

AGENDA FOR BOARD OF DIRECTORS MEETING

OCTOBER 2, 2014

Hamilton Conservation Authority

Vision

HCA works to ensure healthy streams and healthy communities in which human needs are met in balance with the needs of the natural environment, now and in the future.

Mission

To lead in the conservation and sustainable management of our watershed's natural environment.



**Hamilton
Conservation Authority**

Healthy Streams...Healthy Communities!

**Fall Colour
Dundas Valley Conservation Area**

AGENDA FOR BOARD OF DIRECTORS MEETING

October 2, 2014 at 7:00 p.m.

- 1. CALL TO ORDER** ~ Howlett
- 2. DECLARATION OF CONFLICT OF INTEREST**
- 3. APPROVAL OF AGENDA**
- 4. DELEGATIONS**
 - 4.1 RBG Site Specific Turtle Recovery Plan ~ Tys Theysmeyer, RBG
- 5. MEMBER BRIEFING**
- 6. APPLICATIONS – Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses**
 - 6.1 Applications for October 2, 2014 ~ Kenny
- 7. APPROVAL OF MINUTES OF PREVIOUS MEETING**
 - 7.1 Minutes – September 4, 2014
- 8. BUSINESS ARISING FROM THE MINUTES**
- 9. PRE-DISTRIBUTED CORRESPONDENCE**
- 10. OTHER CORRESPONDENCE**
- 11. REPORTS**
 - 11.1 Budget & Administration Committee (Minutes – September 18, 2014) ~ Howlett
 - 11.2 Conservation Advisory Board (Minutes – September 11, 2014) ~ Topalovic
 - 11.3 Foundation Chairman's Report ~ MacDonald
- 12. OTHER STAFF REPORTS/MEMORANDUMS**
 - 12.1 Lower Spencer Fish Habitat Restoration Project ~ Breton
 - 12.2 Upcoming Events ~ Costie
- 13. NEW BUSINESS**
- 14. IN-CAMERA ITEMS FOR MATTERS OF LAW, PERSONNEL AND PROPERTY**
- 15. NEXT MEETING - Thursday, November 6, 2014**
- 16. ADJOURNMENT**

Memorandum

TO: Board of Directors

FROM: Darren Kenny, Watershed Officer

DATE: September 19, 2014

RE: Summary Enforcement Report – Development, Interference with
Wetlands and Alterations to Shorelines and Watercourses
Regulation 161/06 Applications for October 2, 2014

HCA Regulation applications approved by staff between the dates of August 21, 2014 and September 19, 2014 are summarized in the following Summary Enforcement Report (SER-8/14).

RECOMMENDATION

THAT the Board of Directors receive this Summary Enforcement Report SER-8/14 as information.

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

September 19, 2014

Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses
Applications Report to the Board of Directors of the Hamilton Region Conservation Authority, Oct.2, 2014

The proposed works are subject to HCA Regulation 161/06 under Ontario Regulation 97/04, and in particular Section 2, Subsection (1).

SUMMARY ENFORCEMENT REPORT SER 8/14						
Application No.	Date Received	Date Permit Issued	Applicant Name	Location	Application Description	Recommendation/Conditions
F/F,C,A/12/66	September 20, 2012	September 8, 2014		Pt Lt 9 and 10, Con 4 City of Hamilton (Former Town of Flamborough)	Construction of a stormwater management facility with an outlet to Borer's Creek associated with plan of subdivision 25T-2007-09 in a regulated area of Borer's Creek and the Logies' Creek-Parkside Drive Provincially Significant Wetland	Application approved subject to standard conditions
SC/F,A/13/38	July 9, 2013	September 17, 2014		198 First Rd W City of Hamilton (Former City of Stoney Creek)	Alteration of a watercourse and grading works associated with the development plan of subdivision 25T-2009-08 (Phase 1) in a regulated area of Stoney Creek	Application approved subject to standard conditions
F/F,C,A/14/38	June 3, 2014	September 5, 2014		Pt Lts 28 and 29, Cons 4 and 5 City of Hamilton (Former Town of Flamborough)	Completion of a partial pipeline replacement and decommissioning of Line 11 in regulated area of Westover and West Spencer Creek and the Sheffield-Rockton Provincially Significant Wetland Complex	Application approved subject to standard conditions
F/F,C/14/42	June 25, 2014	September 5, 2014		6 Kirby Ave Pt. L.t 9, Con 2 City of Hamilton (Former Town of Flamborough)	Replacement of an existing septic system and completion of excavation work for house foundation repair in a regulated area of Middle Spencer Creek	Application approved subject to standard conditions
D/C/14/44	June 30, 2014	August 21, 2014		76 King St E Pt. Lt. 17, Con.1 City of Hamilton (Former Town of Dundas)	Construction of a minor second floor addition to an existing residence in the regulatory floodplain of Lower Spencer Creek	Application approved subject to standard conditions
F/F,C/14/51	July 23, 2014	September 12, 2014		1279 6th Con Rd W Pt. It. 32, Con. 6 City of Hamilton (Former Town of Flamborough)	Completion of a pipeline integrity dig in a regulated area of the Sheffield-Rockton Provincially Significant Wetland complex	Application approved subject to standard conditions
F/F,C/14/52	July 24, 2014	September 18, 2014		373 Rock Chapel Rd Pt. Lt. 21, Con. 2 City of Hamilton (Former Town of Flamborough)	Construction of a barn/utility building in a regulated area of Borer's Creek	Application approved subject to standard conditions
SC/F,C/14/55	August 18, 2014	September 17, 2014		54 Battlefield Dr Pt. Lt. 26, Con 4 City of Hamilton (Former City of Stoney Creek)	Construction of an attached single car garage in a regulated area of Battlefield Creek	Application approved subject to standard conditions
D/F,C/14/56	August 21, 2014	September 17, 2014		105 Turnbull Rd Pt. Lt. 47, Con. 1 City of Hamilton (Former Town of Dundas)	Removal and in-fill of an existing in-ground swimming pool in a regulated area of Sulphur Creek	Application approved subject to standard conditions
A/C/14/60	September 5, 2014	September 16, 2014		102 Daffodil Cres Pt. Lt. 54, Conc. 2 City of Hamilton (Fomer Town of Ancaster)	Construction of a deck in the regulated area of Chedoke Creek	Application approved subject to standard conditions

HAMILTON REGION CONSERVATION AUTHORITY

MINUTES

Board of Directors Meeting

September 4, 2014

Minutes of the Board of Directors meeting held on Thursday, September 4, 2014 at Woodend Auditorium, 838 Mineral Springs Road, Ancaster, Ontario at 7:00 p.m.

PRESENT: Brian McHattie, in the Chair
Dan Bowman
Robert Pasuta
Brad Whitcombe

Santina Moccio
Maria Topalovic

Richard MacDonald, Foundation Chair

PHONE: James Howlett

REGRETS: Chad Collins, Tom Jackson, Brenda Johnson, Duke O'Sullivan

STAFF PRESENT: Sandy Bell, Rondalyn Brown, Lisa Burnside, Grace Correia, Gord Costie, Chris Firth-Eagland, Bruce Harschnitz, Darren Kenny, Judy Love, Don McConnell, Neil McDougall, Scott Peck, John Williams, and Rick Woodworth – HCA Staff

OTHERS: Richard Leitner – Media

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. The Chair indicated that there is one delegation under 4.1; the member briefing under 5.1 will be tabled and brought forward to the October Board of Directors meeting; under New Business – 12.3 – this report will be presented after the delegation.

BD12,2009

MOVED BY: Robert Pasuta

SECONDED BY: Maria Topalovic

THAT the agenda be approved as amended.

CARRIED

4. DELEGATIONS

4.1 Hermitage Ruins – Restoration Project

Councillor Lloyd Ferguson introduced Bob Wilkins and Matt Kuhlmann. Councillor Ferguson indicated the Hermitage Ruins is a heritage property designated under the Ontario Heritage Act and the ruins are in a state of collapse. HCA staff has requested a Heritage permit for removal of portions of the ruins which was denied by the Committee. Councillor Ferguson indicated that staff would prefer to keep the existing structure but lack sufficient funds to complete the work. The Heritage Permit application was referred to Councillor Ferguson to try to find a solution to salvage the existing structure. Councillor Ferguson contacted Bob Wilkins who is very passionate about heritage.

Bob Wilkins provided a brief presentation on the restoration project and indicated that Matt Kuhlmann is a stone mason who provided a quote on the project. Their proposal includes mapping all cut stone on the 3 main walls and label and remove one stone at a time. They would reconstruct the walls one stone at a time using heritage mortar for all joints. The reconstruction would include a new concrete foundation and internal supporting steel skeleton.

It was agreed to establish a funding relationship between the HCA, the City of Hamilton, and private donors with \$200K from the HCA, \$200K from the City of Hamilton, and the balance of funds required to complete the project come from the community. Bob indicated that he has already raised \$75,000 towards this project.

Board members are happy that the Hermitage is being restored. Staff still need to reapply for a permit to the Heritage Committee and complete the fundraising for the project.

BD12,2010**MOVED BY: Santina Moccio****SECONDED BY: Maria Topalovic**

THAT the Board of Directors approves the following recommendations:

THAT the Board of Directors resolution of April 3, 2014, BD12,1969 approving “Concept 7” at an estimated cost of \$144,000 to \$194,000 as the preferred option for restoring the hermitage ruins be rescinded; and

THAT the proposal by Rock Solid attached as Schedule ‘A’ be approved as the preferred option for the restoration of the Hermitage Ruins; and

THAT staff be directed to pursue the required permits to implement the restoration works detailed in Schedule ‘A’; and

THAT staff be directed to include the necessary funds in the HCA 2015 Capital Budget Program of \$130,000 to bring the total HCA funding contribution for restoration of the Hermitage Ruins to \$200,000; and

THAT staff be directed to enter into contribution agreements and any other agreements with the City of Hamilton and the Hamilton Conservation Foundation to establish a funding relationship between the HCA, the City of Hamilton, and private donors with \$200K from the HCA, \$200K from the City, and the balance from donations; and further

THAT staff be directed to enter into detailed discussions with Rock Solid to finalize the scope of work and cost estimates, for the proposed works in Schedule ‘A’ and report back through the Budget & Administration Committee to the Board of Directors for the consideration of contractual arrangements.

CARRIED

5. MEMBER BRIEFING

5.1 2014 Capital Budget Progress Report

The member briefing in regards to the 2014 Capital Budget Progress has been tabled and will be brought forward to the October Board of Directors meeting.

6. APPLICATIONS - DEVELOPMENT, INTERFERENCE WITH WETLANDS, AND ALTERATIONS TO SHORELINES AND WATERCOURSES

(Copies of the supporting staff report are available from the Authority's Administration Office)

Darren Kenny presented the report and answered Board member's questions.

BD12,2011 **MOVED BY:** **Santina Moccio**
SECONDED BY: **Robert Pasuta**

THAT the Board of Directors receive the Summary Enforcement Report SER – 7/14.

CARRIED

7. MINUTES OF PREVIOUS MEETING (July 3, 2014)

BD12,2012 **MOVED BY:** **Santina Moccio**
SECONDED BY: **Dan Bowman**

THAT the Board of Directors approve the following recommendation:

THAT the minutes of the Board of Directors meeting held on July 3, 2014 be approved.

CARRIED

8. BUSINESS ARISING FROM THE MINUTES

There was none.

9. PRE-DISTRIBUTED CORRESPONDENCE

The following correspondence was received:

9.1 Thank You Letter from Hamilton Community Foundation

BD12,2013 **MOVED BY** **Brad Whitcombe**
SECONDED BY **Maria Topalovic**

THAT the pre-distributed correspondence be received.

CARRIED

10. OTHER CORRESPONDENCE

There was none.

11. REPORTS

11.1 Budget & Administration Committee (Minutes – July 17, 2014)

Santina Moccio presented the minutes of the Budget & Administration Committee meeting held on July 17, 2014.

Resolution Number from Budget & Administration Committee Minutes – BA1421 – 6 Month Financial Results

BD12,2014 **MOVED BY:** **Santina Moccio**
SECONDED BY: **Brad Whitcombe**

THAT the Board of Directors approve the following recommendations:

THAT the 6 month financial results be received.

CARRIED

Resolution Number from Budget & Administration Committee Minutes – BA1422 – Vendor Listing

BD12,2015 **MOVED BY:** **Santina Moccio**
SECONDED BY: **Brad Whitcombe**

THAT the Board of Directors approve the following recommendations:

THAT the Vendor Listing report be received.

CARRIED

Resolution Number from Budget & Administration Committee Minutes – BA1423
– Governance Review

BD12,2016

**MOVED BY: Santina Moccio
SECONDED BY: Brad Whitcombe**

THAT the Board of Directors approve the following recommendations:

- 1. Amend Section 17.6 (“Voting by Telephonic or Electronic Means”) of the Administrative Regulations and Governance Policies, as noted in this report to clarify rules and proceedings regarding voting by telephone and email and requirement of Board to vote at next meeting to ratify any vote that was not unanimous**
- 2. Direct staff to consider, and report back to the Budget & Administration Committee regarding, recommendations generated by Conservation Ontario on steps that may be required for Conservation Authorities to comply with the Ontario *Not-for-Profit Corporations Act* once it comes into force in a few years’ time; and**
- 3. Request that the Budget & Administration Committee, in addition to conducting annual governance reviews as provided for in Section 31.3 (“Governance”) of the Administrative Regulations and Governance Policies, undertake a comprehensive review of the Administrative Regulations and Governance Policies in 2018.**

CARRIED

Motion to Receive the Minutes

BD12,2017

**MOVED BY: Santina Moccio
SECONDED BY: Brad Whitcombe**

THAT the minutes of the Budget & Administration Committee meeting held on July 17, 2014 be approved.

CARRIED

11.2 Foundation Chairman's Report

Richard MacDonald reported on the following:

- Total donations for July and August - \$78,135
 - \$45,000 grant from the RBC Bluewater Fund for the Hamilton-Halton Watershed Stewardship Program
 - \$10,000 donated for memorial benches
 - \$3,300 was raised for the Veldhuis project through sales of donated cacti at the Cactus Festival
 - \$5,500 was donated for the Equestrian Ride
 - \$5,000 grant from Canon and Evergreen for planting material at both Christie Lake and the Veldhuis site
 - \$3,100 donated for the Education Program
 - The remaining \$3,700 is made up of monthly gifts and gifts with pass renewals.
- Year-to-Date
 - Total Donations for our fiscal year-to-date (December 2013 to August 2014) - \$837,564
- Foundation Events
 - September 13 – Equestrian Ride at Dundas Valley CA
 - September 20 – TD Community Tree Planting Festival
 - October 18 – Nature Crawl – Shades of Autumn at Dundas Valley CA

12. **OTHER STAFF REPORTS/MEMORANDUMS**

12.1 Westfield Heritage Village – Visitor Centre Feasibility Study

Rondalyn Brown presented the report. Westfield Heritage Village would like to undertake a Feasibility Study to identify the need, size, location, functions, staffing and finances for a Visitor's Centre at the Village. Funding for the study would be cost shared with community and government partners. The Feasibility Study would provide critical information necessary to go forward with plans to fundraise and construct the appropriate facility.

There are two parts to the feasibility study; one addressing the building itself and other looking at the potential for funding for the project.

Staff require Board approval to be eligible to apply for the Canada Cultural Spaces Fund for development of a Feasibility Study. The Hamilton Conservation Foundation has committed \$18k in matching funds for this study.

BD12,2018**MOVED BY: Robert Pasuta
SECONDED BY: Santana Moccio****THAT the Board of Directors approve the following recommendations:****THAT staff be authorized to apply to the Canada Cultural Spaces Fund for development of a Feasibility Study for the Westfield Heritage Visitor Centre.****CARRIED****12.2 HCA Planning & Regulation Policies & Guidelines – Section 3.1.7
Wetlands Policy Revision**

Scott Peck presented the report. Prior to our review of this document, staff were aware of an issue relating to Section 3.1.7 i), subsection ii). The existing policy is prohibitive in that staff has no ability to assess the proposal as the policy presents an outright prohibition on swimming pools within 30 metres of a wetland.

Staff are of the opinion that the prohibition should be deleted. In implementing this change, a proposal to construct a swimming pool would still require a permit from the HCA and the permit application would include the submission of an environmental impact study.

Scott indicated that all policies and guidelines are being reviewed.

BD12,2019**MOVED BY: Brad Whitcombe
SECONDED BY: Maria Topalovic****THAT the Board of Directors approve the following recommendations:****THAT Section 3.1.7 i), subsection ii) of the HCA Planning & Regulation Policies and Guidelines be deleted.****CARRIED****12.3 East Mountain Wetland Restoration Project**

Chris Firth-Eagland presented the report. Staff have been working on a general concept of establishing a new conservation area on the East Hamilton Mountain. It has been envisioned that a fundamental function of this new conservation area would be its role in mitigating surface water runoff issues. Upper Stoney and Battlefield Creek watersheds have been prime candidates due to their rural

attributes of open space, areas of low functioning agricultural lands, appropriate zoning regulations, low flow attributes and their potential through wetland restoration for beneficial storm water management.

At the Board of Directors meeting of April 3, 2014, direction was given to pursue potential funding sources.

Staff made a presentation on this concept to the Heritage Green Community Trust. Councillor Brad Clark, who is a member of the Trust, advanced our request for \$2 million in land acquisition funding from Heritage Green; by asking the Municipality to match the ask, with a further \$2 million. The Councillor's notice of motion is public and will be considered by City Council on September 10. The HCA will commit \$500 k for this project.

Additional funding requests will target stewardship initiatives, water management research/design and wetland restoration project work.

The creation of a new conservation area on the Stoney Creek Mountain is a long range proposal. The securement of significant land acquisition funding is the first step in this initiative.

Board members indicated that it was a tremendous opportunity for the HCA. It will involve virtually every aspect of our collective functions and will require a significant team effort to succeed.

BD12,2020

MOVED BY: Maria Topalovic
SECONDED BY: Brad Whitcombe

THAT the Board of Directors approve the following recommendations:

THAT staff be directed to enter into Contribution Agreements and any other ancillary agreements with the City of Hamilton and the Heritage Green Community Trust, necessary to facilitate the granting and management of funds of \$2 million from each entity, for the purpose of land acquisition in the Upper Stoney and Battlefield Creeks watersheds, in the vicinity of the Devil's Punch Bowl; and

THAT \$500,000 from the HCA land acquisition fund be dedicated as its contribution to support this land acquisition project; and

THAT the HCA be directed to enter into a contribution agreement and any other ancillary agreements with the

Hamilton Conservation Foundation necessary to facilitate the granting and managing of the \$250k from the Hamilton Conservation Foundation in support of this land acquisition project; and further

THAT staff be directed to apply on behalf of the HCA to appropriate external granting agencies for additional sums as deemed necessary to facilitate the research, design, development, stewardship and management of the lands acquired in this land acquisition project.

CARRIED

12.4 Upcoming Events

Gord Costie provided an update of the upcoming events that are included in the agenda package.

13. NEW BUSINESS

There was none.

14. IN-CAMERA ITEMS FOR MATTERS OF LAW, PERSONNEL AND PROPERTY

BD12,2021 **MOVED BY:** **Maria Topalovic**
SECONDED BY: **Brad Whitcombe**

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

CARRIED

There was one personnel matter discussed during the *in camera* session.

BD12,2022 **MOVED BY:** **Santina Moccio**
SECONDED BY: **Brad Whitcombe**

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

CARRIED

14.1 Confidential Report BA/Jul 01-2014

Scott Peck presented the report and answered Board members questions.

BD12,2023**MOVED BY: Brad Whitcombe
SECONDED BY: Santana Moccio****THAT the Board of Directors approve the following recommendations:****THAT the Hamilton Conservation Authority Stewardship Program with a partner agreement with Conservation Halton (Option 3) be endorsed; and further****THAT staff be authorized to revise the memorandum of agreement with Conservation Halton for the Hamilton-Halton Watershed Stewardship Program to reflect a continued tactical relationship with Conservation Halton for the joint stewardship program; and a separation of employee services and responsibilities as detailed in the Hamilton Conservation Authority Stewardship Program (Option 3).****CARRIED****15. NEXT MEETING**

The next meeting of the Board of Directors will be held on Thursday, October 2, 2014 at 7:00 p.m. at Woodend Auditorium, 838 Mineral Springs Road, Ancaster, Ontario.

16. ADJOURNMENT

On motion, the meeting adjourned.

HAMILTON CONSERVATION AUTHORITY

MINUTES

Budget & Administration Committee

September 18, 2014

Minutes of the Budget & Administration Committee meeting held on Thursday, September 18, 2014 at Woodend Auditorium, 838 Mineral Springs Road, Ancaster, Ontario, and 6:00 p.m.

PRESENT: James Howlett, in the Chair
Santina Moccio
Duke O'Sullivan

REGRETS: Brian McHattie and Brad Whitcombe

STAFF PRESENT: Jonathan Bastien, Sandy Bell, Hazel Breton, Lisa Burnside, Chris Firth-Eagland, Judy Love, Neil McDougall, and Scott Peck - HCA Staff

1. CHAIRMAN'S REMARKS

James Howlett welcomed members and staff.

2. DECLARATIONS OF CONFLICT OF INTEREST

There was none.

3. CHAIRMAN'S REPORT ON BOARD OF DIRECTORS ACTIONS

James Howlett reported that all recommendations from the July 17, 2014 Budget & Administration Committee meeting were approved by the Board of Directors.

4. DELEGATIONS

There was none.

5. MINUTES FROM THE PREVIOUS MEETING (July 17, 2014)**BA1427****MOVED BY: Santina Moccio****SECONDED BY: Duke O'Sullivan**

THAT the minutes of the Budget & Administration Committee meeting held on July 17, 2014 be approved as written.

CARRIED**6. BUSINESS ARISING FROM THE MINUTES**

There was none.

7. REPORTS**7.1 8 Month Financial Results**

Neil McDougall provided an update on the 8 month financial results. We are in good shape at this time. We are in a positive position for Planning, Land Management, and Corporate.

Managed Properties:

Confederation Park – with a poor summer, attendance is down 9% at WWW. With the season over, chance of recovery is nil. We are working with the City to review and provide some ideas on how to adjust either results or expectations in the upcoming years.

Westfield Heritage Village – started off with soft attendance due to the cold winter and spring. However, overall performance is not off expectations for the year.

Highlights:**Watershed Planning & Engineering:**

- permit fees are down
- staffing costs are down due to the reduction of contract staff
- overall the division is on plan

Conservation Areas:

- camping revenues were strong in both Valens Lake – up \$43,000 and Fifty Point – up \$30,000
- admissions are down due to the cold weather
- pass sales have picked up
- expenses and staffing costs are down
- utilities are high

Corporate Support:

- revenues show a significant decrease which is due to the inclusion in last year of funding for land purchases and gifts of land which are not present in 2014
- expenses and staffing costs are down

Neil answered member's questions. James Howlett thanked Neil for the presentation.

BA1428**MOVED BY: Santina Moccio****SECONDED BY: Duke O'Sullivan****THAT the 8 month financial results be received.****CARRIED****7.2 2015 Preliminary Operating Budget**

Neil McDougall presented the 2015 Preliminary Operating Budget. Neil indicated that they are still collecting all the information. Neil handed out a report with our current staff complement and indicated that we will keep the number of staff as is. We are treading very carefully when hiring permanent staff. If we need to hire staff, this would be a contract position.

For 2015, we are providing a COLA of 1.5% and a merit increase where deserved at 1.5%.

With the new minimum wage scale, we need to do a full analysis for each park to make sure we have the correct amount of staff working. We will continue using staff under the operation budget to work on capital projects.

Utilities have increased and we will be incorporating this into our budget.

We will be asking for a small increase in the levy.

We will bring forward the 2015 Operating Budget to the next Budget & Administration meeting in October.

BA1429 **MOVED BY:** **Santina Moccio**
 SECONDED BY: **Duke O’Sullivan**

THAT the 2015 preliminary operating budget update be received.

CARRIED

7.3 2015 Preliminary Capital Budget

Neil McDougall presented the 2015 Preliminary Capital Budget. Neil explained that we have a new program and have pooled the funds for major maintenance items that are to be completed at all conservation areas. For example, tree management, roofing, painting, picnic tables, etc. The major maintenance items will be done by what urgent or priority items need to be completed first. For example, if a roof needs to be replaced at Valens, this work will be completed prior to other roofing jobs at the other conservation areas.

Neil went over the list of capital jobs per conservation area and indicated which jobs would be completed in house and the jobs that would need to be contracted out.

James Howlett thanked Neil for an excellent presentation and they appreciate the breakdown to better understand the capital budget.

BA1430 **MOVED BY:** **Santina Moccio**
 SECONDED BY: **Duke O’Sullivan**

THAT the 2015 preliminary capital budget be received.

CARRIED

7.4 Red Hill Creek Hydrology Report – Consultant Selection

Hazel Breton presented the report. HSP-F (Hydrological Simulation Program – FORTTRAN) is a comprehensive hydrology, streamflow/channel flow and water quality model. Staff intend to use this existing model with proposed upgrades as part of the assessment needed for the generation of floodplain maps for the Red Hill Creek watershed. The current model is in need of an update to carry out this work but will need to be modified to meet Flood Damage Reduction Standards for the generation of floodplain maps.

Staff are recommending that the firm EBNFLOW Environmental be retained to carry out the work for the Red Hill Creek Floodplain Mapping project. Given the technical nature of this work and the need for accuracy, it would be difficult to find another firm that would be able to perform this service within the timeframe and available budget.

Funds are available to do this work and are within the 2014 approved budget.

BA1431 **MOVED BY:** **Duke O'Sullivan**
SECONDED BY: **Santina Moccio**

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

THAT the firm EBNFLOW Environmental be retained to carry out hydrologic modeling for the Red Hill Creek Floodplain Mapping Study at an upset limit of \$50,000 including HST.

CARRIED

8. NEW BUSINESS

There was none.

9. IN-CAMERA ITEMS FOR MATTERS OF LAW, PERSONNEL AND PROPERTY

BA1432 **MOVED BY:** **Santina Moccio**
SECONDED BY: **Duke O'Sullivan**

THAT the Budget & Administration Committee moves *in camera* for matters of law, personnel and property.

CARRIED

There was one property matter discussed during the *in camera* session.

9.1 Confidential Report – BA/Sept 01-2014

Chris Firth-Eagland presented the report.

BA1433 **MOVED BY:** **Santina Moccio**
SECONDED BY: **Duke O'Sullivan**

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

THAT Report BA/Sept 01-2014 be approved as amended and remain in-camera.

CARRIED

BA1434

MOVED BY: Duke O'Sullivan

SECONDED BY: Santina Moccio

THAT the Budget & Administration Committee moves out of *in camera*.

CARRIED

10. NEXT MEETING

The next meeting will be scheduled on Thursday, October 23, 2014 at 6:00 p.m. at Woodend Auditorium, 838 Mineral Springs Road, Ancaster, Ontario.

11. ADJOURNMENT

On motion, the meeting adjourned.

HAMILTON CONSERVATION AUTHORITY

Conservation Advisory Board

MINUTES

September 11, 2014

Minutes of the Conservation Advisory Board meeting held on Thursday, September 11, 2014 at the HCA's Woodend Administration Building commencing at 7:00 p.m.

PRESENT:

**Maria Topalovic
Rob Booth
Kristen Brittain
Frank Cucullo
Donna Kydd
Duke O'Sullivan
Marie Robbins
Mary Tice**

**John Barkovic
Sean Botham
Lydia Cartlidge
James Howlett
Cheryl Larocque
Morgan Pirie
John Shaw**

REGRETS:

Dan Bowman, Chris Michels, and Robert Pasuta

OTHERS PRESENT:

Sandy Bell, Hazel Breton, Grace Correia, Chris Firth-Eagland, Darren Kenny, Judy Love, Scott Peck, Chris Polap, John Williams, and Rick Woodworth - HCA Staff

OTHERS:

Richard Leitner – Media

1. CHAIR'S REMARKS

Maria Topalovic welcomed all to the meeting and passed on regrets from those members not able to attend.

2. DECLARATION OF CONFLICT OF INTEREST

There were none.

3. APPROVAL OF THE AGENDA**CA1426****MOVED BY: Duke O'Sullivan**
SECONDED BY: Mary Tice**THAT the September 11, 2014 Conservation Areas
Advisory Board agenda be approved.****CARRIED****4. DELEGATIONS**

There were none.

5. MEMBER BRIEFING**5.1 Monitoring Program (City and HCA Partnership)**

Chris Polap provided a presentation on the monitoring program.

The monitoring program is undertaken for:

- Evaluation of the health of a river, stream, wetland, pond or lake
- Flood forecasting and control
- Low water response
- Determine sources of inputs
- Determine available water resources
- To protect our landscape and the people that dwell therein
- Gathering and dissemination of data to partners

Stream flow and precipitation monitoring is completed through:

- 8 stream flow/level recording stations
- 11 precipitation gauges
- 4 snow survey courses
- Used for:
 - Assessment of water resource conditions
 - Detection of flooding and drought events
 - Hydrologic modeling/analysis

Water quality monitoring is currently being done through the following projects:

- Provincial Water Quality Monitoring Network (PWQMN)
- City of Hamilton Water Quality Monitoring

- Red Hill Creek Subwatershed Study
- Crooks Hollow Post Construction Monitoring
- Cootes Paradise/Hamilton Harbour Remedial Action Plan
- Greensville Surface Water Monitoring

Routine monitoring projects being conducted in the watershed include:

- PWQMN
 - 6 locations across watershed at existing hydrometric gauging stations
 - Program began in 2002 and is sampled monthly for a wide variety of parameters
 - Compared to Provincial Water Quality Objectives (PWQO) for safe recreational use
- PGMN
 - 9 wells monitored for quantity and quality
- City of Hamilton Water Quality Monitoring
 - 7 locations sampled monthly for nutrients, metals and e.coli

Benefits of the partnership:

- Supports core mandate of flood, drought and erosion protection
- Support for scientifically based studies (subwatershed studies)
- Input to watershed report card
- Support for planning reviews
- Meaningful monitoring network expansion
- Ability to apply for more funding due to increased in-house capacity for monitoring

6. CHAIRMAN'S REPORT OF BOARD OF DIRECTOR'S ACTIONS

There were none.

7. APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING

7.1 Minutes – Conservation Advisory Board (June 12, 2014)

CA1427 **MOVED BY:** **Cheryl Larocque**
 SECONDED BY: **Lydia Cartlidge**

THAT the minutes of the June 12, 2014 Conservation Areas Advisory Board meeting be accepted.

CARRIED

8. BUSINESS ARISING FROM THE MINUTES**8.1 Maplewood Naturalization Plan**

Sandy reviewed his staff report and added that the HCA has budgeted \$20,000 per year for the next 4 years to complete the vegetation restoration. Morgan asked what funds were available for 2015. Grace stated that \$154,000 in donations have been received to date with more forthcoming. Sandy stated that expenses to date total \$85,000. Sandy added that the site will be hydro-seeded next week. Worst-case scenario costs for all road work are estimated at \$205,000.

Duke expressed concern about invasive plant species becoming established on-site prior to all work being completed. Sandy felt that this was not a significant concern and that maintenance costs had been built into the restoration budget.

**CA1428 MOVED BY: Morgan Pirie
 SECONDED BY: Frank Cucullo**

THAT the Conservation Advisory Board recommends to the HCA Board of Directors that the Maplewood Naturalization Plan be approved and that the phased implementation of the Plan commence in 2015.

CARRIED

8.2 CAB Tracking Report

Darren briefly reviewed the report and noted that this report and future reports will attempt to track on-going projects that have already received Board of Directors approval.

**CA 1429 MOVED BY: John Shaw
 SECONDED BY: Sean Botham**

THAT the September, 2014 Conservation Areas Advisory Board Tracking Report be received as presented.

CARRIED

9. NEW BUSINESS**9.1 Large-Scale Fill Placement**

Scott reviewed his staff report and asked for CAB endorsement of the report recommendation. Scott noted that this report will go to the HCA Board of Directors and the issue will be coming back to CAB sometime in the fall of 2014.

CA1430 **MOVED BY:** **Frank Cucullo**
 SECONDED BY: **Duke O’Sullivan**

THAT HCA staff recommends to the Conservation Advisory Board:

THAT the report be forwarded to the Board of Directors and be received as information.

CARRIED

9.2 HCA Level II Agreement – Department of Fisheries and Oceans – Fisheries Act

Scott reviewed his report concerning the recent changes to the Federal Fisheries Act and the termination of the Level Agreements with Conservation Authorities.

CA1431 **MOVED BY:** **John Shaw**
 SECONDED BY: **John Barkovic**

THAT HCA staff recommends to the Conservation Advisory Board:

THAT the report be forwarded to the Board of Directors and be received as information.

CARRIED

9.3 East Mountain Wetland Restoration Project – Update

Chris Firth-Eagland provided some background on the project for the member’s information.

In early 2014, the Heritage Green Community Trust asked if the HCA would suggest a “legacy” project for potential funding consideration on the East Hamilton Mountain. The concept of acquiring lands for a new conservation area was discussed and received with considerable enthusiasm. Subsequently, the HCA Board of Directors at its meeting of April 3, 2014 authorized the CAO to

pursue a joint funding relationship with the Trust. Presentations to the Heritage Green Community Trust and staff discussions have furthered the concept and support for a joint funding relationship. A grant request for \$2 million was made. Councilor Brad Clark, as a member of the Trust's Board has fully endorsed the funding request and as a member of City Council, forwarded a notice of motion requesting the City of Hamilton to match the Trust's commitment. The total funding under the notice of motion format would equal \$2 million dollars from each of these two partners. Contributions of \$500 k from the HCA land acquisition fund and \$250 k from the Hamilton Conservation Foundation were suggested at the April 3, 2014 HCA Board meeting.

Chris stated that the \$2 million contribution from the City was approved at City Council the previous evening. The funds will go toward acquisition of land from willing sellers and may take the form of one large conservation area, or a complex of land parcels. Within the new conservation lands, the focus of the HCA will be environmental enhancements, surface water management and wetland creation. Chris added that the project meets all 5 strategic directions of the HCA 5 Year Strategic Plan. Documents are to be signed with Heritage Green in October, 2014.

10. OTHER NEW BUSINESS

10.1 Webster's Falls Staircase

Chris informed the members that there is still a desire amongst the community for a staircase to the lower falls and for a trail connection from Greenville to Dundas as was requested in the Webster's Falls/Spencer Gorge Master Plan. The issue of concern is that there is currently no pedestrian linkage to Dundas through the CN overpass on Highway 8. The HCA is ready to replace the staircase, but has been awaiting the results of the Highway 8 Improvements Environmental Assessment being completed by the City of Hamilton prior to making a final decision on the matter.

10.2 Hermitage Ruins

Chris informed the members that last week the HCA Board of Directors rescinded the previously-approved approach for the ruin restoration and adopted a new proposal to work with a team of local citizens and Councilor Lloyd Ferguson. The proposal put forward was for a new construction process that would see a dismantling of the entire building, a new foundation constructed and the existing structure re-built to its current state. The structure would be self-supporting. The HCA will provide funding of the \$200,000 already budgeted, the City will provide \$200,000, and the remainder will come from public donations. To date, \$75,000 had already been raised. The proposal will go to General Issues Committee at the City of Hamilton on September 17, 2014.

10.3 E-Bikes

Duke asked about the issue of e-bikes that had been raised at a previous meeting. This item was deferred until the October meeting.

10.4 Deer Harvest for 2014 - 2015

Duke also asked if the plans for the deer harvest for 2014/2015 were coming to CAB in the near future. Chris stated that the plan will go directly to the Board of Directors in November. The plans for 2014/2015 include few changes from last year other than possible minor date and/or harvest number changes.

11. **NEXT MEETING**

The next meeting of the CAB is scheduled for Thursday, October 9, 2014 at 7:00 p.m.

12. **ADJOURNMENT**

On motion, the meeting was adjourned.

Report

TO: Conservation Advisory Board

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

PREPARED BY: Sandy Bell, Manager, Design & Development

DATE: August 1, 2014

RE: Maplewood Naturalization Plan

STAFF RECOMMENDATION

That the Conservation Advisory Board recommends to the HCA Board of Directors that the Maplewood Naturalization Plan be approved and that the phased implementation of the Plan commence in 2015.

BACKGROUND

As per the direction of the Board of Directors, staff have proceeded with the demolition and removal of the Maplewood Hall, the three other smaller buildings on site plus the two parking lots. At this stage HCA staff are underway with the final re-grading of the site in preparation for re-establishing a vegetative cover over all disturbed areas. This is the extent of the work planned for 2014.

The other two components of the Maplewood Naturalization Plan are the establishment of a trail rest area on the existing Monarch Trail and the woodland planting scheme which is intended to commence the conversion of the former Maplewood site back to the type of forest that surrounds the site.

STAFF COMMENT

The attached Plans outline the proposed approach to the establishment of new trail facilities and features in this part of the Dundas Valley Conservation Area as well as the naturalization planting scheme.

A trail rest area is planned for the area that previously was the east end of the main parking lot. Existing features in this location include a large sugar maple tree and the old Camp Artaban bell. The planned area will include a trail kiosk with a seating area, information and interpretive panels, a drinking fountain and a hitching rail.

The existing chapel area will be maintained. Over time the seating area will be reduced but the alter area and burial site will be maintained as it is. The existing roadway will be reduced by half its current width and maintained as part of the Monarch Trail loop. A smaller informal trail near the former hall will be closed to protect existing species at risk habitat. The former parking area near the Artaban entrance will be re-established to provide a trail head parking location for visitors wishing to access DVCA from this part of the valley.

The naturalization planting scheme is intended to provide a framework for re-establishing the forest within the area that opened up for the Camp Artaban/Maplewood facilities. The woodland planting pods are approximately 3500 m² in total size and are placed mainly near the edges of the existing forest where they will have the best chance to get established. A framework of caliper stock trees will be planted along the trail and rest area. A small wildflower meadow is located near the trail rest area and is intended to provide an interim area where visitors may have a chance to see native wildflowers and wildlife. The attached plan shows the trail improvements as well as the proposed tree and woodland planting. Appendix A provides a summary of the tree and shrub species and specifications to be used in the woodland planting scheme.

The old tile bed field has already started to naturally re-generate and will be allowed to continue without additional planting. This area will serve as a longer term baseline area to compare with our naturalization efforts at the rest of the site. The conversion to forest process is a long term project.

The following is a cost estimate for the various plan components:

Roadway to trail conversion	\$70,000.
Trail Kiosk	\$7,000.
Information and interpretive panels	\$6,000.
Drinking water fountain	\$2,000.
Parking lot restoration	\$5,000.
Woodland Planting	\$112,000.
Meadow Planting	\$3,000.
Total Cost	\$205,000.

STRATEGIC PLAN LINKAGE

The initiative refers directly to the HCA Strategic Plan 2014-2018:

Strategic Goal # 2 – Natural Heritage Conservation

The HCA conserves, restores and enhances watershed natural areas and ecological systems.

Strategic Objective:

- Maintain and enhance the natural heritage features of HCA lands and manage these lands on an environmentally sustainable basis.

Strategic Goal # 3 – Conservation Area Experience

The HCA provides customers high quality, diverse conservation areas to promote outdoor recreation, health and well-being, strengthening public awareness of the benefits of being in or near our conservation areas.

Strategic Objectives:

- Maintain and enhance conservation area infrastructure and natural heritage features within the context of approved master plans.

AGENCY COMMENTS

The Niagara Escarpment Development Permit for the Maplewood project contains a condition requiring the HCA to submit the 'Naturalization Plan' for NEC staff review.

LEGAL/FINANCIAL IMPLICATIONS

The 2014 expenditures on the demolition and re-grading have been covered by a combination of funds allocated in the 2014 Capital Projects budget and funds donated to the HCF specifically for this project. A total of \$114,000 in donations have been received to this point with close to another \$100,000 committed over the next four years. With the nature of this project there may be additional grants available from different funding sources. The intent is to complete this project through donated funds rather than sourcing the HCA capital budget.

CONCLUSIONS

Approval of the Maplewood Naturalization Plan will advance the significant restoration and naturalization plans envisioned for the site as a part of the overall removal of the Maplewood facilities.

Appendix A

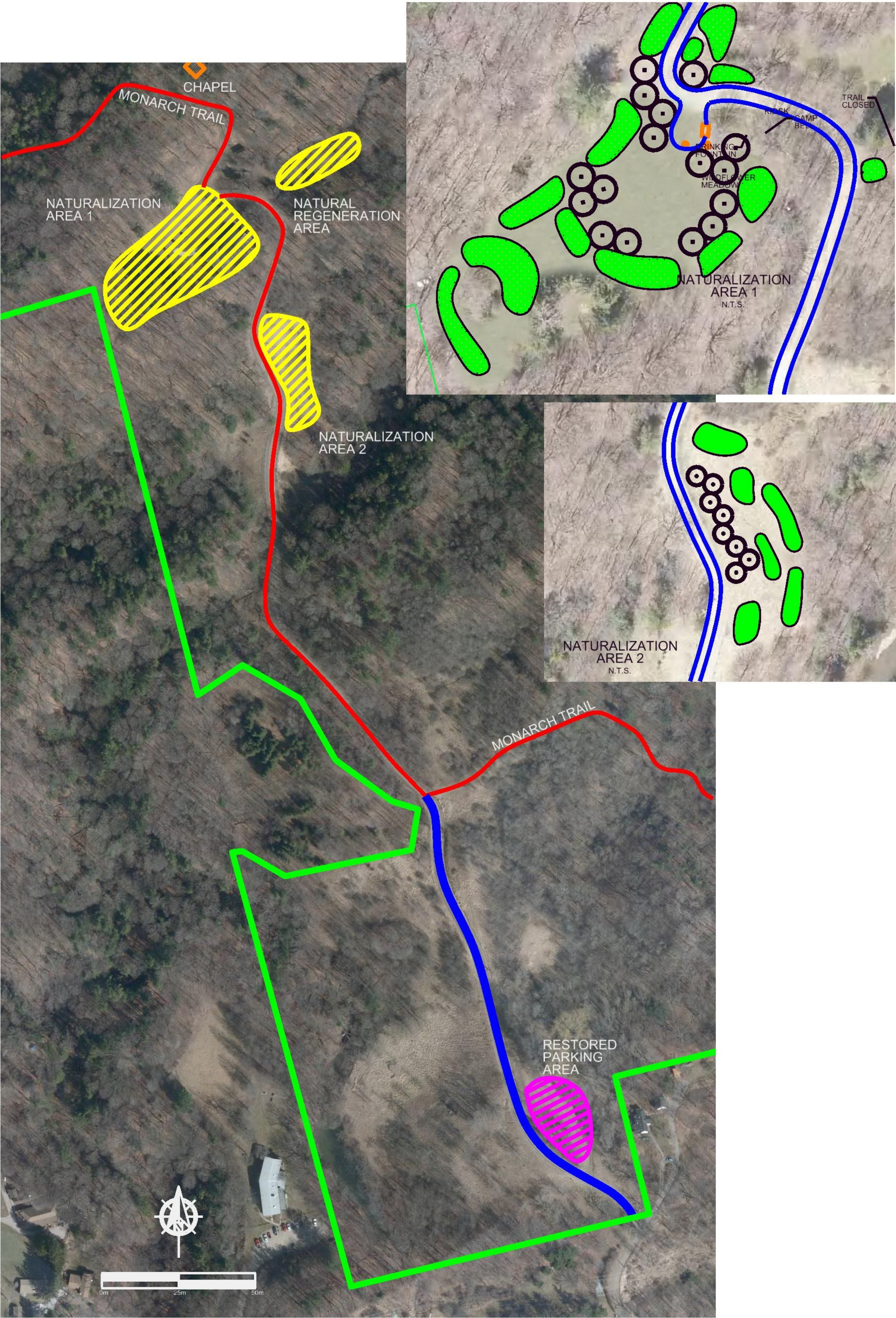
Woodland Planting Description

The forest near Maplewood is maple-oak dominated. Tree species noted in the canopy include sugar maple, red oak, American beech, white oak, black cherry and bitternut hickory. Therefore, the following species will be used in the woodland planting.

Common name	Scientific name	Minimum size	Percentage of total	Notes
Tree species				
Sugar maple	<i>Acer saccharum</i>	180-250 cm	15	Shade tolerant
Red oak	<i>Quercus rubra</i>	180-250 cm	5	Shade intolerant
White oak	<i>Quercus alba</i>	180-250 cm	5	Shade intolerant
Black cherry	<i>Prunus serotina</i>	180-250 cm	5	Part shade
Bitternut hickory	<i>Carya cordiformis</i>	30-60 cm	25	Shade tolerant
Ironwood	<i>Ostrya virginiana</i>	30-60 cm	25	Shade tolerant
Tulip tree	<i>Liriodendron tulipifera</i>	180-250 cm	5	Shade intolerant
Sassafras	<i>Sassafras albidum</i>	180-250 cm	5	Shade intolerant
Basswood	<i>Tilia americana</i>	180-250 cm	5	Shade tolerant
Trembling aspen	<i>Populus tremuloides</i>	180-250 cm	5	Shade intolerant
Total			100	
Shrub species				
Eastern flowering dogwood	<i>Cornus florida</i>	180-250 cm	5	Shade intolerant, needs to be planted on the edge
Witch hazel	<i>Hamamelis virginiana</i>	180-250 cm	10	Shade tolerant

Smooth serviceberry	<i>Amelanchie laevis</i>	180-250 cm	25	Shade intolerant (plant along edges)
Alternate leaved dogwood	<i>Cornus altinifolia</i>	180-250 cm	5	Shade tolerant
Elderberry	<i>Sambucus pubens</i>	180-250 cm	5	Part shade
Maple-leaved viburnum	<i>Viburnum acerifolium</i>	180-250 cm	10	Part shade
Choke cherry	<i>Prunus virginiana</i>	180-250 cm	25	Part shade
Hawthorn sp.	<i>Crataegus sp.</i>	30-60 cm	15	All types
Total			100	

The total woodland planting area is estimated at 3500 m². The planting density will be approximately 10 trees/100m² and a ratio of 3:1 shrubs to trees. The densities are high to replicate the forest canopy in this location. The planted stock is preferred at 250 cm height due to potential herbivory by deer. However availability and costs of the native plant material may require using smaller stock for portions of the project.



**Hamilton
Conservation
Authority**

**MAPLEWOOD
NATURALIZATION
PLAN**

scale	1:2500	r4	yyyy/mm/dd
date	2014/07/31	r3	yyyy/mm/dd
drawn	M. HALL	r2	yyyy/mm/dd
approved	S. BELL	r1	yyyy/mm/dd

Report

TO: Conservation Advisory Board

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

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

PREPARED BY: Mike Stone, MCIP, RPP, Manager of Watershed Planning Services

DATE: August 14, 2012

RE: Large-Scale Fill Placement

STAFF RECOMMENDATION

THAT HCA staff recommends to the Conservation Advisory Board:

THAT the report be forwarded to the Board of Directors and be received as information.

BACKGROUND

The Hamilton Conservation Authority (HCA), under the *Conservation Authorities Act* (CA Act), is responsible for controlling development in regulated areas. The CA Act defines *development* as including the temporary or permanent placing, dumping or removal of any material (i.e. fill). 'Large-scale fill' placement is generally considered to be those activities that meet the definition of development under the CA Act, that involve the movement of fill in quantities of 500 m³ or more (approximately 50 dump truck loads), and where the fill generation and receiving sites are different.

While the movement of fill is not a new issue for Conservation Authorities (CAs), in recent years a number of CAs have witnessed an increase in the scale and magnitude of fill operations. Although some CAs are receiving permit applications for activities that involve large quantities of fill, in some jurisdictions CAs are also increasingly having to deal with unauthorized operations.

Municipalities are also encountering challenges associated with the movement of large quantities of fill, including issues related to truck haul routes, road damage, noise, and dust. While some municipalities have adopted site-alteration by-laws to try and control some aspects of fill and grading activities where CA regulations do not apply (including the City of Hamilton which has had a site alteration by-law since 2003), large-scale fill activities in some jurisdictions have nonetheless proven to be difficult for municipalities to control.

A variety of activities may result in the generation of excess soil, or 'large fill' volumes, including excavation work associated with infrastructure projects and commercial and residential development. With continued growth and development expected in the GTA and surrounding areas, CAs are anticipating corresponding growth in the generation of large quantities of fill and demand for fill placement sites.

In response to these concerns, staff from a number of CAs, the Ministry of Natural Resources and Conservation Ontario (CO) met at the Central Lake Ontario Conservation Authority office on July 13, 2011 to discuss large-scale fill operations and issues. This meeting and subsequent discussions led to the release of a Large-Scale Fill Discussion Paper on March 21, 2012 (attached) that identified issues associated with large-scale fill operations, best management practices, and considerations for the development of individual CA fill policies.

Subsequent to the release of the discussion paper, on January 25, 2013, Kawartha Conservation hosted a Large-Scale Fill Symposium (<http://www.kawarthaconservation.com/fill/>). This meeting saw over 250 people come together from across the province and diverse agencies and stakeholder groups to discuss the status of large-scale fill issues, to hear perspectives from government, industry and communities, and to identify best practices and opportunities for improving the management of large-scale fill operations.

While large-scale fill activities have not been a significant issue for HCA in the past, some recent experiences with large-scale fill activities suggests these types of operations are becoming more common and will be a greater challenge for HCA, and the City of Hamilton, in the future.

In anticipation of this, HCA has initiated a review of its existing fill placement policies (attached). While HCA has had fill placement and grading policies for many years, the current policy framework and associated procedural guidance for fill permit applications requires some enhancement to better address the range of issues and concerns that are associated with large-scale fill operations (e.g. fill source identification, quality testing, site monitoring, etc.).

The review of the fill policies is being carried out in conjunction with the on-going broader review of HCA's Planning and Regulations Policies and Guidelines document.

STAFF COMMENT

The movement of large quantities of fill has become a significant commercial activity in the GTA and surrounding areas. With continued growth and development expected in these areas, CAs (including HCA) are anticipating an increase in large-scale fill activities. Both CAs and municipalities have an important role to play if large-scale fill activities are to be responsibly managed. In this regard, HCA is in the process of reviewing and updating its policy and procedural guidance for regulating large-scale fill activities.

HCA is also working cooperatively with the City of Hamilton to ensure that our respective policies and requirements related to large-scale fill activities are coordinated and complimentary to the greatest extent possible. HCA staff, along with representatives from a number of other organizations (MOE, GRCA, CH, Hamilton Police) attended a meeting hosted by Councillor Robert Pasuta at the City on July 17, 2014 to discuss large-scale fill issues in the City and how cooperation and control could potentially be improved. Coming out of this meeting it was agreed that City and CA staff would form a working group that will meet periodically to discuss issues and agency coordination.

STRATEGIC PLAN LINKAGE

The initiative refers directly to the HCA Strategic Plan 2014-2018:

- Strategic Goal #1 – Water Management
 - Strategic Objective – Minimize the impacts of erosion and sedimentation on watershed streams, creeks, rivers and receiving water bodies
 - Strategic Objective – Maintain and enhance surface and ground water quality from the headwater source to Hamilton Harbour and Lake Ontario
- Strategic Goal #2 – Natural Heritage Conservation
 - Strategic Objective – Minimize the impacts of urban and rural land uses on natural heritage features

AGENCY COMMENTS

None.

LEGAL/FINANCIAL IMPLICATIONS

None.

CONCLUSIONS

The movement of large quantities of fill has become a significant commercial activity in the GTA and surrounding areas. With continued growth and development expected in these areas, the HCA is anticipating an increase in large-scale fill activities. To address this issue, the HCA is in the process of reviewing and updating its policy and procedural guidance for regulating large-scale fill activities. HCA is also working cooperatively with the City of Hamilton to ensure that our respective policies and requirements related to large-scale fill activities are coordinated and complimentary to the greatest extent possible. A draft of the policy will be presented to the Conservation Areas Advisory Board in the fall of 2014.

5 Fill Placement and Grade Modifications

Under the Conservation Authorities Act, the Hamilton Conservation Authority is responsible for controlling and monitoring the placement or dumping of *fill* and *site alteration* within regulated areas. Such activities require careful monitoring due to their potentially harmful impacts on flooding, flood storage capacity, erosion, and sedimentation.

The policies and guidelines contained within this document should not be read in isolation of one another. Rather, they should be read concurrently and in their entirety and the appropriate range of policies and guidelines should be applied to each situation. In the case where more than one policy applies to a situation, the more restrictive policy will apply.

The following policies will be used when reviewing *fill* placement, grade modifications, and dredging proposals within the jurisdiction of the *Authority*.

5.1 General Policies

Any *fill* placement or site grading within the jurisdiction of the *Authority* must be in accordance with the following policies and guidelines and must be to the satisfaction of the *Authority*.

- a. *Fill* placement and grade modifications will be evaluated on an individual basis, having consideration for the following:
 - i. No *negative impacts* on the natural features or on the *ecological functions*, including *fish* and wildlife requirements as set out by other federal, provincial or municipal legislation/plans/technical guidelines and a *net environmental benefit* is achieved;
 - ii. Maintenance of the natural topography of the *watercourse* system, flood conveyance and flood storage;
 - iii. No adverse impacts upstream and/or downstream of the proposed works in respect to fluvial geomorphological processes, storage capacity of the *flood plain*, *flood plain* elevations, flood frequency, erosion rates or erosion frequency along either side of the *watercourse*;
 - iv. No adverse impacts on *ground water features* and recharge/discharge;
 - v. Geotechnical issues are addressed to the satisfaction of the *Authority*; and
 - vi. Adequate erosion and sediment control measures are incorporated and utilized during the construction phase.
- b. *Fill* material shall not be permitted within hazard limits, with the following exceptions:
 - i. Where *fill* is required in order to ensure the long-term stability of a slope;
 - ii. As part of cut and *fill* operations, where it can be shown that there will be no hydraulic impacts; and
 - iii. Within the Dundas *Special Policy Areas*, as regulated by the appropriate policies.
- c. Where appropriate, the *Authority* may require the completion of an erosion and sediment control plan. Such plans shall be required to conform to those guidelines detailed in Section 9.1 of this document.

- d. The *fill* material must be:
 - i. Clean and inert;
 - ii. Placed so as not to be susceptible to washout or scour under the action of floodwater;
 - iii. Placed so as to ensure the long term stability of slopes in accordance with sound engineering standards; and
 - iv. Placed outside of any *wetlands*.

Vision 2015

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To: Conservation Ontario Council – Committee of the Whole

From: Leslie Rich, Policy and Planning Officer

Date: March 21, 2012

Subject: Large-Scale Fill Discussion Paper

Background

At the June 2011 and December 2011 Council meetings, Items for Information were brought forward to inform Council of the influx of large-scale fill operations occurring in CA watersheds and that the issues associated with these fill operations were being raised to CA staff and Boards of Directors. On July 13, 2011 staff from Conservation Authorities, Ministry of Natural Resources and Conservation Ontario met at the Central Lake Ontario Conservation Authority office to discuss large-scale filling operations and to identify best management practices to address the suite of issues within the legislative mandate of CAs. As a result of the July 13th meeting, a smaller working group consisting of Chris Darling (Central Lake Ontario), Jennifer Lawrence (Conservation Halton), Fred Natolochny (Grand River), Peter Waring (Kawartha) and Leslie Rich (CO) was established to work on a discussion paper contemplating the issues associated with large-scale fill operations and identifying best management practices, including considerations for the development of individual CA fill policies. In November, a draft of the position paper was circulated for review by and comment from everyone who attended the July 13th meeting and Section 28 Regulations contacts. As a result of the feedback received on the first draft of the paper, a second meeting was held on February 2nd, 2012 with interested CA staff representing 9 CAs in attendance.

Current Status

Input was received from fifteen Conservation Authorities as well as MNR and CO staff on the drafts of the papers. Revisions to the discussion paper were made to reflect the feedback on the original draft of the large-scale fill discussion paper and the information received at the February 2nd meeting. The revised paper focuses on best practices for CAs, includes a thorough discussion of permit conditions and a complete application made under the *Conservation Authorities Act*, advice on communication of the CA mandate and a compliance section.

Conclusion

This paper represents the aggregate best advice provided by staff from fifteen Conservation Authorities and Conservation Ontario. Given the breadth of input received on this paper, not all advice will be applicable to all Conservation Authorities at all times. As Conservation Authority staff gain more experience in the application of large-scale fill policies, the advice will likely evolve. Future meetings to discuss these issues may also take place.

While this paper focuses on best advice in the application of the *Conservation Authorities Act*, it is recognized that municipalities are also centrally involved in these applications. Given the possibility of shared concerns amongst

municipalities and Conservation Authorities, it is recommended that the attached large-scale fill discussion paper be used to initiate conversation with the Association of Municipalities of Ontario on this issue.

Furthermore the attached discussion paper highlights a number of areas where additional provincial direction is required. Confirmation from the Ministry of Natural Resources is requested on the advice provided to Conservation Authorities on the application of Section 28 of the *Conservation Authorities Act*. Direction from the Ministry of the Environment is also required on the use of MOE Tables as a means to satisfy the “pollution” test under CA regulatory authority. The Ministry of Infrastructure, as the Ministry responsible for the Growth Plan and the Ministry of Municipal Affairs and Housing, responsible for land-use planning and municipalities both have roles to play in a comprehensive provincial fill strategy.

Recommendation

THAT the “Large-Scale Fill Discussion Paper” be endorsed for use by Conservation Authorities as a compilation of best advice and practices;

AND THAT the “Large-Scale Fill Discussion Paper” be circulated to the Association of Municipalities of Ontario for consideration and endorsement of the proposed collaborative approach between Conservation Authorities and municipalities on this issue;

AND WHEREAS it is recognized that this paper represents the best advice available to Conservation Authorities at this time;

THEREFORE BE IT RESOLVED THAT the Ministry of Natural Resources, Ministry of the Environment, Ministry of Infrastructure and Ministry of Municipal Affairs and Housing, be so advised of the proposed approach to the application of Section 28 of the Conservation Authorities Act and be requested to initiate appropriate steps, in conjunction with Conservation Authorities, Municipalities and other key stakeholders to develop a feasible strategy for addressing the impacts of large-scale fill operations in a timely manner.

Large-Scale Fill Operations Policy Discussion Paper

Introduction

Conservation Authorities (CAs), as defined under the *Conservation Authorities Act*, have a broad mandate as watershed managers. The objects of an Authority are to establish and undertake, in an area over which it has jurisdiction, a program designed to further the conservation, restoration, development and management of natural resources. In order to accomplish its objects, an Authority may study and investigate the watershed and determine a program whereby the natural resources of the watershed may be conserved, restored, developed and managed. Section 28 of the *Conservation Authorities Act* outlines the Authority's ability to make regulations in its jurisdiction. These regulations allow a Conservation Authority to prohibit, regulate or require permission for straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse, or for changing or interfering in any way with a wetland and for development if, in the opinion of the authority, the control of flooding, erosion, dynamic beaches or pollution or the conservation of land may be affected by the development. These regulations also apply to lands adjacent to these features.

Recently many CAs have received applications for or have encountered non-compliance situations dealing with large-scale fill operations. For those with large-scale fill policies, CAs have defined large-scale fill operations as those involving the importation of volumes of fill typically between 250 and 500 cubic metres (approximately between 20 and 40 truck loads). For the purposes of this discussion paper, large-scale fill operations are those where the fill originates off-site and is brought to a new site. It does not refer to cut and fill situations on a single landholding or fill placement related to subdivision development. Experience to date has shown that these large-scale fill sites typically have no *Planning Act* application associated with them and therefore, when occurring in a regulated area, CAs must consider these applications using their regulatory authority as described in Section 28 of the *Conservation Authorities Act*.

While transportation of fill is not a new issue for CAs, there has been a recent change in scale and scope of this issue in the context of large-scale fill operations. The movement of large quantities of fill represents a significant commercial activity with the potential for large profit. Given the potential for large profit, fill material is now traveling further, often ending up in a different watershed from its point of origin. Some contractors are now hiring fill brokering companies to move the material, resulting in a convoluted chain of custody. These factors have compounded and resulted in CAs often dealing with fill activities in a reactive manner through reviewing applications made under the *Conservation Authorities Act* or at times, through responding to non-compliance situations. It is now more challenging for CAs to deal with the entire lifecycle of projects, from excavation to deposition, as fill often leaves their watershed(s) and their regulatory scope.

Excess fill is generated as a result of a variety of activities including infrastructure projects and site development. In the coming years there is an anticipated growth in demand for fill placement sites given a large number of Greater Toronto Area infrastructure projects such as Pan Am Games facilities, Highway 407 expansion and the expansion of the subway system. As a legitimate commercial activity,

trucking and disposal of fill does generate jobs and employment income. At the same time however the cost of trucking and disposal of fill, is driving up the cost of infrastructure projects, a cost which is passed onto taxpayers. CAs responding to non-compliance issues as a result of large-scale fill operations also represents a significant cost to CAs, a cost, which is in part recuperated through municipal levies. In addition to being a potentially significant environmental issue, large-scale fill sites can result in use of significant staff resources related to permit application review and on-going compliance monitoring with equivalent effects on the local ratepayer.

While CAs work within a broader watershed management context, these large-scale fill operations often result in quality of life issues that are beyond the CA mandate. CAs must make decisions based on their regulation and regulatory concerns and cannot refuse a permit due to social considerations associated with the activity (e.g. truck traffic, noise). Decisions around large-scale fill sites evoke emotional concerns; considerable community pressure may be put on CA staff and Board members to refuse an application for reasons not related to Section 28 of the Act.

Purpose of the Paper

The goal of this paper is to make Conservation Authority staff aware of the emerging issues and complications associated with large-scale fill operations and to encourage CAs to complete strategic work within their watershed in advance of facing a challenging large-scale fill operation. To this end, this paper is intended to help identify the issues and the principles which Conservation Authority staff should consider in the establishment of large-scale fill policies that guide the issuance of permissions under the *Conservation Authorities Act*. Given that this is an emerging issue, CAs are in the process of learning from experience. The direction provided is not intended to be static and will necessarily change as our collective knowledge increases. Moreover, the best practices provided within this paper may not apply to all CAs given the differences in size and complexity of applications and variance in capacity of Conservation Authorities.

In an effort to raise the collective knowledge of CA staff and to build towards a more consistent approach to review of large-scale fill applications this paper will focus on the most commonly faced issues around large-scale filling and the creation and application of large-scale fill policies. There is no provincially accepted CA policy for large-scale fill operations and variation exists across Ontario. For the most part, CAs have had little opportunity to apply their large-scale fill policies and as a result, the best management practices for these policies will evolve over time.

Municipalities and Large-Scale Fill Sites

The control of fill and grading is a responsibility shared among many agencies, with gaps in responsibilities, legislative authority and/or area of coverage. There is no single provincial legislation that applies directly to the definition, removal, transportation, placement and grading of fill in the context of addressing the total potential impacts associated with this activity.

Municipalities have a broad mandate through their site alteration by-laws and may consider most aspects of fill placement and grading that may negatively impact the quality of life in communities and the natural environment. However, the municipalities are restricted in the application of site alteration by-laws through Section 142(8) of the *Municipal Act*, which states that such by-laws have no effect where *Conservation Authorities Act* regulations are applicable. Section 142 of the Act is included as Appendix 1. However, Section 142(8) specifically states:

By-law ceases to have effect

(8) If a regulation is made under section 28 of the Conservation Authorities Act respecting the placing or dumping of fill, removal of topsoil or alteration of the grade of land in any area of the municipality, a by-law passed under this section is of no effect in respect of that area. 2001, c. 25, s. 142 (8).

Some municipalities have voiced their concerns with respect to the limitations of the CA permit process to address issues that are important to their municipality such as noise, dust, hours of operation, haul routes, road damage, visual impacts and impacts to the character of the landscape/landform (for an example, please see Appendix 2). As a best practice, a Conservation Authority should consider providing a coordinated application, review and approval for large-scale fill operations between CAs and municipalities where large-scale fill issues have become prominent and/or in cases where both the municipal by-law and the CA's regulation apply to different sections of the same property. Coordinated approaches include everything from: (a) references in CA procedural documents suggesting joint pre-consultation between municipal and CA staff and applicants; (b) circulation of information to municipalities; (c) formal circulation to municipalities with requests for comments; and, (d) discussion around the possibility that a municipality may be able to apply other by-laws which are not affected by S. 142 (8) of the Act. Each of these approaches seeks to open dialogue between the CA and municipality. Such an approach would also allow for scoping and coordination of reports and undertakings to address both the CA permit process and the municipal site alteration by-law. As a caution, coordinated approaches should be undertaken within clearly defined limits as the *Conservation Authorities Act* does not encourage third party involvement in review of applications.

CAs are encouraged to engage their municipal partners in discussions around how best to address these large-scale fill operations within their local context. In some cases, Memorandums of Understanding similar to those used by CAs and municipalities for review of *Planning Act* applications, may be a useful tool for addressing these large-scale fill sites. During the discussions CAs should articulate the parameters with which they review applications and be clear with their municipal partners and the public that some of the larger social considerations, such as noise, dust, time of activity, etc cannot be included as conditions of a CA approval. It should be emphasized that the permit is a technical permission to satisfy specific requirements of the regulation with no legislative authority or requirement for public consultation or to incorporate the considerations of municipal by-laws. Through the *Policies and Procedures for Conservation Authority Plan Review and Permitting Activities* document, CAs have an obligation to provide a timely review of all applications. Given the complexity of large-scale fill operations, the major application review time should be applied and efforts should be made to complete the review within the specified 90 day period. Although CAs should not withhold a decision on an application due to municipal process or concerns that are outside a CA's regulatory requirements, it

is a best management practice to ensure municipal involvement in dealing with watershed residents' concerns.

Control of Pollution and Large-Scale Fill Sites

Conservation Authorities evaluate applications in regulated areas to ensure that the proposed development will not affect the control of flooding, erosion, dynamic beaches or pollution or the conservation of land. As it relates to large-scale fill applications, the control of pollution tends to be a common concern amongst CA staff, municipalities and the public. The quality of surplus fill varies depending on the origin of the material, its locations and land use history. The Ministry of the Environment (MOE) is responsible for the quality of fill material under the *Environmental Protection Act* in terms of contamination, but does not address social or economic issues. If there is contaminated fill, MOE will respond to complaints, examine the material and take appropriate action as required. When appropriate, MOE staff may have to take a lead role in individual cases involving contaminated fill.

The proponent is obligated to prove to the CA that they will not adversely affect the test of the control of pollution through their application for a Section 28 permission. Should the proponent fail to provide evidence that the control of pollution would not be adversely impacted, a CA staff member may choose to recommend refusal of an application. While MOE has the mandate for addressing fill quality through the EPA, there is typically no trigger for MOE to get involved in review. Given the variable range of capacity found within individual CAs, more or less direction may be required from MOE staff and/or the qualified person producing the soil reports and managing the site.

While the MOE has legislated responsibility for addressing contamination, it is ultimately the land owner who bears responsibility for the quality of fill material and the potential impact that fill may have on the land and water. Certainly the CA may permit and inspect fill sites; however, it is the land owner who signs the declaration of fill quality, and accepts responsibility for the material being imported. The broad distribution of fill material over many sites, with significant fill volumes, compounds the potential impacts of inappropriate fill material. For major fill projects, an Authority may choose to request that the landowner have Environmental Liability Insurance.

Quality of fill is the most often discussed issue between CA and municipal staff. Type of fill material and quality varies from natural soil/rock to man-made materials (e.g., cement, glass, etc.) and can be environmentally benign or contaminated. Municipalities and CAs in their respective Site Alteration By-laws and watershed policies often refer to "inert fill". Currently the term "inert fill" is not defined in provincial legislation in a way that is helpful in determining fill quality parameters. In 2004 (and revised in 2011), the MOE published a guideline document that includes a series of Tables of Site Conditions Standards (Tables) pursuant to Part XV.1 of the *Environmental Protection Act* (EPA); please see appendix 3 for further information. The Tables include standards or limits related to over 100 different contaminants that could be found within soil. Generally, Table 1 has the most restrictive level of contaminants and Table 9 the highest level of contaminants. Table 1 is intended to reflect current background soil conditions generally found throughout Ontario where there has been no point source contamination. Table 2 represents the contaminant levels acceptable for areas with potable

groundwater and vary slightly depending on the intended land use (e.g. agricultural land has higher standards than industrial/commercial land). Generally any fill that exceeds Table 3 standards is considered waste and must be removed by a licensed waste management carrier to a site licensed to receive the specific type of waste for disposal.

The Ministry of Natural Resources in their aggregate rehabilitation policy and the Niagara Escarpment Commission in their “Filling, Grading, Excavation and Site Alteration” policy utilize the MOE Tables as a means of defining appropriate fill quality. Generally, the Tables are meant to address the assessment and remediation of contaminated sites and not for the placement of fill on uncontaminated land. Conservation Authorities are obligated to consider the control of pollution when evaluating whether or not to grant a permission to undertake development on a property. Given the lack of a formal definition of “clean fill” and direction on how the quality of fill relates to the control of pollution test, the Tables are a useful tool that CAs could consider for use that set out specific standards/restrictions for various contaminant levels in soil.

Many CAs and municipalities rely on these standards and use them when applying local regulatory controls through CA regulations and site alteration by-laws. Adherence to the appropriate Tables within these standards may address the issue of contamination through filling activities, but fails to consider suitability for the after-use of the site. While fill may not be contaminated, it may still not be suitable for some intended uses. For example, the fill could not be used for agriculture if it contains concrete, aggregate or subsoil. Regulatory authorities such as CAs, require direction as to appropriate standards to guide the management of the type and quality of fill. Currently, CAs are limited in their ability to address after-use given the legislative intent of CA regulations. These regulatory limitations may be of concern to our municipal partners and other stakeholders.

The MOE Tables have been used by provincial ministries to deal with the placement of fill. The MNR, when dealing with aggregate rehabilitation, generally only allows the importation of Table 1 soils. The MOE, in two recent Director’s Orders pursuant to the EPA related to fill activity, limited fill material at the receiving site to Table 1 and 2. Another consideration for CAs when determining the appropriate quality of fill is whether to allow fill material that contains higher contaminant levels than currently exists on a receiving site. Some CAs therefore require determination of baseline soil and water (surface and ground water) conditions at the receiving site prior to determining an appropriate level for imported fill material.

As part of a strategy to assess large-scale fill projects, CAs can consider establishing an administrative procedure (see Appendix 4 for further information) to outline how fill quality standards should be met. MOE staff or a qualified person should be responsible for defining appropriate standards for the site. As part of a complete application, documentation of the source(s) and origin(s) of the fill material should be required as well as the potential for soil reports with suitable sampling of the origin site verifying that the fill material meets the applicable standards and a requirement for a peer review of technical soil reports.

Other Areas and Large-Scale Fill

Conservation Authorities regulate areas adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beach hazards; river or stream valleys; hazardous lands; wetlands; or other areas where, in the opinion of the Minister, development should be prohibited or regulated or should require the permission of the Authority. Conservation Authorities' regulated area applies to wetlands and to "other areas" where development could interfere with the hydrologic function of a wetland, typically including areas within 120 metres of all provincially significant wetlands and areas within 30 metres or 120 metres of other wetlands depending on the wording of the regulation for the specific Conservation Authority. Many large-scale fill sites have been concentrated in these "other areas". Due to the scale of the development (placing large volumes of fill adjacent to a wetland), the assumption is that there could be interference with the hydrologic function of the adjacent wetland. Therefore the Authorities should require that the proponent determine what the interference to the hydrologic function of a wetland could be and the result and the impact on the five tests. The Conservation Authority should review this supporting information to determine whether a permit should be issued and/or the conditions to be included for development in the "other areas". As the regulation reads "areas where development could interfere with the hydrologic function of a wetland" a Conservation Authority has requested confirmation from the Ministry of Natural Resources that the regulated area may extend beyond the 120/30 m should the hydrologic function to the adjacent wetland be demonstrated. In the absence of provincial direction at this time, CAs should concentrate on applying the full extent of their regulatory authority within the 120/30 m other area adjacent to wetlands.

CA Review of Large-Scale Fill Applications

Each CA should consider establishing a general policy that would provide some direction on the level of acceptability of large-scale fill operations within regulated areas. Proposed development activities should not negatively affect the control of flooding, erosion, dynamic beaches, pollution or the conservation of land, the alteration of watercourses and interference with wetlands. Given the heightened environmental significance of regulated areas, CAs should consider establishing a general policy or guiding principles related to the establishment of a large-scale fill operation within their regulated area. For example, a CA could adopt a general policy discouraging large-scale fill operations in regulated areas due to the potential for these activities to negatively affect the tests under the *Conservation Authorities Act* have been addressed.

As previously described, there is no provincially endorsed fill policy for CA use. A number of CAs have developed individual policies which seek to provide direction to staff and Board members when reviewing applications. Appendix 5 provides an example of a policy that the Central Lake Ontario Conservation Authority has developed. Some Authorities feel that their watershed development policies already provide sufficient direction to staff and Board members to allow them to make appropriate

decisions on applications. This has prompted some Authorities, such as the Grand River Conservation Authority, to adopt an administrative guideline (see Appendix 4) to assist staff with details that are specific to large-scale fill operations only.

Reviewing Applications

Experience of CA staff in review, issuance and monitoring of permits for large-scale fill sites points to the importance of having a complete application up-front and not relying on permit conditions to address concerns related to the proposed development. Pre-consultation through on-site meetings with affected parties such as the proponent, municipality, qualified persons, MOE staff, etc will allow a full range of issues to be discussed. These meetings, while time consuming, will assist CA staff with understanding the full suite of issues that may occur as a result of the development and give an appreciation for the scale of the works. In cases where both the CA's regulation and the municipal by-law will apply, a single plan should be submitted for both the regulated and non-regulated area to ensure that both applications are consistent. Joint monitoring of permissions as the work is undertaken is also recommended.

Box 1 below provides a sample complete application checklist.

BOX 1: SAMPLE COMPLETE APPLICATION CHECKLIST

- Location of the property
- Total fill quantity to be brought on site, indicated in cubic metres
- Names and contract information for the property owner(s) and contractor(s) for the site
- Plans to be prepared by a qualified individual
 - Elevation plan showing existing and proposed elevations
 - Legal survey of the property
 - Grading/drainage plan that shows pre and post development and verifies the fill will not alter drainage patterns and volumes in such a way to have an adverse affects on downstream or upstream properties
 - Sediment and erosion control plan
 - Staging plan which shows location and dimensions of all temporary stockpiles, staging areas and access routes
 - Site restoration plan (details site stabilization measures)
 - Plans should note the location of all environmentally sensitive features that may include, but are not limited to the following: watercourses, flood plains, erosion hazards, wetlands, valley systems, hydrogeologically sensitive features (i.e. springs, seeps, etc)
 - Plans should illustrate the Authority's regulatory limit; and
 - Other known site features and structures such as buildings, access roads, culverts, utilities, poles, pavement, curbs, etc.
- Documentation acceptable to the Authority of background conditions prior to the placement of any fill that is sufficient to determine if control of pollution may be affected by the proposed activities
- Description of the address(es) and property owners of the origin(s) of all fill material
- A description of the origin(s) of the fill and its history, including past and present uses of the land and any processes involved in its generation
- Start and finish dates of project including sequencing and re-vegetation
- A completed soil report prepared by a qualified environment/geotechnical engineer and/or Professional Geoscientist for each originating location where fill is being imported from. The report should verify that the fill material is inert based on distributed samples across the site with a focus in areas of highest risk and/or a report, signed and sealed by a qualified engineer, certifying that the fill is appropriate for the prescribed and proposed land use, clean and inert as per Ministry of Environment Guidelines, and contains no contaminants within the meaning of the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended
- Where site specific conditions/concerns are warranted, the Authority may require that an Environmental Impact Study (EIS) and/or hydrological study be completed
- A post development plan prepared by a qualified individual
- Other studies and reports as deemed necessary

If an application for a large-scale fill operation meets a CA's policies, a permit with or without conditions may be issued. Permit conditions will reflect the complexity of the project and, as such, the following general conditions may be expanded upon on a site-by-site basis. Conditions need to be defensible and related to the five tests or prohibitions on altering a watercourse or interfering with a wetland. Given that not complying with a condition of a permit is considered a contravention of the *Conservation Authorities Act*, CAs need to ensure that they have the staff resources and technical expertise to follow-up. Conditions to consider include:

- sediment and erosion controls including in-progress stabilization and maintenance;
- on-site monitoring of sediment and erosion controls and monthly/weekly sediment and erosion control reports submitted to CA;
- notification of when filling begins and stops/recommences (if a large filling operation);
- on-site independent soil testing and/or peer review of soil test results at the expense of the applicant. Need to specify details of soil testing (i.e., separate stockpile until soil test clears, logging of soil locations on-site, timing of tests, etc.);
- definition of the type of fill that is acceptable (e.g. MOE Table 1 or 2);
- at source soil testing;
- daily summary log maintained for loads shipped to the site; and
- contact list and on-site signage.

Large-scale fill operations can require a significant amount of staff time and expertise. The staff resources needed for pre-consultation, coordinating with municipal partners, technical review, monitoring and enforcement (where necessary) may be beyond the current capacity of many CAs. Expertise may also not exist for CA staff to review technical matters such as hydrogeology and/or soil quality. In order to properly review permit applications for these operations, CAs need to assess their current staff complement and determine whether there are sufficient resources available to process such applications. Consideration may need to be given to having technical documents peer reviewed at the expense of the applicant where in-house expertise does not exist and consideration may need to be given to review of fee schedules (see next section) to further support program delivery.

Given the high profile of large-scale fill sites due to truck traffic, noise concerns, etc., CAs should also consider developing a communication protocol for dealing with the concerns of the public. Consideration could be given to a CA requesting that the applicant identify a person in a position of authority to respond on a 24 hour basis to public inquiries and complaints regarding potential pollution concerns and that the contact information for the individual be easily accessible to the public.

Fees

The *Policies and Procedures for the Charging of Conservation Authority Fees* (1997) document sets the parameters around CA fee policies. In relation to large-scale fill activities, sections 5.3-5.5 of are particular relevance. Section 5.3 directs that the "Conservation Authority fee structures should be designed to recover but not exceed the costs associated with administering and delivering the services". Given the resources that are necessary to process permits associated with large-scale fill operations CAs

need to incorporate appropriate fees into their fee schedules to recuperate their costs. This includes providing consideration for the cost of peer-review and soil sampling.

Section 5.4 of the *Policies and Procedures* document directs that “fees should be determined in such a manner as to not deter applicants from receiving due process”. Given the lack of CA experience with large-scale fill operations, it is difficult to determine appropriate fees as staff time, peer review and potential sampling costs are largely unknown and highly dependent upon the site. Any additional requirements beyond what is contained within the fee schedule could be determined during pre-consultation. Section 5.5 indicates that:

“When developing fee schedules, Conservation Authorities should consider: the fees of neighbouring Conservation Authorities to promote consistency, the nature and level of fees charged by local municipalities, and other agencies and ministries for related services to prevent duplicate fee structures and to promote consistency in fee schedules, [and] setting fees dependent on the complexity of applications and the level of effort required to administer the application”.

Having a fairly consistent approach to fees across Ontario may help to limit the potential for some watersheds to become dumping grounds if their fees are substantially lower than other CAs. For similar reasons, it would also be appropriate to consider the scope of fees that are charged by municipalities when a CA is determining its fee schedule.

For those CAs that have a specific fee for large-scale fill sites, a significant range of fees exists. For the most part, CAs are charging a base fee for the review of an application, plus an additional fee per cubic metre once a certain fill volume threshold is crossed, which is typically between 250 and 1000 cubic meters. The additional fee per cubic metre currently ranges from \$0.05 to \$1.00. In this case, proponents are paying on the estimated volume of fill that they will be bringing to the site. CAs can track tickets, look at quotes, and use GPS to estimate the area filled. The pre- and post-fill placement grades will provide an estimate of fill prior to the issuance of a permit, but the actual quantity of material will depend on fill compaction and may vary considerably from the estimated fill volume. The fill volume can be checked against the actual site logs of fill that were provided and it is a good practice to request a final report from a qualified professional engineer or Ontario Land Surveyor reconciling the actual fill volume placed with the estimated fill volume so that the fee can be adjusted accordingly. If using this approach, Conservation Authority staff should track their time to ensure that the fees collected are consistent with the level of effort required to administer the application.

In some cases, CAs have been requesting securities to pay for the costs of peer review, soil sampling and stabilization should the site be abandoned. This may represent a new approach for some CAs, so it will be important to have a discussion with CA financial staff to determine whether this approach is feasible and, if so, what mechanisms need to be put in place. It is also important to consider security deposits in the context of municipal requirements and to avoid duplication wherever possible. Obtaining legal advice is advised. A major challenge with securities is that it is difficult to place a value on site remediation. If securities are to be used, it is recommended that a letter of credit be employed to avoid

having to pay interest on cash or a certified cheque. CAs are also cautioned that securities are not a substitute for having a qualified person ensure that the fill material is appropriate for the property as the costs for remediation could exceed the security.

When setting fees it is recommended that CAs review the costs of implementing their regulatory program, discuss the costs with other CAs and the local municipalities and consult with the industry and set the fee schedule accordingly. Generic costs to be considered in setting fees include:

- Pre-consultation meetings and meetings with municipalities/agencies;
- Technical review of site conditions, drainage plans, soil testing reports, monitoring reports, etc;
- Legal costs associated with reviewing the applications and permit conditions;
- Permit compliance checks; and
- Public inquiries/complaints.

All fee schedules should be set in accordance with the *Policies and Procedures for the Charging of Conservation Authority Fees*. The fee schedule may have to be adjusted as the CA has additional experience working through these applications.

Compliance

Given the scope and intensity of large-scale fill operations, it may be a challenge for CA staff to proactively ensure that proponents are in compliance with their CA Act permissions. There are also occasions where large-scale filling has occurred without permission from the CA.

When CAs are reviewing an application for a large-scale fill operation, it is important for them to try to establish the chain of custody between the fill source(s) and site. As part of a complete application, a CA may require that a soil management plan be developed which requires that there are qualified persons on the source and receiving site. The qualified person on the receiving site should be comfortable with the soil management plan and should be undertaking site supervision and regular reporting. As the landowner who is receiving the fill is liable for the condition of the material, putting the onus on the qualified person (and thus the proponent) to ensure compliance with the CA permit may help to reduce the amount of CA monitoring that must take place. CA staff should seek to develop a positive relationship with the qualified person on site so that additional small requests from the CA can be accommodated where necessary.

CAs should require as part of a complete submission that the complete name and contact information of the owner(s) of the property and the contractor(s) be included on the permit. These individuals should be aware that they are both responsible for the site. Having after-hours contact information for a person in authority who can address inquiries and complaints, such as a cell phone number, is also helpful. The plans and conditions included with a permit should be stringent enough that it is clear when someone is

operating outside of the scope of their permission. This will make it easier for an Authority to prove that the proponent is no longer operating under an approved permit and for the Authority to conduct a hearing to cancel a permission.

The truck drivers who bring the fill to the site are not always aware of permit conditions. Having the qualified person on site is critical for ensuring that CA conditions are met. Given the potential for non-contracted truck drivers to bring fill to a receiving site, CAs should recommend to the proponent that the site be gated and signed to prevent unwanted dumping for which they would be held responsible.

If resources permit, in an effort to prevent large-scale filling from taking place in a regulated area without CA permission, CA staff should seek to develop relationship with fill contactors. This will help to make the contractors aware of the requirements under the CA Act and potentially prompt them to notify the Authority when another contractor is not in compliance. Having that relationship with contractors will also help to prevent contractors from contacting residents directly to see if they are interested in receiving fill (through flyers, phone calls, etc) prior to them checking the sites with CAs.

Other preventative actions that CAs can undertake if resources permit include monitoring fill distribution websites and calling sites where people have posted clean-fill wanted signs. CAs should look for opportunities to communicate at industry meetings about Conservation Authority regulations. CAs should also undertake a public outreach strategy with watershed residents to make them aware of this emerging issue. Social media as well as more traditional mechanisms of communication can be used.

Board Hearings and Public Concerns

Conservation Authorities are obligated to make decisions about applications based upon their legislative mandate as previously described. Public concerns will include a variety of environmental and social issues, many of which are beyond the scope of a CA's regulatory authority. One of the challenges with reviewing an application for large-scale fill sites is that there is no opportunity for public input nor can the permit include conditions to address issues outside the scope of the legislation, which may not be appropriate given the scale and scope of work.

CAs can, however, invite the public to provide input on any guidelines which they may develop to address large-scale fill operations. It is important that the public be informed that the guidelines would be in the context of CA regulatory authority and may not take into account larger social concerns.

When receiving delegations to the Board of Directors, it is important that procedural guidelines are followed, to prevent apprehension of bias in the event of a hearing on an application. Requests for public meetings on the topic should be directed to the proponent. Municipalities should also be encouraged to use their full suite of by-laws if the concerns are largely related to issues such as noise, dust and traffic.

Options for Addressing the Large-Scale Movement of Fill

As described above, the change in the scale and scope of large-scale fill operations within Ontario have resulted in some CAs having to deal with these sites reactively, rather than taking a more proactive approach. As part of their broader mandate as watershed managers, CAs are encouraged to explore opportunities to address the movement of fill within and across watersheds in advance of receiving an application under Section 28. Some of these opportunities are discussed below.

Municipal Fill Strategies

It appears, given the rate of growth and development in south, central and eastern Ontario, that there is growing demand for sites receiving surplus fill material. Excess fill is often generated from municipal projects related to the provision/maintenance of infrastructure. CAs should work with their partner municipalities to develop a large-scale fill strategy to address the disposal of excess fill generated from municipal projects. Such a strategy could include the following considerations:

- Identify candidate large-scale fill sites. When considering appropriate sites, thought should be given as to whether or not there are opportunities for public benefit through the acceptance of fill. For example, the fill could be used by the Conservation Authority, other public body or the private sector (including aggregate producers) for future conservation projects or rehabilitation. The money received for the acceptance of the fill could be used for post-construction naturalization of the filled area;
- Encourage municipalities to require detailed descriptions of where the fill is going to be relocated as part of the tendering process for municipal projects. Where possible, the fill should be directed to pre-approved fill reception areas;
- Updates/refinements to municipal fill/site alteration by-laws to recognize that there may be situations where a portion of the site is subject to a municipal by-law while other portions may only be subject to CA regulations; and
- Coordination of the review and approval process between CAs and municipalities.

Pre-Approved Disposal Sites

One of the problems associated with large-scale fill operations is that it is largely market driven and is based on landowner willingness and proximity to sources of fill rather than a broader vision that identifies appropriate locations for fill placement. CAs could work with municipalities and provincial agencies to identify pre-approved disposal sites which meet the objectives of both agencies. Discussion with aggregate producers and the Ministry of Natural Resources may be beneficial if approved sites are being sought for areas that are already disturbed.

Incorporation of Large-Scale Fill Considerations into Planning Documents

CAs should work with their municipal partners to identify mechanisms whereby the life cycle of fill can be incorporated into planning documents. These opportunities may include identifying where fill will go during the planning process, such as through Master Environmental Servicing Plans and Secondary Plans. Consideration should also be given to incorporating general language into Official Plan documents to ensure that fill is considered as part of the construction process. The movement of fill should also be built into development agreements.

As part of a larger provincial strategy, fill movement considerations should be incorporated into provincial growth plans.

Conclusions and Next Steps

Given the predicted growth in southern, central and eastern Ontario, large-scale fill operations will become a prominent issue in the rural communities surrounding these municipalities. This paper has attempted to identify a number of best management practices and to provide legislative clarity to CAs as they encounter large-scale fill operations within their regulatory jurisdiction. The scale and complexity of these sites, coupled with an inability of the *Conservation Authorities Act* to take into account social considerations, may point to the need for a more fulsome mechanism through which to review these applications.

The responsibility of a Conservation Authority to ensure that the control of pollution is not adversely affected through issuance of a CA permit requires greater legislative clarity from the Ministry of Natural Resources. While pollution is already defined in the *Conservation Authorities Act* and Conservation Authorities may use provincial standards such as the MOE Tables to support that definition if desired, additional provincial direction is required to ensure consistency in approach across the province. Therefore, the appropriate provincial Ministries, such as the Ministry of Natural Resources and the Ministry of the Environment should provide direction to CAs on what standards should be used to address the control of pollution. In the interim and in the absence of specific provincial direction at this time, CAs should consider the best practices advised in this report and employ standards which are defensible and appropriate given CAs' limited resources and MOE's lead role in dealing with groundwater and soil pollution.

The need for a long-term strategy to adequately deal with the full life-cycle of fill cannot be overstated. In the short term, CAs should work with their municipal partners to incorporate fill into planning documents, infrastructure planning and to identify candidate fill sites. In the long-term Conservation Authorities should look for opportunities to assist the province in the development of a more comprehensive provincial fill strategy.

[Appendices](#)

Report

TO: Conservation Advisory Board

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

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

DATE: July 18, 2014

RE: HCA Level II Agreement Department of Fisheries and
Oceans/Fisheries Act

STAFF RECOMMENDATION

THAT HCA staff recommends to the Conservation Advisory Board:

THAT the report be forwarded to the Board of Directors and be received as information.

BACKGROUND

On June 29, 2012, amendments to the federal Fisheries Act received Royal Assent. The changes to the Fisheries Act came into force on November 25, 2013. With the approved amendments, the Fisheries Act changed from a focus on habitat in general to habitat necessary for fisheries protection. The basic purpose of the Act is “to protect habitat that sustains Canada’s 3 fisheries – commercial, recreational and Aboriginal. This translates into provisions that protect habitat from serious harm to fish in the 3 fisheries or to the fish that support the fisheries”.

The amended act effectively changes the way the Department of Fisheries and Oceans (DFO) conducts business. The focus now is on self assessment by the landowner or proponent, streamlining regulatory review and a greater emphasis on large scale projects. The changes also result in the partnership agreements between DFO and Conservation Authorities no longer being in effect. The agreements are null and void.

The Hamilton Conservation Authority (HCA) had a Level II agreement with DFO. This agreement allowed HCA staff to review development proposals to determine if the

development would result in Harmful, Alteration, Disruption or Destruction (HADD) of fish habitat and to ensure mitigation. If mitigation was not possible, and staff determined that a HADD would occur the proposal was referred to DFO for further review and authorization under Section 35(2) (b) of the Fisheries Act. With the changes to the Fisheries Act, HCA staff no longer provide advice regarding fish habitat and when contacted in this regard, HCA staff direct landowners and proponents to the DFO webpage and specifically, the self assessment requirements outlined. HCA staff do provide fisheries information when reviewing planning and regulation applications but it is in the context of information regarding available information for the fishery and not providing direction or mitigation advice.

In conducting a self assessment for projects near water, a landowner or proponent may engage a qualified environmental professional (QEP). DFO has established the role of a QEP to review development proposals as they relate to fisheries issues. The QEP will review the proposal and provide technical advice on project design and methods to mitigate or reduce impacts to the fishery. A QEP would be considered a consultant with expertise in natural resources, aquatic ecology or fisheries biology.

Conservation Ontario and DFO are working on a Memorandum of Understanding (MOU) that addresses the new regulatory framework and builds on the existing relationship between conservation authorities and DFO, while streamlining and improving the review process. This MOU is currently in draft format and the focus is on working together in the regulatory review process, sharing of information and data and staff training. The draft MOU provides for conservation authorities to provide services as a QEP and for a fee to the landowner or developer.

STAFF COMMENT

The changes to the Fisheries Act not only change the way DFO conducts business, it also alters the way HCA staff conduct our plan review and regulatory program. With our Level II Agreement with DFO being null and void, we can no longer provide requirements or conditions relating to fish habitat and we no longer issue Letters of Advice. In responding to inquiries, we advise that we are no longer undertaking reviews pursuant to the Fisheries Act and that our comments are provided as a watershed management agency pursuant to the Planning Act and/or the Conservation Authorities Act. Proponents are directed to DFO for information regarding self assessment or fisheries review.

The QEP process and the draft MOU between Conservation Ontario and DFO does allow for a conservation authority to act as a QEP; CA's have the opportunity to recoup costs for providing the landowner or proponent with technical advice through the self-assessment process. There are conservation authorities that have obtained approval from their Boards to undertake this role. HCA staff has considered this issue and are of the opinion that HCA staff should not act as a QEP. The HCA is both a commenting agency for planning applications and an approval authority for permits under our

regulation. Acting as a QEP for a landowner or proponent while at the same time reviewing an environmental impact study for the proposal or providing comments or conditions of approval for the planning application or reviewing a permit application while also reviewing the proposal as a QEP represents, at a minimum, a perceived conflict of interest. The potential for real or perceived conflict of interest should be avoided and HCA staff should not act as a QEP.

STRATEGIC PLAN LINKAGE

The initiative refers directly to the HCA Strategic Plan 2014-2018:

- Strategic Goal #5 – Organizational Excellence
 - Strategic Objective – Promote the role and mandate of the Hamilton Conservation Authority, and the services we provide to the public and our partner organizations.

AGENCY COMMENTS

Not applicable.

LEGAL/FINANCIAL IMPLICATIONS

Not applicable.

CONCLUSIONS

The changes to the Fisheries Act change the way HCA conducts business. The HCA no longer provides mitigation advice to the Fisheries Act and our Level II Agreement with DFO is null and void. In responding to planning or regulatory inquiries, we advise that we are no longer undertaking reviews pursuant to the Fisheries Act and that our comments are provided as a watershed management agency pursuant to the Planning Act. Proponents are directed to DFO for information regarding self assessment or fisheries review.

HCA staff have reviewed the QEP process as it relates to HCA staff undertaking fisheries review as a qualified environmental professional and are of the opinion that this should remain a service provided by a qualified consultant and that the HCA should maintain our role as a commenting agency for planning applications and as an approval authority for proposals submitted pursuant to the HCA *Development, Interference with Wetlands, and Alteration to Shorelines and Watercourses Regulation 161/06 under Ontario Regulation 97/04*.

Report

TO: Board of Directors

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

RECOMMENDED BY: Scott Peck, MCIP, RPP, Director Watershed Planning and Engineering

PREPARED BY: Hazel Breton, P. Eng., Manager Water Resources Engineering
Lisa Jennings, Aquatic Ecologist
Lesley McDonnell, Terrestrial Ecologist

DATE: August 22, 2014

RE: Lower Spencer Fish Habitat Restoration Project

STAFF RECOMMENDATION

THAT the HCA staff recommends to the Board of Directors:

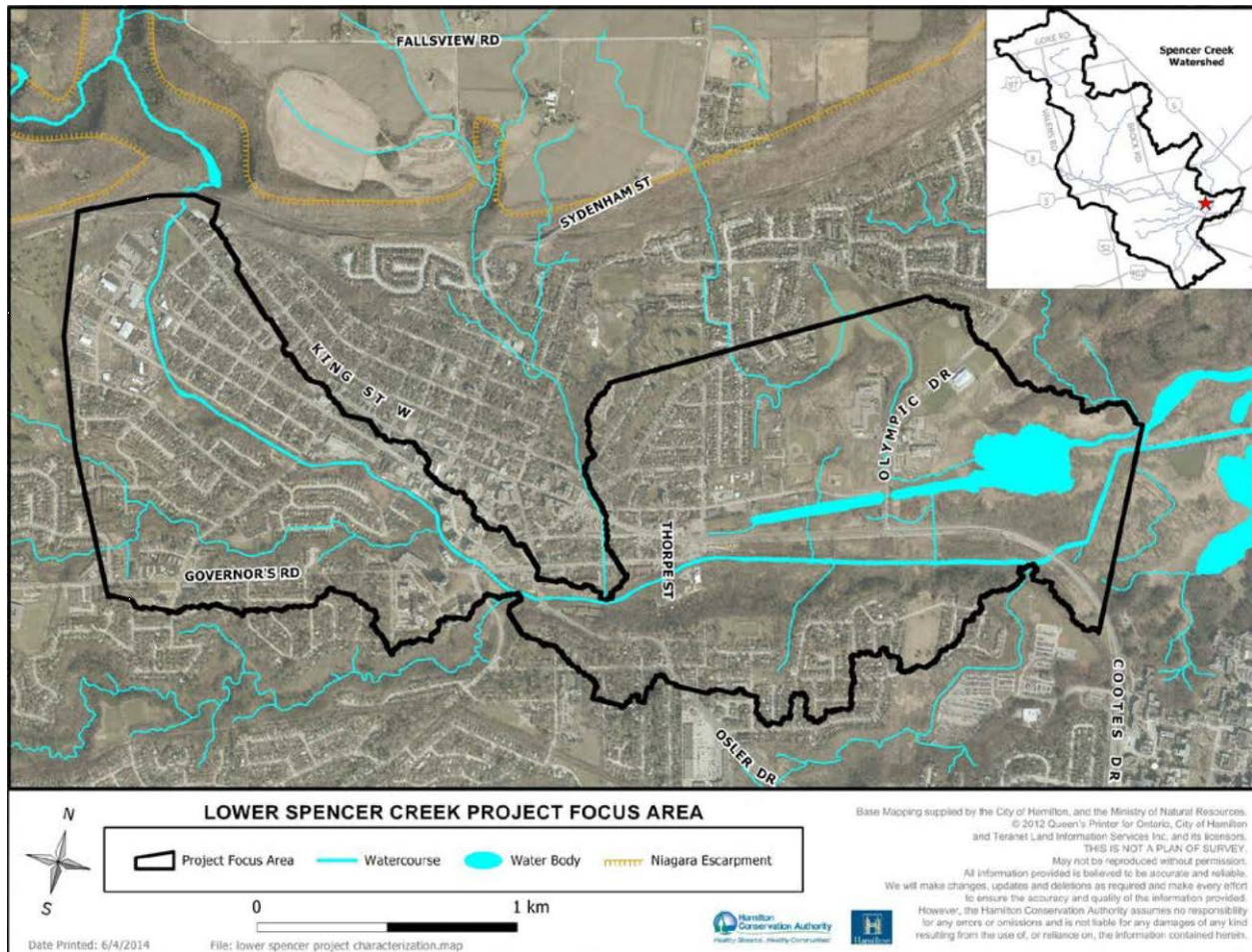
THAT the Lower Spencer Fish Habitat Restoration Project be endorsed to proceed in phases subject to the availability of funds.

BACKGROUND

In 2012, HCA initiated the Lower Spencer Integrated Subwatershed Study to assess the overall health of the creek system and incorporate considerations for flooding, erosion, surface and groundwater flow patterns, fish habitat and migration, the terrestrial environment, and water quality as well as how these aspects interact with each other. The study also examines future stresses and opportunities for the Lower Spencer Creek system and develops an adaptive management approach to improve the health of the watershed and the residents that live within.

Historical activities and urbanization within the Lower Spencer Creek (LSC) subwatershed has profoundly altered channel function, constraining the creek and leading to channel instability and a reduced capacity to support healthy aquatic environments. Historically, intervention has been through non-natural means of erosion

stabilization and has met limited degrees of success. In-stream works including grade control structures, concrete lining and gabion baskets have contributed to fish-migration and sediment flow barriers which affect the overall health and functionality of the creek. Clearly, there is a need to address these limiting factors to improve the overall function of Lower Spencer Creek.



HCA has received Ontario Ministry of Natural Resources (OMNR) funding to proceed with preliminary design details for in-stream restoration works as recommended by the subwatershed study. With the completion of the preliminary design, HCA has received additional funding from the OMNR to begin implementation. The OMNR is of the opinion that this project is seen as significant when considering the geographic area of Western Lake Ontario. This project involves the realignment of the Lower Spencer Creek for the reach of watercourse located between Thorpe Street and Cootes Drive. In addition, HCA has been invited to submit a detailed funding proposal to the Sustain Our Great Lakes Fund and will know the results of this submission in the coming weeks. Also, in partnership with the University of Waterloo (School of Engineering), engineering students will be undertaking the detailed design of the stream corridor. The work will be done under the direct supervision of Dr. W. K. Annable and Dr. John Beebe and will

utilize the latest technology utilizing drones to conduct field measurements. HCA's ecology and engineering staff will also be participating with the University to enhance floodplain wetlands, remove invasive plant species as well as design instream habitat structures.

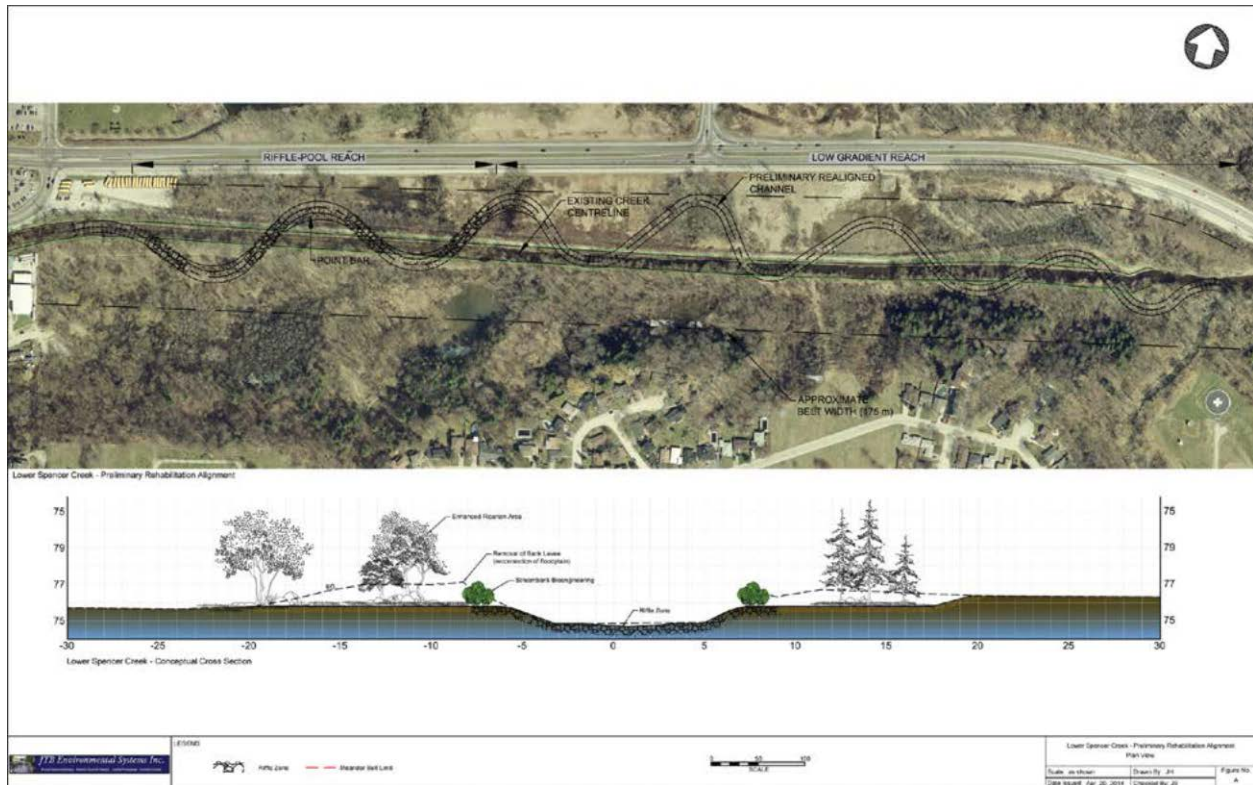
STAFF COMMENT

This project is driven by two primary needs:

1. Improve the channel morphology (function)
2. Improve both the aquatic and terrestrial ecology supported by the creek within the study area, improvement of the biological form and function has been identified as the greater need. In its existing condition the channel is straightened and entrenched; disconnected from its floodplain. The channel lacks morphological and habitat diversity and predominantly supports only run morphology (i.e. no pools and riffles). While the channel does contain reaches of excellent spawning substrates and direct connectivity to one of Lake Ontario's largest coastal wetlands (Cootes Paradise), the true natural potential of this creek is not being realized due its current form. The proposed restoration of the Lower Spencer Creek has the potential to vastly improve the ecological productivity of Spencer Creek, Cootes Paradise and ultimately Lake Ontario.

The most notable species in the Lower Spencer Creek is the Northern Pike which migrates from Western Lake Ontario. Fish Habitat considerations include: a) Creating a connection between Spencer Creek and its floodplain, which floods on an annual basis during high spring flows; b) Zones within the floodplain that provide connections to Spencer Creek but also retain flood flows for an extend period of time, providing sufficient time for eggs to hatch and young to migrate into the main stem of the creek. Spencer Creek has long been a central feature in the Town of Dundas, which has helped shape the form and function of the creek for well over 200 years. The legacy and continuation of these influences need to be considered within the proposed design. Of particular importance is including a means for local citizens to interact with the creek and its supporting natural heritage communities in a symbiotic relationship. To accommodate this need a central component of the design is the inclusion of a trail system, allowing for passive interaction with the environment while providing protection to sensitive areas and connecting key community sites. This project will be implemented in a phased manner. The first phase will be to re-connect the lower portion of the creek in the lower reach to its floodplain by relocating the northern berm closer to Cootes Drive. This will allow for the removal of invasive plant species and the re-vegetation of the new floodplain and will not disturb the provincially significant flora and fauna known to the area. The existing channel will be allowed to re-establish its alignment within the newly established floodplain.

The map below, demonstrates the concept being promoted by HCA.



STRATEGIC PLAN LINKAGE

The initiative refers directly to the HCA Strategic Plan 2014-2018:

- **Strategic Goal #1 – Water Management**
 - Strategic Objective – Minimize the impacts of erosion and sedimentation on watershed streams, creeks, rivers and receiving water bodies.
- **Strategic Goal #2 – Natural Heritage Conservation**
 - Strategic Objective – Maintain and enhance the natural heritage features of HCA lands and manage these lands on an environmentally sustainable basis.

AGENCY COMMENTS

This project is supported by the Ontario Ministry of Natural Resources, Royal Botanical Gardens and the Hamilton Harbour Remedial Action Plan Office.

LEGAL/FINANCIAL IMPLICATIONS

Not applicable.

CONCLUSIONS

This concept plan comes about as a direct recommendation of the Lower Spencer Integrated Subwatershed Study. The approach is supported by many of HCA's partners. Implementation of this plan will vastly improve the reach between Thorpe Street and Cootes Drive in terms of improving water quality, reducing bank and bed erosion, and allowing access to the floodplain during high flows, all leading to vast improvements in terrestrial and aquatic habitat. As part of the implementation, a public engagement process will be initiated to ensure that the local community is engaged, provides feedback and participates in various activities associated with the restoration. At this point in time funding is pending and the project will only proceed when funding is secured.

UPCOMING EVENTS IN HCA CONSERVATION AREAS

Thanksgiving Long Weekend Campout

October 10 – 13

Valens Lake Conservation Area

1691 Regional Road 97 (R.R.#6), Flamborough, Ontario N1R 5S7

Reservations recommended. For more information, please call Valens Lake at 905-525-2183 or 519-621-6029 or email valens@conservationhamilton.ca Visit

www.conservationhamilton.ca to reserve your spot.

Thanksgiving Sunday and Monday

Sunday October 12 and Monday October 13, 12:30 – 4:00 p.m.

Westfield Heritage Village

1049 Kirkwall Road, Rockton, Ontario L0R 1X0

Bring the whole family for a wonderful afternoon in the country discovering the people and places of early Ontario.

Cross Country Run

October 14

Dundas Valley Conservation Area

650 Governors Road, Dundas, Ontario L9H 5E3

Cross Country Run

October 17

Dundas Valley Conservation Area

650 Governors Road, Dundas, Ontario L9H 5E3

MEC Run

October 18

Confederation Park

680 Van Wagner's Beach Road, Hamilton, Ontario, L8E 3L8

Haunted Halloween

Friday, October 24 and Saturday, October 25, 6:30 p.m. – 9:30 p.m.

Westfield Heritage Village

1049 Kirkwall Road, Rockton, Ontario L0R 1X0

Something curious is happening in the village! Find out what, as you explore by lantern and moonlight. A fun night for all ages!

Pumpkin Sunday

October 26, 12:30 pm. – 4:00 p.m.

Westfield Heritage Village

1049 Kirkwall Road, Rockton, Ontario L0R 1X0

A fun event for the whole family, especially the little ones! Featuring pumpkin-themed games, demonstrations, crafts and activities. Bring your camera!

Road 2 Hope

November 1-2

Confederation Park

680 Van Wagner's Beach Road, Hamilton, Ontario, L8E 3L8

Come out and see 4000 runners. This marathon is the fastest qualifier race for the Boston Marathon. Going down bound on the Red Hill helps!. Produced by the Runner's Den.

Winter Camping Reservations

November 3

Valens Lake Conservation Area

1691 Regional Road 97 (R.R.#6), Flamborough, Ontario N1R 5S7

Reservations Accepted by telephone. For more information, please call Valens Lake at 905-525-2183 or 519-621-6029 or email valens@conservationhamilton.ca

Friends Chinese Dinner

November 8

Westfield Heritage Village

1049 Kirkwall Road, Rockton, Ontario L0R 1X0

Dinner at Rockton Fairgrounds. Tickets must be purchased in advance from the Friends of Westfield. Door prizes, auction and great food. Funds raised by the Friends of Westfield support projects at Westfield.