

## **BOARD OF DIRECTORS MEETING 05 17**

#### **MINUTES**

A meeting of the Conservation Halton Board of Directors was held on Thursday, June 22, 2017, beginning at 4:00 pm in the Kelso Museum building at Kelso Conservation Area.

Members Present:

Rob Burton Mike Cluett

Joanne DiMaio Cathy Duddeck Rob Duvall Allan Elgar Dave Gittings Gord Krantz

Gerry Smallegange Moya Johnson

Marianne Meed Ward

John Vice Jean Williams

Absent with Regrets:

Stephen Gilmour

Bryan Lewis Sue McFadden Jim Sweetlove

Ed Wells

Also Present:

Delegation: 1134 / 1150 Plains Rd., Burlington, Report #: CHBD 05 17 06

Ian Barrett, Colville Consulting Inc.

Anthony Magnini – Northshore Developments Ian Shaw – Soil-Mat Engineers & Consultants LTD. Steve Pongracz – LANHACK Consultants Inc.

Steve Frankovich – S. Llewellyn and Associates Ltd.

Ivan Marini - Marini Law

Rick Craven - City of Burlington & Region of Halton Councillor, Ward One

Brian Duxbury - Scarfone Hawkins LLP

## 1. Acceptance of Agenda as distributed and amended.

CHBD 05 01

Moved by:

Cathy Duddeck

Seconded by:

Rob Burton

THAT the Conservation Halton Board of Directors accept the Agenda as distributed and amended.

Carried

# 2. Disclosure of Pecuniary Interest for Board of Directors

There was no disclosure of pecuniary interest

#### 3.0 Consent Items

The Consent Items were approved.

- 4.0 Delegation for 1134 and 1150 Plains Road West, Burlington, Report #: CHBD 05 17 06, attended the Board meeting to address the Board and answer any questions.
- 5.0 Acton Items
- 5.1 1134 Plains Road West & 1150 Plains Road West, City of Burlington, CH Files: A/17/B/02 and A/17/B/22; Related File No: City of Burlington Site Plan Application 535-007/16 Report #: CHBD 05 17 06

Following further discussion, it was:

CHBD 05 02

Moved by:

Marianne Meed Ward

Seconded by:

Moya Johnson

THAT the Conservation Halton Board of Directors approve the issuance of a permit for the construction of a gas pump canopy, concrete pad, underground infrastructure, loading areas, drive-thru lane and appurtenances and concrete islands within 6-15 metres of the stable top of bank associated with the Grindstone Creek valley, 1134 and 1150 Plains Road West, City of Burlington, Regional Municipality of Halton.

A Recorded Vote was requested:

For	Against	Absent
Rob Burton Mike Cluett Joanne DiMaio Rob Duvall Gord Krantz Gerry Smallegange Moya Johnson Marianne Meed Ward John Vice Jean Williams	Allan Elgar Cathy Duddeck Dave Gittings	Stephen Gilmour Bryan Lewis Sue McFadden Jim Sweetlove Ed Wells
		Carried

5.2 Emerald Ash Borer (EAB) – 2017 Contractor Services Report #: CHBD 05 17 07

CHBD 05 03

Moved by:

Rob Burton

Seconded by:

Mike Cluett

THAT the Conservation Halton Board of Directors authorise the CAO/Secretary-Treasurer to award a contract valued at no more than \$350,000 for the removal of ash trees.

Carried

5.3 Development Charge Allocation Principles Report #: CHBD 05 17 08

CHBD 05 04

Moved by:

Rob Burton

Seconded by:

Marianne Meed Ward

THAT the Conservation Halton Board of Directors approve, in principle, the Priority A capital projects intended to be funded from Developer Contributions, subject to meeting the Developer Contributions Allocation Principles (DCAP) as outlined in this report.

AND FURTHER THAT staff present detailed business plans for each of the Priority A projects in September for final approval by the Conservation Halton Board of Directors.

5.4 Memorandum of Understanding for Plan Review between the County of Wellington, The Credit Valley Conservation Authority, The Grand River Conservation Authority, The Halton Region Conservation Authority, The Hamilton Region Conservation Authority, The Maitland Conservation Authority, and The Saugeen Valley Conservation Authority.

CH File #: ADM 325 Report #: CHBD 05 17 10

CHBD 05 05

Moved by:

Rob Burton

Seconded by:

Rob Duvall

THAT the Conservation Halton Board of Directors approve the Memorandum of Understanding for Plan Review Between the County of Wellington, The Credit Valley Conservation Authority, The Grand River Conservation Authority, The Hamilton Region Conservation Authority, The Maitland Conservation Authority, and The Saugeen Valley Conservation Authority;

AND FURTHER THAT the Conservation Halton Board of Directors direct the CAO/Secretary-Treasurer to sign the Memorandum of Understanding on behalf of Conservation Halton.

Carried

6. In Camera Items

CHBD 05 06

Moved by:

Jean Williams

Seconded by:

Allan Elgar

THAT the Conservation Halton Board of Directors convene In Camera.

Carried

CHBD 05 07

Moved by:

Jean Williams

Seconded by:

Rob Burton

THAT the Conservation Halton Board of Directors reconvene in public forum.

Carried

CHBD 05 08

Moved by:

Rob Burton

Seconded by:

Jean Williams

THAT the Conservation Halton Board of Directors direct staff to proceed as discussed In Camera.

Carried

#### 7. Other Items for Future Discussion - None

## 8. Other Business

The Region of Halton has extended funding for the Conservation Halton Regional Infrastructure Team for two years with the option of extending it for a further five years upon review.

On May 23, 2017, the Court of Appeal for Ontario released its decision on the Gilmor case. In its unanimous decision, the appeal was allowed and the court reinstated the Mining and Lands Commissioner's (MLC) decision. This decision confirmed that the Conservation Authorities Act may be regarded as one of the MLC's several "home acts"; that the Commissioner's interpretation of O. Reg. 172/06 (the Nottawasaga Valley Conservation Authority's individual regulation) is reasonable and that it accords with the plain meaning of the relevant sections. It was determined that discretion under the regulation may be exercised on the basis of safety concerns. Given the significance of this ruling, it is imperative that the Conservation Authorities and their member municipalities are made aware of the decision. In this regard, it is being recommended that the court decision be shared with member municipalities.

A presentation of the CH 2018 Preliminary Budget was provided by Sheryl Ayers and Marnie Piggot – handout was provided.

Hassaan Basit provided a verbal update on the *Amendments to the Conservation Authorities Act* – handout was provided

## 9. **Adjournment**

CHBD 05 09

Moved by:

Moya Johnson

THAT the Conservation Halton Board of Directors adjourn at 5:30 pm.

**NEXT MEETING:** 

September 28, 2017 @ 3:00 – 5:00 pm, Grindstone Room, CH Admin. Office