,000	1,159,568	1,173,855
	<u>13,040,552</u>	<u>11,809,387</u>	<u>12,302,589</u>
Annual surplus for the year	<u>\$ 1,368,107</u>	<u>\$ 3,637,591</u>	<u>\$ 3,037,822</u>
Accumulated surplus, beginning of year	57,267,425	57,267,425	54,229,603
Accumulated surplus, end of year	<u>\$ 58,635,532</u>	<u>\$ 60,905,016</u>	<u>\$ 57,267,425</u>

See accompanying notes to the financial statements

Hamilton Region Conservation Authority

Statement of Cash Flows

December 31

2020

2019

Change in cash and cash equivalents

Operating

Annual surplus	\$ 3,637,591	\$ 3,037,822
Non-cash changes to operations		
Amortization	1,159,568	1,173,855
Change in accounts receivable	60,596	188,626
Change in inventory	24,069	3,410
Change in prepaid expenses	(21,973)	(57,339)
Change in employee future benefit costs	(17,818)	(57,324)
Change in accounts payable and accrued liabilities	(394,201)	370,836
Change in Due from		
Hamilton Conservation Foundation	61,978	(34,220)
Change in Due to (from) from Confederation Park	(103,611)	(163,901)
Change in deferred revenues	204,733	2,340
	<u>4,610,933</u>	<u>4,464,106</u>

Financing

Repayment of long term debt	<u>(216,290)</u>	<u>(209,266)</u>
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Capital

Net proceeds on disposal of tangible capital assets	2,640	22,520
Purchase of tangible capital assets	<u>(1,581,427)</u>	<u>(2,783,716)</u>
	<u>(1,578,787)</u>	<u>(2,761,196)</u>

Net change in cash and cash equivalents 2,815,856 1,493,644

Cash and cash equivalents

Beginning of year	<u>14,281,084</u>	<u>12,787,440</u>
End of year	<u>\$ 17,096,940</u>	<u>\$ 14,281,084</u>

See accompanying notes to the financial statements

Hamilton Region Conservation Authority

Statement of Changes in Net Financial Assets

For the year ended December 31

2020

2020

2019

	<u>Budget</u>	<u>Actual</u>	<u>Actual</u>
Annual surplus	\$ 1,368,107	\$ 3,637,591	\$ 3,037,822
Purchase of tangible capital assets	(2,000,000)	(1,581,427)	(2,783,716)
Net proceeds on disposal of tangible capital assets	-	2,640	22,520
Amortization	1,050,000	1,159,568	1,173,855
Change in inventory	-	24,069	3,410
Change in prepaid expenses	-	(21,973)	(57,339)
	<u>(950,000)</u>	<u>(417,122)</u>	<u>(1,641,270)</u>
Change in net financial assets	418,107	3,220,469	1,396,552
Net financial assets, beginning of year	<u>11,830,916</u>	<u>11,830,916</u>	<u>10,434,364</u>
Net financial assets, end of year	\$ 12,249,023	\$ 15,051,385	\$ 11,830,916

See accompanying notes to the financial statements

Hamilton Region Conservation Authority Schedule of Tangible Capital Assets

	Land	Land Improvements	Infrastructure	Building & Building Improvements	Machinery & Equipment	Vehicles	Work In Progress (WIP)	December 31 2020	December 31 2019
Cost									
Beginning of year	\$ 28,672,747	\$ 3,833,721	\$ 20,750,026	\$ 8,073,566	\$ 1,933,678	\$ 2,532,870	\$ 1,501,897	\$ 67,298,505	\$ 64,706,057
Additions	-	-	-	-	44,038	118,745	1,418,644	1,581,427	2,783,716
Disposals	-	-	-	-	(8,035)	(67,570)	-	(75,605)	(191,268)
Transfer from WIP	-	-	965,508	-	17,333	-	(982,841)	-	-
End of year	<u>28,672,747</u>	<u>3,833,721</u>	<u>21,715,534</u>	<u>8,073,566</u>	<u>1,987,014</u>	<u>2,584,045</u>	<u>1,937,700</u>	<u>68,804,327</u>	<u>67,298,505</u>
Accumulated Amortization									
Beginning of year	-	2,638,523	12,820,137	4,132,135	615,469	1,982,554	-	22,188,818	21,183,710
Annual amortization	-	128,922	485,171	189,780	198,079	157,615	-	1,159,568	1,173,855
Disposals	-	-	-	-	(7,635)	(65,329)	-	(72,964)	(168,747)
End of year	<u>-</u>	<u>2,767,445</u>	<u>13,305,308</u>	<u>4,321,915</u>	<u>805,913</u>	<u>2,074,840</u>	<u>-</u>	<u>23,275,422</u>	<u>22,188,818</u>
Net book value	<u>\$ 28,672,747</u>	<u>\$ 1,066,276</u>	<u>\$ 8,410,226</u>	<u>\$ 3,751,651</u>	<u>\$ 1,181,101</u>	<u>\$ 509,205</u>	<u>\$ 1,937,700</u>	<u>\$ 45,528,905</u>	<u>\$ 45,109,687</u>

See accompanying notes to the financial statements

Hamilton Region Conservation Authority

Notes to the Financial Statements

December 31, 2020

1. Nature of operations

The Hamilton Region Conservation Authority (the "Authority") was established in 1966 under the Conservation Authorities Act of Ontario to manage a designated watershed of approximately 112,000 acres of which the Authority owns 11,000. The Authority is financed from municipal contributions, government grants, donations, user fees, product sales and services.

2. Summary of significant accounting policies

Basis of accounting and management responsibility

The financial statements of the Hamilton Region Conservation Authority are the responsibility of and prepared by management in accordance with Canadian Public Sector Accounting Standards ("PSAS"). The more significant accounting policies are summarized as follows:

Accrual accounting

These statements reflect the incorporation of the full accrual basis of accounting and the reporting of the change in net financial assets and accumulated surplus. The accrual basis of accounting recognizes the effect of transactions and events in the period in which the transactions and events occur, regardless of whether there has been a receipt of payment of cash or its equivalent. Accrual accounting recognizes a liability until the obligation or condition(s) underlying the liability is partially or wholly satisfied. Accrual accounting recognized an asset until the future economic benefit underlying the asset is partially or wholly used or lost.

Revenues and expenditures

Revenues are comprised of grants, contributions, user fees, management fees, regulatory fees and revenue from other Authority services. Revenues are recorded in the period in which the transactions or events occurred that gave rise to the revenues. Expenditures are recorded in the period that the goods or services are acquired, whether or not revenues for those expenditures are raised in the current or following periods.

Donations

Donations are recorded in income in the period they are received, unless designated for a specific purchase that is to occur in a later period at which time the related revenue will be recognized. Donated tangible capital assets, materials and services are recorded at fair market value when fair value can be reasonably estimated.

Cash and cash equivalents

Cash and cash equivalents includes cash on hand and balances held in the bank.

Hamilton Region Conservation Authority

Notes to the Financial Statements

December 31, 2020

2. Summary of significant accounting policies – continued

Pension plans

The Authority maintains a defined contribution plan for employees with more than one year service and who were hired subsequent to January 1, 2006.

Under the plan, the Authority matches employee contributions to a maximum of 6% of gross income.

Tangible capital assets

Tangible capital assets are comprised of property, plant and equipment and are recognized as assets in the period they are acquired. Tangible capital assets are recorded at cost which includes all amounts directly attributable to acquisition, construction, development or betterment of the asset. Amortization is provided on a straight-line basis, declining balance for vehicles, over the estimated useful life for all assets except land which is not amortized. Work in progress assets are not amortized until the asset is available for productive use.

Service life of tangible capital assets is estimated as follows:

Land improvements	10 - 20 years
Infrastructure	20 - 75 years
Building & building improvements	40 years
Machinery, equipment	3 - 10 years
Vehicles (light and heavy duty)	15 - 35 percent

The Authority has a collection of art and historical buildings which now include a multitude of artifacts and chattels which came with the acquisition of the Westfield Heritage Village. None of these are included as part of the tangible capital assets due to the lack of any objective value comparatives.

Government transfers

Government transfers are recognized in the financial statements as revenues in the period in which the events giving rise to the transfer occur, providing the transfers are authorized, any eligibility criteria have been met and reasonable estimates of the amounts can be made.

Inventory

Inventories for resale are valued at the lower of cost or net realizable value.

Use of estimates

The preparation of financial statements in conformity with PSAS accounting standards requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities as at the date of the financial statements, and the reported amounts of revenues and expenditures during the period. Actual results could differ from those estimates.

Hamilton Region Conservation Authority

Notes to the Financial Statements

December 31, 2020

2. Summary of significant accounting policies – continued

Contaminated sites

The Authority has implemented PS3260, Liability for contaminated sites. This requires organizations to record a liability if they have a contaminated site that meets the specified criteria. The standard defines contamination as the introduction into air, soil, water or sediment of a chemical, organic or radioactive or live organism that exceeds a prescribed environmental level. The standard generally applies to sites that are not in productive use. Sites that are in productive use are only considered contaminated if there was an unexpected event that resulted in contamination.

3. Confederation Beach Park

These statements do not include the operating revenues and expenditures relating to Confederation Beach Park which is a separate and distinct operation owned by the City of Hamilton and managed by the Authority under a formal management agreement with the municipality.

All existing real and personal Confederation Beach Park property as at January 1, 1980, all subsequently acquired properties, and any surpluses or deficits generated during a fiscal year will remain the exclusive property of the City of Hamilton.

Under the terms of the management agreement, the Hamilton Region Conservation Authority has exclusive authority to manage specifically defined areas of Confederation Beach Park for the City of Hamilton. In payment for the management function, the Authority receives a management fee of 15% of operating expenditures. This management fee accrues to the Authority for its own purposes. The newest version of the management agreement has been agreed to and signed by both the City of Hamilton and the Hamilton Region Conservation Authority and runs from January 1st, 2017 until December 31st, 2026, inclusive.

4. Restricted cash

Included in cash and cash equivalents is \$201,885 (2019 – \$263,803) that was received as an endowment fund which has been externally restricted by the organization that contributed the amount.

5. Government remittances payable

Included in accounts receivable, accounts payable and accrued liabilities are government remittances payable of \$45 (2019 – \$2,618).

Hamilton Region Conservation Authority

Notes to the Financial Statements

December 31, 2020

6. Related party transactions

	<u>2020</u>	<u>2019</u>
Municipal funding recognized as revenue in the current year	\$ 6,585,955	\$ 6,513,964
Receivable from the City of Hamilton	212,164	359,209
Management fees from Confederation Beach Park	182,977	447,976
Funding from the Hamilton Conservation Foundation	444,491	649,716
Municipal taxes paid to the City of Hamilton and Township of Puslinch	(115,913)	(96,650)

7. Employee future benefit costs

	<u>2020</u>	<u>2019</u>
Accumulated Sick Leave Liability	\$ 39,262	\$ 38,168
Supplemental early retirement package	104,435	107,735
Post-retirement benefits	58,375	73,986
	\$ 202,072	\$ 219,889

Under the Authority's sick leave plan, certain employees hired prior to January 1, 1993 become entitled to a cash payment when they leave the Authority's employment. The liability for these accumulated days, to the extent they are vested and could be taken in cash by employees on termination, is funded by operations.

The Authority committed in October, 2002 to pay a former general manager a supplemental early retirement package. At the end of the current year, the cost of an annuity to satisfy this obligation was \$104,435 (2019 - \$107,735) based on competitive quotes received from several insurance companies.

The Authority is committed to provide full health, life and vision coverage for all employees who have retired prior to the age of 65 for the period until they reach 65 years of age. A liability has been set up based on the current benefit rates for those retirees eligible for this coverage. The estimated value of these benefits in the current year is \$58,375 (2019 - \$73,986).

8. Deferred revenues

Revenue received but not earned at year-end is as follows:

	<u>2020</u>	<u>2019</u>
Storage fees and deposits	\$ 773,849	\$ 569,116

Hamilton Region Conservation Authority

Notes to the Financial Statements

December 31, 2020

9. Long term debt

	<u>2020</u>	<u>2019</u>
City of Hamilton 4.25% loan - Wind-up DB pension plan \$187,245 payable annually, matures June, 2021	\$ 179,611	\$ 351,901
City of Hamilton 0% loan - Veldhuis property reclamation \$44,000 payable annually, paid in full March 2020	-	44,000
	<u>\$ 179,611</u>	<u>\$ 395,901</u>

Principal repayments in future years are due as follows:
2021

179,611

Interest on long term debt of \$11,294 (2019 - \$18,468) was paid during the year.

10. Accumulated surplus

	<u>2020</u>	<u>2019</u>
Reserve Funds		
Acquisitions of provincially significant lands or eligible water related projects	\$ 4,257,373	\$ 3,772,184
Future projects and operating areas	8,651,128	6,908,459
Tangible Capital Assets	45,528,905	45,109,687
Unfunded long term debt	(179,611)	(395,901)
Operating surplus	<u>2,647,221</u>	<u>1,872,996</u>
Accumulated surplus	<u>\$ 60,905,016</u>	<u>\$ 57,267,425</u>

11. Donations in kind

During the year, in addition to cash donations, the Authority was the beneficiary through donations in kind of tangible capital assets with a total appraised value of \$6,707 (2019 - \$2,525).

12. Defined contribution pension plan

Employer contributions to the Authority's defined contribution pension plan for the year was \$316,423 (2019 - \$281,589). The Plan is designed whereby employee contributions, ranging from 2% to 6% of gross salary, are matched by the employer.

Hamilton Region Conservation Authority

Notes to the Financial Statements

December 31, 2020

13. Miscellaneous expense breakdown

	<u>2020</u>	<u>2019</u>
Communications & advertising	\$ 100,625	\$ 182,374
Postage, printed material & supplies	118,290	118,290
Property taxes	110,279	110,279
Mechanical & garage supplies	102,034	102,034
Memberships & subscriptions	83,519	83,519
Computer software, hardware & support	69,382	69,382
Interest & banking	36,190	36,190
Third party equipment rental	18,108	18,108
All other	20,973	162,573
	<u>\$ 659,400</u>	<u>\$ 882,749</u>

14. Contingent liabilities

The Authority is involved from time to time in litigation, which arises in the normal course of business. In respect of any outstanding claims, the Authority believes that insurance coverages are adequate and that no material exposure exists on the eventual settlement of such litigation.

15. Contractual obligations and commitments

As at December 31, 2020, the Authority is committed to \$26,060 (2019 - \$22,444) with respect to ongoing contracts for equipment in the following years:

2021	\$ 7,518
2022	6,983
2023	5,761
2024	3,278
2025 and beyond	<u>2,520</u>
	\$ 26,060

Hamilton Region Conservation Authority

Notes to the Financial Statements

December 31, 2020

16. Budget figures

The budgeted figures are presented for comparison purposes and were adopted by the Authority on January 21st, 2020. The adopted budget conforms to the Canadian Public Sector Accounting Standards except for the effect of the acquisition and amortization of tangible capital assets and principal repayment on debt. A reconciliation of the adopted and reported budgets is as presented below.

Adopted budget:

Budgeted annual surplus for the year	\$ 216,300
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Adjustments to adopted budget:

Amortization of tangible capital assets	(1,050,000)
Block funding for major maintenance and capital projects	2,000,000
Removal of intercompany and funding from reserves	201,807

Restated budgeted surplus

	<u>\$ 1,368,107</u>
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17. Impacts of COVID-19

The outbreak of a novel strain of coronavirus (“COVID-19”) was declared a global pandemic by the World Health Organization in March 2020. COVID-19 has severely impacted many economies around the globe. In many countries, including Canada, businesses were forced to cease or limit operations for long periods of time. Measures taken to contain the spread of the virus, including travel bans, quarantines, social distancing, and closures of non-essential services have triggered significant disruptions to businesses worldwide, resulting in an economic slowdown. Global stock markets have also experienced great volatility and a significant weakening. Governments and central banks have responded with monetary and fiscal interventions to stabilize economic conditions.

The Authority, however, has not experienced a long-term disruption to its operations nor a decline in revenue during the pandemic as the open lands of the conservation areas were seen as one of the few places that one could safely visit when once again allowed to do so. The Authority has received \$892,588 from the Canada Emergency Wage Subsidy which it qualified for by not laying off any fulltime staff while suffering the initial revenue shortfall created by the mandated closure of its facilities. Since that time the overall impact of COVID-19 has not been material.

Hamilton Region Conservation Authority

Schedule of Corporate Support

For the Year Ended December 31	2020	2020	2019
	<u>Budget</u>	<u>Actual</u>	<u>Actual</u>
Revenues			
Municipal levy & special projects	\$ 2,530,464	\$ 2,617,582	\$ 2,650,004
Private and In-Kind donations	-	4,784	999
Rentals	429,086	407,657	254,939
Management fees	426,000	182,977	447,976
Hamilton Conservation Foundation	184,100	157,637	163,484
Admissions, product, service & program fees	90,000	40,720	104,767
Federal & Provincial grants	-	892,588	-
Interest	190,000	114,375	255,389
Other income	550	28,718	46,478
	<u>3,850,200</u>	<u>4,447,038</u>	<u>3,924,036</u>
Expenditures			
Wages & benefits	2,944,573	2,613,075	2,313,634
Staff expenses	186,950	541,071	694,608
Utilities	307,150	239,438	319,359
Contractors / consultants	110,250	90,826	67,713
Materials & supplies	111,210	66,622	84,646
Professional fees	136,000	152,377	140,006
Miscellaneous expense (Note 13)	624,524	347,269	503,721
	<u>4,420,657</u>	<u>4,050,678</u>	<u>4,123,687</u>
Amortization	<u>200,000</u>	<u>252,663</u>	<u>287,476</u>
	<u>4,620,657</u>	<u>4,303,341</u>	<u>4,411,163</u>
Annual surplus (deficit)	\$ (770,457)	\$ 143,697	\$ (487,127)

Hamilton Region Conservation Authority

Schedule of Watershed Planning and Engineering Operations

For the Year Ended December 31	2020	2020	2019
	<u>Budget</u>	<u>Actual</u>	<u>Actual</u>
Revenues			
Municipal levy & special projects	\$ 1,470,168	\$ 1,411,033	\$ 1,453,219
Federal & Provincial grants	187,350	242,132	218,650
Regulatory fees	300,000	227,134	282,382
Hamilton Conservation Foundation	-	31,242	76,592
Private and In-Kind donations	1,500	997	663
Other income	4,190	22,796	40,153
	<u>1,963,208</u>	<u>1,935,334</u>	<u>2,071,659</u>
Expenditures			
Wages & benefits	1,720,898	1,436,761	1,296,069
Staff expenses	32,100	243,159	249,326
Contractors / consultants	32,240	221,789	304,444
Materials & supplies	34,000	22,205	89,677
Utilities	25,000	19,492	20,114
Professional fees	9,700	12,075	8,423
Miscellaneous expense (Note 13)	93,750	55,866	63,775
	<u>1,947,688</u>	<u>2,011,347</u>	<u>2,031,828</u>
Annual surplus (deficit)	<u>\$ 15,520</u>	<u>\$ (76,013)</u>	<u>\$ 39,831</u>

Hamilton Region Conservation Authority Schedule of Land Management Operations

For the Year Ended December 31	2020	2020	2019
	<u>Budget</u>	<u>Actual</u>	<u>Actual</u>
Revenues			
Municipal levy & special projects	\$ 1,810,000	\$ 1,810,000	\$ 1,615,000
Federal & Provincial grants	25,000	-	49,612
Hamilton Conservation Foundation	16,000	255,612	409,640
Admissions, product, service & program fees	5,097,305	5,831,631	5,284,012
Rentals	621,156	136,183	707,578
Other income	28,750	143,580	25,931
	<u>7,598,211</u>	<u>8,177,006</u>	<u>8,091,773</u>
Expenditures			
Wages & benefits	2,940,728	2,237,789	2,594,847
Staff expenses	47,750	270,527	257,776
Contractors / consultants	453,750	483,811	252,182
Utilities	263,750	277,511	227,735
Materials & supplies	251,700	232,285	245,117
Products for resale	304,175	222,096	269,467
Professional fees	185,695	23,469	141,624
Miscellaneous expense (Note 13)	348,670	218,877	243,106
	<u>4,796,218</u>	<u>3,966,364</u>	<u>4,231,854</u>
Amortization	<u>800,000</u>	<u>831,381</u>	<u>825,966</u>
	<u>5,596,218</u>	<u>4,797,745</u>	<u>5,057,820</u>
Annual surplus	<u>\$ 2,001,993</u>	<u>\$ 3,379,261</u>	<u>\$ 3,033,953</u>

Hamilton Region Conservation Authority

Schedule of Westfield Heritage Village

For the Year Ended December 31

2020

2020

2019

	<u>Budget</u>	<u>Actual</u>	<u>Actual</u>
Revenues			
Federal and Provincial grants	\$ 5,000	\$ -	\$ -
Municipal contributions	602,340	747,340	795,741
User fees	335,500	119,076	411,925
Donations	2,000	3,523	3,573
Grants	5,000	-	-
Food and novelty	25,000	2,673	22,441
Other Authority generated	22,200	14,988	19,263
	<u>997,040</u>	<u>887,600</u>	<u>1,252,943</u>
Expenditures			
Wages & benefits	592,040	431,144	462,834
Staff expenses	2,450	60,946	57,004
Utilities	48,600	46,048	16,167
Products for resale	16,700	5,372	44,551
Materials & supplies	39,700	21,583	61,100
Contractors / consultants	11,600	6,100	16,164
Professional fees	19,300	12,849	11,397
Miscellaneous expense (Note 13)	95,600	37,388	72,147
	<u>825,990</u>	<u>621,430</u>	<u>741,364</u>
Amortization	<u>50,000</u>	<u>75,524</u>	<u>60,413</u>
	<u>875,990</u>	<u>696,954</u>	<u>801,777</u>
Annual surplus	<u>\$ 121,050</u>	<u>\$ 190,646</u>	<u>\$ 451,166</u>

Confederation Beach Park

Financial Statements

December 31, 2020

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Independent auditor's report

To the Members of
Hamilton Region Conservation Authority

Opinion

We have audited the financial statements Confederation Beach Park, which comprise the statement of financial position as at December 31, 2020, and the statements of operations, changes in net financial assets and cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of Confederation Beach Park as at December 31, 2020, and the results of its financial performance and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of our report. We are independent of Confederation Beach Park in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Other Matter – Supplementary Information

We draw attention to the fact that the supplementary information included in the Schedule of Operating Activity does not form part of the financial statements. We have not audited or reviewed this *supplementary* information and accordingly, we do not express an opinion, a review conclusion or any other form of assurance on this supplementary information.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing Confederation Beach Park's ability to continue as a going concern, disclosing, as applicable, matters related to a going concern and using the going concern basis of accounting unless management either intends to liquidate Confederation Beach Park or to cease operations, or has no realistic alternative to do so. Those charged with governance are responsible for overseeing Confederation Beach Park's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of Confederation Beach Park's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on Confederation Beach Park's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Confederation Beach Park to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Hamilton, Canada
DATE, 2021

Chartered Professional Accountants
Licensed Public Accountants

Confederation Beach Park Statement of Financial Position

December 31

2020

2019

Financial assets

Due from Hamilton Region Conservation Authority	<u>\$ 212,502</u>	<u>\$ 316,111</u>
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Liabilities

Deferred revenues (Note 3)	<u>12,403</u>	<u>36,064</u>
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Total liabilities	<u>12,403</u>	<u>36,064</u>
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Net financial assets	<u>200,099</u>	<u>280,047</u>
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Non-financial assets

Tangible capital assets	<u>4,952,767</u>	<u>5,316,021</u>
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Accumulated surplus (Note 5)	<u>\$ 5,152,866</u>	<u>\$ 5,596,068</u>
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Contingencies (Note 7)

On behalf of the Authority

_____ Chair _____ Vice Chair

Confederation Beach Park Statement of Operations

For the Year Ended December 31	2020	2020	2019
	<u>Budget</u> (Note 8)	<u>Actual</u>	<u>Actual</u>
Revenues			
Municipal contributions	\$ 845,000	\$ 1,339,788	\$ 775,762
Lease and rentals	628,270	460,704	567,994
Admissions, product and service fees	2,660,673	23,591	2,509,981
Other income	8,400	200	45,661
	<u>4,142,343</u>	<u>1,824,283</u>	<u>3,899,398</u>
Expenditures (Note 6)			
Operating	3,341,871	1,425,651	3,030,728
Management fees	426,000	182,977	447,975
Marketing	199,472	15,556	118,163
	<u>3,967,343</u>	<u>1,624,184</u>	<u>3,596,866</u>
Amortization	450,000	363,254	408,064
	<u>4,417,343</u>	<u>1,987,438</u>	<u>4,004,930</u>
Net annual deficit for the year	\$ (275,000)	\$ (163,155)	\$ (105,532)
Operating surplus distribution (Note 10)	-	(280,047)	(444,719)
Deficit for the year	<u>\$ (275,000)</u>	<u>\$ (443,202)</u>	<u>\$ (550,251)</u>
Accumulated surplus, beginning of year	5,596,068	5,596,068	6,146,319
Accumulated surplus, end of year	<u>\$ 5,321,068</u>	<u>\$ 5,152,866</u>	<u>\$ 5,596,068</u>

See accompanying notes to the financial statements

Confederation Beach Park

Statement of Changes in Net Financial Assets

For the Year Ended December 31

	2020	2020	2019
	<u>Budget</u>	<u>Actual</u>	<u>Actual</u>
Annual deficit for the year	\$ (275,000)	\$ (163,155)	\$ (105,532)
Acquisition of tangible capital assets	(175,000)	-	(22,485)
Amortization	450,000	363,254	408,064
Operating surplus distribution (Note 10)	(280,047)	(280,047)	(444,719)
Change in net financial assets	(280,047)	(79,948)	(164,672)
Net financial assets, beginning of the year	280,047	280,047	444,719
Net financial assets, end of year	\$ -	\$ 200,099	\$ 280,047

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Confederation Beach Park Schedule of Tangible Capital Assets

Year Ended December 31

	Land Improvements	Infrastructure	Building & Building Improvements	Machinery & Equipment	Total 2020	Total 2019
Cost						
Beginning of year	\$ 27,589	\$ 12,244,156	\$ 5,246,415	\$ 282,166	\$ 17,800,326	\$ 17,777,841
Additions	-	-	-	-	-	22,485
End of year	27,589	12,244,156	5,246,415	282,166	17,800,326	17,800,326
Accumulated amortization						
Beginning of year	7,173	9,748,481	2,576,964	151,687	12,484,305	12,076,241
Amortization for year	1,104	201,848	123,970	36,332	363,254	408,064
End of year	8,277	9,950,329	2,700,934	188,019	12,847,559	12,484,305
Net book value	\$ 19,312	\$ 2,293,827	\$2,545,481	\$ 94,147	\$ 4,952,767	\$ 5,316,021

See accompanying notes to the financial statements

Confederation Beach Park

Notes to the Financial Statements

December 31, 2020

1. Nature of operations

Under the terms of a management agreement originating December 1, 1991, the Hamilton Region Conservation Authority (the "Authority") has exclusive authority to manage Confederation Beach Park (the "Organization") for the City of Hamilton. In payment of the management function, the Authority receives a management fee of 15% of operating expenditures. This management fee accrues to the Authority for its own purposes. All existing real and personal Confederation Beach Park property as at December 1, 1991, all subsequently acquired properties, and any surpluses or deficits generated during a fiscal year will remain the exclusive property of the City of Hamilton. The newest version of the management agreement has been agreed to and signed by both the City of Hamilton and the Hamilton Region Conservation Authority and runs from January 1st, 2017 until December 31st, 2026, inclusive.

2. Summary of significant accounting policies

Basis of accounting and management responsibility

The financial statements of the Confederation Beach Park are the responsibility of and prepared by management of the Hamilton Region Conservation Authority in accordance with Canadian Public Sector Accounting Standards (PSAS). The more significant accounting policies are summarized as follows:

Accrual accounting

These statements reflect the incorporation of the full accrual basis of accounting and the reporting of the change in net financial assets and accumulated surplus. The accrual basis of accounting recognizes the effect of transactions and events in the period in which the transactions and events occur, regardless of whether there has been a receipt of payment of cash or its equivalent. Accrual accounting recognizes a liability until the obligation or condition(s) underlying the liability is partially or wholly satisfied. Accrual accounting recognizes an asset until the future economic benefit underlying the asset is partially or wholly used or lost.

Revenues and expenditures

Revenues are comprised of municipal contributions, admissions, product and service fees and leases, rentals and other activities. Revenues are recorded in the period in which the transactions or events occurred that gave rise to the revenues. Expenditures are recorded in the period that the goods or services are acquired, whether or not revenues for those expenditures are raised in the current or following periods.

Donations

Donations are recorded in income in the period they are received. Donation pledges are recognized when a realizable value can be determined and collection is assured. Donated tangible capital assets, materials and services are recorded at fair market value when fair value can be reasonably estimated.

Confederation Beach Park

Notes to the Financial Statements

December 31, 2020

2. Summary of significant accounting policies - continued

Tangible capital assets

Tangible capital assets are recorded at cost which includes all amounts directly attributable to acquisition, construction, development or betterment of the asset. Amortization is provided on a straight-line basis over the estimated useful life for all assets. Work in progress assets are not amortized until the asset is available for productive use.

Service life of tangible capital assets is as follows:

Land improvements	10 - 20 years
Building & building improvements	40 years
Machinery, equipment	3 - 10 years
Infrastructure	20 - 40 years

Government transfers

Government transfers are recognized in the financial statements as revenues in the period in which the events giving rise to the transfer occur, providing the transfers are authorized, any eligibility criteria have been met and reasonable estimates of the amounts can be made.

Internal vehicle and equipment rentals

Authority owned vehicles and equipment are charged on an hourly basis to the appropriate expenditure categories at rates comparable to prevailing rates in the private business sector.

Use of estimates

The preparation of financial statements in conformity with PSAS requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities as the date of the financial statements, and the reported amounts of revenues and expenditures during the period. Actual results could differ from those estimates.

3. Deferred revenues

Revenue received but not earned at year-end is as follows:

	<u>2020</u>	<u>2019</u>
For Wild Waterworks season passes:	<u>\$ 12,403</u>	<u>\$ 36,064</u>

Confederation Beach Park

Notes to the Financial Statements

December 31, 2020

4. Related party transactions

Confederation Beach Park paid \$182,977 (2019 - \$447,975) in management fees to the Hamilton Region Conservation Authority. These amounts were calculated in accordance with the management agreement.

5. Accumulated surplus

	<u>2020</u>	<u>2019</u>
Accumulated surplus consists of:		
Tangible capital assets	\$ 4,952,767	\$ 5,316,021
Operating surplus	<u>200,099</u>	<u>280,047</u>
Accumulated surplus	<u>\$ 5,152,866</u>	<u>5,596,068</u>

6. Expenditures by object

	<u>2020</u>	<u>2019</u>
Salaries, wages & employee benefits	\$ 765,699	\$ 1,810,606
Contracts/consulting	242,820	160,630
Materials, goods, supplies and utilities	432,688	1,177,655
Management fees	<u>182,977</u>	<u>447,975</u>
	<u>\$ 1,624,184</u>	<u>\$ 3,596,866</u>

7. Contingencies

Confederation Beach Park is involved from time to time in litigation which arises in the normal course of business. In respect of any outstanding claims, the organization believes that insurance coverage is adequate and that no material exposure exists on the eventual settlement of such litigation. Therefore, no provision has been made in the accompanying financial statements.

Confederation Beach Park

Notes to the Financial Statements

December 31, 2020

8. Budget figures

The budgeted figures are presented for comparison purposes and were adopted by the City of Hamilton on November 13th, 2019. The adopted budget conforms to the Canadian Public Sector Accounting Standards except for the effect of the acquisition and amortization of tangible capital assets and principle repayment on debt. A reconciliation of the adopted and reported budgets is as presented below.

Adopted budget:

Net annual surplus for the year	\$ -
Adjustments to adopted budget	
Less:	
Amortization expense	(450,000)
Plus:	
Capital & special maintenance funding	175,000
Annual (deficit)/surplus per Statement of Operations	<u>(275,000)</u>

9. Absence of Cash Flow Statement

As part of the management agreement referenced in Note 1, Confederation Beach Park has no separate bank account and all cash transactions and changes in working capital are handled by the Authority and are reflected solely in the Due to/from account. Consequently, a cash flow statement for this entity would serve no value and is purposely omitted.

10. Operating surplus distribution

As required under article 15. Trust Monies, Surplus Funds and operating deficits of the Confederation Beach Park Management agreement “(2) Any operating surplus shall be transferred to the Waterpark Reserve fund in accordance with the resolutions approved by City Council on December 9, 2015 in response to Report PW11005c/FCS15090”. The Waterpark Reserve fund is in the custody of, and managed by, the City of Hamilton.

11. Impacts of COVID-19

The outbreak of a novel strain of coronavirus (“COVID-19”) was declared a global pandemic by the World Health Organization in March 2020. COVID-19 has severely impacted many economies around the globe. In many countries, including Canada, businesses were forced to cease or limit operations for long periods of time. Measures taken to contain the spread of the virus, including travel bans, quarantines, social distancing, and closures of non-essential services have triggered significant disruptions to businesses worldwide, resulting in an economic slowdown. Global stock markets have also experienced great volatility and a significant weakening. Governments and central banks have responded with monetary and fiscal interventions to stabilize economic conditions.

Confederation Beach Park

Notes to the Financial Statements

December 31, 2020

11. Impacts of COVID-19 (continued)

The duration and impact of the COVID-19 pandemic, as well as the effectiveness of Government and central bank responses, remains unclear at this time. It is not possible to reliably estimate the duration and severity of these consequences, as well as their impact on the financial position and results of Confederation Beach Park for future periods. While revenues have declined compared to historical results, Confederation Beach Park remains committed to adjusting its expenses as necessary to ensure its long-term sustainability.

DRAFT

Confederation Beach Park Schedule of Operating Activity

December 31, 2020

	Budget (unaudited)	2020 (unaudited)	2019 (unaudited)
Open Greenspace Park and Lakeland Centre			
Revenues			
City support	\$ 670,000	\$ 670,000	\$ 670,000
Lakeland centre	119,050	73,254	119,382
Facilities, films, etc.	90,320	42,643	72,344
	<u>879,370</u>	<u>785,897</u>	<u>861,726</u>
Expenses			
Park operations	523,425	507,537	481,394
Lakeland centre	122,534	57,124	106,153
Adv, G&A, ins.	24,299	4,803	11,079
Management fees	98,169	84,699	88,132
	<u>768,426</u>	<u>654,163</u>	<u>686,758</u>
Open Greenspace Park surplus	<u>\$ 110,944</u>	<u>\$ 131,734</u>	<u>\$ 174,968</u>
Commercial Operations			
Revenues			
Wild Waterworks admissions	\$ 2,134,675	\$ (297)	\$ 2,083,402
City support		425,000	-
Wild WaterWorks food	489,000	-	423,833
Park commercial tenants	464,300	368,896	424,674
	<u>3,087,975</u>	<u>793,599</u>	<u>2,931,909</u>
Expenses			
Water park operations	2,046,262	504,499	1,774,465
Concession operations	464,850	2,502	380,892
Marketing & Advertising	189,498	14,778	112,255
Admin/Ins/Water	170,475	105,177	167,048
Management fees	327,833	98,278	359,843
	<u>3,198,919</u>	<u>725,234</u>	<u>2,794,503</u>
Commercial surplus/(deficit)	<u>\$ (110,944)</u>	<u>\$ 68,365</u>	<u>\$ 137,406</u>
Combined operations surplus	\$ -	\$ 200,099	\$ 312,374
Less:			
Amortization expense	(450,000)	(363,254)	(408,064)
Capital and special maintenance expense	(175,000)	(244,788)	(138,089)
Plus:			
Capital & special maintenance funding	175,000	244,788	105,762
Capital addback	175,000	-	22,485
	<u>175,000</u>	<u>244,788</u>	<u>105,762</u>
Surplus / (deficit) per Statement of Operations	\$ (275,000)	\$ (163,155)	\$ (105,532)

Report

TO: Budget & Administration Committee

FROM: Neil McDougall, Secretary-Treasurer

MEETING DATE: April 15, 2021

RE: Reserve Funds and Balances as of December 31, 2020

STAFF RECOMMENDATION

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

THAT it provide approval of allocating the 2020 operating surplus primarily to the East Mountain (Saltfleet) wetland project while also establishing a new reserve available to respond to unanticipated capital works projects and opportunities unanticipated at time of Budget setting.

The Reserve Funds are made up of the following pools:

(\$,000)	2020 Opening Jan. 1st	Change During Year	2020 Operating Surplus	2020 Closing Dec.31st
East Mountain wetland development project (a)	\$ 2,306		\$ 1,997	\$ 4,303
Seasonal operating shortfall protection (b)	3,008	(92)		2,916
Construction Capital and Major Maintenance projects (c)	1,931	551		2,482
General land acquisition funds (d)	1,966	(15)		1,951
Watershed Engineering projects (e)	1,386	(234)		1,152
Emergency / unplanned capital reserve (f)	-		650	650
Westfield specific funds (half of which is an endowment)	442	147		589
Human resources fund (safety, sick plan, severance)	500	-		500
Major equipment replacement fund	442	(2)		440
Legal issues	300	-		300
Records management implementation (consulting & software)	273	-		273
	<u>\$ 12,554</u>	<u>\$ 355</u>	<u>\$ 2,647</u>	<u>\$ 15,556</u>

(a) The majority of the 2020 operating surplus has been directed to East Mountain to keep the Saltfleet project on track; now that the design plans are ready, we are looking to secure agency approvals in 2021 with construction of the first wetland to take place in 2022.

(b) Initially it was feared that the pandemic closures would require that we access the operating reserve but as we now know that did not happen and the reserve's protection remains.

(c) Construction was hampered by the shutdown in early 2020. it is expected that spending will be aggressive in 2021, including the significant shoreline project at Fifty Point.

(d) Land acquisition fund remains in tact so that we can obtain properties that qualify as per our updated land securement strategy document.

(e) Watershed projects also delayed in 2020 but staffing has been bolstered to get projects on track.

(f) New reserve established to be able to respond to capital and major maintenance needs not anticipated at the time of compiling the Budget



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10.1

A Healthy Watershed for Everyone

Report

TO: Board of Directors

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

RECOMMENDED by: Gordon R. Costie, Director of Conservation Area Services

PREPARED BY: Bruce Harschnitz, Manager of Conservation Area Services

MEETING DATE: May 6, 2021

RE: Request for Quote - Security services during the 2021 Spencer Gorge Reservation Period

STAFF RECOMMENDATION

THAT the HCA Board of Directors award the security contract to the recommended bidder that will be brought in an accompanying Request for Quotation Summary at the May 6, 2021 board meeting.

BACKGROUND

Third party security services were used to help control visitor access and traffic flow in Tew Falls and Greensville Optimist parking lots during the 2020 fall colour season pilot reservation period. With the reservation system extended to capture the full six-month main operating season based on the format of the pilot used for the 2020 season, the 7 day per week reservation system will increase third party security costs to levels requiring public tender.

STAFF COMMENT

HCA ran a successful 8-week pilot reservation system with external security for the Spencer Gorge in 2020 and will again be utilizing security as part of the operations in 2021. As HCA has limited human resources, third party security staff were used to

assist HCA staff to screen visitors to confirm they had a proper reservation and to re-direct those who did not to other conservation authority properties. Based on the experience gained from the 2020 pilot, the support provided by additional security staff improved management of visitors and traffic flow around the reservation sites.

With the HCA Board of Directors approval for the 6-month period extending from May to November 2021, HCA staff undertook requests for quotes for security services. The request for quotes for this project closes Friday April 30, 2021 and staff will not have completed review prior to mailing of the Board agenda meeting package. Consequently, a Summary Report with the results and a recommendation for contract award will be brought to the May 6, 2021 Board meeting.

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

Not applicable.

LEGAL/FINANCIAL IMPLICATIONS

The total security cost for reservation period will be detailed in the request for quotation summary report on May 6, 2021. Expenses for security will become part of the operating budget for Christie Lake.

CONCLUSION

In light of the above, it is appropriate for staff to bring a recommendation for the Board of Directors to consider for the security contract for the 2021 Spencer Gorge reservation system period at its forth coming meeting.



Hamilton
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A Healthy Watershed for Everyone

10.2

Report

TO: Board of Directors

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

RECOMMENDED by: Gordon R. Costie, Director of Conservation Area Services

PREPARED BY: Bruce Harschnitz, Manager of Conservation Area Services

MEETING DATE: May 6, 2021

RE: Designation of City of Hamilton Municipal Law Enforcement Officers as a Provincial Offences Officers for enforcement of Offences and Regulations on property under the jurisdiction of the Hamilton Conservation Authority

STAFF RECOMMENDATION

WHEREAS HCA has limited human resources to designate staff as Provincial Offences Officers to enforce infractions to the *Conservation Authorities Act* and the *Trespass to Property Act*;

WHEREAS HCA is experienced with working with other enforcements agencies such as Hamilton Police Services, Ministry of Natural Resources and Forestry, and municipal parking bylaw and welcome working closer with Municipal Law Enforcement Officers where the two organizations can benefit in tourism and enforcement consistency across the City;

WHEREAS the City of Hamilton council endorsed a motion at its April 14, 2021 council meeting (attached as Appendix A) for the two organizations to formalize appointment of city staff as Provincial Offences Officers to enforce offences and regulations under the *Conservation Authorities Act*, in addition to the *Trespass to Property Act* when carrying out their duties on property under the jurisdiction of the Hamilton Conservation Authority;

THEREFORE, BE IT RESOLVED

THAT the HCA Board of Directors authorize City of Hamilton Municipal Law Enforcement Officers (MLEO) to enforce violations under the *Trespass to Property Act*, on premises owned or occupied by the HCA, primarily to educate the public on the HCA's behalf, but also, where appropriate, to issue verbal or written warnings to individuals who are caught engaging in prohibited activities or entering prohibited areas; and further

THAT HCA staff be directed to undertake outreach to the Minister of the Environment, Conservation and Parks to obtain required approvals or undertake any process to appoint City of Hamilton Municipal Law Enforcement Officers (MLEO) pursuant to Subsection 28 (1) (d) of the *Conservation Authorities Act*, to grant them the authority to issue tickets under the *Conservation Authorities Act* and the *Trespass to Property Act*

BACKGROUND

The *Conservation Authorities Act* provides for a conservation authority to appoint officers to enforce its regulations. Furthermore, the Minister of Natural Resources and Forestry has implemented, under the authority of Subsection 1(3) of the *Provincial Offences Act*, a class designation process for all conservation authorities whereby any conservation authority officer appointed under Section 28 or Section 29 of the *Conservation Authorities Act* shall be designated by the Minister simultaneously as a Provincial Offences Officer. Once appointed, officers have the authority to enforce offences and Regulations under the *Conservation Authorities Act*, in addition to the *Trespass to Property Act* when carrying out their duties within the jurisdiction of the conservation authority.

HCA has brought to the Board in the past, reports to designate HCA staff members as Provincial Offences Officers for Section 28 or Section 29, however in this circumstance, the Board is authorizing MLEO to act on HCA lands in this capacity, who are not HCA staff.

Upon further review of the Conservation Authorities Act, City legal staff have advised that for MLEO to be appointed for enforcement support, an approval or other processes are required from the MECP minister before such an appointment can become effective.

STAFF COMMENT

Based on review of the Conservation Authorities Act and documentation on file from MNRF, City legal is of the opinion that specific approval is required to appoint Municipal Law Enforcement Officers to assist HCA to enforce offences and regulations under the

Conservation Authorities Act, in addition to the *Trespass to Property Act*. In the interim, as noted in the recommendation, the Board can authorize MLEO to primarily educate the public on the HCA's behalf, but also, where appropriate, to issue verbal or written warnings to individuals who are caught engaging in prohibited activities or entering prohibited areas.

HCA staff are undertaking correspondence with Conservation Ontario and records staff at MNRF and MECP to obtain further information that may be relevant and will undertake any required approval or other measures to work towards the goal of having City of Hamilton MLEO assist with enforcement on HCA lands.

STRATEGIC PLAN LINKAGE

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

- **Strategic Goal – Organizational Excellence**
 - Providing a positive and safe environment for both staff and visitors
 - 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

City of Hamilton legal is supportive of the above approach and will draft any required agreement between the City of Hamilton and the Hamilton Conservation Authority or other documentation as required to facilitate the appointment of Municipal Law Enforcement Officers.

CONCLUSIONS

In light of the above, it is appropriate for the Board of Directors to authorize City of Hamilton Municipal Law Enforcement Officers to enforce violations under the *Trespass to Property Act*, on premises owned or occupied by the HCA. This will be initially, primarily to educate the public on the HCA's behalf, but also, where appropriate, to issue verbal or written warnings to individuals who are caught engaging in prohibited activities or entering prohibited areas while approvals or other measures can be secured from MECP.

NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

MOTIONS

6.1 Enforcement of Offences and Regulations Under the Conservation Authorities Act, and the Trespass to Property Act, at Hamilton Waterfall Areas Under the Jurisdiction of the Hamilton Conservation Authority

(VanderBeek/Ferguson)

WHEREAS, requests for by-law enforcement at Hamilton Waterfall areas continue to increase and City Council, at its 2021 Budget meeting, approved the hiring of additional enforcement staff to establish a pilot project for the enforcement of Waterfall areas where challenges have been identified;

WHEREAS despite many City Council approved regulations and increased fines, regular enforcement, and other improvement measures being enacted/conducted, as well as a reservation system being tested by the Hamilton Conservation Authority, increased visitors to the waterfall areas, the Dundas Peak and Conservation Areas within the City continue to have negative impacts on area residents; and,

WHEREAS additional measures are required to enforce offences and Regulations under the *Conservation Authorities Act* and the *Trespass to Property Act* at Waterfall areas under the jurisdiction of the Hamilton Conservation Authority;

THEREFORE, BE IT RESOLVED:

- (a) That staff from Licensing and By-law Services work with the City's Legal Department and with the Hamilton Conservation Authority to formalize the appointment of City staff as Provincial Offences Officers to enforce offences and Regulations under the *Conservation Authorities Act*, in addition to the *Trespass to Property Act* when carrying out their duties on property under the jurisdiction of the Hamilton Conservation Authority; and,
- (b) That the Director of Licensing and By-law Services be authorized to sign any agreements between the City of Hamilton and the Hamilton Conservation Authority or other documentation as required to facilitate City enforcement staff's enforcement of offences and Regulations under the *Conservation Authorities Act* and the *Trespass to Property Act* on property under the jurisdiction of the Hamilton Conservation Authority provided such agreements are satisfactory to the City Solicitor.

Result: Motion CARRIED by a vote of 12 to 1, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES – Ward 6 Councillor Tom Jackson
- YES - Deputy Mayor - Ward 7 Councillor Esther Pauls
- NO - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- NOT PRESENT - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
- NOT PRESENT - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

NOTICES OF MOTION

7.1 Enforcement of Offences and Regulations Under the Conservation Authorities Act, and the Trespass to Property Act, at Hamilton Waterfall Areas Under the Jurisdiction of the Hamilton Conservation Authority

(VanderBeek/Ferguson)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Enforcement of Offences and Regulations Under the *Conservation Authorities Act*, and the *Trespass to Property Act*, at Hamilton Waterfall Areas Under the Jurisdiction of the Hamilton Conservation Authority.

Result: Motion CARRIED by a 2/3 vote of 14 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES – Ward 6 Councillor Tom Jackson
- YES - Deputy Mayor - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- NOT PRESENT - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- NOT PRESENT - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

Refer to Item 6.1 for further disposition of this item.



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: April 21, 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 or public safety concerns expected within the next 1 to 2 weeks.

The most recent low water assessment indicated possible Level 1 drought conditions within the watershed. Conditions will be re-assessed at the beginning of May.

There are no concerns with current reservoir levels.

In general, January to April streamflows have been well below long-term averages. That said, current and recent flows have been well above flows indicative of drought conditions at all monitored locations.

CURRENT WATERSHED CONDITIONS – April 21, 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 April 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, February, March, and April 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 five monitored locations.

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 74.65 m IGLD85. This is about 25 cm below average for this time of year, and about 103 cm below the record high set for this time of year (during 1973).

Current Storages in HCA Reservoirs

The current reservoir level at the Christie Lake dam (about 765.76 ft) is at the high end of the range of typical past winter water levels (765.30 - 765.80 ft), and is well below the range of typical past summer water levels (771.0 – 771.5 ft). The reservoir is at 20 % of its preferred maximum storage capacity (corresponding to a water level of 773 ft). The annual spring raising of reservoir levels is planned to commence within the next 1 to 3 weeks, and is consistent with typical operations in past years.

The current reservoir level at the Valens Lake dam (about 275.35 m) is within the range of typical past summer water levels (275.25 - 275.45 m). The reservoir is at 95 % of its preferred maximum storage capacity (corresponding to a water level of 275.5 m). The planned annual spring raising of reservoir levels has recently been completed, and is consistent with typical operations in past years.

Current Soil Conditions

The surface and root-zone soils are moist to wet and fully thawed, presently.

RECENT STORM EVENTS

During the period of March 19, 2021 to April 21, 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 possible Level 1 drought conditions within the watershed. However, as this was the first recent month that indicated such conditions, a Level 1 Low Water Declaration was deferred and conditions will be re-assessed at the beginning of May. The 3-month precipitation totals indicated Level 1 drought conditions. However, the 18-month precipitation totals indicated normal conditions, and 30-day average streamflows also suggested normal conditions at all five monitored locations.

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 its seasonal rise in water levels over the next several weeks as spring continues. 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 within the watershed are possible, moving into May. However, actual watershed conditions will be largely dependant on the amount of rainfall received, and will continue to be monitored.

