



Board of Directors Meeting Agenda

Thursday December 5, 2024

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Board of Directors Meeting

Thursday, December 5, 2024 at 6:00 p.m.

Hamilton Conservation Authority is now conducting meetings in a hybrid format via an in-person and WebEx platform.

**All hybrid meetings can be viewed live on HCA's You Tube Channel:
<https://www.youtube.com/user/HamiltonConservation>**

- 1. Call to Order** – Brad Clark
- 2. Declarations of Conflict of Interest**
- 3. Approval of Agenda**
- 4. Delegations**
- 5. Consent Items for Applications, Minutes and Correspondence**
 - 5.1. Permit Summary Report Page 1
 - 5.2. Approval of Board of Directors Minutes – November 7, 2024 Page 5
 - 5.3. Approved September 26, 2024 Budget & Administration Committee Minutes – for receipt only Page 13
 - 5.4. Correspondence with respect to Ontario Land Tribunal Oral Decision, November 8, 2024, regarding Case No. OLT-21-001567 & OLT-21-001788 Page 17
- 6. Foundation Briefing** Foundation Chair – Kathy Lacasse
- 7. Member Briefing**
- 8. Business Arising from the Minutes**

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

- 9.1. Budget & Administration Committee – November 26, 2024 – Susan Fielding
(Recommendations)
- 9.1.1. Project Technical Advisor Committee Insurance Page 23
- 9.1.2. 2025 Mileage Reimbursement Rate Page 27
- 9.1.3. 2025 Remuneration of Board of Directors and Advisory Board and
Committee Members Page 31

10. Other Staff Reports/Memorandums

Reports to be approved

- 10.1. 10 Lakeside Drive, Winona – Elizabeth Reimer and Mike Stone
Page 35
- 10.2. 56 Baldwin Street, Dundas – Jeff Tweedle and Mike Stone
Page 49
- 10.3. Final 2025 Budget Approval – Lisa Burnside Page 61

Memorandums to be received

- 10.4. Watershed Conditions Report – Jonathan Bastien Page 63
- 10.5. Conservation Areas Experiences – Brandon Good Page 69

11. New Business

12. In-Camera Items

- 12.1 Confidential Report – BA/Nov-01-2024
(Security Matter)
- 12.2. Confidential Memorandum - BD/Dec-01-2024
(Legal/Property Matter)

13. Next Meeting – Thursday, February 6, 2025 at 6:00 p.m. (Annual General Meeting)

14. Adjournment

13. Next Meeting – Thursday, February 6, 2025 at 6:00 p.m. (Annual General Meeting)

14. Adjournment

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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 and Engineering

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

DATE: December 5, 2024

RE: Permit Applications Summary Report

HCA permit applications approved by staff under the *Conservation Authorities Act* and Ontario Regulation 41/24 between the dates of October 25, 2024 – November 22, 2024 are summarized in the following Permit Applications Summary Report (PASR-10/24).

RECOMMENDATION

THAT the Board of Directors receive this Permit Application Summary Report PASR-10/24 as information.

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HAMILTON REGION CONSERVATION AUTHORITY

PERMIT APPLICATION SUMMARY REPORT (PASR 10/24)

HCA permit applications approved under the Conservation Authorities Act and Ontario Regulation 41/24 between the dates of October 25, 2024 and November 22, 2024

File Number	Date Received	Date Permit Issued	Review Days	Applicant Name	Location	Application Description	Recommendation / Conditions
F/F,A/24/71	24-Oct-24	31-Oct-24	9		Hwy 6 N between Parkside Dr and Hwy 5 Lot , Concession Flamborough	for the relocation of approximately 852.0 metres of an existing NPS 6 natural gas pipeline	Approved subject to standard conditions.
D/F/24/66	09-Oct-24	31-Oct-24	23		King St E near Olympic Rd Lot 19, Concession 1 Dundas	for embankment erosion repair works along King St E	Approved subject to standard conditions.
SC/F,C,A/24/73	05-Nov-24	13-Nov-24	10		725 Arvin Ave Lot 13, Concession 1 Stoney Creek	for the construction of a warehouse building	Approved subject to standard conditions.
H/F,C/24/74	31-Oct-24	21-Nov-24	23		270 Longwood Rd S Lot 21, Concession 3 Hamilton	for the construction of a hotel and associated grading	Approved subject to standard conditions.

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Hamilton Region Conservation Authority

Minutes

Board of Directors Meeting

November 7, 2024

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

PRESENT:

Brad Clark – in the Chair	
Jeff Beattie - Virtual	Craig Cassar
Susan Fielding	Matt Francis
Brian McHattie - Virtual	Mike Spadafora - Virtual
Wayne Terryberry- Virtual	Alex Wilson - Virtual
Maureen Wilson - Virtual	

Kathy Lacasse – Foundation Chair - Virtual

REGRETS: Lisa DiCesare

STAFF PRESENT: Jonathan Bastien, Lisa Burnside, Gord Costie, Marlene Ferreira, Scott Fleming, Liam Fletcher, Cherish Gamble, Matt Hall, Amanda Martin, Scott Peck, Jeff Stock, Mike Stone, Jaime Tellier, Sandra Winninger

OTHERS: John Olah (Beard Winter LLP), Brandon Orct (Beard Winter LLP)

For clarity purposes, the minutes will follow the order of the agenda.

1. Call to Order

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

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 the in-camera item be moved up the agenda, following the Foundation Briefing, as legal counsel was present.

BD12, 3405

MOVED BY: Craig Cassar

SECONDED BY: Matt Francis

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 – October 3, 2024

6. Foundation Briefing

Kathy Lacasse, Chair of the Foundation, presented, indicating that the Foundation received a total of **\$76,751** in donations from October 1st to October 31st 2024, bringing our fiscal year-to-date fundraising total to **\$870,332**. This exceeds the Foundation's annual fundraising goal by 8%.

Two highlights this month include:

- 1) Thanks to the generosity of the community, **\$5,013** was raised for repairs to the Valens Lake Fishing Bridge, with the Foundation matching donations up to \$5,000. This brings the total raised to **\$10,013**. These funds will cover the repair costs, with any surplus directed to other projects at Valens Lake.
- 2) A generous contribution of **\$50,000** was donated from an individual in support of our Outdoor Education Program. This is the largest gift from an individual in the

Foundation's history. More information regarding the donor will be shared in the coming months.

Other gifts include:

- **\$9,565** to the Environmental Education Fund
- **\$4,000** to the Tribute Bench Fund
- **\$3,262** to the Area of Greatest Need
- And **\$4,911** that was directed to various projects including the Westfield Undesignated Fund, Dundas Valley Trails Fund and the Trail Development Fund.

BD12, 3406

**MOVED BY: Brian McHattie
SECONDED BY: Jeff Beattie**

THAT the Foundation Briefing be received.

CARRIED

7. Member Briefing

7.1. Watershed Stewardship Awards and 30th Anniversary Presentation

Mike Stone, Jeff Stock and Cherish Gamble shared a slide show with the Board highlighting the 30-year history of the program. Additionally, two videos were shared of work completed by Stewardship staff in conjunction with private landowners to restore natural features and watershed function on their lands. It was noted that this was produced and shown as part of the Watershed Steward Appreciation Day Awards, held on October 5th at Fifty Point Conservation Area. Clarification was requested on the goals of the Stewardship Program. Scott Peck indicated one of the first-year priorities of the new Strategic Plan is for the newly hired GIS technician to help identify priority parcels of land to be targeted and staff will also be looking to develop measurable objectives within WMS workplans, including the Stewardship Program.

BD12, 3410

**MOVED BY: Craig Cassar
SECONDED BY: Matt Francis**

THAT the Member Briefing be received.

CARRIED

8. Business Arising from the Minutes

There was none.

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

9.1. Conservation Advisory Board – October 10, 2024 – Wayne Terryberry
(Recommendations)

9.1.1 CA 2422 HCA Conservation Areas Strategy pursuant to Ontario Regulation 686/21

Wayne Terryberry brought forward the staff report indicating that the Conservation Area Strategy identifies objectives for HCA's Conservation Areas including the acquisition and disposition of land, identification of mandatory and non-mandatory programs on HCA lands, whether HCA lands augment any natural heritage features and integrate with provincial or municipal lands and trails, establishment of land use categories and a process to periodic review and updating of the strategy. He also noted that the Strategy is required by Provincial legislation and is to be completed on or before December 31, 2024

BD12, 3411

**MOVED BY: Wayne Terryberry
SECONDED BY: Jeff Beattie**

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

THAT the Conservation Area Strategy (2024) be approved.

CARRIED

9.1.2 CA 2423 HCA Watershed-based Resource Management Strategy pursuant to Ontario Regulation 686/21

Wayne Terryberry brought forward the staff report indicating that the strategy is required by Provincial legislation and is to be completed on or before December 31, 2024. He also noted that the Watershed-based Resource Management Strategy will provide HCA with guidance regarding continued programs and projects and the development and implementation of resource management programs on a watershed basis.

BD12, 3412**MOVED BY: Wayne Terryberry
SECONDED BY: Brian McHattie****THAT the Conservation Advisory Board recommends to the Board of Directors:****THAT the Watershed Based Resource Management Strategy (2024) be approved.****CARRIED**9.1.3 CA 2424 HCA Land Inventory

Wayne Terryberry brought forward the staff report which is required by Provincial legislation to be completed on or before December 31, 2024. He also noted that the Inventory identifies information regarding parcels of land including location, survey information, date of acquisition, funding information, method of acquisition, type of ownership, land use categories, the type of recreation use, and, if the parcel is suitable for the purpose of housing. It was noted that the housing aspect refers to zoning, augmentation of natural heritage as well as connection to provincial and municipal lands and trails. A key aspect for both the Conservation Area Strategy and Land Inventory is that no HCA lands are identified for disposal; the majority of HCA lands augment natural heritage or connect to provincial or municipal lands or trails with many parcels achieving both.

BD12, 3413**MOVED BY: Wayne Terryberry
SECONDED BY: Maureen Wilson****THAT the Conservation Advisory Board recommends to the Board of Directors:****THAT the Land Inventory (2024) be approved.****CARRIED****10. Other Staff Reports/Memoranda**10.1. Watershed Conditions Report

Jonathan Bastien presented a summary of the memorandum, highlighting there were no observations, reports, or expectations of significant water safety concerns, significant watercourse flooding events, or Lake Ontario shoreline flooding events. Current Christie Lake levels are slightly below the preferred summer operating levels yet well above the preferred winter operating levels.

BD12, 3414**MOVED BY: Susan Fielding
SECONDED BY: Wayne Terryberry****THAT the memorandum entitled Watershed Conditions Report be received.****CARRIED****10.2. Conservation Areas Experiences Update**

Liam Fletcher provided a summary of the memorandum, highlighting the reservation system at Spencer Gorge will conclude on November 10, 2024; the annual Haudenosaunee Habitat Wildlife Deer Harvest began on November 4th and will run until December 4th and the Hamilton Road2Hope Marathon will take place on November 4th and 5th, 2024 at Confederation Beach Park.

BD12, 3415**MOVED BY: Jeff Beattie
SECONDED BY: Mike Spadafora****THAT the memorandum entitled Conservation Areas Experiences Update be received.****CARRIED****11. New Business**

There was none.

12. In-Camera Items**BD12, 3407****MOVED BY: Craig Cassar
SECONDED BY: Matt Francis****THAT the Board of Directors moves *in camera* for matters of law, personnel and property.****CARRIED****During the *in-camera* session, one legal matter was discussed.****12.1. Confidential Report – BD/Nov-01-2024
(Legal Matter)**

BD12, 3408**MOVED BY: Craig Cassar
SECONDED BY: Matt Francis****THAT the confidential report entitled BD/Nov-01-2024 be approved and remain in camera.****CARRIED****BD12, 3409****MOVED BY: Susan Fielding
SECONDED BY: Craig Cassar****THAT the Board of Directors moves out of closed session.****CARRIED****13. Next Meeting**

The next meeting of the Board of Directors will be held on Thursday, December 5, 2024 at 6:00 p.m. at the HCA Main Administration Office – Woodend Auditorium, 838 Mineral Springs Road, Ancaster, Ontario.

14. Adjournment

On motion, the meeting adjourned.

Scott Fleming
Secretary-Treasurer

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Hamilton Conservation Authority

Minutes

Budget & Administration Committee

September 26, 2024

Minutes of the Budget & Administration Committee meeting held on Thursday, September 26, 2024 at 10:00 a.m. via Webex video conference, and livestreamed on YouTube.

Present: Susan Fielding, in the Chair
 Brad Clark
 Lisa DiCesare
 Alex Wilson
 Maureen Wilson

Regrets: None

Staff Present: Lisa Burnside, Gord Costie, Marlene Ferreira, Scott Fleming, Liam Fletcher, Matt Hall, Amanda Martin, Scott Peck, Jaime Tellier, and Sandra Winninger

Others Present: None

1. Welcome

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.

BA 2426

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

THAT the agenda be approved.

CARRIED

4. Delegations

There were none.

5. Consent Items

The following consent items were adopted:

5.1. Approval of Budget & Administration Committee Minutes – August 15, 2024

6. Business Arising from the Minutes

There was none.

7. Staff Reports/Memoranda

7.1. Draft 2025 Operating and Capital Budgets

Scott Fleming provided a summary of the report and both CAO Lisa Burnside and Scott Fleming answered members questions. For 2025, HCA is forecasting total spending of \$21.8 million. This includes \$17.7 million for operations and \$4.1 million for capital projects. It was noted that 2025 will be a capacity building year, investing in staff in order to achieve the year one priorities as outlined in the HCA's new Strategic Plan.

The operating budget contains a 3% increase to municipal levy, modest use of reserves, some contributions from the Province and is balanced through use of \$1.56M in self-generated revenues from our conservation areas.

Funding for the capital budget which includes major maintenance and special projects, will be requested from the City of Hamilton through the \$2 million the block funding as well as the use of \$2.1 million from reserves for creation of the

second wetland at Saltfleet Conservation Area and renovations to the main office to accommodate additional staff.

Staff were directed to include information on reserves when the budget is brought to the Board of Directors.

A motion was passed to discuss multi year budgeting as part of the 2026 budget process which aligns to the new Strategic Plan Priorities at an upcoming B&A meeting

BA 2427

**MOVED BY: Alex Wilson
SECONDED BY: Brad Clark**

**THAT the Budget & Administration Committee
recommend to the Board of Directors:**

**THAT the 2025 Draft Operating Budget, as presented, be
endorsed for approval and;**

**THAT the 2025 Draft Capital Budget, as presented, be
endorsed for approval**

**MOVED: Alex Wilson
SECONDED: Brad Clark**

**THAT HCA staff develop an approach for multi-year
budgeting as part of the 2026 budget process, which
aligns to the new Strategic Plan Priorities; and further**

**THAT this return to an upcoming B&A meeting for review
as an agenda item.**

CARRIED

8. New Business

There was none.

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

There was none.

10. Next Meeting

The next meeting of the Budget and Administration Committee will be held on Thursday, October 17, 2024 at 6:00 p.m. at the HCA Main Administration Office – Woodend Auditorium, 838 Mineral Springs Road, Ancaster, Ontario.

11. Next Meeting Adjournment

On motion, the meeting adjourned.

Ontario Land Tribunal

Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: November 19, 2024

CASE NO(S): OLT-21-001567
OLT-21-001788

PROCEEDING COMMENCED UNDER section 28(15) of the *Conservation Authorities Act*, R.S.O. 1990, c. C.27, as amended

Appellant:	ONE Properties Limited Partnership (now Ontari Holdings Ltd.)
Respondent:	Hamilton Conservation Authority
Subject:	Appeal of refusal to grant permission for development
Property Address/Description:	140 Garner Road East
Municipality:	City of Hamilton
OLT Case No.:	OLT 21-001567
OLT Case Name:	Ontari Holdings Ltd. v. Hamilton Conservation Authority

PROCEEDING COMMENCED UNDER subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	ONE Properties Limited Partnership (now Ontari Holdings Ltd.)
Subject:	Proposed Plan of Subdivision - Failure of the City of Hamilton to make a decision
Purpose:	To develop a prestige business park
Property Address/Description:	140 Garner Road East
Municipality:	City of Hamilton
Municipal File No.:	25T-201806
OLT Case No.:	OLT-21-001788
OLT Lead Case No.:	OLT-21-001788
OLT Case Name:	Ontari Holdings Ltd. v. Hamilton (City)

Heard:	October 30 and November 8, 2024 by Video Hearing
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APPEARANCES:**Parties**

Ontari Holdings Ltd.

Hamilton Conservation Authority

City of Hamilton

Environmental Defence

Counsel

Patrick Harrington

John A. Olah and Brandon Orct

Patrick MacDonald

Philip Pothen

**MEMORANDUM OF ORAL DECISION DELIVERED BY DEBRA ARNOLD
ON NOVEMBER 8, 2024 AND ORDER OF THE TRIBUNAL**

BACKGROUND

[1] This Case Management Conference (“CMC”) was held in furtherance of preparation for a Hearing on the merits of two appeals (the “Appeals”) brought by ONE Properties Limited Partnership (“Appellant”). The first is a draft Plan of Subdivision appeal (the “Subdivision Appeal”) and the second is an appeal under the *Conservation Authorities Act* (“CAA Appeal”). Both proceedings concern the proposed development of a business park on a 35.27-hectare property located at 140 Garner Road East (the “Site”), in the City of Hamilton (the “City”) and at the May 9, 2022 CMC the Tribunal ordered that both Appeals would be heard together in one phase.

[2] At a CMC held on December 27, 2023 the Tribunal ordered a 15-day hearing on the merits of the Appeals to commence on Monday February 24, 2025.

[3] At the outset of this latest CMC, the Appellant advised the Tribunal that the Appellant’s name in these proceedings should be the owner of the Site, Ontari Holdings Ltd., and the title of these proceedings will be amended accordingly.

WITHDRAWAL OF THE CAA APPEAL

[4] The Appellant advised the Tribunal (and the Parties) by email, dated October 28, 2024, that it intended to withdraw the CAA Appeal. The Appellant advised of its intention to bring a new application under the Conservation Authorities Act, in accordance with that Act as amended earlier this year. At the commencement of the CMC on October 30, 2024, counsel for the Hamilton Conservation Authority ("HCA"), citing the short timeframe of this notification from the Appellant, requested a short adjournment of this CMC in order to confer with their client, and the Tribunal granted this adjournment, to November 8, 2024.

[5] The Tribunal, with a copy to the Parties, received a letter dated October 30, 2024 from counsel for the Appellant stating that it withdraws the CAA Appeal.

[6] The Tribunal, with a copy to the Parties, received a letter dated November 7, 2024 from counsel for the HCA stating that the HCA takes no position on the Appellant's withdrawal of the CAA Appeal.

[7] In view of the foregoing, the CAA Appeal is no longer before the Tribunal. With respect to the Subdivision Appeal, the parties to that Appeal are the Appellant and the City. The HCA and Environmental Defence were parties to the CAA Appeal only and, as noted, the CAA Appeal is no longer before the Tribunal.

[8] The persons who had been given Participant status with respect to both the CAA Appeal and the Subdivision Appeal will continue to have such status with respect to the Subdivision Appeal only. The Tribunal considered the requests of three (3) persons for Participant status in the subject proceedings at this CMC and, on no objection of the Appellant and the City, Daniel Coleman, Mary Love, and Peter Appleton were granted Participant status with respect to the Subdivision Appeal. A person who was granted Participant status at a previous CMC, Craig Cassar, requested removal from the list of

Participants in these proceedings by email sent to the Tribunal dated July 15, 2023 and, on no objection of the Parties, is accordingly so removed.

HEARING DATES AND NEXT STEPS

[9] The Appellant requested that the hearing dates set for the hearing on the merits of the Subdivision Appeal (the remaining Appeal) scheduled to commence on February 24, 2025 (the “February/March 2025 Hearing Dates”) be released in order to await the outcome of the Appellant’s fresh application under the Conservation Authorities Act in relation to the Site (the “New CAA Application”). Further, the Appellant requested that the Tribunal schedule a further CMC in March, 2025 at which time the status of the New CAA Application and the Subdivision Appeal may be considered and next steps determined.

[10] Given the close contextual relationship of the Subdivision Appeal and the outcome of the New CAA Application (including any potential appeal of a decision with respect to same to the Tribunal) and on no concerns raised by the other Parties regarding the request of the Appellant, the Tribunal ordered that the February/March 2025 Hearing Dates be released and that a further CMC be scheduled to take place on **Friday, March 14, 2025 at 10 a.m.** by video hearing, with the particulars as noted below.

[11] Parties and/or Participants and/or Observers are asked to log in to the event at least **15 minutes** before it begins to test their video and audio connections:

GoTo Meeting: <https://global.gotomeeting.com/join/656004293>

Access code: 656-004-293

[12] Parties and/or Participants are asked to access and set up the application well in

advance of the event to avoid unnecessary delay. The desktop application can be downloaded at [GoTo Meeting](https://app.gotomeeting.com/home.html) or a web application is available:

<https://app.gotomeeting.com/home.html>

[13] Persons who experience technical difficulties accessing the GoTo Meeting application or who only wish to listen to the event can connect to it by calling in to an audio-only telephone line: **+1 (647) 497-9373** or **Toll-Free: 1-888-299-1889**. The access code is: **656-004-293**.

[14] Individuals are directed to connect to the event on the assigned date at the correct time. It is the responsibility of the persons participating in the event to ensure that they are properly connected at the correct time. Questions prior to the event may be directed to the Tribunal's Case Coordinator.

OPPORTUNITIES FOR SETTLEMENT DISCUSSIONS

[15] The Parties are encouraged to engage in settlement discussions and/or mediation in an effort to narrow or resolve the issues in relation to the Subdivision Appeal (including as may be impacted by the New CAA Application).

ORDER

[16] The Tribunal orders as follows:

- (a) the name of the Appellant is revised to reflect the owner of the Site, being Ontari Holdings Ltd.;
- (b) Daniel Coleman, Mary Love, and Peter Appleton are granted Participant Status with respect to the Subdivision Appeal and Craig Cassar is removed as a Participant as so requested by Craig Cassar;

(c) the 15 Hearing dates commencing February 24, 2025 in respect of the Appeals (now solely the Subdivision Appeal before the Tribunal as the CAA Appeal was withdrawn by the Appellant) are released; and

(d) a further CMC is scheduled to take place on **Friday, March 14, 2025** at **10 a.m.** by video hearing.

[17] The Member is not seized in this matter but will remain available for continued case management in these proceedings to the extent that the Tribunal calendar permits.

[18] There will be no further notice.

DEBRA ARNOLD
MEMBER

Ontario Land Tribunal

Website: www.olt.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal ("Tribunal"). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.



Hamilton
Conservation
Authority

A Healthy Watershed for Everyone

9.1.1

Report

TO: Budget & Administration Committee

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

RECOMMENDED BY: T. Scott Peck, MCIP, RPP, Deputy Chief Administrative Officer and Director, Watershed Management Services

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

MEETING DATE: November 26th, 2024

RE: Project Technical Advisory Committee

STAFF RECOMMENDATION

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

THAT the Project Technical Advisory Committee members be submitted for annual insurance coverage purposes.

BACKGROUND & PURPOSE

The Project Technical Advisory Committee (PTAC) was formally established by the Advisory Boards and the full Boards of Directors of the Hamilton Conservation Authority and Conservation Halton in 2009. PTAC acts as a review and approval committee for funding applications under the Hamilton-Halton Watershed Stewardship Program's (HHWSP) Water Quality and Habitat Improvement Projects (WQHIP) grant program, which supports stewardship projects on private lands.

The purpose of this report is to recognize the volunteer committee members, as identified in Appendix A, for insurance purposes.

STAFF COMMENT

Staff of the HHWSP appreciate the commitment of PTAC members to assist in the delivery of the HHWSP to watershed landowners. This report serves to formally recognize their work, as well as to identify committee membership. The term of appointment for current PTAC members extends to March 31, 2026.

STRATEGIC PLAN LINKAGE

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

- **Water Management**
- **Natural Heritage Conservation**
- **Education and Environmental Awareness**

AGENCY COMMENTS

N/A

LEGAL/FINANCIAL IMPLICATIONS

The members on the committee are not paid for their services but they are undertaking work on behalf of Hamilton Conservation Authority. The committee has been formally recognized since its establishment in 2009, and the volunteer committee members can be provided with insurance for their decisions through the Hamilton Conservation Authority's insurer. Adding the members as volunteers to our insurance does not affect HCA's premiums.

CONCLUSIONS

The Hamilton and Halton Watershed Stewardship Programs have been successfully utilizing PTAC as a volunteer committee for the review of projects that are undertaken on private lands to improve water quality and restore habitat. Endorsement of the PTAC committee and its members is required for insurance purposes.

Appendix A

PROJECT TECHNICAL ADVISORY COMMITTEE MEMBERS

City of Hamilton

Kara Bunn

Fisheries and Oceans Canada

Sarah Matchett

Watershed Resident Members

Paul Smith

Sheila O'Neil

Alba Dicenso

Graham Buck

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Report

TO: Budget and Administration Committee

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

PREPARED BY: Marlene Ferreira, Director of Human Resources and Wellness

MEETING DATE: November 26, 2024

RE: 2025 Mileage Reimbursement Rate

STAFF RECOMMENDATION

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

THAT this report be received for information; and further

THAT the HCA mileage reimbursement rate remain at 61 cents per kilometre effective January 1, 2025.

BACKGROUND & PURPOSE

The Budget & Administration (B&A) Committee undertakes an annual review of mileage with any change effective January 1. As recommended by B&A and approved by the Board, the rate of mileage compensation shall be subject to an annual adjustment considering the year-over-year change in the Consumer Price Index for Private Transportation in Ontario and mileage rates from neighbouring conservation authorities to ensure our rate does not fall below the average.

The purpose of this report to provide B&A with the results of the staff review and recommendation on the 2025 mileage rate.

STAFF COMMENT

HCA's current mileage reimbursement rate is 61 cents per kilometre.

Consumer Price Index (CPI)

The September 2024 year over year CPI for Private Transportation in Ontario did decreased by 0.6% from September of last year.

Conservation Authorities Mileage Rates

The table below shows a summary of mileage rates from surrounding conservation authorities:

<u>Conservation Authority</u>	<u>Rate – Cents per km</u>
Niagara	61
Grand River	55
Halton	70
Average	62

Based on the above information, maintaining the mileage rate at 61 cents per km is recommended for 2025. While the above average of the Conservation Authorities is 62 cents, the CPI Private Transportation Index has decreased by 0.6% and therefore mileage remains unchanged.

STRATEGIC PLAN LINKAGE

The initiative refers directly to the HCA Strategic Plan 2019 - 2024:

- Strategic Priority Area - Organization Excellence
 - Continue to update and streamline operational policies and leverage emerging technology to enhance business service delivery

AGENCY COMMENTS

Not applicable.

LEGAL/FINANCIAL IMPLICATIONS

There are minimal financial implications, as there will be no increase in mileage rates for 2025. As a result, annual mileage costs will remain unchanged and can be accommodated within the 2025 budget allocations.

CONCLUSIONS

Given the decrease in the private transportation CPI and the HCA's current mileage rate being close to the average reimbursement rate of neighboring Conservation Authorities, it is recommended that the 2025 mileage rate of 61 cents per kilometer remain unchanged.

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Amended Report

TO: Budget & Administration Committee

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

PREPARED BY: Jaime Tellier, Records and Digital Initiatives Project Manager

MEETING DATE: November 26, 2024

RE: 2025 Remuneration of Board of Directors and Advisory Board and Committee Members

STAFF RECOMMENDATION

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

THAT the current HCA's honorarium rates for the Chair and Vice-Chair of the Board of Directors and per diem rate for Board of Directors and Advisory Board, remain in effect for 2025;

THAT members of the Board of Directors and Advisory Boards and Committees be provided an opportunity to opt out of receiving honorariums and per diems; and further

THAT staff be directed to bring a report to an upcoming Budget & Administration Committee to address any necessary revisions or clarifications in HCA's Administrative By-law resulting from the provision for members to opt out of per diem and honorarium payments; and further

THAT an annual report be formulated to share the remuneration of Board Members and this report be brought to the Budget and Administration Committee and shared with participating municipalities.

BACKGROUND

Per Hamilton Conservation Authority's administrative by-law, the Budget and Administration Committee is responsible for investigating, reviewing and making recommendations to the Board of Directors on personnel related matters, including reviewing and making recommendations on members per diems and honorariums.

The purpose of this report is to review the current rates of remuneration of the Board of Directors and Advisory Board and Committee Members and provide an opportunity to opt out of receiving honorariums and per diems as this has been requested by some current members.

STAFF COMMENT

The administrative by-law, last revised and approved by the Board of Directors on October 5, 2023, requires the Authority to establish a per-diem rate to be paid to Directors for attendance at General Meetings and Advisory Board or Committee meetings, and at such other business functions as may be from time to time requested by the Chair, through the Secretary-Treasurer. In addition, an honorarium may be approved by the Authority for the Chair and Vice-Chair as compensation for their additional responsibilities. A single per-diem will be paid for attendance at more than one meeting if they occur consecutively on the same day. The by-law further provides to reimburse Directors' reasonable travel expenses incurred for the purpose of attending meetings and/or functions on behalf of the Authority.

HCA's honorariums and per diems were increased in 2020 to bring them in line with neighbouring conservation authorities. HCA's honorarium and per diem rates have not changed since that time.

As shown below, HCA's remuneration scheme continues to be comparable with its neighbouring Conservation Authorities for each category, aside from the chair and per diem rate paid by GRCA. Table 1 is a comparison of the 2024 remuneration rates for nearby Conservation Authorities. Staff have contacted these conservation authorities and note the majority do not intend to increase their rates for 2025. GRCA typically applies a 1.5% inflationary increase.

Table 1: Comparison of 2024 Honorariums and Per Diems

Conservation Authority	Honorarium Chair, Board of Directors	Honorarium Vice-Chair, Board of Directors	Per Diem Rate
Conservation Halton	\$10,000.00	\$3,000.00	\$75.00
HCA	\$10,000.00	\$3,000.00	\$75.00
GRCA	\$27,842.23	\$2,784.64	\$153.64

NPCA	\$6,891.53	\$1,344.21	\$76.10
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Given the current language in our administrative bylaws, members are compensated per the honorariums and per diem rate in effect. Staff occasionally receive requests from members asking to withdraw from receiving reimbursement payments. Staff recommend members be allowed to opt out of receiving remuneration payments, including honorariums, per diems, and mileage reimbursements, and that HCA's administrative by-laws be amended to reflect this new option. Currently, there is no opt out option and some members choose to donate their remuneration to the Hamilton Conservation Foundation.

STRATEGIC PLAN LINKAGE

The initiative refers directly to the HCA Strategic Plan 2019 - 2024:

- Strategic Priority Area - Organization Excellence
 - Continue to update and streamline operational policies and leverage emerging technology to enhance business service delivery

AGENCY COMMENTS

Not applicable.

LEGAL/FINANCIAL IMPLICATIONS

The honorariums and per diem expenses for Board and Advisory Board and Committee members are accommodated in HCA's annual operating budget. These payments are processed biannually in June and December.

CONCLUSIONS

It is recommended that the honorariums for the Chair and Vice Chair of the Board of Directors, and per diem rate for Board, Budget & Administration, and Conservation Advisory Board members, remain constant for 2025 and that members be provided the ability to opt out of remuneration.

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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 Management Services

PREPARED BY: Elizabeth Reimer, Conservation Planner
Mike Stone, MCIP, RPP, Manager, Watershed Planning, Stewardship & Ecological Services

MEETING DATE: December 5, 2024

RE: Proposed addition to a Residential Dwelling within the Regulated Area of Lake Ontario, at 10 Lakeside Drive, City of Hamilton (Stoney Creek) – Permit Application No. SC/F,C,A/24/40

STAFF RECOMMENDATION

THAT the HCA Board of Directors approve the issuance of a permit, subject to the standard conditions, for the construction of an addition within the regulated area associated with Lake Ontario, at 10 Lakeside Dr, Stoney Creek, City of Hamilton; and

THAT the permit be issued that includes a further condition requiring completion of construction of the shore protection works in accordance with HCA permit no. 2024-61 prior to initiating construction of the addition.

BACKGROUND & PURPOSE

Staff can not issue a permit which does not comply with Board-approved policy under HCA's Planning & Regulation Policies and Guidelines (October 2011). Proposals that do not meet policy may be considered for approval by the Board of Directors, typically through a formal hearing process where staff are not supportive of the application.

The current application proposes an addition above a portion of an existing single storey dwelling. While the proposal does not meet the HCA policies for side yard access, staff are of the opinion that criteria in the Technical Guide for Great Lakes – St Lawrence River Shorelines referring to existing development are generally met in this instance.

Accordingly, the purpose of this report is to advise the Board of staff's support for the proposal and recommendation that staff be directed to issue the HCA permit without a formal hearing, subject to the conditions specified by staff.

Subject Property & Permit Application

In September, 2024, the applicant appeared at a Hearing under Section 28.1(5) of the *Conservation Authorities Act* for a second storey addition on the property at 10 Lakeside Dr (Attachment A). The property is located on the Lake Ontario shoreline, and is affected by the hazards associated with the lake.

The proposed addition was above the existing single-storey house, and was partially within the erosion hazard associated with Lake Ontario. The Board refused the application because the applicant had not satisfied the applicable statutory, regulatory and policy requirements for granting permission.

Subsequently, HCA staff received a revised proposal for a smaller addition. The current proposal is to construct a second storey and attic addition over the portion of the existing dwelling that is outside of the mitigated erosion hazard. HCA staff responded to the enquiry noting that additions along the Lake Ontario shoreline may be permitted subject to the following:

- Shoreline protection works are in place;
- The addition is outside of the mitigated erosion hazard; and
- A maintenance access allowance from the municipal road to the shoreline is available.

In the HCA response, it was outlined that the proposal generally complies with the noted requirements with exception that the existing dwelling does not provide sufficient maintenance access. Given that access to the shoreline is constrained, the property owner was advised the proposed addition would not meet existing HCA policy and that staff could therefore not issue a permit for the work. Staff advised that a permit application could be submitted and there would be opportunity for the application to be heard by the HCA Board of Directors. The property owner confirmed with HCA staff that they would like to proceed on this basis, and a revised submission was provided on October 28, 2024.

STAFF COMMENT

The proposal does not satisfy HCA policies requiring a maintenance access allowance from the municipal road to the shoreline where new development is proposed. However, staff note the constrained access is an existing condition, and that without demolishing

the existing house, there are very limited opportunities to improve on this condition through shared side-yard access with a neighbouring property. The existing dwelling at 10 Lakeside is 1.77m from the adjacent dwelling at 8 Lakeside Drive. At 12 Lakeside Dr, 3.38 m is available (at the narrowest point) to provide access if the existing carport is dismantled. This is less than the 6m access HCA policy seeks to secure wherever possible, to allow access for heavy equipment.

HCA policy requires that maintenance allowance access requirements must be met; however, staff note that the Technical Guide for Great Lakes – St Lawrence River Shorelines, Appendix A7.2 prepared by the Ontario Ministry of Natural Resources provides guidance for existing development within hazardous lands. More specifically, Table A7.2.1 indicates that major additions to structures on existing developed lots may be permitted, provided:

- 1) It meets requirements of the Protection Works Standard and the Access Standard to the maximum extent and level possible based on site-specific conditions; and,
- 2) It utilizes maximum lot depth and width; and,
- 3) As a minimum, uses the greater of a) erosion allowance based on planning horizon of not less than 50 years or, b) minimum setback from stable slope allowance of 15 m; and,
- 4) It does not increase the occupancy of existing structure; and,
- 5) It does not diminish maintenance access to any existing protection works.

In reference to item 3 of the criteria in the Technical Guide, a portion of the existing dwelling is located less than 15 m from the stable slope allowance (Attachment B), and development is not permitted in this portion of the property.

In reviewing the permit application submission, HCA staff note that improvements to the shoreline protection works are currently proposed for the subject property and an HCA permit has been issued for this work (permit no. 2024-61). The applicant has approached HCA to refine the design based on consultation with the contractor that is constructing the wall. HCA staff continue to work toward an agreement on a final design, which may require a revision to the issued permit. HCA staff would not accept a design that would not meet the required protection works standard.

HCA policy permits additions within the portion of the shoreline hazards that are less severe, and the hazards are mitigated through the construction of shoreline protection in accordance with the Shoreline Protection Works policy (Section 2.2.2.1 of the HCA's Planning & Regulation Policies and Guidelines, October 2011). When accounting for the shoreline protection works that are proposed for the property, it was determined the proposed second storey addition is beyond the minimum 15m setback (Attachment C). Due to the size of the existing lot, there would be limited opportunity to move the house or addition further out of the hazard.

With respect to access, the current proposal does not diminish existing access and therefore, in staff's opinion, meets the Technical Guide criteria. However, HCA policy takes a more conservative approach than the Technical Guide in relation to the access standard, requiring that access be provided in order to permit additions in the erosion allowance. Notwithstanding the access restrictions, staff do not have any significant concerns with the proposal from a natural hazard or risk to property perspective and staff are supportive of issuing a permit.

Staff can not issue a permit which does not comply with Board-approved policy. Proposals that do not meet policy may be considered for approval by the Board of Directors, typically through a formal hearing process where staff are not supportive of the application. Given staff's support for the proposal, it is being recommended the Board approve the permit without a formal hearing.

AGENCY COMMENTS

Not Applicable

LEGAL/FINANCIAL IMPLICATIONS

Not Applicable

CONCLUSIONS

Staff are supportive of the issuance of a permit for the proposed second storey addition. Given the specifics of the proposal and existing site conditions, and in consideration of the guidance in the Technical Guide for Great Lakes – St Lawrence River Shorelines, staff are of the opinion the intent of the HCA policy direction is generally maintained in this site-specific instance. Staff have no objection to the issuance of a permit, subject to standard conditions and a condition requiring construction of the shore protection in accordance with a design approved by HCA.

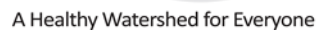
ATTACHMENT A – Property Location

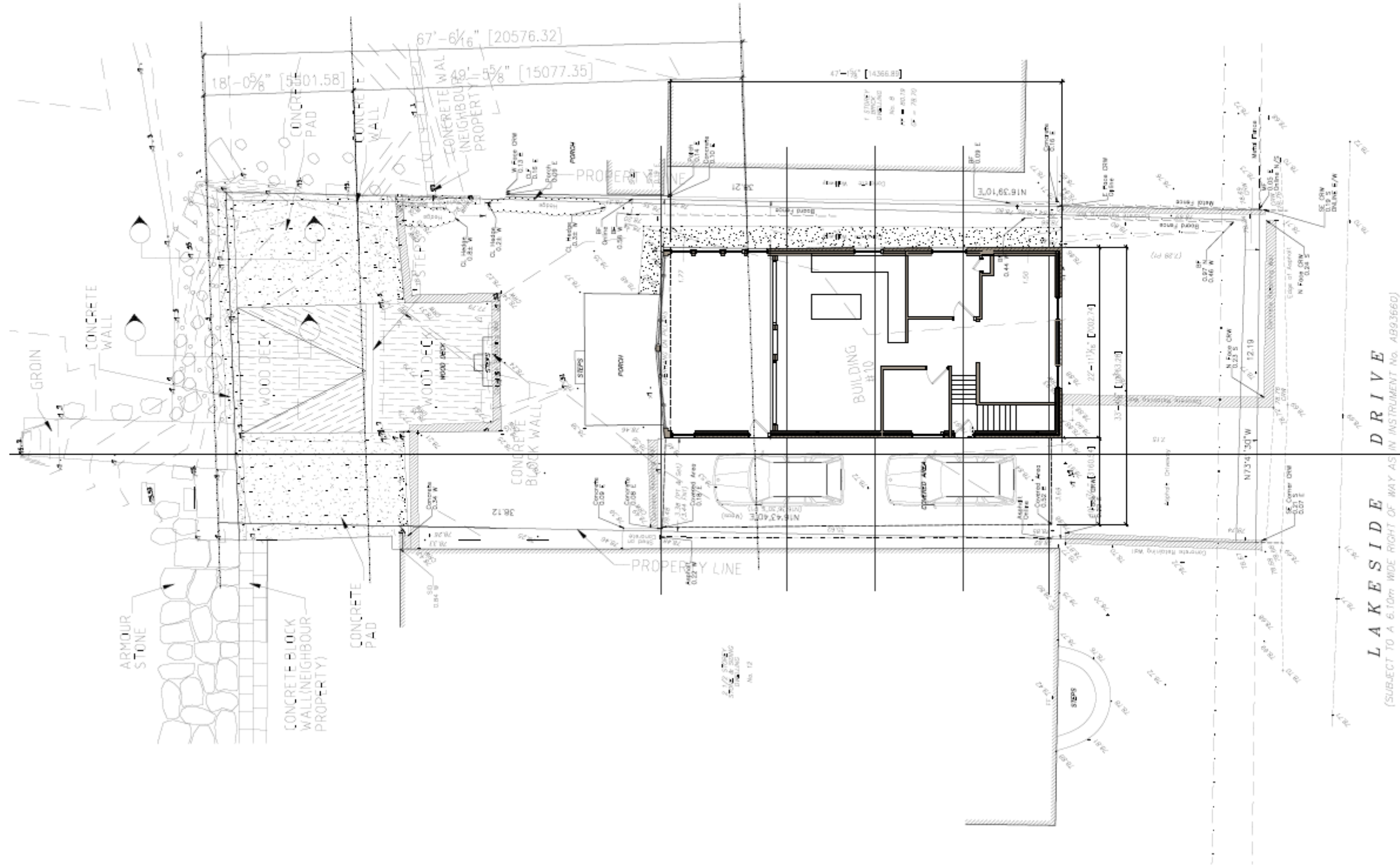


Figure 1. Location of property (red rectangle)



Figure 2. Oblique view of shoreline at 10 Lakeside Dr

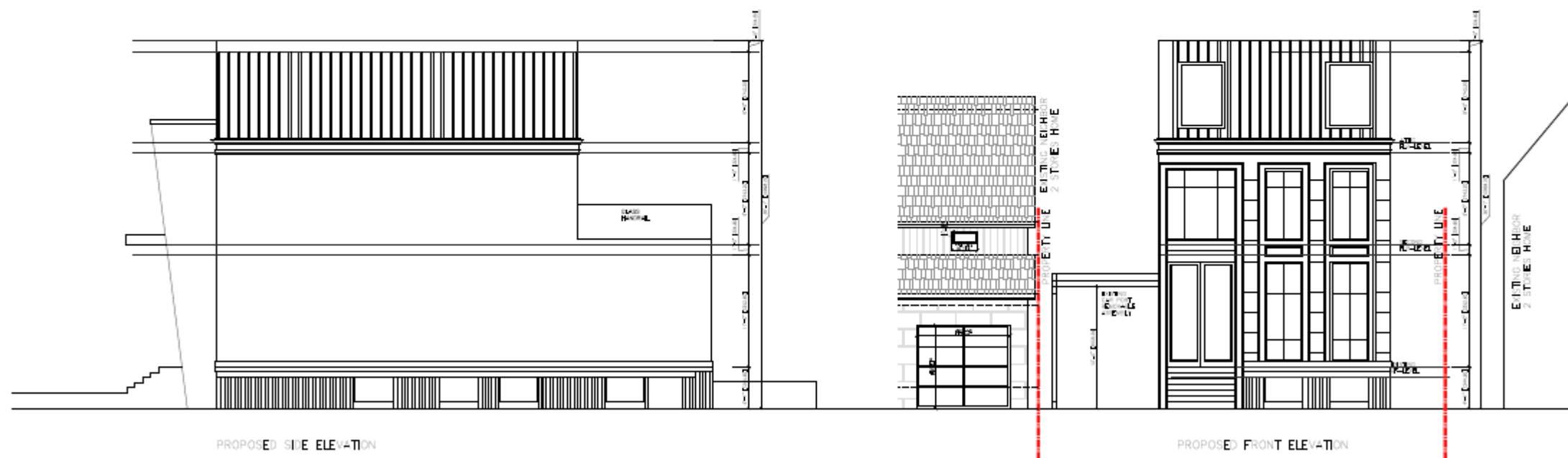




All drawings and specifications are to be submitted to the City of Stoney Creek and the County of York Region for review and approval. The City of Stoney Creek and the County of York Region are not responsible for the accuracy or completeness of the drawings and specifications. The drawings and specifications are the property of the City of Stoney Creek and the County of York Region.

No.	Revision	Date
1	ISSUED FOR R/A	17 OCT 17

Drawing Title: EXISTING GROUND FLOOR LAYOUT
 Project: 10 LAKESIDE DR STONEY CREEK, ONTARIO
 Studio 93
 Telephone: (416) 518-0889 WWW.Studio93.com
 Scale: 1/8" = 1'-0"
 Drawn by: 03
 Checked by: 05
 File No.: 0003
 Printed on: 04/09/2017
 Drawing No.: A002



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 The drawings are prepared for the purpose of providing a visual representation of the proposed design. They are not to be used for construction or for any other purpose without the express written consent of Studio 93.

No.	Revision	Date
1	ISSUED FOR PERMIT	17 OCT. 17
No.	Issued For	Date

Drawing Title
**EXISTING & PROPOSED
 EXTERIOR ELEVATIONS**

Project
 10 LAKESIDE DR
 STONEY CREEK, ONTARIO

**Studio
 S.93 93**
 Telephone: (416) 595-3989 WWW.Studio93.com

Scale: 1/16" = 1'-0"
 Drawn by: 00
 Checked by: 00
 File No. 0000
 Plotted on: October 2017

Drawing No.
A009



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 Management Services

PREPARED BY: Jeff Tweedle, Conservation Planner
Mike Stone, MCIP, RPP, Manager of Planning, Stewardship and Ecological Services

MEETING DATE: December 5, 2024

RE: Proposed addition to a Residential Dwelling and Construction of an Additional Dwelling Unit in the Regulated Area of Lower Spencer Creek at 56 Baldwin Street, City of Hamilton (Dundas) – Permit Application No. D/F,C/24/70

STAFF RECOMMENDATION

THAT the Board of Directors approve the issuance of a permit, subject to the standard conditions, for the construction of an addition to a residential dwelling and construction of an additional dwelling unit within the regulated area associated with Lower Spencer Creek at 56 Baldwin Street, Dundas, City of Hamilton.

BACKGROUND & PURPOSE

Staff can not issue a permit which does not comply with Board-approved policy under HCA's Planning & Regulation Policies and Guidelines (October 2011). Proposals that do not meet policy may be considered for approval by the Board of Directors, typically through a formal hearing process where staff are not supportive of the application.

In this particular case, a permit application has been reviewed by staff as outlined below for the proposed addition to a residential dwelling and construction of an additional

dwelling unit. Given the specifics of the proposal, existing site conditions, and in consideration of the guidance in the Ontario Ministry of Natural Resources and Forestry's Technical Guide for River and Stream Systems, staff are of the opinion the intent of the HCA policies and Dundas Area Specific Policies under the Urban Hamilton Official Plan for safe access are generally maintained in this site-specific instance.

Accordingly, the purpose of this report is to advise the Board of staff's support for the proposal and recommendation that staff be directed to issue a permit without a formal hearing.

Subject Property & Permit Application

The subject property is approximately 0.04 ha (0.09 ac) in size and located within the Spencer Creek watershed and Lower Spencer Creek subwatershed, which drains to Cootes Paradise and eventually Hamilton Harbour. The subject property is regulated by HCA and located within a Special Policy Area for the former Town of Dundas due to the potential flooding hazards produced by Lower Spencer Creek. The location of the property is shown in Attachment A.

In July 2024, HCA staff reviewed minor variance application A-24:148 which requested reduced side yard setbacks to facilitate the construction of an addition to a residential dwelling and additional dwelling unit. HCA provided comments to the Committee of Adjustment for the City of Hamilton on July 19, 2024 in which HCA staff recommended the application be tabled and additional detailed topographic information be provided to allow HCA staff to more accurately assess the potential impacts of the flood hazard on the proposed development. There was an error in the topographic information included in the plans submitted with the minor variance application and HCA's topographic information is only available at 0.5m intervals. Based on the information provided in the minor variance application and available to HCA staff at that time, the proposed development did not appear to be consistent with the natural hazard policies of the Provincial Policy Statement (2020)¹ or conform to Special Policy Area provisions or HCA policy. Despite HCA's recommendation, the minor variance was granted by the Committee of Adjustment.

On August 27, 2024, the HCA received a pre-consultation submission from Park Eight Inc. with updated plans and topographic information. In the HCA staff response, it was noted that the proposed development did not adequately address the floodproofing and safe access requirements as set-out in the Special Policy Area provisions and HCA policy. The specific floodproofing items to be addressed in a future permit application submission were identified in the HCA staff response. HCA staff noted that while the proposed development did not meet the safe access requirements as per HCA policy, staff were of the opinion that the intent of the safe access provisions were generally maintained in this site-specific instance. It was also noted that staff are not able to issue

¹ During HCA's review of the minor variance application A-24:148 the Provincial Policy Statement (2020) was still in force and effect. The Provincial Planning Statement (2024) came into effect on October 20, 2024 to replace the Provincial Policy Statement.

a permit which does not comply with HCA's Board approved policy and in this instance, staff would need to request the approval from the Board.

Throughout September and October 2024, HCA staff met and corresponded with Park Eight Inc. regarding the floodproofing requirements for the proposed development. On October 25, 2024 Park Eight Inc. submitted a permit application which included revised plans for the proposed development. The permit application was deemed complete by HCA staff on October 31, 2024. Based on HCA staff's review of the revised plans submitted with the permit application, the Special Policy Area and HCA policy floodproofing provisions have been adequately addressed. As such, the safe access requirements of the Special Policy Area and HCA policy are the only outstanding item. The revised plans for the proposed development are provided in Attachment B.

STAFF COMMENT

In Section 2.1.1.4.1 of the HCA's Planning and Regulations Policies and Guidelines (October 2011), any development or site alteration within the former Town of Dundas Special Policy Areas (SPAs) must be in accordance with the following and must be to the satisfaction of the HCA:

- a. When considering development within SPAs in the former Town of Dundas, Authority staff will refer to, and require conformity to, SPA policies within the former Town of Dundas' OP, dated October 27 2000, or any amendments, updates, or revisions thereto (see Appendix H). At such a time that the new City of Hamilton's OP SPA policies are in effect, Authority staff will refer to, and require conformity to, the City of Hamilton's OP SPA policies or any amendments, updates, or revisions thereto.*
- b. All floodproofing measures noted in the SPAs policies will be in accordance with Section 8.1, of this document, and its sub-sections.*

The Town of Dundas SPAs have been incorporated into the Urban Hamilton Official Plan, Volume 3, Chapter B (2017). As per Map D-1 of the Urban Hamilton Official Plan, the subject property is within area UD-3. As per UD-3 policy 1.0 (j) (ii), safe access and safe parking are required for all residential development, redevelopment or major renovation/addition to residential structures. The development of an additional dwelling unit would be considered residential development.

In Section 8.1.1 of the HCA's Planning and Regulations Policies and Guidelines, safe access (ingress and egress) requires that:

- a. Safe ingress and egress for pedestrians and vehicles must be such that the depth is less than 0.3 m (1 ft) and the velocity is no greater than 1.7 m/s (5.5 ft/s).*

HCA policy takes a simplified and conservative approach in consideration of the MNRF's Technical Guide in relation to safe access. Consideration of safe access is

complex, given variability in individual (pedestrian) age, size, weight and experience/training in water, as well as the diverse range of vehicle types. Appendix 6 of the Technical Guide provides a detailed discussion of these considerations in relation to flood depths and velocities. Table 1 provides a summary of criteria for various scenarios.

Table 1: Safe Access Guidelines from MNRF Technical Guide (Appendix 6)

Access Type	Safe Access Criteria
Pedestrians	Velocity < 1.7 m/s AND Depth < 0.8m AND Depth X Velocity < 0.4 m ² /s
Wading (Trained Professionals)	Depth X Velocity < 1 m ² /s
Private Vehicle	Depth < 0.3 m AND Velocity < 4.5 m/s OR Depth < 0.4 m AND Velocity < 3.0 m/s
Diesel Fire Truck	Depth < 1.2 m

Based on the floodplain modelling available for Lower Spencer Creek, the floodplain elevation for the Regional Storm (Hurricane Hazel) is estimated to be 82.12 m. The velocity of the floodwaters is anticipated to be less than 0.71 m/s.

The Grading Plan, prepared by Landsmith Engineering & Consulting Ltd., revised August 27, 2024, which was submitted to HCA as part of the permit application package includes existing and proposed ground surface elevations for the subject property. Based on the provided ground surface elevations, HCA staff have determined the estimated floodwater depths in the areas immediately surrounding the proposed development, sidewalk and municipal roadway (Table 2).

Table 2: Estimated Flood Depths and Depth-Velocity Products for Proposed Development

Area	Flood Depth Range	Depth-Velocity Product Range
Proposed New Side Entrance to Addition to Existing Residential Dwelling	0.42 m	0.30 m ² /s
Proposed Entrances to Additional Dwelling Unit	0.47 m – 0.52 m	0.33 m ² /s – 0.37 m ² /s
Driveway Parking Areas	0.37 m	0.26 m ² /s
Front (North) Property Line	0.36 m – 0.44 m	0.26 m ² /s – 0.31 m ² /s
Sidewalk Immediately North of Subject Property	0.46 m – 0.49 m	0.33 m ² /s – 0.35 m ² /s
Roadway Immediately North of Subject Property	0.52 m – 0.62 m	0.37 m ² /s – 0.44 m ² /s

The floodwater depths are anticipated to decrease as you travel west from the subject property along the sidewalk or roadway as the elevation of the sidewalk and roadway rises. Based on the available information the lands north and west of the intersection of Baldwin Street and West Street are outside the Regional Storm floodplain produced by Lower Spencer Creek.

The determined flood depths for the Regional Storm event provided in Table 2 do not meet HCA policy for safe access. However, in reviewing the Technical Guide for River and Stream Systems, a number of the safe access criteria are satisfied, including pedestrians, wading (trained professionals), and diesel fire trucks. The existing driveway parking areas also provide safe parking areas, but the flood depths within the portion of the roadway immediately north of the subject property does not satisfy the criteria for private vehicles.

Although the proposal does not meet HCA policies for safe access, it does meet many of the more detailed criteria provided in the Technical Guide for River and Stream Systems. HCA staff are satisfied that a sufficient level of safe access would be available during a Regional flood and therefore that the proposed development can reasonably be supported.

Staff can not issue a permit which does not comply with Board-approved policy. Proposals that do not meet policy may be considered for approval by the Board of Directors, typically through a formal hearing process where staff are not supportive of the application. Given staff's support for the proposal, it is being recommended that staff be directed to issue the HCA permit without a formal hearing.

AGENCY COMMENTS

Not Applicable

LEGAL/FINANCIAL IMPLICATIONS

Not Applicable

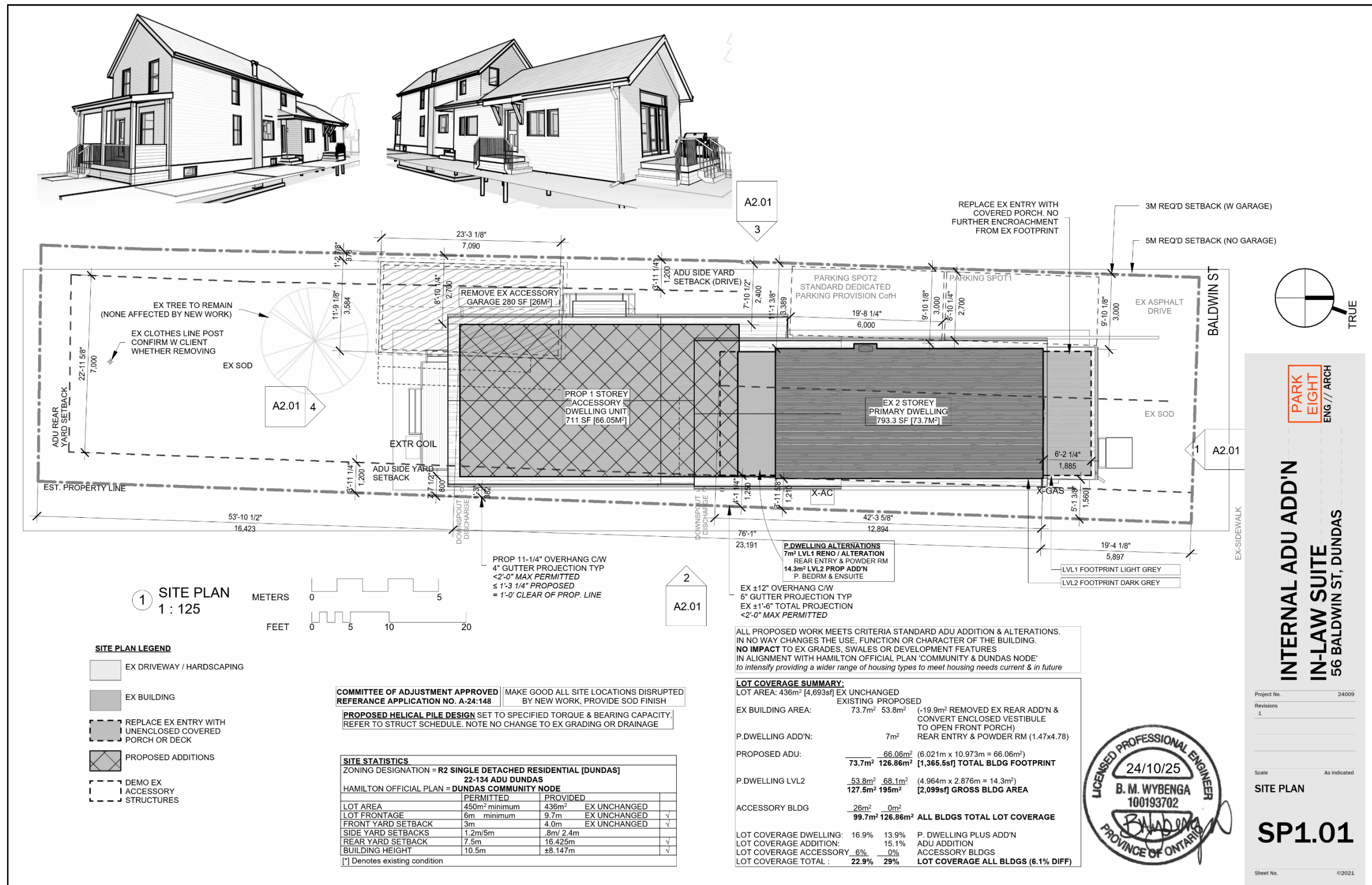
CONCLUSIONS

Staff are supportive of the issuance of a permit by the HCA for the proposed addition to a residential dwelling and construction of an additional dwelling unit. Given the specifics of the proposal, existing site conditions, and in consideration of the guidance in the Technical Guide for River and Stream Systems, staff are of the opinion the intent of the HCA policies and Dundas Area Specific Policies under the Urban Hamilton Official Plan regarding safe access are generally maintained in this site-specific instance.

ATTACHMENT A – Property Location

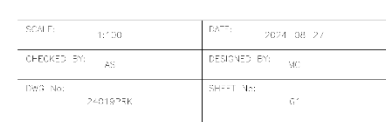


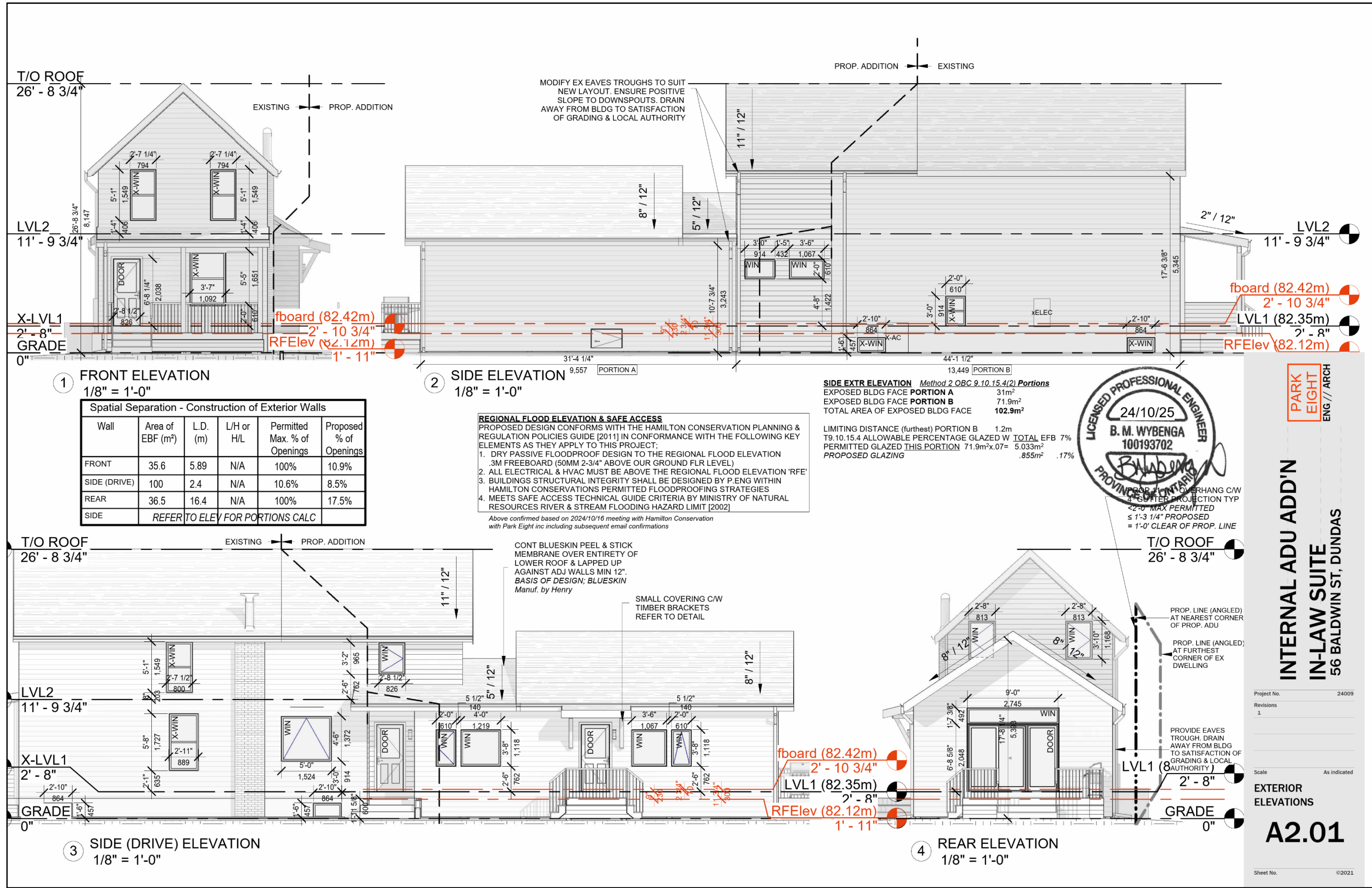
ATTACHMENT B – Development Proposal





*NOTE: MIN. 1.22m COVER
ABOVE FOOTINGS MUST BE
PROVIDED IN ALL LOCATIONS*





1 FRONT ELEVATION
1/8" = 1'-0"

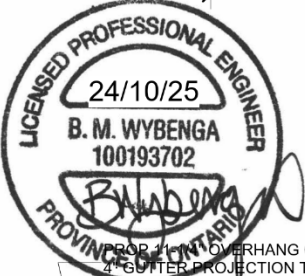
Spatial Separation - Construction of Exterior Walls					
Wall	Area of EBF (m²)	L.D. (m)	L/H or H/L	Permitted Max. % of Openings	Proposed % of Openings
FRONT	35.6	5.89	N/A	100%	10.9%
SIDE (DRIVE)	100	2.4	N/A	10.6%	8.5%
REAR	36.5	16.4	N/A	100%	17.5%
SIDE	REFER TO ELEV FOR PORTIONS CALC				

REGIONAL FLOOD ELEVATION & SAFE ACCESS
PROPOSED DESIGN CONFORMS WITH THE HAMILTON CONSERVATION PLANNING & REGULATION POLICIES GUIDE [2011] IN CONFORMANCE WITH THE FOLLOWING KEY ELEMENTS AS THEY APPLY TO THIS PROJECT;
1. DRY PASSIVE FLOODPROOF DESIGN TO THE REGIONAL FLOOD ELEVATION .3M FREEBOARD (50MM 2-3/4" ABOVE OUR GROUND FLR LEVEL)
2. ALL ELECTRICAL & HVAC MUST BE ABOVE THE REGIONAL FLOOD ELEVATION 'RFE'
3. BUILDINGS STRUCTURAL INTEGRITY SHALL BE DESIGNED BY P.ENG WITHIN HAMILTON CONSERVATIONS PERMITTED FLOODPROOFING STRATEGIES
4. MEETS SAFE ACCESS TECHNICAL GUIDE CRITERIA BY MINISTRY OF NATURAL RESOURCES RIVER & STREAM FLOODING HAZARD LIMIT [2002]

Above confirmed based on 2024/10/16 meeting with Hamilton Conservation with Park Eight inc including subsequent email confirmations

SIDE EXTR ELEVATION Method 2 OBC 9.10.15.4(2) Portions
EXPOSED BLDG FACE **PORTION A** 31m²
EXPOSED BLDG FACE **PORTION B** 71.9m²
TOTAL AREA OF EXPOSED BLDG FACE **102.9m²**

LIMITING DISTANCE (furthest) PORTION B 1.2m
T9.10.15.4 ALLOWABLE PERCENTAGE GLAZED W TOTAL EFB 7%
PERMITTED GLAZED THIS PORTION 71.9m²x.07= 5.033m²
PROPOSED GLAZING .855m² .17%

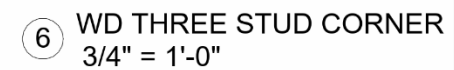
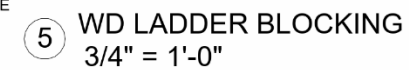
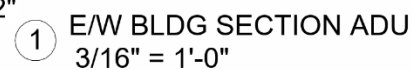
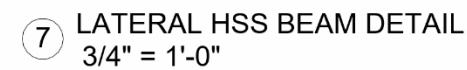
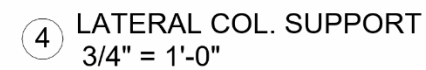
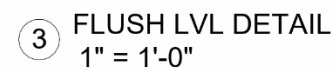
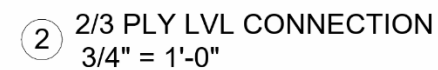


PROVIDE OVERHANG C/W 4" GUTTER PROJECTION TYP
2'-0" MAX PERMITTED
≤ 1'-3 1/4" PROPOSED
= 1'-0" CLEAR OF PROP. LINE

PARK EIGHT
ENG // ARCH

INTERNAL ADU ADD'N
IN-LAW SUITE
56 BALDWIN ST, DUNDAS

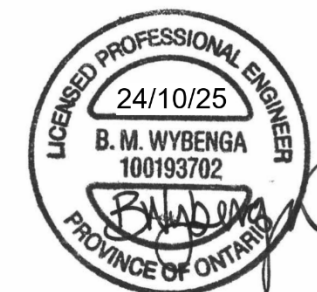
Project No. 24009
Revisions 1
Scale As indicated
EXTERIOR ELEVATIONS
A2.01
Sheet No. ©2021



PROPOSED DESIGN CONFORMS WITH THE HAMILTON CONSERVATION PLANNING & REGULATION POLICIES GUIDE [2011] IN CONFORMANCE WITH THE FOLLOWING KEY ELEMENTS AS THEY APPLY TO THIS PROJECT:

- 1. DRY PASSIVE FLOODPROOF DESIGN TO THE REGIONAL FLOOD ELEVATION .3M FREEBOARD (50MM 2-3/4" ABOVE OUR GROUND FLR LEVEL)**
- 2. ALL ELECTRICAL & HVAC MUST BE ABOVE THE REGIONAL FLOOD ELEVATION 'RFE'**
- 3. BUILDINGS STRUCTURAL INTEGRITY SHALL BE DESIGNED BY P.ENG WITHIN HAMILTON CONSERVATIONS PERMITTED FLOODPROOFING STRATEGIES**
- 4. MEETS SAFE ACCESS TECHNICAL GUIDE CRITERIA BY MINISTRY OF NATURAL RESOURCES RIVER & STREAM FLOODING HAZARD LIMIT [2002]**

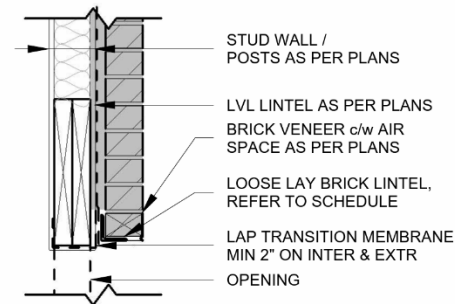
fboard (82.42m)
2' - 10 3/4"
LVL1 (82.35m)
2' - 8"
RFElev (82.12m)
1' - 11"



**INTERNAL ADU ADD'N
IN-LAW SUITE
56 BALDWIN ST, DUNDAS**

A3.01

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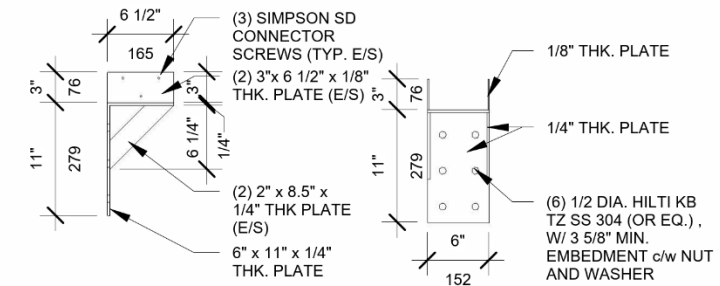


BRICK LINTEL DETAIL

1

3/4" = 1'-0"

ROOF/WALL/FLOOR TYPES & R VALUES
AS PER ASSEMBLY LEGEND



3

FDN 6x6 BRACKET DETAIL

3/4" = 1'-0"

REMOVE EX-OVERHANG ON
BACK OF HOUSE. MODIFY EX
ROOF FRAMING TO RECEIVE
NEW ROOF, ALLOW FOR PREFIN
ALUM. FLASHING AND SHINGLE
ROOF TIE-IN TO MATCH EX

SALVAGE & REINSTATE EX ATTIC INSULATION
WHERE FEASIBLE W-OUT BLOCKING VENTS.
MATCH OR EXCEED EX ATTIC INSULATION

LAP & SEAL ALL PENETRATIONS THROUGH
AIR CONTROL LAYER B/W LEVEL BELOW &
ATTIC INCL'D T/O WALLS, LIGHT FIXTURES
& SERVICE PENETRATIONS
EXPOSED FACE CLAD W
NON-COMBUSTABLE MATERIAL

LAP CONT. ROOF UNDERLAYMENT
UP WALL MIN 1'-0"

PROVIDE NEW PATIO DOORS
& TRANSOM. PROVIDE 2
STAGGERED BEADS OF
SEALANT ON CONT. BACK
DAMMED PAN FLASHING AT
ALL DOOR OPENINGS. DRAIN
DOWN & OUT, EXTEND
BEYOND EXTERIOR FACE TYP
fboard (82.42m)

2' - 10 3/4"
LVL1 (82.35m)

2' - 8"
RFElev (82.12m)

1' - 11"

GRADE

0"

REFER TO DECK STAIR &
LANDING DETAIL 2/A3.03

PROPOSED HELICAL PIER
DESIGN SET TO SPECIFIED
TORQUE & BEARING CAPACITY

2 N/S BLDG SECTION

1/8" = 1'-0"

T/O ROOF
26' - 8 3/4"

LVL2 T/O PLATE
19' - 7"

LVL2
11' - 9 3/4"

EX ROOF & SUPPORT FRAMING TO
REMAIN. PROVIDE SHORING &
SUPPORT. MODIFY AS REQ'D FOR POINT
LOADING & BEARING BELOW TO SUIT

COLUMN FOUNDATION
BRACKET, REFER TO DETAIL
(TYP. 3 ALONG WALL)
REFER TO DECK STAIR & LANDING
DETAIL 2/A3.03.

X-LVL1
2' - 8"
GRADE
0"

MIN 6'-5" BELOW
BEAMS & DUCTS
(EX UNCHANGED)

LVL0
-3' - 11 1/2"

PROPOSED HELICAL PIER
DESIGN SET TO SPECIFIED
TORQUE & BEARING CAPACITY

PARK
EIGHT
ENG // ARCH

INTERNAL ADU ADD'N
IN-LAW SUITE
56 BALDWIN ST, DUNDAS

Project No. 24009
Revisions

Scale As indicated

BLDG SECTION &
DETAILS

A3.02

Sheet No. ©2021



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Report

TO: Board of Directors

FROM: Lisa Burnside, Chief Administrative Officer

MEETING DATE: December 5, 2024

RE: Final 2025 Budget Approval

STAFF RECOMMENDATION:

THAT the 2025 draft budget receive formal and final approval in accordance with the *Conservation Authorities Act* and Ontario Regulation 402/22.

BACKGROUND AND PURPOSE

Ontario Regulation 402/22: Budget and Apportionment which adapts current methods of apportioning CA expenses/costs included in the *Conservation Authorities Act* and existing levy regulations to the new CA programs and services funding framework and overlays a phased budgetary process. This requires approval of a draft budget by the Board for consultation purposes. Once our two participating municipalities have had an opportunity to review the draft budget and provide any input to HCA, a board meeting will take place to approve the budget and reflect any feedback received.

The purpose of this report is to seek final approval of the 2025 draft budgets in accordance with Ontario Regulation 402/22.

STAFF COMMENT

Following Board of Director approval of the draft 2025 operating and capital budgets for HCA, these have been circulated to our two participating municipalities for any feedback or comment. It was noted to the Board that the final budget will return at the December 2024 meeting. No comments have been received in regard to our 2025 budgets and staff are recommending approval as a formality in the process. The final 2025 budgets are unchanged from their draft versions.

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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 Management Services

PREPARED BY: Jonathan Bastien, P.Eng. – Manager, Water Resources Engineering

DATE: December 5th, 2024

RE: Watershed Conditions Report

SYNOPSIS

During the period of October 24th 2024 to November 25th 2024, there were no observations, reports, or expectations of significant water safety concerns, significant watercourse flooding events, or Lake Ontario shoreline flooding events.

There are no observations, reports, or expectations that significant watercourse flooding or significant water safety concerns are occurring at this time.

Current flows are near baseflow conditions to slightly elevated above baseflow conditions.

The average monthly recorded flows for November so far have ranged between significantly below long-term averages to slightly below long-term averages. The considerable variations in average monthly recorded flows are likely due to significant differences in local rainfall and thunderstorms received in the ungauged areas upstream of each streamflow gauge.

It is noted that Lower Spencer Creek at Market Street flows were increased in November due to the winter drawdown of Christie Lake reservoir.

Also, Lower Spencer Creek at Market Street water levels and flows are presently not considered accurate due to ongoing Creighton Road bridge work immediately

downstream of the gauge, which commenced November 18. Flows at this gauge are estimated by HCA staff, where required.

Currently, there are no observations, reports, or expectations that significant Lake Ontario shoreline flooding is occurring. The Lake Ontario mean daily water level averaged across the entire lake was 15 cm below average for this time of year, as of yesterday.

Current Christie Lake reservoir levels are about 1 foot above the preferred winter operating levels. Current Valens Lake levels are within the preferred winter operating levels.

For the most recent drought assessment, the 3-month precipitation totals indicated Level 1 Low Water conditions within the watershed. However, the 18-month precipitation totals indicated normal conditions within the watershed, as did the average flows over the month. Given this and the reduced irrigation demands at this time of year and that this was the first recent monthly assessment that indicated possible drought conditions, a decision on declaring a Level 1 Low Water condition was deferred until the next scheduled assessment at the beginning of December.

There are currently no significant rainfall or snowmelt events (+20 mm in a day) forecasted for the watershed over the next 2 weeks. In the next 2 weeks, no significant Lake Ontario shoreline flooding is expected. HCA staff will continue to undertake monthly drought assessments, and coordinate with the Hamilton Low Water Response Team as required if drought conditions are identified.

CURRENT WATERSHED CONDITIONS – November 25th, 2024

Current Flows in Major Area Watercourses

There are no observations, reports, or expectations that significant watercourse flooding or significant water safety concerns are occurring at this time.

Current flows are near baseflow conditions to slightly elevated above baseflow conditions. The four available streamflow gauges are Upper Spencer Creek at Safari Road, Middle Spencer Creek at Highway 5, Ancaster Creek at Wilson Street and Red Hill Creek at Barton Street. Lower Spencer Creek at Market Street water levels and flows are presently not considered accurate due to ongoing Creighton Road bridge work immediately downstream of the gauge. Flows at this gauge are estimated by HCA staff, where required.

The average monthly recorded flows for November so far have ranged between significantly below long-term averages to slightly below long-term averages. Monthly flow in Upper Spencer Creek at Safari Road has been 49% of long-term averages (considered well below average). Monthly flow in Middle Spencer Creek at Highway 5

has been 34% (considered significantly below average). Monthly flow in Lower Spencer Creek at Market Street has been 66% (considered below average). Monthly flow in Ancaster Creek at Wilson Street has been 83% (considered slightly below average). Monthly flow in Red Hill Creek at Barton Street has been 46% (considered well below average). The precipitation amounts recorded at the streamflow gauges do not explain the considerable variations in average monthly recorded flows. It is therefore expected that the considerable variations in average monthly recorded flows are likely due to significant differences in local rainfall and thunderstorms received in the ungauged areas upstream of each streamflow gauge. It is noted that Lower Spencer Creek at Market Street flows were increased in November due to the winter drawdown of Christie Lake reservoir. Also, Lower Spencer Creek at Market Street water levels and flows are presently not considered accurate due to ongoing Creighton Road bridge work immediately downstream of the gauge, which commenced November 18.

October 2024 average recorded flows ranged between significantly below long-term averages to slightly below long-term averages. Monthly flow in Upper Spencer Creek at Safari Road was 44% of long-term averages (considered well below average). Monthly flow in Middle Spencer Creek at Highway 5 was 23% (considered significantly below average). Monthly flow in Lower Spencer Creek at Market Street was 36% (considered significantly below average). Monthly flow in Ancaster Creek at Wilson Street was 79% (considered slightly below average). Monthly flow in Red Hill Creek at Barton Street was 63% (considered below average). The precipitation amounts recorded at the streamflow gauges do not explain the considerable variations in average monthly recorded flows. There was also no significant thunderstorm activity during the month. It is therefore expected that the considerable variations in average monthly recorded flows are likely due to significant differences in local rainfall received in the ungauged areas upstream of each streamflow gauge. It is noted that Lower Spencer Creek at Market Street flows were increased due to the winter drawdown of Christie Lake reservoir, which increased outflows commencing on October 21.

September 2024 average recorded flows ranged between significantly below long-term averages to at long-term averages. Monthly flow in Upper Spencer Creek at Safari Road was 41% of long-term averages (considered well below average). Monthly flow in Middle Spencer Creek at Highway 5 was 32% (considered significantly below average). Monthly flow in Lower Spencer Creek at Market Street was 62% (considered below average). Monthly flow in Ancaster Creek at Wilson Street was 97% (considered average). Monthly flow in Red Hill Creek at Barton Street was 79% (considered slightly below average). The precipitation amounts recorded at the Upper Spencer Creek at Safari Road and Middle Spencer Creek at Highway 5 gauges were considerably less than at the other gauges, which is expected to explain the considerably lower average monthly recorded 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 74.40 to 74.41 m IGLD85 as of yesterday. The Lake Ontario mean daily water level averaged across the entire lake (74.39 m IGLD85 as of yesterday) is 15 cm below average for this time of year.

Current Storages in HCA Reservoirs

Current Christie Lake levels (766.76 ft) are about 1 foot above the preferred winter operating levels (765.30 to 765.80 ft).

Current Valens Lake levels (274.19 m) are within the preferred winter operating levels (274.15 to 274.40m).

Current Soil Conditions

Surface and root-zone soils are considered wet to saturated across the watershed.

RECENT STORM EVENTS

During the period of October 24th 2024 to November 25th 2024, there were no observations, reports, or expectations of significant water safety concerns, significant watercourse flooding events, or Lake Ontario shoreline flooding events.

RECENT WATERSHED LOW WATER CONDITIONS

For the most recent drought assessment (including data up to October 31), the 3-month precipitation totals indicated Level 1 Low Water conditions within the watershed, based on data at the 8 available stations. However, the 18-month precipitation totals indicated normal conditions within the watershed, as did the average flows over the month at 4 of the 5 available streamflow gauges.

Given this and the reduced irrigation demands at this time of year and that this was the first recent monthly assessment that indicated possible drought conditions, a decision on declaring a Level 1 Low Water condition was deferred until the next scheduled assessment at the beginning of December.

FORECASTED WATERSHED CONDITIONS

Watercourse Flooding

There are currently no significant rainfall or 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 are not expected to result in significant watercourse flooding.

Lake Ontario Shoreline Flooding

In the next 2 weeks, no significant Lake Ontario shoreline flooding is expected.

Watershed Low Water Conditions

HCA staff will continue to undertake monthly drought assessments, and coordinate with the Hamilton Low Water Response Team as required if drought conditions are identified.

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Memorandum

TO: Board of Directors

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

PREPARED BY: Brandon Good, Senior Manager of Conservation Area Services

MEETING DATE: December 5, 2024

RE: Conservation Areas Experiences Update

BACKGROUND & PURPOSE

HCA provides high quality, diverse conservation areas that promote outdoor recreation, health and well being and strengthen public awareness of the importance of being in or near our conservation areas.

STAFF REPORTING COMMENTS

Devil's Punchbowl Conservation Area – Rock Formation Research

Western University has initiated an exciting research project to monitor the shale-rock formations at Devil's Punchbowl. This study will focus on the effects of seasonal water infiltration and freezing cycles on the rock structure. The first phase of research will run for one year, with follow-up seasonal studies planned over the next two to three years. This collaboration reflects our commitment to supporting academic research and enhancing our understanding of the unique geological features of our conservation areas.

Valen's Lake Conservation Area - Lookout Tower Project

Site preparations for the new lookout tower began in late November 2024, marking the start of this highly anticipated project. Cement footings are scheduled for installation in early January 2025, followed by the steel tower structure. In early spring 2025, the CaPSS department will install the wooden stairs and trellises. The project is on track for completion by May 2025, offering visitors an enhanced experience with breathtaking views while creating an accessible and sustainable visitor amenity.

Christmas in the Woods at Westfield Heritage Village

Westfield Heritage Village is set to host its annual Christmas in the Woods event on December 8 and 15, from 10:00 AM to 4:00 PM. Visitors can explore 35 historic buildings beautifully decorated with traditional holiday decor, experience Christmas traditions, enjoy caroling, and savor festive treats. This beloved celebration connects attendees to the rich history and traditions of our community, making it a perfect holiday outing.

Conservation Areas Winter Operations

With winter upon us, seasonal facilities have been winterized with assistance from the CaPSS department, and snow removal equipment has been installed across our fleet to maintain parking lot and internal road access during snowfall events. All of our Conservation Areas are open throughout the winter for our visitors to enjoy. Camping and cabin rentals are also available, providing many opportunities for outdoor experiences even in the colder months.