



Board of Directors Meeting Agenda

Thursday, June 2, 2022



Board of Directors Meeting

Thursday, June 2, 2022 at 7:00 p.m.

This meeting will be held in person for Board of Directors members and designated, limited staff only.

The public may view the meeting live on HCA's You Tube Channel:
<https://www.youtube.com/user/HamiltonConservation>

- 1. Call to Order** – Ferguson
- 2. Declarations of Conflict of Interest**
- 3. Approval of Agenda**
- 4. Delegations**
- 5. Consent Items for Applications, Minutes and Correspondence**
 - 5.1. Applications – Development, Interference with Wetlands, Alterations to Shorelines and Watercourses
 - 5.2. Approval of Board of Directors Minutes – May 5, 2022
- 6. Foundation Briefing** Foundation Chair – Stebbing
- 7. Member Briefing**
- 8. Business Arising from the Minutes**
- 9. Reports from Budget & Administration Committee and Conservation Advisory Board**
- 10. Other Staff Reports/Memorandums**
 - 10.1. Right to Disconnect Policy Memorandum – Watts
 - 10.2. Watershed Conditions Report – Bastien
 - 10.3. Conservation Areas Experiences Update – Harschnitz
- 11. New Business**

12. In-Camera Items

13. Next Meeting – Thursday, July 7, 2022 at 7:00 p.m.

14. Adjournment



Memorandum

TO: Board of Directors

FROM: Lisa Burnside, Chief Administrative Officer

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

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

DATE: June 2, 2022

RE: Summary Enforcement Report
Development, Interference with Wetlands and Alterations to
Shorelines and Watercourses Regulation 161/06

HCA Regulation applications approved by staff between the dates of April 23, 2022 and May 24, 2022 are summarized in the following Summary Enforcement Report (SER-5/22).

RECOMMENDATION

THAT the Board of Directors receive this Summary Enforcement Report SER-5/22 as information.

HAMILTON REGION CONSERVATION AUTHORITY

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

May 24, 2022

Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Applications Report to the Board of Directors of the Hamilton Region Conservation Authority, June 02, 2022

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

SUMMARY ENFORCEMENT REPORT SER 5/22

File Number	Date Received	Date Permit Issued	Review Days	Applicant Name	Location	Application Description	Recommendation / Conditions
F/F,C,A/21/86	22-Sep-21	27-Apr-22	61		230 Hwy 8 Lot 3, 4, Concession 2 Flamborough	Construction of a greenhouse, and regrading of an existing swale in a regulated area of Spencer Creek.	Approved subject to standard conditions.
A/F,C,A/22/35	25-Apr-22	29-Apr-22	2		Scenic Dr near Chateau Crt Lot 55, Concession 2 Ancaster	Underground micro conduit installation by directional drill in municipal RoW in a regulated area of Chedoke Creek.	Approved subject to standard conditions.
H/F,C/22/03	07-Jan-22	29-Apr-22	44		1280 Main St W Lot 57, Concession 1 Hamilton	Construction of natural gas generators and ancillary equipment (E-house, transformers, and concrete pad) in a regulated area of Lower Spencer Creek and Cootes Paradise Wetland Complex.	Approved subject to standard conditions.
H/F,C,A/22/08	11-Jan-22	29-Apr-22	78		863 Nebo Rd Lot 14, Concession 2 Hamilton	Construction of a new industrial building, stormwater management pond, and associated fill placement, grading and landscaping, in a regulated area of Hannon Creek.	Approved subject to standard conditions.

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

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SUMMARY ENFORCEMENT REPORT SER 5/22

F/F,C,A/21/104	23-Dec-21	03-May-22	57		26 Marshboro Ave Lot 6, Concession 1 Flamborough	Development of a single family dwelling, driveway, and septic bed, in a regulated area of Middle Spencer Creek.	Approved by Board of Directors at April 7, 2022 Hearing subject to conditions.
F/F,C,A/22/19	02-Mar-22	06-May-22	67		618 to 636 Millgrove Side Rd Lot 19, Concession 3 Flamborough	Ditch maintenance in a regulated area of Logies Creek and Logies Creek Parkside Drive Wetland Complex.	Approved subject to standard conditions.
F/F,C,A/22/20	02-Mar-22	06-May-22	67		1573 to 1614 Regional Rd 97 Lot 25, Concession 8,9 Flamborough	Ditch maintenance in a regulated area of Upper Spencer Creek.	Approved subject to standard conditions.
SC/F,C,A/22/21	02-Mar-22	06-May-22	67		414 Dewitt Rd, 555 Seaman St, 565 Seaman St and 590 South Service Rd Lot 15,16, Concession 1 Stoney Creek	Ditch maintenance in a regulated area of Stoney Creek Watercourse 4.	Approved subject to standard conditions.
F/F,C,A/22/22	02-Mar-22	06-May-22	67		568 Ofield Rd N Lot 13, Concession 3 Flamborough	Culvert replacement and maintenance in a regulated area of Logies Creek.	Approved subject to standard conditions.

HAMILTON REGION CONSERVATION AUTHORITY

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

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

SUMMARY ENFORCEMENT REPORT SER 5/22

F/F,C,A/22/23	02-Mar-22	06-May-22	67		701 Crooks Hollow Rd Lot 8, Concession 2 Flamborough	Culvert replacement and maintenance in a regulated area of Middle Spencer Creek.	Approved subject to standard conditions.
SC/F,C,A/22/24	02-Mar-22	06-May-22	67		860 Barton St Lot 11, Concession 2 Stoney Creek	Culvert replacement and maintenance in a regulated area of Stoney Creek Watercourse 6.1.	Approved subject to standard conditions.
A/F,C,A/22/25	02-Mar-22	06-May-22	67		1009 Binkley Rd Lot 37, Concession 1 Ancaster	Culvert replacement and maintenance in a regulated area of Spring Creek.	Approved subject to standard conditions.
F/F,C,A/22/36	04-Apr-22	06-May-22	34		306 4th Con Rd W, 1255 8th Con Rd W and 745 Safari Rd Lot 20, Concession 3 Flamborough	Culvert replacement, ditching and maintenance in a regulated area of Logie's Creek and culvert replacement in a regulated area of the Beverly Swamp Wetland and in a regulated area of Flamborough Creek.	Approved subject to standard conditions.
A/F,C/21/88	21-Oct-21	18-May-22	64		170 Calvin St Lot 44, Concession 3 Ancaster	Upgrades to Calvin Street Wastewater Pumping Station	Approved subject to standard conditions.

Hamilton Region Conservation Authority

Minutes

Board of Directors Meeting

May 5, 2022

Minutes of the Board of Directors meeting held on Thursday, May 5, 2022 at 7.p.m., by videoconference and livestreamed via YouTube.

PRESENT: **Lloyd Ferguson – in the Chair**
 Dan Bowman **Brad Clark**
 Jim Cimba **Susan Fielding – by videoconference**
 Tom Jackson **Cynthia Janzen**
 Santina Moccio **Esther Pauls**
 Russ Powers – by videoconference
 Maria Topalovic

Jennifer Stebbing – Foundation Chair – by videoconference

REGRETS: **None**

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

OTHERS: **None**

1. Call to Order

The Chair called the meeting to order 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 advised of two matters to be added in camera, one property matter and one negotiation matter.

BD12, 3040

MOVED BY: Jim Cimba

SECONDED BY: Maria Topalovic

THAT the agenda be approved, as amended.

CARRIED

4. Delegations

There were none.

5. Consent Items for Applications, Minutes and Correspondence

The following consent items were adopted:

- 5.1. Applications – Development, Interference with Wetlands, Alterations to Shorelines and Watercourses
- 5.2. Approval of Board of Directors Minutes – April 7, 2022
- 5.3. Approved February 10, 2022 Conservation Advisory Board Minutes – for receipt only
- 5.4. Approved March 17, 2022 Budget & Administration Committee Minutes – for receipt only
- 5.5. Email from Ministry of Environment, Conservation and Parks regarding Regulations and Policy under the Conservation Authorities Act, dated April 22, 2022

6. Foundation Briefing

Grace Correia, Foundation Executive Director, reported on the following:

Donations

The Foundation received a total of **\$12,535** in donations from April 1 to 30, 2022. They break down as follows:

- \$5,000 for Education Program kits
- \$3,000 for Benches
- \$2,586 for the Area of Greatest Need Fund

- The remaining \$1949 was donated to Land Securement, Westfield, Trails, Christie Lake, Dundas Valley and Trails.

This brings the Foundation's fiscal year-to-date fundraising total to **\$92,7558**, continuing slightly ahead of the same time last year.

The Foundation's Annual General Meeting of members will take place virtually next week and we have started work on our Annual Report which will be circulated by the end of June.

BD12, 3041

MOVED BY: Santina Moccio

SECONDED BY: Cynthia Janzen

THAT the Foundation Briefing be received.

CARRIED

7. Member Briefing

7.1. Conservation Authorities Act – Phase 2 Regulations and Policy

Lisa Burnside presented an overview of Phase 2 Regulations and Policy to implement recent changes to the Conservation Authorities Act.

Proposed regulations were posted to the Environmental Registry of Ontario for comment and the results were recently released. The following regulations and policy have been finalized:

- Budget & Apportionment Regulation
- Minister's Fee Classes Policy (classes and programs/services that Conservation Authorities can charge fees for and requires a fee schedule and policy)
- Information Requirements Regulation (to increase transparency of CA Operations)
- Amendments to the Minister's Transition Plans and Agreements Regulation

A requirement for draft budgets to be submitted to the municipalities prior to final Board approval will mean that staff will need to prepare the capital and operating budgets earlier in the year and we may need to reorganize our budget by program/service categories rather than by department. The new process will not result in changes to HCA's budget numbers.

BD12, 3042

MOVED BY: Dan Bowman

SECONDED BY: Tom Jackson

THAT the verbal presentation regarding the Conservation Authorities Act – Phase 2 Regulations and Policy be received.

CARRIED

8. Business Arising from the Minutes

There was none.

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

9.1. Budget and Administration Committee – April 21, 2022
(Recommendations)

9.1.1. BA 2218 2021 Report by the Auditors and 2021 12-Month
Financial Results – Audited Financial Statements

Santina Moccio, Chair of B&A Committee, introduced the report advising that Melanie Dugard of Grant Thornton, presented a summary of the 2021 auditors' report to the B&A Committee. No matters of concern were identified and no adjustments were needed. The audit resulted in a clean and unqualified opinion. She also noted the 2021 audited 12-month financial statements for HCA and Confederation Beach Park were also presented. Staff and Grant Thornton both acknowledged and expressed appreciation for the collaborative effort to complete the audit each year. The members congratulated staff on the final results for the year.

BD12, 3043

MOVED BY: Santina Moccio
SECONDED BY: Jim Cimba

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

THAT the Report by the Auditors be approved; and further

THAT the 2021 Twelve-Month Audited Financial Statements for Hamilton Conservation Authority and Confederation Beach Park be approved.

CARRIED

9.1.2. BA 2219 Reserve Funds and Balances Report

Santina Moccio presented a summary of the staff report outlining staff recommendations for the allocation of the 2021 surplus funds. The majority of the funds are recommended to be allocated to the East Mountain wetland construction and land acquisition to continue the development of the Saltfleet Conservation Area, with other funds allocated to seasonal operating shortfall protection, capital and engineering projects, general land acquisition, major equipment, and unscheduled capital projects.

The Westfield regular projects were recategorized to be part of Construction Capital and Major Maintenance projects, keeping the monies from the Friends of Westfield and the Westfield Endowment fund separately.

BD12, 3044**MOVED BY: Santina Moccio****SECONDED BY: Maria Topalovic**

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

THAT the allocation of the 2021 operating surplus primarily be directed to the East Mountain (Saltfleet) wetland project with minor adjustments to other reserves as outlined in the table report and further;

THAT the Westfield regular projects are recategorized to be part of Construction Capital and Major Maintenance projects keeping the monies from the Friends of Westfield and the Westfield Endowment fund separately.

CARRIED

Esther Pauls entered the meeting.

9.2. Conservation Advisory Board – April 14, 2022
(Recommendations)**9.2.1. CA 2211 HCA Trail Map Standards**

Dan Bowman shared details of the staff report outlining Trail Map Standards for HCA, with Eramosa Karst serving as a pilot for the program this year. The standards were developed collaboratively among staff and with public input via the Bang the Table online community engagement tool. The standards will be a consistent design for all HCA trail maps and way-finding signage moving forward.

Up-to-date and consistent trail mapping is important for visitors to be able to navigate and enjoy our Conservation Areas. Expansion of the program will be done on a priority basis following an inventory and evaluation of signage and mapping for all other areas that is currently underway. The members congratulated staff on the initiative and the updated designs.

There was discussion regarding additional planned innovations with the forthcoming pilot of a trail application for mobile devices by the Marketing and Communications department.

BD12, 3045

MOVED BY: Dan Bowman

SECONDED BY: Cynthia Janzen

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

THAT the new HCA Trail Map Standard & Wayfinding system be adopted and implemented within the Eramosa Karst Conservation Area as a pilot program; and further

THAT the HCA Trails Mapping Committee continue to develop and implement associated systems across other HCA properties on a priority basis; and further

THAT the HCA Trails Mapping Committee reports back to CAB on an annual basis with trail map and wayfinding system program progress updates.

CARRIED

10. Other Staff Reports/Memoranda

10.1. Christie Lake CA Entrance Road Rebuild – Tender Results

Matt Hall presented a summary of the report, recommending the contract be awarded to the lowest bid, Brantco Construction.

BD12, 3046

MOVED BY: Cynthia Janzen

SECONDED BY: Jim Cimba

THAT the construction tender for the Christie Lake C.A. Entrance Road Rebuild Project, be awarded to Brantco Construction for a total cost of \$497,188.70 which includes a contingency sum and HST.

CARRIED**10.2. 2022 Tar & Chip Resurfacing (Various Areas – Tender Results)**

Matt Hall presented a summary of the report recommending the contract be awarded to the lowest bid, Cornell Construction Ltd.

BD12, 3047**MOVED BY: Tom Jackson****SECONDED BY: Santina Moccio**

THAT the construction tender for the 2022 Tar & Chip Road Resurfacing project, be awarded to Cornell Construction Ltd. for a total cost of \$216,734.00 which includes a contingency sum and HST.

CARRIED**10.3. Watershed Conditions Report**

Jonathan Bastien presented a summary of the memorandum, highlighting that one flood watch was issued on May 3rd, however, no significant flooding issues were reported or observed and the notice was cancelled May 5th. The reservoir at Valens Lake is at summer operating levels. The Christie reservoir will be raising toward summer levels early next week, in line with our typical schedule. There is no anticipated watercourse or shoreline flooding with the current forecast. There is the potential for 1.4m waves along the shoreline this weekend. Staff will continue to monitor the forecast. HCA's watershed is not currently in a low water condition. April precipitation was below typical monthly rainfall, however, long-term average precipitation is within normal range.

BD12, 3048**MOVED BY: Jim Cimba****SECONDED BY: Maria Topalovic**

THAT the memorandum entitled Watershed Conditions Report be received.

CARRIED**10.4. Conservation Areas Experiences Update**

Gord Costie provided a verbal update, highlighting the month of May is typically busy for our Conservation Areas. Staff are currently busy with boat lift in at Fifty Point, opening seasonal washrooms, preparing campsites, and trail maintenance.

Importantly, much focus is on hiring summer students and completing their operational and health and safety training. Staff recruitment challenges at some areas were noted. Staff are preparing for the Victoria Day long weekend, which is the start of the Spencer Gorge reservation system for Dundas Peak, Tew Falls and Webster Falls. Membership pass sales for April were strong, reversing softening experienced in March.

BD12, 3049

MOVED BY: Santina Moccio

SECONDED BY: Dan Bowman

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

CARRIED

11.New Business

There was none.

12.In-Camera Items

BD12, 3050

MOVED BY: Santina Moccio

SECONDED BY: Tom Jackson

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

CARRIED

During the *in camera* session, one personnel matter, one legal matter, and one negotiation matter were discussed.

12.1. Confidential Verbal Update – BD/May 01-2022 Personnel Matter

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

12.2. Confidential Verbal Update – BD/May 02-2022 Legal Matter

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

12.3. Confidential Verbal Update – BD/May 03-2022
Negotiation Matter

Neil McDougall provided a verbal update regarding a negotiation matter and answered the members' questions.

BD12, 3051

MOVED BY: Tom Jackson
SECONDED BY: Brad Clark

THAT the confidential verbal update entitled BD/May 03-2022 be received and remain in camera.

CARRIED

BD12, 3052

MOVED BY: Dan Bowman
SECONDED BY: Maria Topalovic

THAT the resolution related to the confidential verbal update entitled BD/May 03-2022 be approved and remain in camera.

CARRIED

BD12, 3053

MOVED BY: Santina Moccio
SECONDED BY: Dan Bowman

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

CARRIED

13. Next Meeting

The next meeting of the Board of Directors will be held on Thursday, June 2, 2022 at 7:00 p.m.

14. Adjournment

On motion, the meeting adjourned.

Neil McDougall
Secretary-Treasurer

Memorandum

TO: Board of Directors

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

PREPARED BY: Nancy Watts, Director of Human Resources & Wellness

MEETING DATE June 2, 2022

RE: Right to Disconnect Policy

BACKGROUND

Bill 27, Working for Workers Act, 2021

In December 2021, the Government of Ontario's *Bill 27 - Working for Workers Act, 2021* amended the *Employment Standards Act, 2000* to introduce a requirement that workplaces with more than twenty-five (25) employees create a disconnect from work policy, which must be in place by June 2nd, 2022. Beginning in 2023, and each year thereafter, employers that employ twenty-five (25) or more employees on January 1st of that year must have a written policy on disconnecting from work in place before March 1st of that year.

This memorandum is coming forward to advise the Board of this legislation and that HCA has created a policy to be in compliance.

STAFF COMMENT

HCA is committed to providing a supportive workplace that values the health and wellbeing of employees while also fulfilling business goals and providing a high-performance work environment. Additionally, HCA is committed to ensuring that its employees are able to maintain an appropriate work/life balance and fulfill their family responsibilities. Disconnecting at appropriate times will enable employees to work more productively during regular working hours, in addition to providing them with a better work-life balance.

As defined in the *Working for Workers Act*, "Disconnecting from Work" means not engaging in work-related communications, including emails, telephone calls, video calls

or the sending or reviewing of other messages, so as to be free from the performance of work.

The attached policy captures the general expectation that all employees complete their work, including reviewing and responding to any work-related communications, during regular working hours. While employees should make all reasonable efforts to book meetings and calls during regular working hours, differing hours for certain positions will require some employees to attend or respond to work-related communications outside of other employees' regular working hours.

The attached policy captures HCA's approach and expectations for staff given our 7 day per week operations and exceptions that would be applicable.

STRATEGIC PLAN LINKAGE

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

- **Strategic Priority Area – Organizational Excellence**

AGENCY COMMENTS

None

LEGAL/FINANCIAL IMPLICATIONS

N/A

CONCLUSIONS

With the changing nature of work and the advancement of technology, boundaries between being "at work" and "outside of work" have become less distinct. In addition to being a legislative requirement, the Disconnecting from Work Policy will promote the importance of a work-life balance for HCA employees at all levels of the organization.

HCA Right to Disconnect Policy

Policy Statement

Hamilton Conservation Authority (HCA) is committed to providing a supportive workplace that values the health and wellbeing of employees while also fulfilling business goals and providing a high-performance work environment. Additionally, HCA is committed to ensuring that its employees are able to maintain an appropriate work/life balance and fulfill their family responsibilities. The HCA Right to Disconnect Policy supports each employee in disconnecting from work outside of their normal working hours, subject to reasonable exceptions. While digital tools allow employees the flexibility to work remotely and at any time, an always connected work culture carries mental health risks of anxiety, depression and burnout.

As such, and as an organization of more than 25 employees, HCA has the following policy in place regarding an employee's right to disconnect from work.

Purpose

On November 30, 2021, the Ontario government passed Bill 27, Working for Workers Act, 2021. It received Royal Assent on December 2, 2021 and has been added to the Employment Standards Act, 2000 (ESA).

This Policy provides the framework for disconnecting from work, understanding that it is vital for a person's wellbeing to maintain a balance between their work and personal lives. HCA, its management and employees must work together to ensure that everyone is able to disconnect from work outside of normal working hours in accordance with this policy.

This policy is effective as of June 1, 2022.

In the event of any future changes to this policy, the date of the changes made will be included in this section.

Scope

This policy applies to all Hamilton Conservation Authority Full Time, Contract, Casual employees and Volunteers.

Definitions

As defined in the *Working for Workers Act*, “Disconnecting from Work” means not engaging in work-related communications, including emails, telephone calls, video calls or the sending or reviewing of other messages, so as to be free from the performance of work.

Policy Outline

Application

The right to disconnect means that all employees:

1. Can stop performing their job duties and work-related tasks when they are not scheduled to work
2. Are not regularly required to take work home with them to complete outside of regularly scheduled hours of work
3. Are not expected or required to respond to work-related communications outside their regular working hours, while on break, or during any paid or unpaid time off
4. Should take and use all their scheduled breaks (including meal breaks) and time-off entitlements (vacation time) for non-work-related activities
5. Will not face repercussions or be penalized for not communicating outside of their regularly scheduled hours of work

Working Hours and Schedules

In the delivery of HCA’s various programs and services, it is recognized that the bandwidth of working days and working hours can vary by department and division. As a result, some employees’ hours and schedules of work may differ within HCA.

It is generally expected that all employees are able to complete their work, including reviewing and responding to any work-related communications, during their normal hours of work. If an employee is continually unable to complete their work or attend to work-related communications within their normal working hours, a review of their plan may take place.

Exceptions

There are situations when it is necessary for employees to perform work or communicate with colleagues outside of their normal hours of work, including, but not limited to the following:

1. Where an emergency circumstance arises, with or without notice
2. To assist or fill in at short notice for a colleague
3. Where the nature of the employee’s duties requires work and/or work-related communications outside of their normal hours of work
4. Unforeseeable business or operational reasons

5. An employee's request or agreement to work certain hours or have flexible working hours; and
6. For any reason as described in the employee's job description or employee contract that requires them to be contacted outside of regular work hours, such as but not limited to on call operational responsibilities

Communications

It is important all employee's personal time is respected and everyone has the right to disconnect from work outside normal working hours, subject to the exceptions detailed above.

Where possible, e-mails, text messages, meeting invitations and other communications from colleagues etc. should be sent only during normal working hours, while also appreciating that HCA operates where work days / hours may differ i.e. where one employee works during the weekend and another does not. Where this is the case, the sender should consider the timing of their communication and understand that the recipient will not be expected to respond until their return to work.

Where an employee sends communications outside normal work hours, unless business and operational needs dictate that an immediate response is required, employees should not feel the need to respond to communications received outside their normal working hours.

Additionally, although not to be considered a requirement, an employee may choose to engage in work outside of their regular hours; however, employees that choose to do so must respect other employees' normal hours of work.

Automatic Replies

Employees should make best use of and turn on, out of office notifications and/or change their voicemail messages during periods of vacation and sickness that they will not be responding until their next scheduled work day. This can even be utilized for staff with work schedules that are not traditional Monday to Friday to advise the sender of your next scheduled work day and that you will respond to their email upon your return.

Employers Responsibilities:

- Ensure employees are aware of their required working hours and the terms and conditions of their employment, including what their normal working hours and schedules are reasonably expected to be.
- Support and encourage employees in taking their rest periods and vacation time/time off.
- Ensure all employees receive a copy of this Policy within thirty (30) days of being in effect and all new hires are provided with a copy during orientation.

- Communicate to all employees any updates/revisions to the Policy within thirty (30) days of the revised policy taking effect.

Staff Responsibilities:

- Manage their working time while at work.
- Take reasonable care to protect their safety, health and welfare, and the health and safety of co-workers.
- Be mindful of co-workers, and all others, right to disconnect (e.g., by not routinely emailing or calling outside normal working hours).
- Be conscious of their work pattern and aware of their work-related well-being, and remedy if necessary.
- If unable to disconnect, discuss with their Manager/Supervisor

Management Responsibilities:

Managers/Supervisors have the most interaction with their employees. It is important they:

- Ensure the employees within their team are able to disconnect from work outside of normal working hours.
- Should an employee have concerns surrounding their working time, or be unable to disconnect from work, it is important that this is brought to the attention of their immediate supervisor in order to try to resolve any concerns.
- Be mindful of times emails are sent and should they notice that a member of their team is sending emails at odd hours or are logging in excessively, they should speak to the employee as soon as possible, as this may indicate they are finding it difficult to manage their workload during normal working hours.

Employees should consult with their manager if they have any questions or concerns about this policy. If any question or concern regarding this policy cannot be resolved with an employee's manager, the matter should be raised with HCA's Human Resources department.



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 Engineer

DATE: May 24th, 2022

RE: Watershed Conditions Report

SYNOPSIS

During the period of April 26th, 2022 to May 24th, 2022, there were no observations or reports of significant watercourse flooding events or Lake Ontario shoreline flooding events.

That said, there was 1 potential watercourse flooding event (May 3 – 5), which resulted in elevated water levels and flows, and expected localized flooding of low-lying areas that typically flood during higher water levels in Stoney Creek areas. Also, there were public safety concerns due to temporarily elevated flows and water levels in Stoney Creek and Lower Spencer Creek areas.

Currently there are no significant watercourse flooding, public safety concerns, or Lake Ontario shoreline flooding. Current flows are at baseflow conditions, and these current baseflow conditions are well below long-term average monthly flows for May. That said, the average monthly flows in May so far have been only slightly to marginally below average. The Lake Ontario mean daily water level averaged across the entire lake is currently about 12 cm above average for this time of year.

The current reservoir level at Christie Lake dam is about 1.3 feet lower than the low end of preferred summer levels. Spring raising of reservoir levels continues. The current reservoir level at Valens Lake dam is within typical summer levels.

There is currently one significant rainfall event (25 – 40 mm on June 7th) forecasted for the watershed over the next 2 weeks. HCA staff will continue to regularly monitor forecasts and assess the potential for flooding due to this storm event. Necessary actions, including issuing flood messages will be completed as required. In the next 9 days, no significant Lake Ontario shoreline flooding is expected.

The latest drought assessment indicated normal watershed conditions. However, drought conditions may possibly be identified for the watershed at the beginning of June during the next scheduled assessment, given below average amounts of rain received in April and May so far.

CURRENT WATERSHED CONDITIONS – May 24th, 2022

Current Flows in Major Area Watercourses

There are no observations, reports, or expectations that significant watercourse flooding or significant public safety concerns are occurring at this time. Current flows are at baseflow conditions at the five available streamflow gauges (Upper Spencer Creek at Safari Road, Middle Spencer Creek at Highway 5, Lower Spencer Creek at Market Street, Ancaster Creek at Wilson Street, and Red Hill Creek at Barton Street).

These current baseflow conditions are well below long-term average monthly flows for May. Current flows are 46 to 65 % of long-term average monthly flows at the three Spencer Creek gauges, 27% of the long-term average monthly flow at the Red Hill Creek at Barton Street gauge, and 71% of the long-term average monthly flow at the Ancaster Creek at Wilson Street gauge.

That said, the average monthly flows in May so far have been only slightly to marginally below average (85 to 96 % of the long-term average monthly flows) at the majority of the available streamflow gauges, while Red Hill Creek at Barton Street gauge flows have been marginally above average (104 % of long-term average monthly flows).

At the available streamflow gauges, the average monthly flows in April were well below average (47 to 68 % of the long-term average monthly flows). The average monthly flows in March 2022 were marginally to well above average (102 to 137 % of the long-term average monthly flows at the majority of gauges, while 161 % of the long-term average monthly flow at the Upper Spencer Creek at Safari Road gauge). The average monthly flows in February were well above average (137 to 230 % of the long-term average monthly flows).

Current Lake Ontario Water Levels

At this time, there are no observations, reports or expectations of significant Lake Ontario shoreline flooding. The Lake Ontario mean daily water level in the Hamilton area was 75.19 m IGLD85 as of yesterday. The Lake Ontario mean daily water level

averaged across the entire lake (75.19 m IGLD85 as of yesterday) is about 12 cm above average for this time of year.

Current Storages in HCA Reservoirs

The current reservoir level at Christie Lake dam (about 769.70 ft) is about 1.3 feet lower than the low end of preferred summer levels (771.00 – 771.50 ft). The reservoir is at 51 percent of its preferred maximum storage capacity (corresponding to a water level of 773.0 ft). Spring raising of reservoir levels continues. The date when preferred summer water levels will be reached in the reservoir is dependant on the amount of rain received and a continuing balance between reservoir filling and providing appropriate downstream flows.

The current reservoir level at Valens Lake dam (about 275.40 m) is within typical summer levels (275.25 - 275.45 m). The reservoir is at 95 percent of its preferred maximum storage capacity (corresponding to a water level of 275.5 m).

Current Soil Conditions

The surface and root-zone soils are currently moist.

RECENT STORM EVENTS

During the period of April 26th, 2022 to May 24th, 2022, there were no observations or reports of significant watercourse flooding events or Lake Ontario shoreline flooding events.

That said, there was 1 potential watercourse flooding event, that warranted issuing messages and additional monitoring of conditions.

Potential For Watercourse Flooding

May 3rd to May 5th

The Hamilton area was anticipated to receive between 11 and 35 mm of rain on May 3rd, with an additional 5 to 10mm of rain possible if thunderstorm activity occurred. The Hamilton area received between 14.2 and 27.0 mm of rain on May 3rd and May 4th. Resultant water levels and flows were elevated, and localized flooding of low-lying areas that typically flood during higher water levels is expected to have occurred in Stoney Creek areas. Also, there were public safety concerns due to temporarily elevated flows and water levels in Stoney Creek and Lower Spencer Creek areas. However, there were no reports or observations of significant watercourse flooding. Prior, during, and after this potential storm event, HCA engineering staff closely monitored conditions, and issued the following messages to communicate the potential watercourse flooding conditions to the City and public:

- Flood Watch - Watercourse Flooding on May 3rd
- Termination of Flood Watch – Watercourse Flooding on May 5th

RECENT WATERSHED LOW WATER CONDITIONS

For the latest drought assessment (which includes data up to the end of April), the 3-month and 18-month precipitation totals indicated normal conditions within the watershed, based on data at up to 8 available stations respectively. 30-day average streamflows also indicated normal conditions within the watershed, based on data at 5 available stations. That said, the 1-month (April) precipitation totals were well below normal (45 – 62 % of long-term normals). Conditions will be re-assessed at the beginning of June.

FORECASTED WATERSHED CONDITIONS

Watercourse Flooding

There is currently one significant rainfall event (25 – 40 mm on June 7th) forecasted for the watershed over the next 2 weeks. HCA staff will continue to regularly monitor forecasts and assess the potential for flooding due to this storm event. Necessary actions, including issuing flood messages will be completed as required.

Lake Ontario Shoreline Flooding

In the next 9 days, no significant Lake Ontario shoreline flooding is expected. According to International Lake Ontario – St. Lawrence River Board information, it is likely that the water level of Lake Ontario will remain stable or rise slightly this week. Over the longer term, it is expected that Lake Ontario levels will continue a slow seasonal decline. The rate and magnitude of water level changes will depend largely on received precipitation amounts and temperatures.

Watershed Low Water Conditions

Drought conditions may possibly be identified for the watershed at the beginning of June during the next scheduled assessment, given below average amounts of rain received in April and May so far.