



LONG POINT REGION CONSERVATION AUTHORITY
Board of Directors Meeting of October 7, 2020

Members in attendance: Dave Beres, Robert Chambers, Kristal Chopp, Michael Columbus, Valerie Donnell, Roger Geysens, Ken Hewitt, Tom Masschaele, Stewart Patterson, John Scholten and Peter Ypma

Staff in attendance: J. Maxwell, A. LeDuc, B. Hodi, L. Mauthe and D. McLachlan

Regrets: none

K. Chopp and K. Hewitt arrived at 6:45 p.m.

1. Welcome and Call to Order

The chair called the meeting to order at 6:30 p.m., Wednesday, October 7, 2020.

2. Additional Agenda Items

There were no additional agenda items.

3. Declaration of Conflicts of Interest

None were declared.

4. Deputations

There were no deputations.

5. Minutes of the Previous Meeting

- a) Board of Directors Meeting of September 2, 2020

There was no discussion.

A-85/20

Moved by J. Scholten

Seconded by S. Patterson

That the minutes of the Board of Directors Meeting held September 2, 2020 be adopted as circulated.

CARRIED

6. Business Arising

There was no business arising.

FULL AUTHORITY COMMITTEE MEMBERS

Dave Beres, Robert Chambers, Kristal Chopp, Michael Columbus, Valerie Donnell,
Roger Geysens, Ken Hewitt, Tom Masschaele, Stewart Patterson, John Scholten, Peter Ypma

7. Review of Committee Minutes

- a) Lee Brown Marsh Management Committee - January 10, 2020
- b) Draft Audit and Finance Committee – September 22, 2020

Dave Beres, the Audit and Finance Committee Chair, addressed the Board and noted that staff were given direction to target a 1.5% municipal levy budget increase.

A-86/20

Moved by S. Patterson
Seconded by J. Scholten

That the minutes of the Lee Brown Marsh Management Committee meeting of January 10, 2020 and the Draft Audit and Finance Committee meeting held September 22, 2020 be adopted as circulated.

CARRIED

8. Correspondence

There was no correspondence to report.

9. Development Applications

A-87/20

Moved by J. Scholten
Seconded by V. Donnell

THAT the LPRCA Board of Director's does now sit as a Hearing Board.

CARRIED

The roll was called to conduct the following Hearing under Section 28.1(5) of the *Conservation Authorities Act*.

The Chair gave his opening remarks and reviewed the guidelines and process to be followed for the hearing.

a) Hearing LPRCA – 176/20 – Leitch

L. Mauthe, Supervisor of Planning Services introduced Tom and Lisa Leitch and their agent, Darryl Lee, and then presented the staff report.

The application, to construct a two-storey home and attached garage with living space above it and in an area subject to slope stability and erosion-related hazards from Lake Erie, and fully within the area regulated by the Long Point Region Conservation Authority under Ontario Regulation 178/06, was received December 22, 2019. LPRCA

FULL AUTHORITY COMMITTEE MEMBERS

Dave Beres, Robert Chambers, Kristal Chopp, Michael Columbus, Valerie Donnell,
Roger Geysens, Ken Hewitt, Tom Masschaele, Stewart Patterson, John Scholten, Peter Ypma

staff have been communicating with the applicants since December 2016 regarding their evolving proposal and the requirements to satisfy the applicable policies.

The proposal met several sections of applicable policy, however failed to meet the 7.5 metre minimum setback from the stable slope limit by 3.5 metres. Therefore, LPRCA staff recommend refusal for the following reasons:

- Contrary to LPRCA policies
- Will affect the control of erosion in that it increases the potential for damage from slope instability and erosion.
- Proposal is not unique and could be seen as setting precedent.

K. Chopp and K. Hewitt arrived at 6:45pm, after the Hearing started, and were advised they would be unable to participate in this Hearing as per Section 3.3 of the LPRCA Hearing Procedures Policy.

Mr. Lee spoke on behalf of the applicants noting that the applicants have been in contact with LPRCA staff from the time the property was purchased regarding the evolving development proposal. Mr. Lee stated the current home is not livable and the new home will be comparable to other homes in the area. It was requested by Mr. Lee that the Hearing Board apply flexibility with respect to the policy and requirements.

Staff and the proponent responded to questions from the Board.

There were no comments from other interested parties and no further questions.

A-88/20

Moved by P. Ypma

Seconded by J. Scholten

THAT the LPRCA Hearing Board approves application LPRCA-176/20;

Whereas the application meets the intent of the policy.

CARRIED

b) Hearing LPRCA-73/19 (Campbell)

K. Chopp was advised they she would be unable to participate in this Hearing as per Section 3.3 of the LPRCA Hearing Procedures Policy.

A permit application was received in January of 2019 to construct a new home and retaining wall, and place fill material and regrade the slope on a vacant lot at 138 Brown Street, Port Dover.

FULL AUTHORITY COMMITTEE MEMBERS

Dave Beres, Robert Chambers, Kristal Chopp, Michael Columbus, Valerie Donnell,
Roger Geysens, Ken Hewitt, Tom Masschaele, Stewart Patterson, John Scholten, Peter Ypma

A hearing was held June 5, 2019 as the area requested for the construction is in the Lake Erie shoreline erosion hazard and is contrary to the LPRCA policies for administration of O. Reg. 178/06. In addition, the application was deemed incomplete with respect to several aspects of engineering.

The original hearing was adjourned pending submission of a complete application from the applicant.

On April 2, 2020, staff received an email from the applicant requesting that the permit application be withdrawn.

A-89/20

Moved by T. Masschaele
Seconded by R. Geysens

THAT the LPRCA Board of Directors receives the staff report Long Point Region Conservation Authority Application LPRCA-73/19 (Colin Campbell) Pursuant to Ontario Regulation 178/06, Proposed Construction of a Residential Dwelling, Port Dover, Plan 118, Lot 30, 138 Brown Street, Port Dover – Norfolk, dated May 10, 2019 for information.

AND THAT the LPRCA Board of Directors accepts the applicant's request to withdraw Application LPRCA-73/19.

CARRIED

A-90/20

Moved by P. Ypma
Seconded by J. Scholten

That the LPRCA Board of Directors does now adjourn from sitting as a Hearing Board.

CARRIED

The applicants and their agent left the meeting.

The Full Authority resumed at 7:30 p.m.

c) Staff Approved applications

Staff approved 22 applications since the last meeting in September:

LPRCA-155/20, LPRCA-177/20, LPRCA-178/20, LPRCA-179/20, LPRCA-180/20, LPRCA-181/20, LPRCA-182/20, LPRCA-183/20, LPRCA-184-18, LPRCA-186/20, LPRCA-187/20, LPRCA-188/20, LPRCA-189/20, LPRCA-190/20, LPRCA-191/20, LPRCA-192/20, LPRCA-196/20, LPRCA-197/20, LPRCA-198/20, LPRCA-199/20, LPRCA-200/20, LPRCA-148/20, LPRCA-149/20, LPRCA-150/20, LPRCA-151/20, and LPRCA-201/20

FULL AUTHORITY COMMITTEE MEMBERS

Dave Beres, Robert Chambers, Kristal Chopp, Michael Columbus, Valerie Donnell,
Roger Geysens, Ken Hewitt, Tom Masschaele, Stewart Patterson, John Scholten, Peter Ypma

A-91/20

Moved by P. Ypma
Seconded by J. Scholten

That the LPRCA Board of Directors receives the Staff Approved Section 28 Regulation Applications report dated September 27, 2020 as information.

CARRIED

d) New Applications

The Planning Department staff recommended approval for ten applications; three new residential structures, six new shoreline protection works and one stormwater management outlet.

A-92/20

Moved by R. Geysens
Seconded by V. Donnell

THAT the LPRCA Board of Directors approves the following Development Applications contained within the background section of this report:

A. For Work under Section 28 Regulations, Development, Interference with Wetlands & Alterations to Shorelines and Watercourses Regulations (R.R.O. 1990 Reg. 178/06),

*LPRCA-193/20
LPRCA-195/20
LPRCA-202/20*

*LPRCA-203/20
LPRCA-204/20
LPRCA-205/20*

*LPRCA-206/20
LPRCA-211/20
LPRCA-212/20
LPRCA-224/20*

B. That the designated officers of LPRCA be authorized to complete the approval process for this Development Application, as far as it relates to LPRCA's mandate and related Regulations.

CARRIED

10. New Business

a) General Manager's Report

J. Maxwell reviewed the activities and accomplishments achieved over the past month.

Due to COVID-19, staff created a Virtual Memorial Forest Dedication Service which has received very positive feedback.

FULL AUTHORITY COMMITTEE MEMBERS

Dave Beres, Robert Chambers, Kristal Chopp, Michael Columbus, Valerie Donnell,
Roger Geysens, Ken Hewitt, Tom Masschaele, Stewart Patterson, John Scholten, Peter Ypma

Staff received confirmation from Environment and Climate Change Canada that the recent property donation is proceeding to the next phase of the Ecological Gifts Program; fair market valuation review.

A-93/20

Moved by V. Donnell
Seconded by R. Geysens

That the LPRCA Board of Directors receives the General Manager's Report for September 2020 as information.

CARRIED

b) LPRCA Administrative By-Law Amendment

The purpose of the amendment is to permit electronic meetings at any time as deemed necessary by the Authority as per the directive received from The Minister of the Environment, Conservation and Parks, Jeff Yurek, on September 10, 2020.

A-94/20

Moved by R. Chambers
Seconded by S. Patterson

That the LPRCA Board of Directors repeals the LPRCA Administrative By-Law (Resolution A-42/20) adopted April 22, 2020;

And

THAT the LPRCA Board of Directors adopts the LPRCA Administrative By-Law as presented.

CARRIED

c) Completion of the Haldimand County Lake Erie Hazard Mapping and Risk Assessment

With support from the National Disaster Mitigation Program (NDMP), an update of information, mapping, and the Risk Assessment was undertaken in collaboration with Haldimand County and the three conservation authorities within the County that border Lake Erie: Grand River, Niagara Peninsula and Long Point Region. Consultation with the public and stakeholder groups was completed as part of the project.

B. Hodi presented the project overview, key deliverables and highlights of the project.

Original mapping and information used by LPRCA was completed in the 1980's. Since that time, there have been many notable advances in mapping technology and updates of policies and practices.

FULL AUTHORITY COMMITTEE MEMBERS

Dave Beres, Robert Chambers, Kristal Chopp, Michael Columbus, Valerie Donnell,
Roger Geysens, Ken Hewitt, Tom Masschaele, Stewart Patterson, John Scholten, Peter Ypma

Next steps were outlined and it was noted that, once approved, the mapping will be provided to municipal staff at Haldimand County to support the preparation of Official Plan and Zoning By-Law documents.

A-95/20

Moved by S. Patterson
Seconded by R. Geysens

THAT the Haldimand County Lake Erie Hazard Mapping and Risk Assessment completed by W.F. Baird & Associates Coastal Engineers be approved for use in the administration of the Long Point Region Conservation Authority's Section 28 regulation (Ontario Regulation 178/06) and with matters under the Planning Act in the Long Point watershed.

AND THAT amendments to Long Point Region Conservation Authority's Ontario Regulation 178/06 mapping be made to incorporate the revisions to the natural hazards and their allowances.

CARRIED

d) Backhouse Historic Site Homestead Heritage Designation

Norfolk County passed By-Law 2020-76 on September 22, 2020 to designate the Backhouse Homestead as being of cultural heritage value and interest.

The Homestead will now be listed on the Municipal Register of Heritage Properties and Ontario Heritage Trust will be notified to list the property on the Provincial Register.

A-96/20

Moved by V. Donnell
Seconded by R. Geysens

That the LPRCA Board of Directors receives the Backhouse Historic Site Homestead Heritage Designation report as information.

CARRIED

11. Closed Session

The Closed Session meeting began at 8:00 p.m.

A-97/20

Moved by D. Beres
Seconded by J. Scholten

That the LPRCA Board of Directors does not enter into a closed session to discuss:

- *A trade secret or scientific, technical, commercial or financial information that belongs to the Authority and has monetary value or potential monetary value; or*

FULL AUTHORITY COMMITTEE MEMBERS

Dave Beres, Robert Chambers, Kristal Chopp, Michael Columbus, Valerie Donnell,
Roger Geysens, Ken Hewitt, Tom Masschaele, Stewart Patterson, John Scholten, Peter Ypma

- *A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the Authority.*

CARRIED

A-98/20

Moved by D. Beres

Seconded by J. Scholten

That the LPRCA Board of Directors does now adjourn from the closed session.

CARRIED

The Chair adjourned the meeting at 8:20 p.m.



Michael Columbus
Chair



Dana McLachlan
Administrative Assistant

FULL AUTHORITY COMMITTEE MEMBERS

Dave Beres, Robert Chambers, Kristal Chopp, Michael Columbus, Valerie Donnell,
Roger Geysens, Ken Hewitt, Tom Masschaele, Stewart Patterson, John Scholten, Peter Ypma