



# Conservation Halton Board of Directors

## Meeting Package

The escarpment at Kelso Conservation Area

June 2018

**MEETING NO: #** 05 18  
**DATE:** June 21, 2018  
**TIME:** 3:00 – 6:00 pm  
**PLACE:** CH Admin. Office, 2596 Britannia Road West, Burlington ON  
905.336.1158 x 2236

---

## AGENDA

Page #

1. **Acceptance of Agenda as distributed**
2. **Disclosure of Pecuniary Interest for Board of Directors**
3. **Consent Items**
  - Roll Call & Mileage
  - Approval of Board of Directors Minutes dated May 24, 2018
- 3.1 Quarterly Permits & Letters of Permission issued under Ontario Regulation 162/06 1 - 8  
April 5, 2018 to May 31, 2018  
Report #: 05 18 05
- 3.2 Kelso Dam Update 9 - 10  
Report #: 05 18 11
- 3.3 Approval of Resolutions from Finance & Audit Committee, June 5, 2018 11 - 12  
FA 01 02
4. **Action Items**
  - 4.1 Proposed development within the 7.5 metre allowance associated with the flooding and 13 - 17  
erosion hazards of Lower Wedgewood Creek, 448 Drummond Road, Town of Oakville,  
Regional Municipality of Halton, CH File No.: A/18/O/34  
Report #: CHBD 05 18 01
  - 4.2 New Memorandum of Understanding for an Integrated Halton Area Planning System 18 - 35  
Report #: 05 18 06
  - 4.3 Kelso Museum Visitors Centre Renovation 36 - 37  
Report #: 05 18 04
  - 4.4 Letter of Intent - Sixteen Mile Creek Ecological Restoration Master Plan Implementation 38 - 50  
Report #: 05 18 09



- 4.5 Authorization for CAO to Award Contract: Groundwater Engineering 51 - 52  
Mitigation Measures to Support Phase 2 of Construction at the Kelso Dam (18078)  
Report #: 05 18 10
- 4.6 Authorization for CAO to Award Contract: 53 - 54  
Grindstone Creek Flood Risk Mapping RFP#CW 0007-18-01  
Report #: 05 18 12
- 4.7 EAB 55 - 56  
Report #: 05 18 08
- 5. Presentations**
- 2019 Preliminary Budget & Business Plan  
Mr. Hassaan Basit  
CAO / Secretary - Treasurer, Conservation Halton
- Kelso Master Plan Phase 2  
Ms. Meghan Hunter  
Project Manager- Greenspace Planning
- 6. In Camera Items**
- 6.1. Land Securement  
Report #: CHBD 05 18 07
- 6.2 Legal Matter  
Report #: 05 18 02
- 6.3 Legal Matter  
Report #: 05 18 03
- 7. CAO Update**
- 8. Other Business**
- 9. Adjournment**

**REPORT TO:** Board of Directors

**REPORT NO:** 05 18 0 05

**FROM:** Barbara J. Veale, Director Planning & Regulations

**DATE:** June 21, 2018

**SUBJECT:** **Quarterly Permits & Letters of Permission issued under Ontario Regulation 162/06 April 5, 2018 to May 31, 2018**

---

### Recommendation

THAT the Conservation Halton Board of Directors **receive for information the Permits and Letters of Permission issued by staff under Ontario Regulation 162/06 for the period of April 5, 2018 to May 31, 2018, as identified in the staff report dated June 21, 2018.**

### Report

Between April 5, 2018 to May 31, 2018, 61 Permits and 9 Letters of Permission were issued (see attached table). All approvals were reviewed and approved in accordance with Board approved policies contained in *Policies and Guidelines for the Administration of Ontario Regulation 162/06 and Land Use Planning Policy Document April 27, 2006, revised November 26, 2015.*

### Impact on Strategic Goals

This report supports the Metamorphosis strategic theme of Taking care of our growing communities. The theme is supported by the objective to remain dedicated to ecosystem-based watershed planning that contributes to the development of sustainable rural, urban and suburban communities.

### Financial Impact

CH staff work with permit applicants to address their needs while meeting Board approved policies for administering Ontario Regulation 162/06. Fees for permits are based on staff time and effort required to process different types of applications as approved by the Board.

Signed & respectfully submitted:



Barbara J. Veale  
Director, Planning & Regulations

Approved for circulation:



Hassaan Basit  
CAO/Secretary-Treasurer

**FOR QUESTIONS ON CONTENT:**

Charles Priddle, Coordinator Regulations Program  
[cpriddle@hrca.on.ca](mailto:cpriddle@hrca.on.ca); 905-336-1158 x 2279



CH File No.	Permit No.	Address	Proposed Works	Complete	Issued	CH Staff Member
-------------	------------	---------	----------------	----------	--------	-----------------

Burlington						
A/17/B/123	5813 - REVISED	5076 Lakeshore Road	<b>**REVISED**</b> Proposed new two-storey dwelling and associated grading and landscaping within the Regulated Area associated with the valley of Appleby Creek	04/04/2018	05/04/2018	Cassandra Connolly
A/18/B/14	5881	2600 Armour Crescent	Proposed in-ground swimming pool and interlock patio within the Regulated Area associated with Sheldon Creek	05/03/2018	05/04/2018	Cassandra Connolly
S/18/B/08	5882	50 LaSalle Park Road	proposed temporary restoration of washed-out sections of a public trail including the filling of holes with screening, replacing fallen armour stones, and the placing of new armour stone at pedestrian abutments within the flooding and erosion hazards associated with Hamilton Harbour/Burlington Bay	04/04/2018	05/04/2018	Charles Priddle
S/16/B/13	5413 - REVISED	115 Appleby Place	REVISED - Proposed new 2-storey single family dwelling, accessory structure, pool and associated landscaping works within the erosion hazard associated with Lake Ontario. The revised permit is issued to address changes to the pool and associated landscaping and structures	03/04/2018	06/04/2018	Charles Priddle
S/18/B/01	5820 - REVISED #2	284 North Shore Boulevard West	<b>**REVISION #2**</b> - Proposed addition s to a home and the construction of a pool and decking on a property that is partially within the erosion hazard associated with Lake Ontario	04/04/2018	06/04/2018	Charles Priddle
S/18/B/09	5888	123 Avondale Crescent	Proposed construction of a pool on a property that contains a portion of the erosion hazard associated with Lake Ontario	11/04/2018	11/04/2018	Charles Priddle
A/18/B/33	5890	3231 Settlement Court	Proposed installation and construction of an in-ground swimming pool within he Regulated Area associated with Appleby Creek	11/04/2018	17/04/2018	Cassandra Connolly
A/18/B/36	5893	5270 Fairview (Sherwood Park) Street	Proposed removal of an existing parking area and site restoration and landscaping within the Regulated Area associated with Sheldon Creek	17/04/2018	18/04/2018	Cassandra Connolly
S/17/B/18	5896	5420 Lakeshore (Burloak Park- Phase II) Road	Proposed Burloak Regional Waterfront Park enhancements (Phase II) that include development within the erosion hazard of Lake Ontario	19/04/2018	20/04/2018	Cassandra Connolly
A/18/B/39	5898	6121 Guelph Line	Proposed construction of a dwelling with a covered porch and concrete cistern requiring excavation and grading within 15 metres of the stable top of bank associated with the valley of Bronte Creek	23/04/2018	23/04/2018	Cassandra Connolly
A/18/B/38	5897	5052 Lakeshroe Road	Proposed second storey addition and second storey rear deck with stairs located within 7.5 metres of the stable top of bank erosion hazard associated with the valley of Appleby Creek	20/04/2018	24/04/2018	Cassandra Connolly
A/17/B/70	5900	3179 Britannia Road	Proposed installation of approximately 70 metres of NPS 2" natural gas pipeline within the north side of the municipal road allowance in front of 3179 & 3100 Britannia Road within the Regulated Area associated with Bronte Creek	28/03/2018	26/04/2018	Ola Panczyk
A/18/B/40	5904	3051 Britannia Road	proposed renovation and addition to an existing dwelling, construction of rear deck and septic system replacement within the 15 metre floodplain setback associated with Bronte Creek	20/04/2018	03/05/2018	Ola Panczyk

CH File No.	Permit No.	Address	Proposed Works	Complete	Issued	CH Staff Member
A/18/B/37	5908	5053 Spruce Avenue	Proposed patio replacement and expansion within the 7.5 metre setback from the valley of Appleby Creek	03/05/2018	07/05/2018	Cassandra Connolly
A/18/B/30	5915	3455 North Service Road	proposed construction of a storm sewer connecting to the existing sewer along North Service Road and the construction of a watermain connecting to the existing servicing. This work is being completed in coordination with a floodplain alteration associated with CH Permit 5715 which confirms final grading and restoration	11/04/2018	10/05/2018	Cassandra Connolly
A/18/B/41	5913	4183 New (easement) Street	proposed pipeline integrity dig within the floodplain of Shoreacres Creek including the temporary excavation of a trench measuring 20m in length, 4m in width and 2m in depth and a temporary stockpile of soil. The trench will be backfilled to pre-construction grades.	04/05/2018	10/05/2018	Cassandra Connolly
A/18/B/45	5912	520 Elwood (easement adj to) Road	proposed pipeline integrity dig within the floodplain of Tuck Creek including the temporary excavation of a trench measuring 20m in length, 4m in width and 2m in depth and a temporary stockpile of soil. The trench will be backfilled to pre-construction grades.	04/05/2018	10/05/2018	Cassandra Connolly
A/18/B/46	5910	4183 New (easement adj to) Street	proposed pipeline integrity dig within the floodplain of Shoreacres Creek including the temporary excavation of a trench measuring 20m in length, 4m in width and 2m in depth and a temporary stockpile of soil. The trench will be backfilled to pre-construction grades.	04/05/2018	10/05/2018	Cassandra Connolly
S/18/B/11	5906	0 Lakeshore (easement adj to 1172) Road	proposed pipeline integrity dig within the erosion hazard of Lake Ontario including the temporary excavation of a trench measuring 35m in length, 4m in width and 2m in depth and a temporary stockpile of soil. The trench will be backfilled to pre-construction grades.	04/05/2018	10/05/2018	Cassandra Connolly
S/18/B/12	5905	1122 Lakeshore (easement adj to) Road	proposed pipeline integrity dig within the erosion hazard of Lake Ontario including the temporary excavation of a trench measuring 20m in length, 4m in width and 2m in depth and a temporary stockpile of soil. The trench will be backfilled to pre-construction grades.	04/05/2018	10/05/2018	Cassandra Connolly
A/18/B/44	5909	5495 Appleby Line	Interim repair of a sinkhole over an existing driveway culvert within the valley of Bronte Creek. The hole will be filled with riprap and gravel, topped with soil and seed.	07/05/2018	14/05/2018	Cassandra Connolly
A/18/B/48	5918	6559 glenfern Avenue	the proposed demolition of the existing 100ft2 mudroom and construction of a new 960ft2 addition to the existing dwelling within the 15 metre limit of stable top of bank associated with the valley of Bronte Creek.	11/05/2018	22/05/2018	Ola Panczyk
A/18/B/51	5924	608 Braemore Road	Proposed second floor addition to an existing 1-storey dwelling within the 7.5 metre setback associated with the valley of Tuck Creek	18/05/2018	23/05/2018	Cassandra Connolly
A/18/B/47	5925	409 Swinburne Drive	Proposed construction of a new covered front porch to the existing dwelling and reconstruction of landscaping walls located within the floodplain of Tuck Creek	22/05/2018	28/05/2018	Cassandra Connolly
A/18/B/50	5927	835 Spring Garden Road	proposed 2-storey addition, rear balcony, covered front porch and an on-grade patio within the valley of Grindstone Creek	25/05/2018	29/05/2018	Cassandra Connolly



CH File No.	Permit No.	Address	Proposed Works	Complete	Issued	CH Staff Member
A/18/B/53	5932	5159 Garland Crescent	proposed installation of a pool, patio, water feature and slide partially within the 7.5 metre setback associated with the floodplain of Sheldon Creek	28/05/2018	29/05/2018	Cassandra Connolly
A/18/B/54	5933	4284 Clubview Drive	proposed installation of a pool, patio, shed, pavilion, water feature and gardens partially within the 7.5 metre setback associated with the floodplain of Appleby Creek.	28/05/2018	29/05/2018	Cassandra Connolly
A/16/B/80	5935	0 No. 2 (adjacent to 4400 No. 2) Sideroad	Proposed construction of a new outfall at the outlet of an existing culvert conveying a tributary of Bronte Creek	16/02/2018	31/05/2018	Cassandra Connolly
A/17/B/104	5929	5717 Guelph Line	Proposed installation of an NPS 2" diameter natural gas pipeline extension (approx. 100 metres) within the municipal road allowance (Guelph Line) within the flooding and erosion hazards associated with Bronte Creek	15/05/2018	31/05/2018	Cassandra Connolly
S/18/B/16	5937	88 - 710 Spring Gardens Road	The proposed construction of a second-storey deck on a property that contains a portion of the erosion hazard associated with Lake Ontario	30/05/2018	31/05/2018	Cassandra Connolly

Halton Hills						
A/18/HH/02	5914	8583 Eighth Line	Proposed installation of a new septic system within the floodplain associated with Sixteen Mile Creek and within 120 metres of a wetland greater than 2 hectares in size	04/05/2018	10/05/2018	Laura Head
A/18/HH/04	Letter of Permission	6173 Seventeenth Sideroad	Proposed construction of a new house and septic system following the demolition of the existing dwelling located between 30 and 120 metres of a Provincially Significant Wetland	11/04/2018	16/04/2018	Laura Head
A/18/HH/03	Letter of Permission	12265 25 Highway	Proposed construction of a new garage and associated driveway located between 30 & 120 m of a Provincially Significant Wetland	22/03/2018	03/05/2018	Laura Head
A/18/HH/05	Letter of Permission	11616 Fourth Line	Proposed addition to the existing house and new septic system located between 30 & 120 metres of a Provincially Significant Wetland	07/05/2018	18/05/2018	Emma DeFields

CH File No.	Permit No.	Address	Proposed Works	Complete	Issued	CH Staff Member
<b>Hamilton</b>						
A/18/H/17	5886	13 Valley Ridge Lane	Proposed in-ground swimming pool installation, patio and associated landscaping located within the Regulated Area associated with Bronte Creek	21/03/2018	09/04/2018	Cassandra Connolly
A/16/H/13	5895	995 Eighth Concession Road West	Proposed construction of a 133m2 one-storey addition to the existing stable, a 66.89m2 covered manure storage and a 2,198.53m2 indoor horse riding arena within the Regulated Area associated with a Provincially Significant Wetland	05/04/2018	20/04/2018	Ola Panczyk
A/17/H/43	5734 - REVISED	21 Wildberry Way	<b>**REVISED**</b> the proposed construction of a 4.88m x 10.36m in-ground swimming pool, a 4.27m x 5.49m pavilion and a 4.27m x 3.66m pergola within 15m and 30m of a Provincially Significant Wetland	27/04/2018	30/04/2018	Ben Davis
A/18/H/23	5901	66 Thomson Drive	proposed construction of a deck located within the 15 metre setback associated with the valley of Grindstone Creek	24/04/2018	30/04/2018	Cassandra Connolly
A/18/H/09	5919	1389 Progreton Road	reconstructing a residence, including front and rear covered porches, a pool and all associated decking. The work is to occur within 15 metres of the top of bank associated with Bronte Creek Valley, but no grades are to be altered within the valley.	01/03/2018	22/05/2018	Charles Priddle
A/18/H/24	5921	44 Parkshore Place	the proposed demolition and re-construction of a deck located within the 15 metre setback associated with the meander belt erosion hazard of Bronte Creek and within the Regulated Area associated with a Provincially Significant Wetland	09/05/2018	22/05/2018	Cassandra Connolly
A/17/H/55	5926	0 Dundas Street East (across from 340 Dundass)	proposed abandonment of the existing 450mm CSP Storm Sewer and construction of a new 450mm PVC Storm Sewer and new manhole within the valley and 15 metre regulatory allowance associated with Grindstone Creek	27/04/2018	29/05/2018	Cassandra Connolly
A/18/H/26	5931	131 Seventh Concession Road East	Proposed construction of a new deck and installation of a swimming pool within 30 metres of a Provincially Significant Wetland	25/05/2018	31/05/2018	Cassandra Connolly
A/18/H/21	Letter of Permission	615 Sixth Concession Road West	Proposed installation of an in-ground swimming pool to be located between 30 & 120 metres of a PSW	17/04/2018	19/04/2018	Cassandra Connolly



CH File No.	Permit No.	Address	Proposed Works	Complete	Issued	CH Staff Member
<b>Milton</b>						
A/18/M/26	5880	140 McLaren Road	Proposed second-storey addition to an existing detached garage within 15 metres of the stable top of bank associated with Sixteen Mile Creek	08/03/2018	05/04/2018	Emma DeFields
A/18/M/21	5884	800 Santa Maria Boulevard	Proposed reconstruction of the existing tennis courts and installation of a seasonal air-supported dome structure within the Regulated Area associated with Sixteen Mile Creek	03/04/2018	06/04/2018	Ben Davis
A/18/M/28	5887	280 Ridge Drive	Proposed contraction of a 5.48m x 10.973m in ground pool within 15 metres of the floodplain associated with Sixteen Mile Creek	10/04/2018	11/04/2018	Ben Davis
A/18/M/31	5889	115 Tremaine Road	Proposed construction of a second storey to the existing dwelling including a new front porch, new rear deck and a 24' x 36' detached garage within 15 metres of the floodplain associated with Sixteen Mile Creek	13/04/2018	17/04/2018	Ben Davis
A/18/M/33	5894	0 Fifth Line	Proposed construction of a new headwall and retaining wall from Street "A" within the Regulated Area associated with a tributary of Sixteen Mile Creek (BP-1-L, BP-1A-2 and BP-1A-1)	05/04/2018	18/04/2018	Ben Davis
A/18/M/35	5899	285 Woodward Avenue	Proposed construction of a new front porch and installation of new windows within the floodplain associated with Sixteen Mile Creek	23/04/2018	24/04/2018	Ben Davis
A/16/M/50	5836 - REVISED	0 Wheelabrator Way (adj 301 Wheelabrator)	REVISED Proposed culvert replacement, bank stabilization and road rehabilitation along Wheelabrator Way within the Regulated Area associated with Sixteen Mile Creek	13/04/2018	27/04/2018	Laura Head
A/16/M/67	5911	2523 Lower Base Line Road West	the proposed construction of stormwater swales, outlets and headwalls, erosion controls, minor paving, landscaping, burial plots and associated grading within the Regulated Area associated with tributaries and Sixteen Mile Creek	01/05/2018	04/05/2018	Emma DeFields
A/16/M/25	5916	105 Steeles Avenue East	minor modifications and maintenance to the existing Stormwater Management (SWM) Pond within the Regulated Area of a tributary of Sixteen Mile Creek. The works include the expansion of the SWM Pond capacity, construction of the overflow spillway and maintenance of the existing outlet structure and a rip-rap spillway.	06/02/2018	14/05/2018	Laura Head
A/18/M/41	5920	10125 Fourth (Nassagaweya) Line	the proposed construction of two (2) new pedestrian bridges across a tributary of Sixteen Mile Creek and a Provincially Significant Wetland	27/04/2018	22/05/2018	Emma DeFields
A/18/M/25	Letter of Permission	11269 Fifth Line	Proposed partial reconstruction of an existing barn that is located between 30 & 120m of a Provincially Significant Wetland	05/04/2018	05/04/2018	Emma DeFields
A/18/M/38	Letter of Permission	2040 Fifteenth Sideroad	Proposed 9.7m x 5.48m in-ground pool and associated landscaping to be located between 30 & 120 metres of a Provincially Significant Wetland	26/04/2018	27/04/2018	Ben Davis
A/17/M/107	Letter of Permission	8160 Twiss Road	Proposed 2-storey pool house in the location of the existing pool house located between 30 & 120 metres of a Provincially Significant Wetland	29/03/2018	26/04/2018	Emma DeFields

CH File No.	Permit No.	Address	Proposed Works	Complete	Issued	CH Staff Member
A/18/M/39	Letter of Permission	11051 First Line	Proposed replacement of an existing rear deck and construction of a landscaped retaining wall located between 30 & 120 metres of a Provincially Significant Wetland	11/05/2018	14/05/2018	Ben Davis

### Mississauga

Nothing issued for Mississauga

### Oakville

A/18/O/19	5883	1292 Lakeview Drive	Proposed second storey addition and front additions within 7.5 metres of the erosion hazard associated with Wedgewood Creek	28/03/2018	06/04/2018	Laura Head
A/18/O/18	5885	75 West River Street	Proposed replacement of a weed shelter with a sturdier steel shelter within the floodplain associated with Bronte Creek	06/04/2018	09/04/2018	Charles Priddle
A/12/O/62	5894	Future Burnhamthorpe Road (Reach JC-10A)	proposed construction of the new William Halton Parkway (WHP) corridor, a 4.0m x 1.5m open bottom culvert crossing, minor watercourse realignment and construction of an interim SWM Pond all within the Regulated limits of tributary JC-10A (Joshua's Creek)	20/03/2018	20/04/2018	Paul Bond
A/18/O/22	5902	1234 Donlea Crescent	proposed construction of a new in-ground swimming pool and associated patio within 7.5 metres of the flooding and erosion hazard associated with Lower Morrison Creek.	09/04/2018	03/05/2018	Laura Head
A/18/O/23	5903	1495 Pembroke Drive	Proposed construction of a new two storey dwelling, swimming pool and associated patio within 7.5 metres of the stable top of bank associated with Munn's Creek	23/04/2018	03/05/2018	Laura Head
A/18/O/25	5907	125 Forsythe Street	proposed removal and replacement of 125 feet of masonry wall and waterproofing of an underground garage within the stable top of bank and the associated 15 metre regulation limit of Sixteen Mile Creek.	18/04/2018	10/05/2018	Charles Priddle
A/18/O/27	5917	0 Superior Court (easement adj. to 3421)	proposed integrity dig (MP-370.35-2018) which involves the excavation of soils within the existing TNPI right-of-way. The excavation site will be approximately 15m in length, 4m in width and up to 2m deep. The temporary work space will be used for soil stockpile and vehicle/equipment parking. The work area is located within the floodplain associated with a tributary of Sheldon Creek.	09/05/2018	16/05/2018	Laura Head
S/15/O/18	5923	10 Walker Street (Tannery Park & Waterworks park)	proposed construction of an armour stone revetment, armour stone groynes, cobble beach and an armour stone wall in Tannery Park. Also proposed is the construction of a boulder berm, boulder groynes and the reconstruction of a portion of revetment in Waterworks Park. All works are occurring within the flooding and erosion hazards associated with Lake Ontario.	09/01/2017	23/05/2018	Charles Priddle
S/18/O/19	5922	14 Arkendo Drive	Proposed construction of an attached garage on a property partially located with the erosion hazard associated with Lake Ontario	22/05/2018	23/05/2018	Charles Priddle



CH File No.	Permit No.	Address	Proposed Works	Complete	Issued	CH Staff Member
A/18/O/21	5928	218 Valleyview Court	proposed construction of an in-ground swimming pool within 7.5 metres of the flooding and erosion hazards associated with Fourteen Mile Creek and construction of a solarium, front foyer addition and second storey addition over the existing garage on a property that is partially regulated by Conservation Halton.	15/05/2018	29/05/2018	Laura Head
S/18/O/02	5934	1426 Lakeshore Road West (Coronation Park)	Proposed repairs to erosion protection works to stabilize the shoreline in a Municipal Park. Works will involve the placement of new armour stone along an eroded edge of existing armour stone protection and backfilling eroded slope with rock. Works will occur within the flooding and erosion hazards associated with Lake Ontario	27/04/2018	31/05/2018	Charles Priddle

#### Puslinch

A/18/P/02	Letter of Permission	4119 Six Highway	Proposed construction of a detached 11.08m x 6.97m three(3) car garage located between 30 & 120 metres of a wetland greater than 2 hectares in size	03/04/2018	05/04/2018	Ben Davis
-----------	----------------------	------------------	---	------------	------------	-----------

**REPORT TO:** Board of Directors

**REPORT NO: #** 05 18 11

**FROM:** Janelle Weppler, Associate Director, Engineering

**DATE:** June 21, 2018

**SUBJECT:** **Kelso Dam Update**

---

## MEMO

This briefing note is in response to the following resolutions that were made during the Conservation Halton Board of Directors meeting on April 28, 2016:

- The Conservation Halton Board of Directors **direct staff to provide monthly updates as to the status of Kelso Dam, including water levels, plume sightings, project progress and any remedial actions being undertaken;** and
- The Conservation Halton Board of Directors **direct staff to work with the Ministry of Natural Resources and Forestry, Halton Region and Hatch to expedite, to the extent possible, the permanent remedial measures required to mitigate the dam breach risk at the Kelso Dam.**

### ***Kelso Reservoir Water Levels and Monitoring***

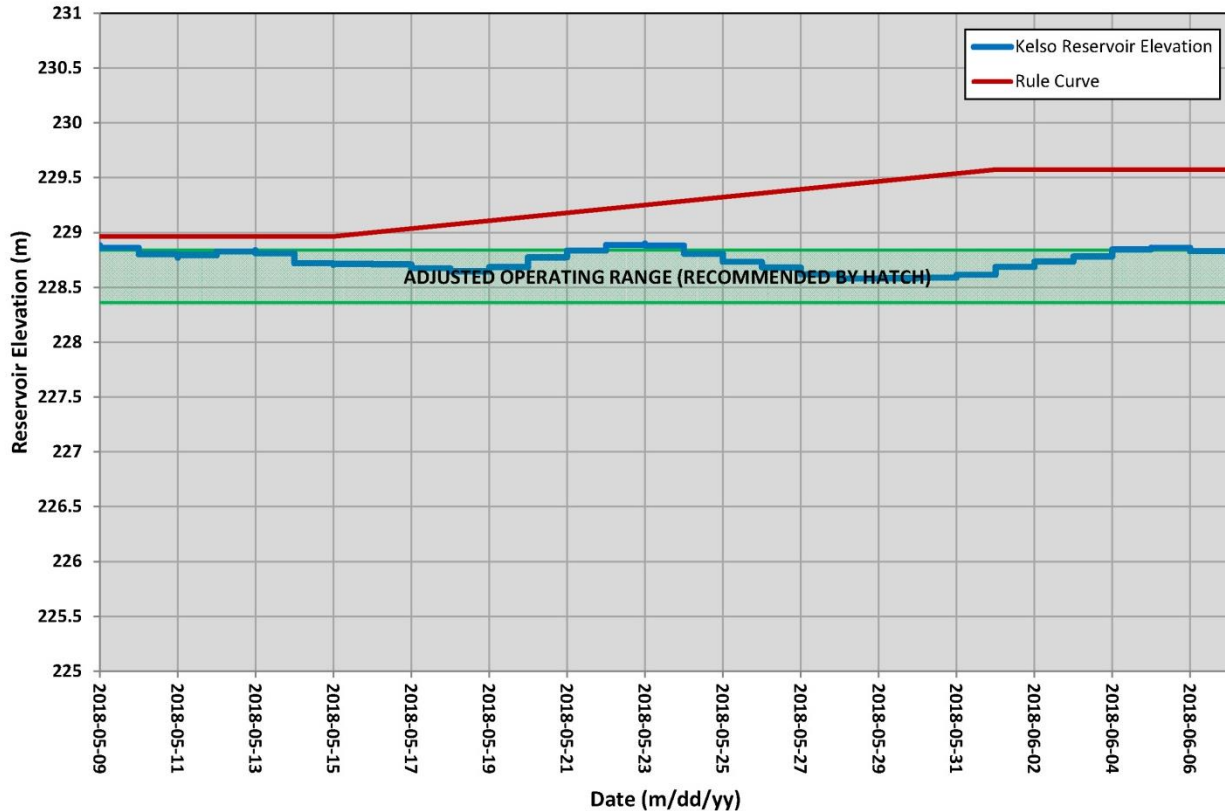
Conservation Halton are monitoring and recording the conditions at the Kelso dam with the increased summer operating frequency of:

- Bi-weekly piezometer (groundwater) readings within the earthen embankment;
- Site visits four (4) times daily; and,
- Review of photographic records of the identified boil area taken every 30 minutes throughout the day (visible during daylight hours) observed no evidence of sedimentation since June, 2015.

There continues to be no visible observation of sedimentation from the boil area (i.e. no plume sightings) since the last Kelso Dam Update report for the Board of Directors, dated May 10, 2018.

The following chart illustrates the recorded water levels within the Kelso reservoir relative to the reduced water level operating range recommended by Hatch.

### Kelso Reservoir Elevation May 9, 2018 to June 6, 2018



#### **Recent Work & Next Steps**

Conservation Halton staff are now working with engineering consultants and the Ministry of Environment and Climate Change (MOECC) to obtain the last outstanding permit, which is required to support dewatering during construction excavation.

Conservation Halton staff are also working with experts from GHD and Hatch to develop technical specifications and requirements for dewatering during construction. These technical specifications and requirements will be provided to Dufferin Construction to then provide the optimal dewatering and engineering mitigation measures design, with refined costing estimates. Delivery of the proposed dewatering and supporting engineering measures design with costing from Dufferin Construction to Conservation Halton is expected early July, 2018.

## MINUTES

A meeting of the Finance & Audit Committee was held on June 5, 2018 beginning at 9:30 a.m. at Conservation Halton Administration Office, Burlington ON.

Present: Moya Johnson  
Jim Sweetlove  
John Vice  
Gerry Smallegange

Absent with Regrets: Rob Burton

Absent: Cathy Duddeck  
Rob Duvall

Staff Present: CAO, Hassaan Basit  
Senior Director Finance and Strategic Initiatives, Sheryl Ayres  
Director of Finance, Marnie Piggot  
Executive Assistant, Adriana Birza

**Next F&A Committee** meeting: October 25, 2018

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

**FA 02 01** Moved by: Gerry Smallegange

THAT the Agenda be **accepted as distributed and amended.**

2. **Disclosure of Pecuniary Interest for Finance & Audit Committee**

There was no disclosure of pecuniary interest

3.0 **Consent Items**

Roll Call & Mileage  
Approval of Finance & Audit Committee Minutes dated April 12, 2018

The Consent Items were approved as presented.

4.0 **Action Items**

4.1 **2019 Preliminary Budget and Business Plan**  
**Report #: FA 02 18 01**

**FA 01 02** Moved by: John Vice  
Seconded by: Gerry Smallegange

THAT the Finance & Audit Committee **recommend to the Conservation Halton Board of Directors that the attached 2019 Preliminary Budget and Business Plan be approved for budget discussion purposes with funding watershed municipalities.**

## 5.0 Other Business

5.1 Gerry Smallegange requested an update on the status of Developer Contributed funds for the CH parks capital development.

**Conservation Halton to bring an update report at Board of Directors on DC Funds allocation / challenges in September.**

## 6.0 Adjournment

The Finance & Audit Committee **adjourned at 10: 06 a.m.**

Carried: Jim Sweetlove

**REPORT TO:** Board of Directors

**REPORT NO: #** 05 18 01

**FROM:** Barbara J. Veale, Director, Planning & Watershed Management  
905-336-1158 x. 2273

**DATE:** June 21, 2018

**SUBJECT:** **Proposed development within the 7.5 metre allowance associated with the flooding and erosion hazards of Lower Wedgewood Creek, 448 Drummond Road, Town of Oakville, Regional Municipality of Halton**  
**CH File No.: A/18/O/34**

---

#### Recommendation

**THAT the Conservation Halton Board of Directors approve the issuance of a permit for the reconstruction and expansion of a dwelling within the 7.5 metre allowance associated with the flooding and erosion hazards of Lower Wedgewood Creek at 448 Drummond Road, Town of Oakville, Regional Municipality of Halton.**

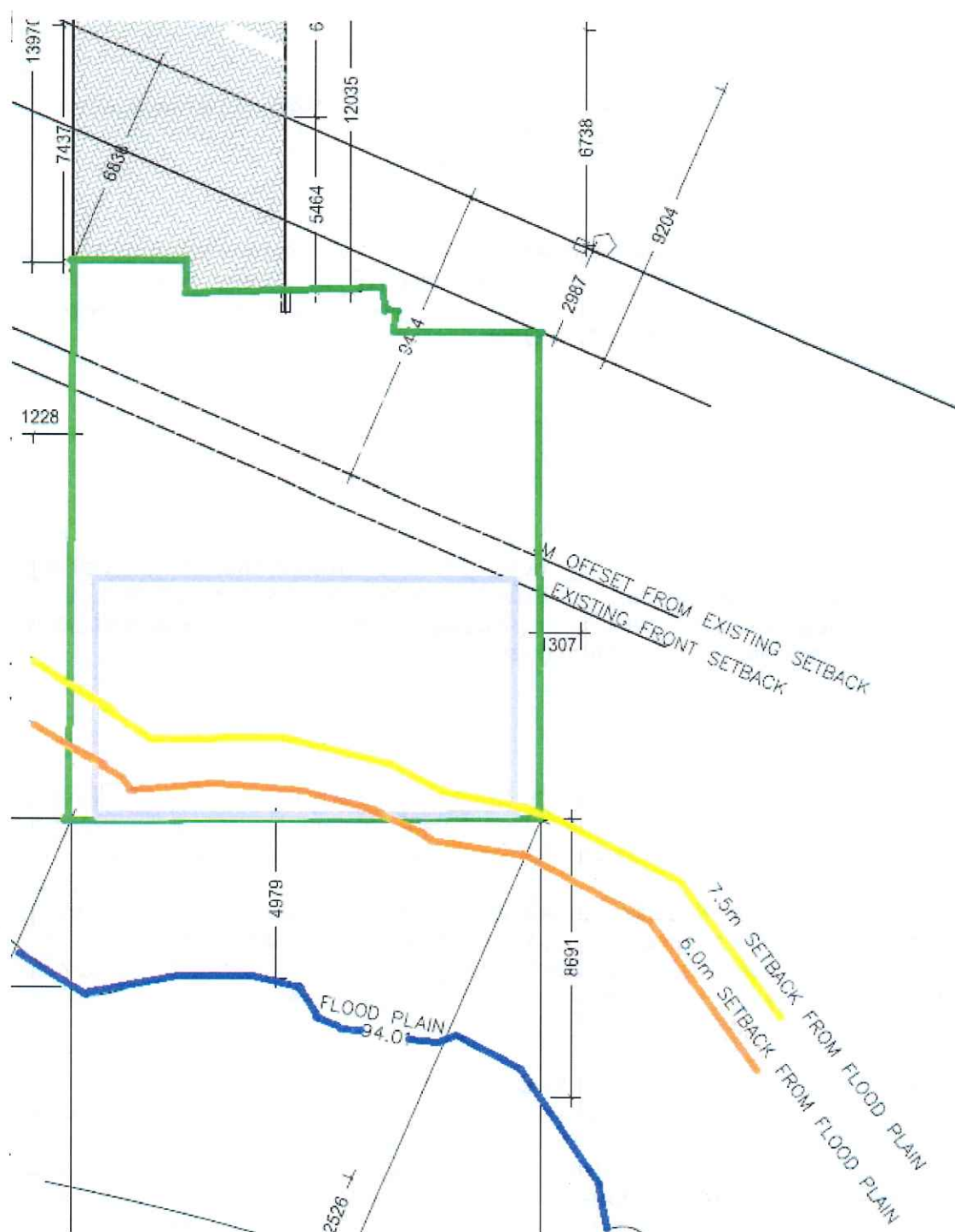
#### Executive Summary

The subject property is located at 448 Drummond Road, in the Town of Oakville, and contains a portion of Lower Wedgewood Creek. Conservation Halton regulates 7.5 metres from the greatest hazard, in this case, the floodplain associated with Lower Wedgewood Creek.

On May 16, 2018, staff received an application to reconstruct and expand a dwelling on the subject property. The new building is proposed to be located approximately 5 metres, on average, from the floodplain associated with Lower Wedgewood Creek (Figure 1) as confirmed through a topographic survey. This proposed distance is equal to that of the existing dwelling which is also located approximately 5 metres from the floodplain.

The proposed dwelling does not meet current Board-approved policy, as the policy states that reconstructions, alterations or additions are permitted provided the works do not encroach closer to the hazard than existing development and are not within 6 metres of the floodplain hazard. Staff can only issue permits that meet Board-approved policies. However, based on the unique circumstances described in the below report, staff recommends approval of the proposed works that are approximately 5 metres from the floodplain but no closer than the existing dwelling.





**Figure 1:** Proposed dwelling (shown in green) as compared to the existing dwelling (purple) will be located approximately 5 metres from the floodplain (shown in blue) and will be located within the 6 metre allowance from the floodplain (orange).

## Report

### Background

The property, 448 Drummond Road, Oakville (Figure 2), contains a portion of Lower Wedgewood Creek and contains the flooding and erosion hazards associated with Lower Wedgewood Creek. Conservation Halton regulates 7.5 metres from the greater hazard associated with that watercourse, in this case the greater hazard is the floodplain; floodplain is indicated by the blue line in Figure 1 and the 7.5 metre regulation limit is indicated by the yellow line in Figure 1. As such, a portion of the property is regulated by Conservation Halton pursuant to Ontario Regulation 162/06. The surrounding neighbourhood is comprised of residential dwellings. All properties backing onto Lower Wedgewood Creek are regulated by Conservation Halton for flooding and erosion hazards.



**Figure 2:** 448 Drummond Road, Oakville, Ontario

### Proposal

The proposed works involve the reconstruction and expansion of a new single family residential dwelling. According to J.H. Gelbloom Surveying Limited's *topographic survey of 448 Drummond Road*, dated April 24, 2018, a small area of the southwest portion of the existing dwelling is located 4.9 metres from the regulatory floodplain, while the southeast portion of the existing dwelling is located totally outside the 6 metre allowance. A larger dwelling is being proposed by the applicant, which maintains the location existing rear wall of the dwelling and current setbacks from the floodplain. On balance, the proposed works are located 5 metres from the floodplain.



The applicant is also seeking permission from the Town of Oakville, for a Minor Variance to the Town's Zoning By-law, to allow for reduced front yard setbacks and lot coverage.

#### Conservation Halton Policy Review

The proposed development consists of the construction of a new dwelling to maintain the location of the existing rear wall and the current 4.979 metre setback from the floodplain. The applicable policy under which development in the regulated area of the valley land erosion hazard applies is Policy 3.27.1 *Minor Valley Systems - Development within 7.5 metres of Flood Plain*. The encroachment of the new dwelling does not meet Board-approved policy which states:

**3.27.1** Where buildings and structures already exist within 7.5 metres of the flood plain reconstruction, alteration or additions may be permitted subject to the following:

- a) the reconstruction, alteration or addition does not encroach any closer to the flood plain than existing development at its closest point;
- b) even if existing development is closer than 6 metres to flood plain, no new development is permitted within 6 metres in order to provide for an access allowance as per the Provincial Policy Statement;
- c) In cases where the building or structure can be reasonably relocated outside of the setback the applicant will be encouraged to do so.

The intent of Policy 3.27.1 is to restrict development within 7.5 metres of the regulated hazard to ensure an adequate setback from the floodplain hazard is achieved when redevelopment is proposed. However, staff is recommending approval of the permit because of the unique circumstances associated with this file as listed below:

- a) the development is located entirely outside of the flooding hazard;
- b) the development does not encroach further toward the hazards than existing development on this property.
- c) the intrusion into the allowance is negligible at the southeast corner of the structure and encroaches a maximum of 1.1 metres into the allowance at the southwest corner in order to facilitate a linear design (a small sliver shaped area beyond the orange line in Figure 1).

### Conclusion

Staff recommends that Conservation Halton Board of Directors approve the issuance of a permit for works on the basis that the proposed works will not encroach any closer to the floodplain than the existing dwelling and that access will not impeded.

### Impact on Strategic Goals

This report supports the Metamorphosis strategic theme of Taking care of our growing communities. The theme is supported by the objective to remain dedicated to ecosystem-based watershed planning that contributes to the development of sustainable rural, urban and suburban communities

### Financial Impact

There is no financial impact as a result of this proposal.

Signed & respectfully submitted:



Barbara Veale  
Director of Planning and Watershed Management

Approved for circulation:



Hassaan Basit  
CAO/Secretary-Treasurer

FOR QUESTIONS ON CONTENT: Laura Head, 905-336-1158 x2333, [lhead@hrca.on.ca](mailto:lhead@hrca.on.ca)

**REPORT TO:** Board of Directors

**REPORT NO: #** 05 18 06

**FROM:** Barbara Veale, Director, Planning and Watershed Management  
905-336-1158 ext. 2273  
[bveale@hrca.on.ca](mailto:bveale@hrca.on.ca)

**DATE:** June 21, 2018

**SUBJECT:** **New Memorandum of Understanding for an Integrated Halton Area Planning System**

---

### Recommendation

That the Conservation Halton Board of Directors **endorse the new Memorandum of Understanding for an Integrated Halton Area Planning System dated May 30, 2018, and**

That the Conservation Halton Board of Directors **authorize the Chief Administrative Officer to sign the new Memorandum of Understanding for an Integrated Halton Area Planning System on behalf of Conservation Halton, and**

That the Conservation Halton Board of Directors **terminate the existing 1999 Memorandum of Understanding for an Integrated Halton Area Planning System.**

### Report

A Memorandum of Understanding (MOU) among the Region of Halton, 4 local municipalities, 2 School Boards, and the Police Service in Halton, pertinent conservation authorities (CH, CVC, and GRCA) was signed in 1999. This followed provincial download of plan review and approvals of certain planning applications from the Region to local municipalities. The MOU outlined how environmental services relating to plan review and technical clearance, among other things, would be delivered among the parties. It has been an important tool for defining roles and responsibilities within the context of land use planning service delivery at that time. Since 1999, the land use planning framework and the regulatory regime under which the municipalities and the conservation authorities operate in the Province has evolved and become more complex. Over the same time frame, municipalities within Halton Region have experienced unprecedented population growth.

Staff from the Region, local municipalities, and conservation authorities agreed that, in today's planning and regulatory context, the existing MOU is outdated and does not reflect how the parties work together. It was also agreed that a new Memorandum of Understanding (MOU) focusing on the principal parties involved in addressing key land use planning challenges (e.g., the municipalities and conservation authorities) is needed. To this end, the Chief Administrative Officers and the Planning Directors of the Region, local municipalities and conservation authorities have been meeting since the fall 2016 to develop a modernized framework and approach to plan review and technical clearance.



The draft MOU reflects a cooperative and collaborative approach among the agencies focused on customer service, with the goal of developing a seamless, integrated and well-understood process.

The objectives of the new MOU are to ensure that:

- Each step of the planning review process is complementary, adds value to the decision-making process, does not result in service duplication;
- The rigour of review is consistent with the scale and impacts of the project;
- The natural environment is protected and restored using a systems-based approach; and
- Sharing information assists and expedites decision making

The new MOU sets out the broad purpose, guiding principles, general roles and responsibilities, development application review timelines, and a work plan to advance integrated planning among the agencies and define more detailed provisions on roles and responsibilities over the next 18 months. It sets a foundation while anticipating future changes to roles and responsibilities through recent updates to the *Planning Act* and *Conservation Authorities Act*. A copy of the draft MOU is attached to this report.

### Impact on Strategic Goals

This report supports the Metamorphosis strategic themes of 1) Taking care of our growing communities, 2) Protecting our natural, cultural, and scenic assets and 3) Striving for service excellence and efficiency. The theme is supported by the objective to remain dedicated to ecosystem-based watershed planning that contributes to the development of sustainable rural, urban and suburban communities.

### Financial Impact

There is no financial impact to this report.

Signed & respectfully submitted:



Barbara J. Veale  
Director, Planning and Watershed Management

Approved for circulation:



Hassaan Basit  
CAO/Secretary-Treasurer

**FOR QUESTIONS ON CONTENT:** Barbara J. Veale, 905.336.1158 x 2273; [bveale@hrca.on.ca](mailto:bveale@hrca.on.ca)



**MEMORANDUM OF UNDERSTANDING**  
**between the**  
**REGIONAL MUNICIPALITY of HALTON,**  
**CITY OF BURLINGTON,**  
**TOWN OF HALTON HILLS,**  
**TOWN OF MILTON,**  
**TOWN OF OAKVILLE,**  
**HALTON REGION CONSERVATION AUTHORITY,**  
**CREDIT VALLEY CONSERVATION AUTHORITY, and**  
**GRAND RIVER CONSERVATION AUTHORITY**  
**For an Integrated Halton Area Planning System**

**Date of draft: May 30, 2018**

## **1. PREAMBLE**

The Halton Area Municipalities and Conservation Authorities have a longstanding relationship in advancing an integrated system for planning in Halton. The relationship, including roles and responsibilities, have been well-defined since 1999 when the initial Memorandum of Understanding (MOU), related to the delivery of planning services, was endorsed by the Parties. At that time, the MOU was an important tool to define roles and responsibilities within the context of a new protocol for land use planning service delivery. In response, and in tandem with the 1999 MOU, Regional Council also passed by-laws that delegated the approval of plans of consent, subdivision and condominium, as well as part-lot control by-laws to the local municipalities. Regional Council also provided by-laws to establish criteria for exempting Regional approval for Local Official Plan Amendments. These instruments represent a significantly advanced planning system for that time.

Since the 1999 MOU was signed and implemented, the land use planning framework and the regulatory regime under which Conservation Authorities operate in the Province has evolved into a significantly more complex system. The policy and regulatory systems have become more complex, with changing legislation, more Provincial Plans, new authority over regulated areas and more specific and rigid tests for planning complete communities. This complexity has been compounded by the fact that the Halton Area Municipalities have also experienced significant population growth. The population has increased by 200,000 since 1999 and is expected to grow to 1 million persons and 470,000 jobs by 2041.

With a significantly evolved planning framework, it is important that a new arrangement is in place to assist the parties in managing growth and change while protecting the environment. What is equally important is that the relationships between the parties, and the roles and responsibilities in implementing the planning and regulatory framework are seamless, integrated and well-understood as the Parties take the necessary steps to redefine their roles in the system. This MOU will set the foundation for undertaking transformational changes into the future.

In this regard, the objectives of this MOU include ensuring that:

- each step of the planning review process is complementary, adds value to the decision-making process, does not result in service duplication;
- the rigour of review is consistent with the scale and impacts of the project;
- the natural environment is protected and restored using a systems-based approach; and
- sharing information assists and expedites decision-making.

## **2. PURPOSE**

2.1 The purpose of this Memorandum is to:

- a. Identify the roles and responsibilities of the Parties and record their mutual understanding in planning policy and development matters;
- b. set out the expectations for plan review and technical clearance on matters relating to the natural heritage and water resources;
- c. streamline the development application review process;
- d. improve alignment between planning services and conservation authority permitting processes; and
- e. establish a data and information sharing protocol.

2.2 This MOU is intended to work in tandem with the legislative and policy framework for planning in the Province of Ontario. It is not intended to conflict with responsibilities that

have been assigned to any of the Parties either by statute, regulation, policy or other instrument. For example, the MOU is not intended to conflict with:

- 2.2.1 Responsibilities assigned to the Region as the upper-tier municipality in the following:
  - 2.2.1.1 The Planning Act; and
  - 2.2.1.2 The MOU between the Region and the Province of Ontario relating to municipal plan review (May 1996).
- 2.2.2 Responsibilities assigned to the Conservation Authorities as of the signing of this MOU and subject to change, in the following:
  - 2.2.2.1 The Conservation Authorities Act and associated Regulations; and
  - 2.2.2.2 The MOU between the Conservation Authorities (Conservation Ontario) and the Province of Ontario relating to municipal plan review, input and appeals relating to Natural Hazards (2001).
- 2.2.3 Responsibilities assigned to the Local Municipality through the *Planning Act* and applicable Delegation By-law.
- 2.3 This MOU is not intended to conflict with or preclude any MOU between any of the Conservation Authorities, municipalities and other agencies.
- 2.4 The Parties agree that the MOU between the Region and the Province should be reviewed and updated to reflect the significant changes to the planning framework in Ontario.
- 2.5 The Parties commit to undertaking the following work as detailed in the body of this MOU and summarized in Schedule 1.

### **3. GUIDING PRINCIPLES**

This Memorandum of Understanding is based on the following principles. The parties agree to work collaboratively to:

- a. Deliver timely, accurate, effective and customer-focussed planning services;
- b. Eliminate unnecessary duplication to maximize the utilization of existing resources and technical expertise and, where possible, coordinate efforts;
- c. Ensure the planning and regulatory systems are seamless, integrated, complementary and well understood;
- d. Develop an integrated digital mapping framework for mutual benefit;
- e. Continuously improve working relationships and enhance service performance of all Parties; and
- f. Monitor the performance of this MOU and service delivery.

### **4. MOU Framework**

- 4.1. For the purposes of this MOU, planning services have been defined and organized into two categories: 1) Planning Policy; and 2) Implementation Planning. By organizing the MOU in this manner, it is not intended to limit or define the service delivery method or the service delivery entity within each of the Parties. The MOU is organized in this manner for ease of reading and reference.
- 4.2. The Parties recognize that there may be initiatives, specific studies and technical studies in support of development applications that exhibit components of both planning policy and implementation planning.
- 4.3. For the purposes of this MOU, Planning Policy includes:
  - a. Provincial Plans, Policies and Initiatives

- b. Regional Official Plan and Amendments
- c. Local Official Plans and Amendments
- d. Area Specific Plans (Secondary, Tertiary Plans and related Studies)
- e. Community Improvement Plans and Incentives
- f. Special Studies (e.g. watershed/subwatershed studies)
- g. Guidelines

Section 5 of this MOU provides specific provisions.

4.4. For the purposes of this MOU, Implementation Planning includes:

- a. Site Specific Regional Official Plan Amendments
- b. Site Specific Local Official Plan Amendments
- c. Comprehensive Zoning By-laws
- d. Zoning By-law Amendments
- e. Draft Plans of Subdivision and Condominium
- f. Consents
- g. Minor Variances
- h. Part Lot Control
- i. Site Plans
- j. Niagara Escarpment Development Permits

Section 6 of this MOU provides specific provisions.

## **5. ROLES & RESPONSIBILITIES in the PLANNING SYSTEM relating to PLANNING POLICY**

5.1. The Parties agree that a high degree of policy alignment is important in advancing an integrated and seamless planning system.

5.2. In order to achieve policy alignment as set out in Section 5.1, the parties agree to collaboratively develop and regularly review a work plan to address the following:

- 5.2.1. Conformity of the Regional Official Plan to Provincial Plans and Policies;
- 5.2.2. Conformity of Local Official Plans to the Regional Official Plan;
- 5.2.3. Timely delivery of Area Specific Plans for new growth areas, including intensification areas;
- 5.2.4. Timely update of Comprehensive Zoning By-Laws to conform to Local Official Plans;
- 5.2.5. Harmonization of Regional and Local Official Plan policies and Conservation Authority regulations and policies, where possible; and
- 5.2.6. Alignment of guidelines and protocol between the Parties, such as guidelines that set out requirements for study (e.g. Environmental Impact Assessment Guidelines).

5.3. The work plan developed in accordance with Section 5.2 will be developed by the Area Planning Directors and brought forward to the CAOs of the Parties, for approval within 6 months of this MOU being endorsed.

### **5.4. Provincial Plans, Policies and Initiatives**

5.4.1. The Region coordinates the joint review of Provincial Plans, policies and initiatives by working collaboratively with the Local Municipalities to prepare recommendations where there are shared planning interests of the Parties.

5.4.2. The Region and Local Municipalities, in reviewing Provincial Plans and policies, will engage the Conservation Authorities where all Parties' interests align.

5.4.3. In all cases, the Parties will work to achieve consensus in preparing recommendations to the Province on shared planning interests. If the Parties

cannot reach consensus in providing comments or recommendations to the Province on Provincial Plans and initiatives the Parties agree to prepare and submit independent submissions.

5.4.4. The Halton Area Planning Partnership will be responsible for coordinating all responses to all Provincial Plans, policies and initiatives.

5.4.5. The Terms of Reference for the Halton Area Planning Partnership will be reviewed and updated by the Parties within 18 months of this MOU being endorsed.

#### 5.5. Regional Official Plan and Amendments

5.5.1. The Region leads and adopts policy based amendments to the Regional Official Plan.

5.5.2. Prior to initiating policy based amendments to the Regional Official Plan amendments, the Region will share information on the initiative and seek input from the parties.

5.5.3. The Local Municipalities and Conservation Authorities will review and provide comments on policy-based amendments to the Regional Official Plan as it relates to their interests and mandates.

#### 5.6. Local Official Plans and Amendments

5.6.1. The Local Municipalities lead and adopt policy based Local Official Plans and Amendments

5.6.2. The Region is the approval authority for Local Official Plans and Amendments

5.6.3. Prior to initiating policy based Local Official Plan amendments, the Local Municipalities will share information on the initiative and seek input from the Region and relevant Conservation Authority

5.6.4. The Region and Conservation Authorities will review and provide comments on policy-based Local Official Plan Amendments as it relates to their interests and mandates

#### 5.7. Area Specific Plans (Secondary Plans, Tertiary Plans and Related Studies)

5.7.1. Local Municipalities lead and adopt Area Specific Plans (ASP) for major growth areas, including major transit station areas, development of new greenfield areas or redevelopment of existing communities.

5.7.2. The Region is the approval authority for Area Specific Plans.

5.7.3. In developing Area Specific Plans the Local Municipality will engage the Region and Conservation Authority as it relates to their interests and mandates.

5.7.4. The Local Municipality is responsible for undertaking studies in support of Area Specific Plans.

- 5.7.5. The Local Municipality will work collaboratively with the Region and Conservation Authority to identify and scope the necessary studies required for the Area Specific Plan.
- 5.7.6. The Parties agree to work together to develop a Terms of Reference for each study required.
- 5.7.7. That the Terms of Reference will ensure that any Party involved in the review of any study, and where applicable, will provide technical clearance in writing to the Local Municipality in a timely manner.
- 5.7.8. The Parties agree that Terms of Reference for studies related to Area Specific Plans (e.g. subwatershed studies) must address key policy tests while being sensitive to context. Area Specific Plans for redevelopment areas may require the Parties to scope, modify or waive study requirements to recognize the existing policy framework and built context for these areas.
- 5.7.9. The Parties have a mutual interest in advancing work on Area Specific Plans. In recognition of this mutual interest, the Parties agree to work within the timelines and scope set out in the Terms of Reference under the proviso that all applicable materials have been received within the agreed to ASP study initiation timelines.

#### 5.8. Community Improvement Plans and Incentives

- 5.8.1. Local Municipalities lead and adopt local Community Improvement Plans where approved policies are in place in the Local Official Plan.
- 5.8.2. The Region and Conservation Authorities will review and provide comments on the Local Community Improvement Plans as it relates to their interests and mandates.
- 5.8.3. Where a local municipality has an approved Community Improvement Plan in place, the Region may participate and make loans and grants available in accordance with approved guidelines approved by Regional Council.
- 5.8.4. The Region has the authority, under the *Planning Act*, to designate all or part of the Region as a Community Improvement Project Area to improve infrastructure, or land and buildings within an intensification area or support affordable housing provision.
- 5.8.5. Prior to initiating a Regional Community Improvement Plan, the Region will collaborate with the Local Municipality, share information and seek input to determine needs and incentives.

#### 5.9. Special Studies

- 5.9.1. From time to time the Parties will engage in special studies (e.g. watershed/subwatershed, geotechnical, floodline) related to land use and regulatory matters that affect all municipalities and one or more Conservation Authority(ies).
- 5.9.2. The Parties will develop a work plan to collaboratively conduct these studies when it has been determined to be of mutual interest.

#### 5.10. Guidelines



- 5.10.1. The Region prepares certain guidelines and /or protocols that provide detailed directions in the implementation of the Region Official Plan policies.
- 5.10.2. The Local Municipalities also prepare certain guidelines and /or protocols that provide detailed directions in the implementation of local Official Plan policies.
- 5.10.3. The Parties will review and provide comments on guidelines/protocols as it relates to their interests and mandates.

## **6. ROLES & RESPONSIBILITIES in the PLANNING SYSTEM relating to IMPLEMENTATION PLANNING**

- 6.1. All Parties agree that in reviewing and assessing development applications, comments must be scoped based on:
  - 6.1.1. Legislative or Regulatory authority;
  - 6.1.2. Council or Board approved policies and by-laws;
  - 6.1.3. A consideration of the built context; and
  - 6.1.4. Interests that have been identified through pre-consultation, terms of reference, comprehensive complete application requirements, and/or requisite studies.
- 6.2. The Parties agree that it is important to advance an expeditious review of development applications based on *Planning Act* timelines. In all cases the Parties will endeavour to provide comments to the approval authority that:
  - 6.2.1. Will enable the approval authority of the particular planning application to make a decision; and
  - 6.2.2. Are in accordance with the timeframes set out in Schedule 2.
- 6.3. To ensure that the approval authority is in a position to make a decision on the application within the Planning Act timeframes, the Parties agree to share best practices and to examine ways to harmonize policies and approaches related to pre-consultation and complete application requirements.
- 6.4. The Parties agree to monitor and report on service delivery measures based on common goals and metrics, where feasible.

### **6.5. Site Specific Regional Official Plan Amendments**

- 6.5.1. The Region is responsible for reviewing and approving site specific Regional Official Plan Amendments.
- 6.5.2. For site specific Regional Official Plan Amendments where there are related local planning applications (e.g. a site specific Local Official Plan Amendment), the Region and Local Municipality will coordinate the review to ensure:
  - a. A single set of requirements for a complete application is established;
  - b. Timely and concurrent processing of the applications; and
  - c. Duplication of the review process is avoided where possible (e.g. joint open house, joint peer reviews of studies, etc.).
- 6.5.3. The Local Municipality and Conservation Authority will review and provide comments on site specific Regional Official Plan Amendments as it relates to their interests and mandates.

### **6.6. Site Specific Local Official Plan Amendments**

- 6.6.1. The Local Municipality is responsible for reviewing and adopting site specific Local Official Plan Amendments.
- 6.6.2. The Region and Conservation Authorities will review and provide comments on site specific Local Official Plan Amendments as it relates to their interests and mandates.
- 6.6.3. The Region is the approval authority for site specific Local Official Plan Amendments unless deemed exempt from Regional approval.
- 6.6.4. The process and criteria for exempting site specific Local Official Plan Amendments for each Local Municipality are outlined in the following Regional By-Laws:
  - a. By-law 16-99 Town of Oakville;
  - b. By-law 17-99 City of Burlington;
  - c. By-law 18-99 Town of Halton Hills; and
  - d. By-law 19-99 Town of Milton.
- 6.6.5. The Region and Local Municipalities agree to work collaboratively in implementing the Exemption By-Laws.
- 6.6.6. The Region and Local Municipalities agree to review and update the Exemption By-Laws to achieve greater clarity and certainty for exemptions to Regional approval, within 18 months of this MOU being endorsed.

#### 6.7. Comprehensive Zoning By-laws

- 6.7.1. The Local Municipalities prepare and approve Comprehensive Zoning By-laws to ensure conformity with Local Official Plans.
- 6.7.2. The Region and Conservation Authorities will review and provide comments on Comprehensive Zoning By-Laws as it relates to their interests and mandates.
- 6.7.3. The Region and Conservation Authorities will work with the Local Municipalities to define specific scope of review for Comprehensive Zoning By-Laws. The scope of review will be based on clear policy tests and will be respectful of the local interest.

#### 6.8. Zoning By-law Amendments

- 6.8.1. The Local Municipality is the approval authority for Zoning By-law Amendments.
- 6.8.2. The Region and Conservation Authorities will review and provide comments on site Zoning By-Law Amendments as it relates to their interests and mandates.

#### 6.9. Draft Plans of Subdivision and Condominium

- 6.9.1. The Local Municipality is the approval authority for draft plans of subdivision and condominium.
- 6.9.2. The Region and Conservation Authorities will review, provide comments and conditions of approval on draft plans of subdivision and condominium as it relates to their interests and mandates.
- 6.9.3. The Regional interest in draft plans of subdivision and condominiums is set out in the following Regional By-Laws:
  - a. Subdivision Delegation By-laws

- By-law 175-98 Town of Oakville
  - By-law 176-98 City of Burlington
  - By-law 177-98 Town of Halton Hills
  - By-law 178-98 Town of Milton
- b. Condominium Delegation By-laws
- By-law 171-98 Town of Oakville
  - By-law 172-98 City of Burlington
  - By-law 173-98 Town of Halton Hills
  - By-law 174-98 Town of Milton

6.9.4. The Region and Local Municipalities agree to review and update and/or repeal the Delegation By-Laws to reflect a collaborative partnership approach to these applications in keeping with this MOU, within 18 months of this MOU being endorsed.

#### 6.10. Consents

6.10.1. The Local Municipality is the approval authority for consents.

6.10.2. The Region and Conservation Authorities will review and provide comments on consents as it relates to their interests and mandates to be identified through a Scope of Review (Schedule 1).

6.10.3. The Regional interest in consents is set out in the following Regional By-Laws:

- a. Consent Delegation By-laws
- By-law 179-98 Town of Oakville;
  - By-law 180-98 City of Burlington;
  - By-law 181-98 Town of Halton Hills; and
  - By-law 182-98 Town of Milton.

6.10.4. The Region and Local Municipalities agree to review and update and/or repeal the Delegation By-Laws to reflect a collaborative partnership approach to these applications in keeping with this MOU, within 18 months of this MOU being endorsed.

#### 6.11. Minor Variances

6.11.1. The Local Municipality is the approval authority for minor variances.

6.11.2. The Region and Conservation Authorities will review and provide comments on minor variances as it relates to their interests and mandates to be identified through a Scope of Review (Schedule 1).

#### 6.12. Part Lot Control

6.12.1. The Local Municipality is the approval authority for part lot control.

6.12.2. The Local Municipality will circulate part lot controls to the Region for information.

#### 6.13. Site Plans

6.13.1. The Local Municipality is the approval authority for site plans.

- 6.13.2. The Region and Conservation Authorities will review and provide comments on site plans as it relates to their interests and mandates.

**6.14. Niagara Escarpment Development Permits**

- 6.14.1. The Niagara Escarpment Commission is the approval authority for Niagara escarpment Development Permits.
- 6.14.2. The Parties will review and provide comments to the Niagara Escarpment Commission on Niagara Escarpment Development Permits as it relates to their interests and mandates.
- 6.14.3. Prior to submitting comments on Niagara Escarpment Development Permits, the Parties will discuss any issues to determine whether there is value in issuing a coordinated response.

**7. PLANNING for the NATURAL ENVIRONMENT**

- 7.1.1. The Parties agree that a greater degree of coordination and timeliness between the Region and the Conservation Authority is necessary for advancing an integrated and seamless planning system as it relates to the natural environment.
- 7.1.2. The Parties agree that there is significant opportunity to improve and to clarify roles and responsibilities in planning for the natural environment.
- 7.1.3. The Parties agree to work collaboratively to advance an integrated planning and seamless planning model, based on the following principles:
- a. a high degree of policy alignment is important in advancing an integrated and seamless planning system;
  - b. the rigour of environmental review must match the scale and nature of impacts;
  - c. planning for the environment should not revisit the principle of land use at the site specific stage when defined at the policy stage(s);
  - d. more effort needs to be put 'up front' in defining the components of the natural heritage system;
  - e. good information and data leads to good policy;
  - f. eliminate unnecessary duplication;
  - g. optimize the use of existing staff expertise; and
  - h. seek opportunities for inter-municipal/agency educational workshops.
- 7.1.4. In accordance with Sections 7.1.2 and 7.1.3 the Parties will define more detailed provisions on roles and responsibilities by proposing amendments to this MOU and agree to conclude this work 18 months following the endorsement of this MOU. At a minimum the MOU update must address role clarity and work plans for:
- a. Policy development and harmonization;
  - b. Natural heritage system component boundary identification;
  - c. Natural heritage system component refinement processes;
  - d. Establishing priorities for studies that identify, or update, natural hazard mapping;
  - e. Review of stormwater management plans and applications;
  - f. Review of planning and building permit applications as they relate to sourcewater protection;
  - g. Climate change mitigation and adaptation;

- h. Reviewing or Establishing Guidelines for Terms of Reference for Environmental Impact Assessments, Subwatershed Studies/Plans, and EIR/Subwatershed Impact Studies; and
- i. Coordination of effort between Permits under the CA Act and approvals under the *Planning Act*.

## **8. DATA and INFORMATION SHARING**

- 8.1. The Parties will work together to define a screening map and guidelines to assist the Local Municipalities in determining when an application will be circulated for review.
- 8.2. The Parties agree that data sharing, data modelling and GIS are important to service efficiencies and will establish and/or participate on a working group to advance an open data approach among the Parties.

## **9. DISPUTE RESOLUTION**

- 9.1. Where a dispute arises between two or more Parties' staff pertaining to service matters undertaken in sections 5, 6 or 7 above, the Parties agree that the staff will practice resolution of the dispute utilizing the following principles:
  - a. Agree to a fair process for mediating issues;
  - b. Utilize the services of a neutral facilitator;
  - c. Discuss the impasse item and avoid blame;
  - d. Accept responsibility
  - e. Identify common agreement/ground
  - f. Identify all options to resolve
  - g. Select best option.
- 9.2. Where the steps in 9.1 fail, the matter will be forwarded in writing, detailing the disagreement, by the applicable staff to the Area Planning Directors for resolution.
- 9.3. When two or more Parties' staff are unable to resolve a dispute that arise from the implementation of this MOU, the matter will be subject to a two stage resolution procedure:
  - 9.3.1. A meeting of the applicable Planning Directors will be convened to discuss the dispute, with the expectation that a mediated solution will result; and if the dispute is not resolved,
  - 9.3.2. The applicable CAOs will be convened to mediate and resolve any disagreements.

## **10. DURATION AND FORMAL REVIEW**

- 10.1. This MOU shall come into effect on the date of the last party to sign this MOU and shall remain in effect until such time as it may be replaced by an updated MOU resulting from a mandatory review that will regularly take place no more than two years from the effective date of this MOU.
- 10.2. This MOU may be reviewed at any time before the mandatory review if agreed to by the Parties, particularly when Provincial legislative or plans have been amended.
- 10.3. The mandatory review shall be overseen by the Parties' CAOs with any final recommended changes being subject to full agreement by all Parties.

## **11. DEFINITIONS:**

**In this Memorandum:**

“Halton Area Planning Partnership”

means a working group of the parties that collaborate on matters of common interest

“interests”

means the interests of the Party as defined by its approved plans, policies, and programs.

“Natural Environment”

means the natural heritage system and the water resource system including natural hazards and stormwater management.

“Natural Heritage System”

means the same as the Provincial Policy Statement 2014 definition.

“Parties”

means the upper- and lower-tier municipalities’ planning policy and implementation departments and the Conservation Authorities’ planning and development departments

“Planning Directors”

means the directors of local and regional land use planning departments and the "directors of the planning and regulatory functions of the conservation authorities.

“Scope of Review”

means a benchmark or standard against which conformance of a land use/development plan or application is assessed by a Party.

“Water Resources”

means water resource systems as it relates to seepages and springs, significant groundwater recharge areas, highly vulnerable aquifers, and/or significant surface water contribution areas and as may be defined through Source Protection planning documents.

**12. List of Schedules to the MOU**

Schedule 1: Summary of MOU Parties’ Commitments/Undertakings 2018 to 2020 (18 Months)

Schedule 2: Development Application review timelines



**Signed,**

**REGIONAL MUNICIPALITY of HALTON,**

**CITY OF BURLINGTON,**

**TOWN OF HALTON HILLS,**

**TOWN OF OAKVILLE,**

**TOWN OF MILTON,**

**HALTON REGION CONSERVATION AUTHORITY,**

**CREDIT VALLEY CONSERVATION AUTHORITY, and**

**GRAND RIVER CONSERVATION AUTHORITY**

## **SCHEDULE 1**

### **SUMMARY OF MOU PARTIES' COMMITMENTS/UNDERTAKINGS 2018 to 2020 (18 months)**

The following provides brief descriptions of the content work and outcomes expected for each undertaking. Upon initiation of each undertaking, further details will be developed and agreed upon by all Parties.

To frame the completion of the undertakings, the work plan will be prepared first followed by the subsequent undertakings that follow.

#### **1. WORK PLAN**

- a. The Region agrees to coordinate the development of a work plan to address key initiatives outlined throughout this MOU within the first two months of this MOU being endorsed. Some of the specific items to be addressed in the work plan are identified in Items 2 through 9 below.
- b. The Work plan will identify key work to be completed by 2020.
- c. The Parties agree to actively participate and provide input to the work plan content.
- d. The work plan will identify the:
  - i. Parties' assumptions and expectations;
  - ii. Parties' roles and responsibilities in developing and completing each undertaking;
  - iii. Best Practices utilized by Parties and a process to incorporate them amongst the Parties' service delivery approaches;
  - iv. Harmonization of review and approval processes and policies;
  - v. timelines to complete the work;
  - vi. meeting schedule that includes updating the Parties' CAOs;
  - vii. budget and resources associated with completing each undertaking; and
  - viii. performance measures related to the Parties' achieving development circulation review/comment target timelines.
- e. Should the work plan require alterations, the Parties' will reconvene and edit accordingly through a consensus-based approach.

#### **2. ROLES AND RESPONSIBILITIES FOR THE NATURAL ENVIRONMENT**

In accordance with Section 7 of the MOU, the Parties agree to work collaboratively on defining detailed roles and responsibilities in planning for the natural environment.

#### **3. HAPP TERMS OF REFERENCE**

The Parties will review and update the existing Halton Area Planning Partnership's Terms of Reference. This review will assess, but not be limited to:

- composition of HAPP membership;
- purpose/function of the partnership;
- operational functions of HAPP as an 'entity'/'group'/'representative committee';
- roles and responsibilities of each member as it relates to the purpose/function of HAPP;
- collaborative outputs (with identified project management – roles/responsibilities in producing outputs); and
- reporting structure (to Area Planning Directors; CAOs; applicable Councils, Boards, etc.).

#### **4. SCOPE OF REVIEW**

The Parties agree to clarify the roles and responsibilities of the Region in reviewing comprehensive zoning by-law reviews and amendments. The Parties also agree to clarify and develop the Parties' roles and responsibilities in reviewing minor variances and consent applications of the Local Municipalities. In developing an Evaluation Standard for comprehensive zoning by-law reviews, the Region will clearly identify the regional criteria

that will be reviewed for conformity with Regional Official Plan policies. In the Evaluation Standard relating to minor variances and consent applications, the Parties will identify the applicable review criteria that denote each of the Parties' interests and mandates.

**5. PRE-CONSULTATION and COMPLETE APPLICATION BEST PRACTICE REVIEW**

The Parties agree to examine ways to harmonize policies and approaches related to pre-consultation and complete application requirements. This will assist the Parties in ensuring that all relevant material to advance a planning application is provided as early as possible in the process. This will assist the approval authority in making a decision within the *Planning Act* timeframes and avoid appeals of non-decisions.

**6. DATA SHARING FRAMEWORK**

The Parties agree to establish a framework for sharing planning data relating to demographics, GIS mapping and development approvals. The Parties agree to dedicate relevant technical staff in developing the framework. The end result should be a clear road map of what planning data may be shared and the timelines for implementing actions.

**7. DELEGATION BY-LAWS UPDATE**

The delegation by-laws, approved in the mid-1990s, will be reviewed and updated by the Region. The Region commits to having the by-laws approved in by 2020.

**8. PROVINCIAL MOU UPDATE**

The Region will initiate the review and update of the MOU between itself and the Province in 2019.

**9. TRAINING OPPORTUNITIES**

The Parties agree to assess opportunities to jointly/collaboratively train staff on matters pertaining to improving service efficiencies. Examples of opportunities include:

- i. GIS software program;
- ii. AMANDA program;
- iii. Improvements to Municipal Reporting to ensure 'consistency/conformity' with Provincial Policy Statements and Plans;
- iv. Presenting opinions/positions before local planning committees; and
- v. Other opportunities as they arise and are mutually beneficial to the Parties.

## SCHEDULE 2

### Non-Statutory Development Application Review Timelines

The following table describes the non-statutory timeframes for development review applications that the parties will aim to achieve, broken down by certain major application types.

APPLICATION TYPE	PRE-CONSULTATION	CIRCULATION (for pre-consultation, or after an application is deemed complete, or for any subsequent circulations)	COMMENTS AFTER FIRST CIRCULATION
<b>Site specific Regional Official Plan amendments</b>	Meeting scheduled with all parties and the applicant within 21 calendar days of request <sup>1</sup>	Halton Region to circulate to all parties within 3 business days	Parties to provide comments within 45 calendar days
<b>Site specific local official plan amendments</b>	Same as above	Local municipality to circulate to all parties within 3 business days	Parties to provide comments within 45 calendar days
<b>Site specific zoning by-law amendments</b>	Same as above	Local municipality to circulate to all parties within 3 business days	Parties to provide comments within 30 calendar days
<b>Draft plans of subdivision or condominium</b>	Same as above	Local municipality to circulate to all parties within 3 business days	Parties to provide comments within 45 calendar days
<b>Site plans</b>	Same as above	Local municipality to circulate to all parties within 3 business days	Parties to provide comments within 14 calendar days unless the local municipality agrees there is a specific issue that requires additional time to resolve
<b>Consents and Minor Variances</b>		Local municipality to circulate to all parties within 3 business days	Parties to provide comments within 10 calendar days

<sup>1</sup> To convene a pre-consultation meeting, the lead agency must have sufficient information from the applicant so that the parties can provide advice.

REPORT TO: Board of Directors

REPORT NO: # 05 18 04

FROM: Gene Matthews, Director of Parks and Recreation  
905 878 5011, extension 1228, gmatthews@hrca.on.ca

DATE: June 21, 2018

SUBJECT: **Kelso Museum Visitors Centre Renovation**

---

### Recommendation

THAT the Conservation Halton Board of Directors **approve a new capital project in the amount of \$120,000 for renovations to the Kelso Museum Visitors Centre to be funded from the Conservation Areas Capital Reserve in the amount of \$50,000 and from the Building Reserve in the amount of \$70,000.**

### Report

Increased annual visitation at Glen Eden continues to create a variety of operational and visitor capacity challenges. One of the most notable and expressed challenges, by our visitors, is lack of indoor seating spaces. Indoor seating space is used for a variety of purposes by visitors including lunch/dinner, warming, waiting for children to complete lessons, socializing, changing into winter clothing, etc. On days of even moderate business levels, available indoor space has become over crowded, offering a less than desirable visitor experience.

Converting administration/office space in the East Chalet will allow for increased indoor seating of approximately 40 visitors at a time. These renovations will also allow for moderate, but improved, retail space for the sale of hard goods, soft goods, and confectionary. Renovating the second floor of the Kelso Museum Visitor Centre, previously operated by Halton Region and now under operation of Conservation Halton, will allow for the relocation of staff throughout the property including the consolidation of office/workspace for the Kelso / Glen Eden leadership team. The second floor of the Kelso Museum Visitor Centre will become the central administration offices for Kelso / Glen Eden.

The Conservation Halton Administrative Office is also facing a space needs pressure. Growth over recent years in staffing compliment has been accommodated by phased renovations to the interior space of the building, however, there is a growing need to identify a long term, sustainable solution to supporting the continued growth of Conservation Halton.

Therefore, renovations to the ground floor of the Kelso Museum Visitor Centre will be undertaken to temporarily relocate 11 staff, the Science and Partnership Division, comprising monitoring ecology staff, stewardship and our outreach team who will move into this space later in 2018.

This move is temporary while a longer term approach is planned to accommodate our field based staff, likely in 2021/22. It will also allow us to comprehensively review our organisational space needs,

without facing continual space pressures in the administrative building, and plan for any further internal renovations to continue the renovation and modernization of the existing administrative space.

Works required for the successful completion of these renovations include fiber optic connection (to existing loop), information & technology upgrades, window replacement, carpet replacement, painting, and minor electrical repairs. The majority of works are to be completed by external contractors.

### Impact on Strategic Goals

This report supports the Metamorphosis strategic theme of *Attracting visitors to our Parks and Connect our communities with nature through sustainable recreation, education, and tourism and also the theme of Striving for service excellence and efficiency.*

These themes are supported through the strategic directions of developing standards of excellence for park operations and visitor services by providing more comfortable and convenient visitor experiences and creating a corporate performance culture that is results-driven and people-focused by creating appropriate space for teams to work together effectively and efficiently.

### Financial Impact

A new capital project budget is required to complete the renovations at the Kelso Museum Visitors Centre in the amount of \$120,000 and will be funded from the Conservation Areas Capital Reserve in the amount of \$50,000 and the Building Reserve in the amount of \$70,000. The projected balance of the Conservation Areas Capital Reserve is \$2,156,549 and the Building Reserve is \$260,879 as of December 31, 2018.

Signed & respectfully submitted:



for Gene Matthews  
Director, Parks and Recreation

Approved for circulation:



Hassaan Basit  
CAO/Secretary-Treasurer

FOR QUESTIONS ON CONTENT:

Gene Matthews, [gmatthews@hrca.on.ca](mailto:gmatthews@hrca.on.ca)



**REPORT TO:** Board of Directors

**REPORT NO: #** 05 18 09

**FROM:** Nigel Finney, Project Manager, Greenspace Restoration & Conservation

**DATE:** June 21, 2018

**SUBJECT:** **Letter of Intent – Sixteen Mile Creek Ecological Restoration Master Plan Implementation**

---

### Recommendation

THAT the Conservation Halton Board of Directors **approve the Letter of Intent as attached and authorize the Chief Administrative Officer to sign the letter on behalf of Conservation Halton.**

AND FURTHER THAT the Conservation Halton be **directed to report back with the Formal Agreement for review and approval.**

### Report

Conservation Halton is a leader in ecological restoration and has committed to increasing the number of floodplain, wetland and watercourse restoration projects by 5-10 percent. To work towards this target and further build internal knowledge and capacity, Conservation Halton has the opportunity to project manage a significant portion of a restoration project in Milton on behalf of the Milton Phase 3 Landowners Group (MP3LG). The project, preliminary valued at \$3.7 million (excluding HST), would be undertaken at full cost recovery from the landowners group and would be planned and implemented from 2019 to 2024.

The entire project, located along the Sixteen Mile Creek valley corridor within the Boyne Survey Area, would see strategic improvements through the restoration of key natural heritage features and functions. This includes the restoration of new treed and open wetlands, floodplain forests, native meadows and several significant wildlife habitat features. On a regional landscape, this initiative would see the valley enhanced and restored to achieve a stronger natural corridor linking Milton and Oakville and further strengthen the resiliency of the watershed. The entire project would contribute to the protection of over 50 hectares of restored and enhanced natural area with forest cover increased by 25% within the study area.

Through the Town of Milton's planning process for the Boyne Survey Lands it was determined that the Sixteen Mile Creek Valley within the study area would be restored and enhanced. Design objectives and principles for the Restoration Plan were developed and included within the Functional Servicing Environmental Management Strategy (FSEMS). The Milton Phase 3 Landowners Group have prepared a Subwatershed Impact Study (SIS) for Areas 5A, 5B and 6 of the Boyne Survey Lands, Phase 3 in the Town of Milton. The SIS contains a *draft* Sixteen Mile Creek Ecological Restoration Master Plan (the "Master Plan") which addresses the principles outlined in FSEMS. The Master Plan addresses ecosystem restoration and enhancement

concepts for the Sixteen Mile Creek corridor which is the largest concentration of natural heritage features within the Boyne Secondary Plan Area.

The landowners group began discussions with Conservation Halton in 2016 to explore the opportunity for the authority to undertake project management of the restoration works within the valley. MP3LG has proposed to manage the restoration projects above stable top of bank and elements that tie into stormwater management outfalls while Conservation Halton would manage floodplain and valley restoration projects and associated monitoring requirements.

The draft proposed Conservation Halton managed restoration areas include the following treatments:

- 3.59 hectares Floodplain Wetland Restoration
- 1.28 hectares Floodplain Pit and Mound Forest Restoration
- 0.39 hectares Forest Slope Restoration
- 2.39 hectares Open Native Habitat Restoration
- 5 New Wetlands
- 12 Specialized Wildlife Habitat Features
- Invasive Species Management

The landowners group and Conservation Halton have prepared a Letter of Intent to be used as a basis to develop a Formal Agreement between the two parties. The Formal Agreement will include further details, including, but not limited to, responsibilities, financing mechanisms, documentation, and project close-out.

Conservation Halton Planning and Watershed Management staff continues to work with the Town and Region through the review and approval of the Planning Act applications and the SIS. The *draft* Master plan is proposed to be finalized and approved by relevant agencies through the SIS process. Entering into a formal agreement to undertake portions of the Restoration Master Plan is independent of Conservation Halton's review and support for approval of these planning applications.

The opportunity would provide to Conservation Halton significant investments in internal skills, project management experience, and would further position the authority as an accomplished and effective leader in ecological restoration project management.

### Impact on Strategic Goals

This report supports the Metamorphosis strategic theme of protecting our natural, cultural, and scenic assets. This theme is supported by the objective to strengthen conservation, restoration and responsible management of natural resources with a focus on evidence-based programs. This report also supports the objective to enhance collaboration between the conservation authority, developers, and municipalities through mutually beneficial partnership initiatives.

### Financial Impact

Costs associated with implementing this initiative will be fully recovered through funding and financing conditions in the forthcoming Formal Agreement with the Milton Phase 3 Landowners Group.



Signed & respectfully submitted:



Nigel Finney  
Project Manager, Greenspace Restoration & Conservation

Approved for circulation:



Hassaan Basit  
CAO/Secretary-Treasurer

FOR QUESTIONS ON CONTENT: Nigel Finney, 905.336.1158 x 2035; [nfinney@hrca.on.ca](mailto:nfinney@hrca.on.ca)

# MP3 COST SHARING TRUSTEE INC.

c/o Suite 200  
7501 Keele Street  
Vaughan, Ontario  
L4K 1Y2  
[hmihailidi@bratty.com](mailto:hmihailidi@bratty.com)  
(905) 760-2700

---

## **DELIVERED BY COURIER**

June 21, 2018

Conservation Halton  
2596 Britannia Road West  
Burlington, ON L7P 0G3

Attention: Hassaan Basit

Dear Sir:

**RE: 16 Mile Creek Ecological Restoration Master Plan Implementation – Letter of Intent**

**AND RE: Milton Phase 3 Landowners Group**

---

The undersigned (the “**Trustee**”) is the Trustee acting on behalf of the participating landowners within the Milton Phase 3 (Boyne Survey) development area (the “**MP3LG**”) pursuant to a Cost Sharing Agreement dated June 12, 2015 (the “**MP3 CSA**”).

This Letter of Intent confirms the recent discussions between the MP3LG and Conservation Halton (“**CH**”) and establishes the terms that are proposed as the basis for an agreement (the “**Formal Agreement**”) between both parties to address the management, design, approval, implementation and monitoring of the Restoration Works that are illustrated and described within the draft 16 Mile Creek Ecological Restoration Master Plan (the “**Master Plan**”), as follows:

## **SCOPE OF RESTORATION WORKS/ ROLES AND RESPONSIBILITIES**

- ▶ Once approved such Master Plan will be included as an Appendix to the Formal Agreement between the parties. It is acknowledged that the Master Plan will ultimately be finalized through the final acceptance of the Boyne Subwatershed Impact Study (SIS) for Areas 5A/5B and 6.
- ▶ Once the final Master Plan is approved, the Formal Agreement will reflect any changes required in the proposed roles and responsibilities described in this Letter of Intent.
- ▶ MP3LG and CH will coordinate the implementation of ecological restoration works for 16 Mile Creek, as specified and illustrated in the Master Plan (the “**Restoration Works**”).
- ▶ The implementation of the Master Plan and the Restoration Works that are integral to it, shall be substantially completed in accordance with the proposed Work Plan, which stipulates roles and responsibilities, attached hereto as Appendix “A” (the “**Work Plan**”). The Work Plan will be revisited from time to time as the project progresses through the design, approval and construction stages. The MP3LG and CH will work cooperatively to implement the Master Plan, the Restoration Works that are integral to it and the actions as set out in Schedule A.
- ▶ Subject to finalization of the Master Plan, the Restoration Works that are to be completed by CH are anticipated to comprise the components that are listed in Appendix A and graphically shown

on Appendix “B” attached hereto (the “**CH Works**”). For clarity, the CH Works include the Restoration Works that are not tied to a specific development application, or the Whitlock Road bridge, and the completion of the CH Works is not required to facilitate land development approvals.

- ▶ CH Works shall include the detailed design of the Restoration Works that are designed to be implemented by CH as per Appendix “B”. Prior to tender, as part of the detailed design process, detailed design drawings and tender package(s) shall be submitted to the MP3LG for review to ensure consistency with the Master Plan and to alleviate any concerns related to potential conflict of interest that may be perceived as a result of CH designing and implementing the CH Works.
- ▶ CH Works shall abide by the Conservation Halton Purchasing Policy (approved May 2015, as amended from time to time). CH and MP3LG will consult and cooperate with each other with respect to the circulation and review of the tender results for the CH Works including, without limitation, list of proposed contractors, review of tender package, review of tender results and receipt of a copy of the final award of contract(s).
- ▶ Subject to finalization of the Master Plan, the Restoration Works to be constructed by the MP3LG comprise the components listed in Appendix A and graphically shown on Appendix “C” attached hereto (the “**Landowners’ Works**”). For clarity, the Landowners’ Works include Restoration Works that are directly linked to adjacent urban development projects and the Landowners’ Works will be completed through the typical development review and approval processes on an application-by-application basis. The Landowner Works also includes works relating to the Section 12.72(c) as proposed permitting requirements pursuant to the Endangered Species Act, as may be required by Ministry of Natural Resources and Forestry (MNR).
- ▶ CH and MP3LG will attend regular coordination meetings through the course of the design, approval and implementation processes.

## **FUNDING AND FINANCING OF THE RESTORATION WORKS**

- ▶ The MP3LG shall fund and finance one hundred percent (100%) of the CH Works, including all costs associated with the Formal Agreement, project management, review and approval, permitting and construction and monitoring.
- ▶ The preliminary estimate of the costs of the construction of CH Works are attached as Appendix D (the “**Estimated Costs**”).
- ▶ Updates to the Estimated Costs shall be coordinated and approved from time-to-time by CH and the MP3LG at the following milestones:
  - At the time of each detailed design submission (1<sup>st</sup>, 2<sup>nd</sup>, Final)
  - At the time of each tender award for CH Works, or any phase thereof
  - Coincident with any major change to the approved design; and,
  - Throughout the process of implementation of the CH Works, or any component thereof.
- ▶ The Trustee and Brattys LLP shall provide certification, satisfactory to CH, that the MP3LG has deposited a sufficient amount of funds to pay for the cost associated with project management, design, review and approval and construction of the CH Works (or component thereof, as the case may be) (the **Security**) with the Trustee based on the Estimated Costs (to be updated to correspond with the final Master Plan and Restoration Works and approved by CH and the MP3LG), as follows:

- (a) Prior to commencement of design of the first phase of CH Works→10% of Estimated Costs of the CH Works
- (b) At issuance of tender for construction of the first phase of CH Works→40% of Estimated Costs of the CH Works
- (c) At the commencement of construction of the first phase of CH Works→Balance (50%) of Estimated Costs of the CH Works

For purposes of the foregoing, the “first phase” of CH Works shall mean the first CH Works proceeding to implementation. Currently the first phase is proposed to be invasive species management in 2019.

At the request of CH the Trustee shall provide copies of the letter of credits and/or a statement of account to confirm the Security.

- ▶ The Trustee shall make payments from the Security held for the CH Works to CH, for the costs incurred, within thirty (30) days of receipt of contractor/consultant progress certificates/invoices from CH.
- ▶ For permitting or review fees that may be required to facilitate the construction of a component of the CH Works, the Trustee shall make payments within thirty (30) days of receipt of request for payment by CH with confirmation of costs associated with the required fee/permit. CH and the Owners will cooperate with the timely payment to facilitate the complete submission to the Town / agencies, including review fees.
- ▶ CH and the MP3LG will work cooperatively to establish and agree upon the optimal strategy and associated costs to implement the 5 year monitoring requirement for Restoration Works (the “**Monitoring Strategy**”) following completion of the CH Works. The process of implementing the Monitoring Strategy may evolve contingent on the schedule for implementation of the adjacent urban development projects, which is dependent upon both servicing allocation and requirements for agency approvals.
- ▶ The Trustee shall make payments from the Security held for the CH Works to CH, for the costs incurred for the implementation of the Monitoring Strategy, within thirty (30) days of receipt of contractor/consultant progress certificates/invoices from CH, until substantial completion of the CH Works. Following substantial completion of the CH Works, the Trustee shall provide a one-time lump sum payment to CH for the balance of the estimated costs associated with the implementation of the remainder of the Monitoring Strategy that will be undertaken by CH.
- ▶ Security to address the Landowners’ Works will be provided to Town of Milton as a component of the typical land development approval process (i.e. under Town’s Subdivision Agreement).

## **ACCESS/CONSTRUCTION**

- ▶ MP3LG shall provide CH, and its agents, with permission(s) to enter the MP3LG lands for the purposes of allowing CH to construct and monitor the CH Works.

- ▶ MP3LG shall provide CH with access to construction staging area(s) that may be required to located on MP3LG lands. The size, location and duration of occupancy of which shall be agreed upon between the parties once the specific details related to the methods and requirements for construction of the CH Works have been confirmed. A figure that illustrates the location(s), size(s) and route(s) of access to the staging area(s) will be created and once approved by both parties, will be included as an Appendix to the Formal Agreement. CH will not be responsible for the restoration of staging area(s) and/or access route(s) upon the completion of construction.
- ▶ Construction of the Whitlock Road bridge that is proposed to cross 16 Mile Creek is anticipated to occur from 2019 to 2023 (including maintenance period). The Restoration Works that are required to satisfy the MNRF in accordance with a proposed Overall Benefit Permit will be implemented as part of the Landowners' Works.
- ▶ In addition to the above, certain portions of the CH Works will be required to be completed on lands owned by the Province of Ontario (represented by Infrastructure Ontario) ("IO" and the "IO Lands").
- ▶ As such, confirmation of securement of permission to enter or a license agreement will be provided by MP3LG. This agreement between MP3LG and IO will name CH, and its agents, as contractors with respect to the IO Lands and will grant CH unfettered access to the lands as required to implement the CH Works.
- ▶ The Trustee and MP3LG will negotiate and execute the access agreement with IO, and the costs associated with the securement of the agreement shall be funded by the MP3LG, including all annual fees.

#### **COST-SHARING SAFEGUARDS / ASSURANCES RE: FUNDING**

- ▶ Each landowner member of the MP3LG has agreed to fund the costs associated with the Master Plan and Restoration Works pursuant to the MP3 CSA.
- ▶ Each landowner member of the MP3LG must satisfy its cost-sharing obligations set out in the MP3 CSA and the Trustee must confirm to the Town that all cost-sharing obligations have been met prior to the registration of Plans of Subdivision (or other final development approval agreement).
- ▶ The requirement for clearance from the Trustee, including confirmation of a landowner's good standing in relation to providing security for the Restoration Work prior to registration, is already a Draft Plan Condition imposed by the Town of Milton on all MP3LG landowners.
- ▶ Based on above, the current funds/securities held by the Trustee pursuant to the MP3 CSA for the Restoration Works is \$600,000.00+/-, based on registrations that have occurred to March 31, 2018.
- ▶ Additional funds/securities will be submitted to the Trustee as MP3LG land development program proceeds in 2018 and beyond.
- ▶ The Formal Agreement to be entered into between the Trustee and CH will address insurance and indemnification provisions, in a form acceptable to CH.

**LIST OF APPENDICES**

The following Appendices are attached hereto and form part of this Letter of Intent:

APPENDIX "A"	Work Plan
APPENDIX "B"	CH Works – Figure 3B
APPENDIX "C"	Landowners' Works – Figure 3A
APPENDIX "D"	Estimated Costs

Execution of the Formal Agreement will occur subsequent to the acceptance and approval of the Master Plan by all relevant agencies.

Please confirm your agreement with the contents of this Letter of Intent by executing where indicated below, whereupon we will proceed to prepare, and expand upon, the terms of the Formal Agreement reflecting same.

Yours very truly,

**MP3 COST SHARING TRUSTEE INC.**

Helen A. Mihailidi  
HAM/na  
Encls.

DATED at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 2018

**CONSERVATION HALTON**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

Appendix 'A' - Work Plan  
16 Mile Creek Ecological Restoration Master Plan

Project #: 18007

KEY:  Yes / Applicable  
 No / Not Applicable  
 To Be Confirmed  
 Designated Responsibility

Schoilen & Company Inc. / Delta Urban / Conservation Halton  
Revised April 25, 2018  
Revised: Meeting of April 24, 2018  
Revised: May 2, 2018

Restoration Initiatives		Permits Required / Letter of Advice / Sign Off					Permit Proponent		External Agreement		Proposed Milestone Schedule						Applicable Construction Windows (Note 2)				Maintenance (excluding AMP)			Monitoring (Note 3)				Prerequisite					
Key (Note 1)	Description	MNRF	MOECC	CH	Halton Region	Town of Milton	MP3	CH	I.O.	Union Gas	Detailed Design	Approvals	Tendering / Procurement	Site Preparation	Construction	Completion	Assumption	Environment Canada Migratory Birds Act Window	DFO Instream Works Window	MNRF In/Near Water Works Timing Window	MNRF ESA Window - Bats	MP3	CH	Duration	Start Date	Duration	MP3	CH	MP3	CH			
Milton Phase 3 Landowners' Group (MP3) - As shown on Figure 3A	L-1	Mattamy Martin West - Buffer & trail construction (forest edge restoration, 2 snake basking sites)										30-Jun-18	Apr-19		01-Jun-19	30-Aug-19	Sep-21								Apr-21	5 years							
	L-2	Mattamy Martin West - Pond outlet	LOA									30-May-18	Mar-18		01-Jul-18	01-Aug-18	Sep-21				For tree removals				?						Monitoring commences at 80% buildout of the facility's tributary area and continues until 80% build out of the SIS area or 3 years (whichever is greater).		
	L-3	Mattamy Martin East - Buffer & trail construction (open habitat polygon within 30m of the NHS limit, 1 raptor pole, 1 snake basking site, 1 snake hibernaculum) - Phase 3										01-Jul-19	Aug-19		01-Sep-19	Nov-19	Sep-23								Apr-21	5 years							
	L-4	Mattamy Martin East - Pond outlet - Phase 3	LOA									01-Jul-19	Jun-19		Jul-19	Sep-19	Sep-23				For tree removals				?						Monitoring commences at 80% buildout of the facility's tributary area and continues until 80% build out of the SIS area or 3 years (whichever is greater).		
	L-5	Mattamy Martin East - Buffer & trail construction (forest edge, unevaluated wetland buffer, 1 raptor pole, 5 snake basking sites) - Phase 4										Jul-20	Aug-20		Sep-20	Oct-20	Dec-23								Apr-22	5 years							
	L-6	Mattamy Martin East - Buffer & trail construction (forest edge, unevaluated wetland buffer) - condo										Jul-21	Aug-21		Sep-21	Nov-21	Dec-24								Apr-23	5 years							
	L-7	Primont - Buffer & trail construction (forest edge restoration, and open habitat restoration adjacent to Barn Swallow nesting structures, 2 snake basking sites, 1 snake hibernaculum, 1 raptor pole)										Jun-19	May-20		Jun-20	Aug-20	Sep-22								Apr-22	5 years							
	L-8	Primont - Pond outlet	LOA									Jun-19	Jun-19		Jul-19	Sep-19	Sep-22				For tree removals				?						Monitoring commences at 80% buildout of the facility's tributary area and continues until 80% build out of the SIS area or 3 years (whichever is greater).		
	L-9	Mistburn West - Buffer & trail construction (forest edge restoration, 2 bat boxes, 1 raptor pole)										Spring 2021	Spring 2021		Summer 2021	Fall 2021	Fall 2024								Apr-23	5 years					Property pending allocation. Earliest dates assuming 2019 Allocation Program		
	L-10	Mistburn East - Buffer & trail construction (forest edge restoration, 1 raptor pole)										Spring 2021	Spring 2021		Summer 2021	Fall 2021	Fall 2024								Apr-23	5 years					Property pending allocation. Earliest dates assuming 2019 Allocation Program		
	L-11	Fieldgate - Mil Con III - Buffer construction (forest edge restoration, 2 bat boxes, 2 snake basking sites)										Spring 2021	Spring 2021		Summer 2021	Fall 2021	Fall 2024								Apr-23	5 years					Property pending allocation. Earliest dates assuming 2019 Allocation Program		
	L-12	Fieldgate - Mil Con III - Pond outlet	LOA									Spring 2021	Spring 2021		Summer 2021	Fall 2021	Fall 2024				For tree removals				?						Property pending allocation. Earliest dates assuming 2019 Allocation Program		
	L-13	16 Mile Creek Whitlock Bridge Crossing	17(2) c									Mar-19	Apr-19		May-19	Dec-22	Dec-23				For tree removals												
	L-14	Restoration Works Associated with Overall Benefit Permit (dedicated area of the major floodplain forest restoration area and the riparian shrub-grassland restoration area), including Giant Hogweed Management where occurrence overlaps with the restoration area	17(2) c									Mar-19	Apr-19		May-22	Dec-22	Dec-23				For tree removals					Apr-24	5 years						
	L-15	Access Road Construction	17(2) c									Mar-19	Apr-19		May-19	Jun-19	Dec-23				TBD	For tree removals				N/A	N/A						
	L-16	Tableland Wetland Amphibian Breeding Habitat (Mil Con III buffer)										Spring 2020	Spring 2020		Summer 2020	Fall 2020	Fall 2024								Apr-22	5 years					Assume 1 year prior to Mil Con III development proceeding		
	L-17	Mattamy Martin East - conduct site preparation for entire open habitat restoration area (entire large orange polygon on east side of valley on Figure 3, Appendix B5), site preparation to follow Appendix B5 Table 3 Implementation Note bullet 2									N/A	N/A	N/A	Summer 2018	N/A	Fall 2020	N/A				For tree removals										NA - local monitoring program doesn't apply to site preparation (local monitoring program would commence one full growing season after all vegetation & specialized wildlife habitat features are installed)		
	L-18	Mattamy Martin West - conduct site preparation for entire major floodplain forest restoration area (lime green polygon on Figure 3, Appendix B5), to follow Appendix B5 Table 2.									N/A	N/A	N/A	On-going farming practices	N/A	Fall 2019	N/A				For tree removals										NA - local monitoring program doesn't apply to site preparation (local monitoring program would commence one full growing season after all vegetation & specialized wildlife habitat features are installed)		
Conservation Halton (CH) - As shown on Figure 3B	CH-1	Giant Hogweed Management (Cat 1)	'CH / REG' ESA									ASAP	ASAP	N/A	Start Spring 2019	latest date of floodplain restoration works	2025?								Apr-19	5 years					Monitoring overlaps with treatment		
	CH-2	Common Buckthorn Management (Cat 1)										N/A	ASAP	N/A	Start Spring 2019	Fall 2023	2023?								Apr-19	5 years					Monitoring overlaps with treatment		
	CH-3	Garlic Mustard Management (Cat 1)										N/A	ASAP	N/A	Start Spring 2019	Fall 2023	2023?								Apr-19	5 years					Monitoring overlaps with treatment		
	CH-4	Tartarian Honeysuckle Management (Cat 1)										N/A	ASAP	N/A	Start Spring 2019	Fall 2023	2023?								Apr-19	5 years					Monitoring overlaps with treatment		
	CH-5	Japanese Barberry Management (Cat 3)										N/A	ASAP	N/A	Start Spring 2019	Fall 2019	2023?								Apr-19	5 years					Monitoring overlaps with treatment		
	CH-6	Floodplain Wetland Restoration - South Area (IO lands)	'CH / REG' ESA									Apr-20	Apr-20		Jul-20	Oct-21	Jul-23				TBD				2 years	Apr-21	5 years					Pending dialogue with MNRF - planting expected to be allowed during coldwater fish window	
	CH-7	Western Chorus Frog Breeding Pools (1 pool on MP3LG lands, 2 pools on IO lands)	'CH / REG' ESA									Apr-20	Apr-20		Jul-20	Oct-21	Jul-23				TBD				2 years	Apr-21	5 years					Pending dialogue with MNRF - planting expected to be allowed during coldwater fish window	
	CH-8	Floodplain Wetland Restoration - North Area	'CH / REG' ESA									May-19	Jun-19		Aug-19	Oct-20	Jul-22				TBD				2 years	Apr-21	5 years					Pending dialogue with MNRF - planting expected to be allowed during coldwater fish window	
	CH-9	Major Forest Restoration - Floodplain	'CH / REG' ESA									May-20	Jan-21	Mar-21	Jul-21	Aug-21	May-22	Jul-25				TBD				2 years	Apr-25	5 years					Pending dialogue with MNRF - planting expected to be allowed during coldwater fish window
	CH-10	Major Forest Restoration - Slope										Nov-11	Jan-22	Mar-22		May-22	Oct-22	Jul-25				TBD				2 years	Apr-25	5 years					Pending dialogue with MNRF - planting expected to be allowed during coldwater fish window
	CH-11	Native Open Habitat Restoration - Install										Jan-20	N/A	Feb-20	N/A	Oct-20	Oct-21	Jul-22								Apr-21	5 years						
	CH-12	Turtle Nesting Beaches (x2)	'CH / REG' ESA									May-20	Jan-21	Mar-21		Aug-21	May-22	Jul-25				TBD				2 years	Apr-25	5 years					Joint access with bridge; Pending dialogue with MNRF - planting expected to be allowed during coldwater fish window
	CH-13	Snapping Turtle Ponds	'CH / REG' ESA									May-20	Jan-21	Mar-21	Jul-21	Aug-21	May-22	Jul-25				TBD				2 years	Apr-25	5 years					Joint access with bridge; Pending dialogue with MNRF - planting expected to be allowed during coldwater fish window
	CH-14	Milksnake nest boxes (x2)										N/A	N/A	Feb-20		Oct-20	Oct-21	Jul-22								2 years	Apr-21	5 years					Incidental only during other surveys - no dedicated survey
	CH-15	Bat boxes (x6)										N/A	N/A	Feb-20		Oct-20	Oct-21	Jul-22								2 years	Apr-21	5 years					Incidental only during other surveys - no dedicated survey
	CH-16	Snake basking sites (x2)										N/A	N/A	Feb-20		Jul-21	Oct-21	Jul-23								2 years	Apr-21	5 years					Incidental only during other surveys - no dedicated survey
	CH-17	Common Reed (Phragmites) Management (Cat 1)										N/A	N/A	ASAP		Jul-21	Oct-21	2025?								Apr-21	5 years					Monitoring overlaps with treatment	
	CH-18	Open Habitat Restoration Area Maintenance (Mowing) - entire orange polygon one east side of valley as shown on Figure 3										N/A	N/A	TBD	N/A	Following install C-11	5 years following completion	2025?								6 years	After install	6 years					Monitoring overlaps with treatment

Note 1 - Refer to Figure 3A for MP3LG Restoration Areas and Figure 3B for CH Restoration Areas for location

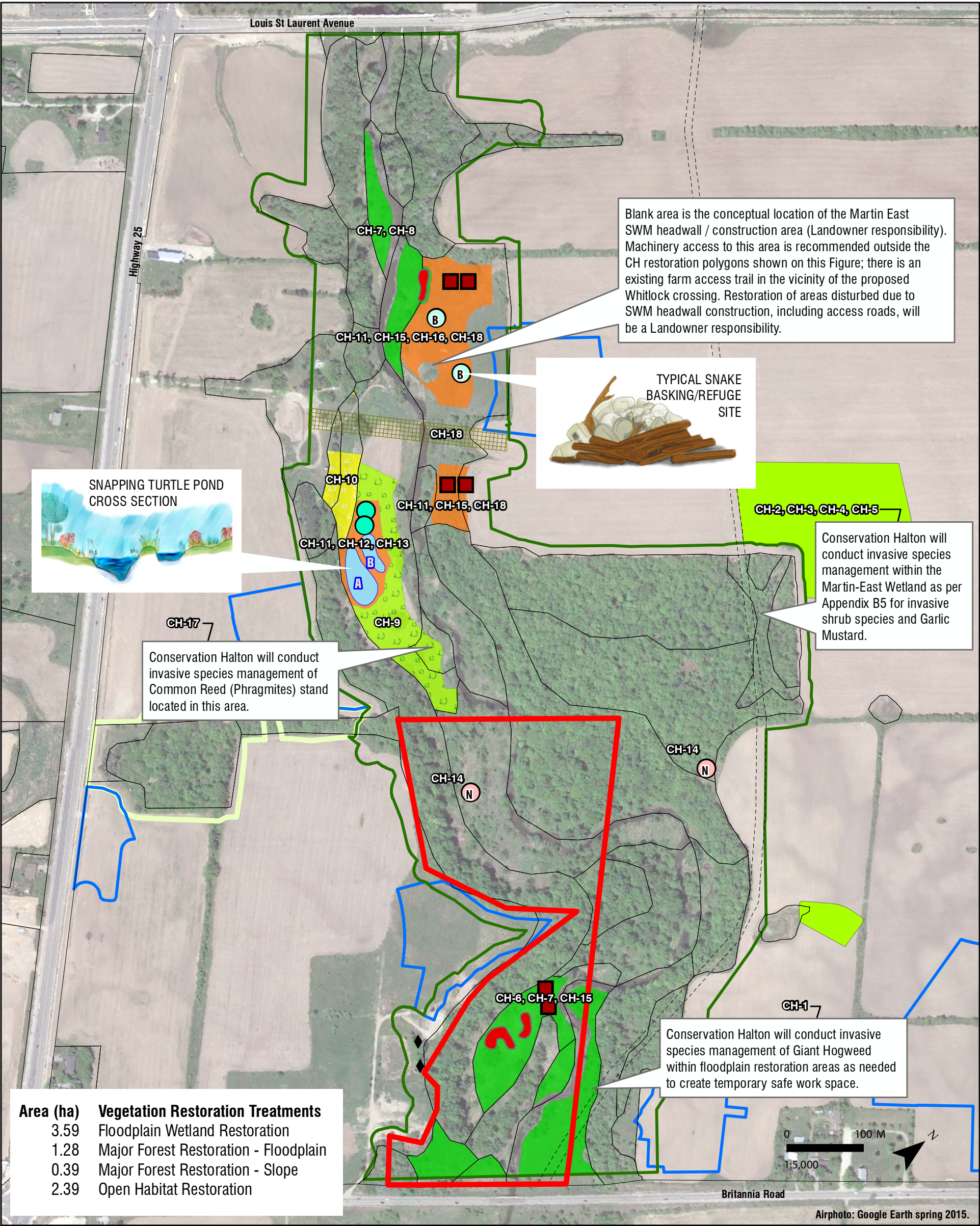
Note 2 - Timing windows are as follows:

- Environment Canada Migratory Birds Act Window - Removals of trees > 10cm DBH will be discussed with MNRF. Tree removal is recommended to occur outside of the active season (i.e. tree clearing recommended from Oct 1 to Mar 31) to avoid accidental contravention of the MBCA. If clearing of vegetation is required between April 1 - Sept 31, then due-diligence screening surveys will be conducted (daytime avian nest surveys).
- DFO Instream Works Window - N/A (no instream works)
- MNRF In/Near Water Works Timing Window - Cold water window applies (works to occur between July 1 and September 14)
- MNRF ESA Window - Bats - Removal of native trees will be avoided in the restoration areas, except for within the open habitat restoration areas (non-woody growth must be removed). Select tree removal may be required to field-fit other restoration elements. Any proposed removals of trees > 10cm DBH will be discussed with MNRF. Removal is generally recommended from Oct 1 to Mar 31. If removals are required during the active season (April 1 - Sept 31), then due-diligence screening will be conducted through the completion of nighttime bat presence / absence surveys.

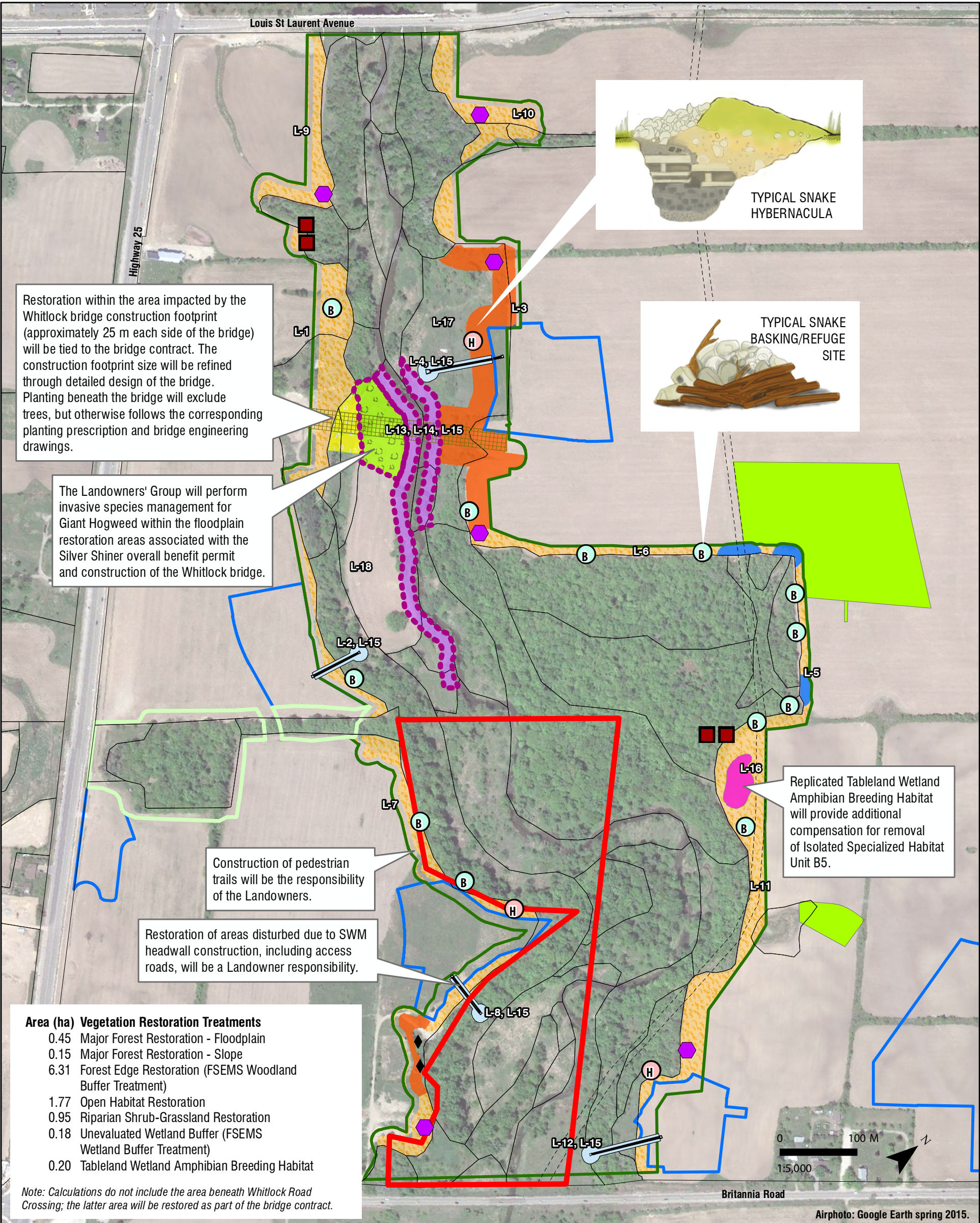
Note 3 - Monitoring

- Monitoring requirements and responsibilities to be further refined in accordance with Local and Holistic programs, and Restoration Framework.











## Appendix D - Estimated Costs

### 16 Mile Creek Ecological Restoration Master Plan Implementation – Letter of Intent

Item	Estimate
Restoration Costs	\$ 2,517,432.50
Construction Contingency	\$ 251,743.25
Soft Costs (Admin, Project Management, Design, Permitting, etc.)	\$ 629,358.13
Monitoring	\$ 265,334.40
Allowances and Fees	\$ 80,000.00

Subtotal: \$ 3,743,868.28  
HST (13%): \$ 486,702.88

**Grant Total Estimate: \$ 4,230,571.16**

*Estimate dated June 4, 2018*

*Estimates shall be updated from time-to-time by CH and MP3LG at various milestones throughout the project.*

REPORT TO: Board of Directors

REPORT NO: # 05 18 10

FROM: Janelle Weppler, Associate Director, Engineering  
905.336.1158 x2294, [jweppler@hrca.on.ca](mailto:jweppler@hrca.on.ca)

DATE: June 21, 2018

**SUBJECT: Authorization for CAO to Award Contract: Groundwater Engineering Mitigation Measures to Support Phase 2 of Construction at the Kelso Dam (18078)**

---

### Recommendation

THAT the Conservation Halton Board of Directors **approve authorization of the CAO for Conservation Halton to award the Kelso Dam Groundwater Engineering Mitigation Measures contract, should the total value be less than \$3,100,000.**

### Report

On April 26, 2018, Conservation Halton's Board of Directors carried a resolution put forward in a CH Board Report THAT the Conservation Halton Board of Directors **request Halton Region Council to provide additional funding in the amount of \$1,857,881, in support of Phase 2 construction at the Kelso Dam.**

This Board Report indicated that Phase 1 of construction at the Kelso Dam had been completed and Phase 2 (the final phase), is ready to commence. This report identified that increased costs for Phase 2 were due to required engineering mitigation measures needed to support dewatering during construction. This report also detailed that discussions with Halton Region staff had occurred in regards to the increased project costs. Staff from Conservation Halton and Halton Region continue to work together to develop a financing plan to fund the State of Good Repair Levy for rehabilitation of assets.

In support of this request, Halton Region staff provided a report to the Halton Regional Chair and Members of Regional Council on May 23, 2018 recommending that Report No. FN-23-18 "Kelso Dam Construction Phase 2 Support Request from Conservation Halton" be received for information. Minutes from this Halton Regional Council meeting indicate that this recommendation and financing approach for the Kelso Dam was approved and carried by Halton Regional Council.

Given the need to proceed with the works at the Kelso Dam and that the original award was contingent upon receiving funding and approval for all required permits, Conservation Halton staff obtained approval from the Conservation Halton Board of Directors to award the contract for construction to Dufferin Construction in two phases. Phase 1 included works that did not require the outstanding permits, where Phase 2 award remained pending obtaining outstanding permits.

Conservation Halton staff are now working with engineering consultants and the Ministry of Environment and Climate Change (MOECC) to obtain the last outstanding permit, which is required to support dewatering during construction excavation.

Conservation Halton staff with expertise from Hatch, GHD and Dufferin Construction carried out an evaluation of alternative engineering controls needed to mitigate and support dewatering during construction during Phase 2 at the Kelso Dam. The optimal mitigation alternative was estimated to have a total cost of \$3,100,000.

Conservation Halton staff are now working with experts from GHD and Hatch to develop technical specifications and requirements for dewatering during construction. These technical specifications and requirements will be provided to Dufferin Construction to then provide the optimal dewatering and engineering mitigation measures design, with refined costing estimates. Delivery of the proposed dewatering and supporting engineering measures design with costing from Dufferin Construction to Conservation Halton is expected early July, 2018.

Due to project timelines, it is requested that the Board authorize the CAO for Conservation Halton to award the contract for the dewatering and supporting engineering measures design for costs up to \$3,100,000.

### Impact on Strategic Goals

This report supports the Metamorphosis strategic theme of Preparing for the effects of climate change.

This strategic initiative supports the objective to Enhance public safety through maintenance and upgrades of flood control structures and modernization of flood management operations to protect communities from severe weather and natural hazards.

### Financial Impact

The construction cost for the Kelso Dam was initially estimated at \$5,265,000. The total construction cost for the Kelso Dam has been updated to include the additional engineering mitigation controls required to support dewatering during construction excavation, with an estimated cost of \$3,100,000, resulting in a total estimated construction cost of \$8,365,000.

Conservation Halton was successful in obtaining federal funding support through the National Disaster Mitigation Program (NDMP) in the amount of \$1,500,000 for construction of Phase 2 works at the Kelso Dam. Conservation Halton was also successful in obtaining additional provincial funding support through the Ministry of Natural Resources and Forestry's (MNRF's) Water and Erosion Control Infrastructure (WECI) 2018-19 program in the amount of \$1,870,308 to support construction of Phase 2 works at the Kelso Dam. Total funding support through NDMP and WECI is 44% of the project cost, with the balance through municipal funding.

Signed & respectfully submitted:



Janelle Wepler, P.Eng.  
Associate Director, Engineering

Approved for circulation:



Hassaan Basit  
CAO/Secretary-Treasurer

**FOR QUESTIONS ON CONTENT:**

Janelle Wepler, P.Eng., Associate Director, Engineering  
[jwepler@hrca.on.ca](mailto:jwepler@hrca.on.ca); 905.336.1158 ext. 2294



REPORT TO: Board of Directors

REPORT NO: # 05 18 12

FROM: Janelle Weppler, Associate Director, Engineering  
905.336.1158 x2294, [jweppler@hrca.on.ca](mailto:jweppler@hrca.on.ca)

DATE: June 21, 2018

SUBJECT: **Authorization for CAO to Award Contract: Grindstone Creek Flood Risk Mapping- RFP#CW 0007-18-01**

---

### Recommendation

THAT the Conservation Halton Board of Directors **delegate authority to the Chief Administrative Officer to award the Grindstone Creek Flood Risk Mapping contract within the approved budget for the project.**

### Report

On September 6, 2017, Conservation Halton's Board of Directors carried a resolution put forward in CH Board Report 06 17 THAT the Conservation Halton Board of Directors **supports an application for federal funding under the National Disaster Mitigation Program in the amount of \$233,000 to assist with project study, consultation and staff costs for the Grindstone Creek Floodplain Mapping Project.**

On May 7, 2018 Conservation Halton received official confirmation that Public Safety Canada would provide matching funding for the Grindstone Creek Floodplain Mapping Project under the National Disaster Mitigation Program (NDMP) for costs up to a maximum of \$233,000 (based on an estimated total project cost of \$466,000). The approved Project Work Plan and Budget set out project specific requirements tied to Public Safety Canada funding. Requirements include completion of the project on or before March 15, 2019, and allow for consulting fees of up to \$350,000.

The Project Work Plan (that has been tied to the funding agreement) was developed based on an understanding that NDMP funding decisions would be made in March of 2018, and anticipated a May 7, 2018 project start date. Given delays associated with federal funding approvals, the Work Plan schedule has been compressed. To complete the project as per the approved Work Plan schedule and to meet timing to satisfy funding requirements, Conservation Halton must award the contract for the Grindstone Creek Floodplain Mapping Project imminently.

Conservation Halton staff have prepared a Request for Proposal (RFP) for the Grindstone Creek Floodplain Mapping Project, and are consulting with the Study's Technical Advisory Committee (comprised of staff from the City of Burlington, Regional Municipality of Hamilton, and the Region of Halton). It is anticipated that the RFP will be posted the week of June 11<sup>th</sup>, 2018, and close before the third week of July.

Selection of the successful Bidder will be in accordance with Conservation Halton's purchasing policies, and based on an evaluation of the bid documents against the Rated Criteria and Weighting, as set out in the RFP. The rating system considers the following factors and relative weightings (relative weightings listed as %):

- Experience and qualifications of the project team (30%)
- Approach, methodology & schedule presented in the proposal (25%)
- Pricing (20%)
- Conformance with Terms of RFP and Demonstrated Understand of Scope of Work (15%)
- References (10%)

The study will inform our regulation and will represent a significant update from our current mapping that was prepared in 1983 and improve our understanding of flood risk within the Grindstone Creek watershed.

The project will include municipal representation (through the Technical Advisory Committee) and will involve two public consultation sessions. The first public consultation will inform watershed residents that a Flood Risk Mapping Study is on-going and will inform regulation limits. The second public consultation will present the draft findings of the study. Following the completion of the study (including the second public consultation), the final Study will be brought to the Conservation Halton Board of Directors for review and approval.

Due to project timelines, it is requested that the Board delegate authority to the Chief Administrative Officer to award a contract to the successful Bidder within the approved budget for the project.

### Impact on Strategic Goals

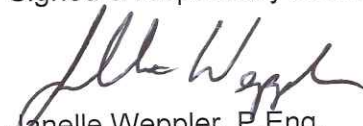
This report supports the Metamorphosis strategic theme taking care of our growing communities.

This strategic initiative supports the objective to Enhance public safety through maintenance and upgrades of flood control structures and modernization of flood management operations to protect communities from severe weather and natural hazards.

### Financial Impact

Conservation Halton was successful in obtaining federal funding support through the National Disaster Mitigation Program (NDMP) in the amount of \$233,000 with the balance of funding being provided from the Watershed Management Capital Reserve and municipal funding.

Signed & respectfully submitted:



Janelle Wepler, P.Eng.  
Associate Director, Engineering

Approved for circulation:



Hassaan Basit  
CAO/Secretary-Treasurer

**FOR QUESTIONS ON CONTENT:**

Amy Mayes, P.Eng., Coordinator, Floodplain Mapping  
[amayes@hrca.on.ca](mailto:amayes@hrca.on.ca); 905-336-1158 ext. 2302



**REPORT TO:** Board of Directors

**REPORT NO: #** 05 18 08

**FROM:** Niall Lobley, Associate Director, Greenspace Revitalization & Forestry  
905 336 1158 x 2256 [nlobley@hrca.on.ca](mailto:nlobley@hrca.on.ca)

**DATE:** June 21, 2018

**SUBJECT:** Emerald Ash Borer

---

### Recommendation

That the Conservation Halton Board of Directors **approve the award of up to \$870,000, reflecting the Emerald Ash Borer capital project budget available in 2018, of work to Diamond Tree Care Services and Schmidt Logging for completing EAB ash removal work in 2018.**

And further, that the Conservation Halton Board of Directors **request staff to provide a report in December 2018 on performance review of the chosen contractors used in 2018, to allow the Board to make an extended award for 2019, the amount of such an award to be based on the 2019 Conservation Halton approved budget.**

### Report

In June 2017, the Board approved a 10-year capital program to be funded by the Region of Halton to address the risks posed by ash trees as a result of Emerald Ash Borer (EAB). The program released \$400,000 of capital funds as part of the 2017 budget to remove ash trees along our channel systems in Milton, Burlington and Oakville, completed through the fall and early winter of 2017/18. The 10-year program is estimated to be \$8 million of works. Initially, the program was to be delivered by new, internal contract staff dedicated to the work; on review, it has been agreed that this work should be delivered by external contractors under the guidance and oversight of internal forestry staff.

A request for tender seeking qualified arboricultural companies to perform the work was issued to continue the works on the remaining Conservation Halton owned or managed properties within Halton Region over the next 10 years. Due to the significant variability of the nature and type of work required, a roster style tender was issued to enable Conservation Halton to identify one or more contractors that could undertake the work required, with flexibility to match the annual capital budget allocation and timeline constraints annually over the next 10 years.

Four tender responses were received which were assessed against:

- An hourly rate per person
- An estimate of the number of hours required to perform a range of scenarios, typical of the scope of work required to be completed
- Contractor capabilities (references, equipment and staff resources)

Two tenders were inaccurately completed and deemed 'non-compliant'.

Two tenders, reflecting similar unit costs, were completed and deemed compliant.

Given the close proximity of pricing, and the time constraints to complete works in 2018 amounting to our allocated budget, it is recommended that the Board award of up to \$870,000 of work to -two contractors, Schmidt Logging and Diamond Tree Care Services in 2018 according to the hourly rates provided by these contractors. Both contractors will be engaged in undertaking work in 2018.

The tender was written to support the selection of multiple contractors for works extending over multiple years, with an estimated 2018 value of up to \$870,000. Built into the tender is a robust work programming schedule and performance monitoring evaluation. This will allow staff to carefully monitor for contractor performance as well as billing. Providing that one or more of the chosen contractors meets the expected performance criteria, staff will seek Board approval to extend the contract beyond 2018, based on available budgets in 2019.

### Impact on Strategic Goals

This report supports the Metamorphosis strategic theme of *Protecting our natural, cultural, and scenic assets*.

### Financial Impact

The work is to be delivered under an approved Capital Project budget of \$1.54 million. This Capital Project is supporting staff management of the contracts, and has already supported specific projects to manage EAB project.

The Region of Halton accepted a request for \$8 million phased over 10 years to address EAB pressure on Conservation Halton property within Halton Region. In 2018 and 2019 the request is for \$1.154 million.

Signed & respectfully submitted:



Niall Lobley  
Associate Director, Greenspace Revitalization & Forestry

Approved for circulation:



Hassaan Basit  
CAO/Secretary-Treasurer

**FOR QUESTIONS ON CONTENT:** Hassaan Basit, CAO/Secretary-Treasurer