



LONG POINT REGION CONSERVATION AUTHORITY
Board of Directors Meeting Minutes of April 5, 2023
Approved May 3, 2023

Members in attendance:

John Scholten, Chair	Township of Norwich
Michael Columbus, Vice-Chair	Norfolk County
Shelley Ann Bentley	Haldimand County
Dave Beres	Town of Tillsonburg
Doug Brunton	Norfolk County
Robert Chambers	County of Brant
Tom Masschaele	Norfolk County
Stewart Patterson	Haldimand County
Chris Van Paassen	Norfolk County
Rainey Weisler	Municipality of Bayham/Township of Malahide
Peter Ypma	Township of South-West Oxford

Regrets: none

Staff in attendance:

Judy Maxwell, General Manager
Aaron LeDuc, Manager of Corporate Services
Leigh-Anne Mauthe, Interim Manager of Watershed Services
Zachary Cox, Interim Marketing Coordinator
Dana McLachlan, Executive Assistant

1. Welcome and Call to Order

The Chair called the meeting to order at 6:30 p.m., Wednesday, April 5, 2023.

2. Additional Agenda Items

There were no additional agenda items.

3. Declaration of Conflicts of Interest

None were declared.

4. Hearing: LPRCA-178/22 (Vandepoele)

A-33/23

Moved by R. Weisler
Seconded by M. Columbus

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

Carried

FULL AUTHORITY COMMITTEE MEMBERS

Shelley Ann Bentley, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus,
Tom Masschaele, Stewart Patterson, John Scholten, Rainey Weisler, Chris Van Paassen, Peter Ypma

The roll was called to conduct the following Hearing under Section 28 of the *Conservation Authorities Act*.

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

Leigh-Anne Mauthé introduced the applicant, Darlene Vandepoele, her agents, Len Girard, and via zoom, Bram Van den Heuvel.

Ms. Mauthé proceeded to present the staff hearing report. An application was deemed complete to construct a structure that includes a 900 ft² boatwell, a 720 ft² garage on the lower level, exterior stairs leading to a second storey internal area that measures 1380 ft². The structure also includes two second storey decks, 240 ft² and 136 ft² at the rear and front of the second storey, respectively, that are accessible through the internal area. The footprint of the structure is 1860 ft². The lands are subject to flood related hazards from Lake Erie and is fully regulated under O. Reg. 178/06.

Staff recommended refusal to grant a permit for this application for the following reasons:

1. The construction of the proposed structure is contrary to Long Point Region Conservation Authority shoreline policies for development in the Lake Erie flood hazard area.
2. The control of flooding is affected by the development as the overall risk to property damage is increased.
3. The control of flooding is affected by the development which substantially increases the investment in a flood hazard area that does not have safe access/egress for evacuation or emergency assistance.
4. The control of flooding is affected by the development as the second storey area could be utilized as habitable space and would therefore put additional risk to life and property for both the occupants and emergency personal and first responders.

Ms. Vandepoele explained that the large building is required to house various items from downsizing other properties and store outdoor furniture and equipment in the off-season, and would not be used as habitable space. This was a condition for obtaining the minor variance from Norfolk County.

StoneCrest Engineering worked with staff to ensure proper flood-proofing of the building and Mr. Van den Huevel explained that the various definitions of usable floor space and the combining of the residential accessory structure with the boathouse has led to an inflated valuation of the usable floor space.

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Mr. Girard summed up with a review of the minor variance process with Norfolk County, which was approved, and repeated that there is no intention of converting the storage area to habitable space.

Staff and the proponent responded to questions from the Board.

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

A-34/23

Moved by P. Ypma

Seconded by R. Weisler

THAT the LPRCA Hearing Board does now enter into a closed session to discuss:

- Litigation or potential litigation, including matters before administrative tribunals (e.g. Local Planning Appeal Tribunal), affecting the Authority.

Carried

The LPRCA Hearing Board reconvened in open session at 7:50 p.m.

S. Patterson did not return to the meeting.

The Chair advised Darlene Vandepoele that the permit has been approved.

A-35/23

Moved by T. Masschaele

Seconded by R. Weisler

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

Carried

5. Minutes of the Previous Meeting

a) Board of Directors Annual General Meeting of March 3, 2023

There were no questions or comments.

A-36/23

Moved by D. Brunton

Seconded by S. Bentley

FULL AUTHORITY COMMITTEE MEMBERS

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Tom Masschaele, Stewart Patterson, John Scholten, Rainey Weisler, Chris Van Paassen, Peter Ypma

THAT the minutes of the LPRCA Annual General Meeting held March 3, 2023 be adopted as circulated.

Carried

6. Business Arising

No business arising from the previous minutes.

7. Review of Committee Minutes

There were no Committee Minutes presented.

8. Correspondence

There was no correspondence presented for review.

9. Development Applications

a) Section 28 Regulations Approved Permits

Through the General Manager's delegating authority, 20 applications were approved in the past month. LPRCA-18/23, LPRCA-32/23, LPRCA-39/23, LPRCA-40/23, LPRCA-41/23, LPRCA-42/23, LPRCA-43/23, LPRCA-44/23, LPRCA-45/23, LPRCA-46/23, LPRCA-48/23, LPRCA-49/23, LPRCA-50/23, LPRCA-51/23, LPRCA-52/23, LPRCA-53/23, LPRCA-55/23, LPRCA-56/23, LPRCA-57/23, and LPRCA-59/23.

All of the staff-approved applications met the requirements as set out in LPRCA's policies for the administration of Section 28 of the *Conservation Authorities Act*.

LPRCA-43/23 is located on Tisdale Side Road, not Tisdale Road Site Road as noted in the report.

A-37-23

Moved by D. Brunton

Seconded by T. Masschaele

THAT the LPRCA Board of Directors receives the Section 28 Regulations Approved Permits report, with amendment, dated April 5, 2023 as information.

Carried

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10. New Business

a) General Manager's Report

The General Manager provided an overview of operations this past month.

Progress report #4 was submitted to the Minister of Environment Conservation and Parks as required by the approved transition plan for LPRCA's Inventory of Programs under O. Reg. 687/21.

The Flood Forecasting and Warning Department issued a Flood warning April 3 and terminated it on April 5, 2023.

Norfolk County was notified that they will be receiving a refund of \$80,065 invoiced as special levy prior to LPRCA receiving notice that the Deer Creek Dam concrete repair project was approved for funding.

Hiring for the campgrounds is currently underway.

The Forestry Department will be receiving training on monitoring and trapping the Hemlock Woolly Adelgid (HWA) as part of a pilot research program. The HWA can kill hemlock trees and was recently discovered in Hamilton.

A-38/23

Moved by D. Beres

Seconded by S. Bentley

That the LPRCA Board of Directors receives the General Manager's Report for March 2023 as information.

Carried

b) Ecological Surveys for Selected LPRCA Properties

LPRCA contracts a qualified ecologist to survey properties for species at risk and species of concern on an annual basis. Staff sent requests for quotes to three consultants, of which two responded that they were unable to provide a quote, and one quote was received.

Nature Resource Solutions Inc. (NRSI) has completed the ecological surveys for LPRCA for the past three years. Staff has again retained the services of NRSI to complete the 2023 surveys at four LPRCA properties for a price of \$24,300 plus HST.

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A-39/23

Moved by R. Weisler
Seconded by S. Bentley

THAT the LPRCA Board of Directors receives the report as information.

Carried

c) Tractor Tender

The 2023 approved capital budget included the replacement of a small tractor. Tender packages were forwarded to nine vendors and four bids were received by the deadline. All bids met or exceeded the requirements specified. Staff recommended the tender be awarded to the lowest bidder.

A-40/23

Moved by S. Bentley
Seconded by M. Columbus

THAT the LPRCA Board of Directors accepts the tender submitted by Farm Power Equipment for the purchase of one Diesel, Front Loader Tractor (2023 Mahindra 2638) for \$35,983.52 (excluding HST).

Carried

e) Septic Disposal Services Request for Proposal

A Request for Proposal (RFP) was issued for septic disposal services for the five campgrounds and three proposals were received by the deadline. For cost efficiency, staff recommended splitting the tender to the lowest bidder for each campground.

A-41/23

Moved by T. Masschaele
Seconded by C. Van Paassen

THAT the 2023 contract for septic services at Backus CA and Deer Creek CA be awarded to Bayside Septic Services 2012 Inc.,

AND

THAT the 2023 contract for septic services at Haldimand CA, Norfolk CA and Waterford North CA be awarded to Stealth Environmental Inc.

Carried

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e) Riverine Flood Hydrology Study RFP – Consulting Services

A new flood hydrology model is required to replace the current model that is now obsolete and no longer maintainable. An application for funding was submitted to the Flood Hazard Implementation and Mapping Program (FHIMP), and LPRCA was successful in their request for funding receiving approval for 50% of the total costs to a maximum of \$120,000. The remaining 50% was included in the 2023 capital budget from the capital levy reserve.

A Request for Proposal (RFP) was issued for a new hydrology model and nine proposals were received by the deadline. Six of the proposals met the RFP requirements and staff recommended the tender be awarded to Matrix Solutions Inc.

Matrix's proposal aligned with the project requirements and their approach will allow staff to use the model for multiple purposes, including enabling future hazard mapping, flood forecasting and warning, and emergency management.

A-42/23

Moved by R. Weisler

Seconded by D. Brunton

THAT the LPRCA Board of Directors approve retaining Matrix Solutions Inc. for engineering services to complete a hydrology model for the LPRCA watershed at a cost of \$92,506.00 exclusive of HST plus \$1,624.00 per additional meeting, if required.

Carried

e) Ontario Wetland Evaluation System

Recent changes were made to the Ontario Wetland Evaluation System (OWES) through Bill 23, the *More Homes Built Faster Act*, 2022, following public comment through the Environmental Registry of Ontario. OWES is used to determine wetland significance.

Staff reviewed the following key changes and potential impacts on the wetlands.

1. Elimination of wetland complexing: potential to decrease significance of smaller adjacent wetlands causing potential negative impacts.
2. Review and approval of the evaluation by the Ministry of Natural Resources and Forestry is no longer required: potential of impacting a wetland's significance without a second party review; potential disagreements regarding the area being designated as a wetland or not.

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A-43/23

Moved by P. Ypma
Seconded by C. Van Paassen

THAT the LPRCA Board of Directors receives the summary of changes to the Ontario Wetland Evaluation System as information.

Carried

e) 2023 Watershed Report Card

As part of a collaborative effort with all 36 conservation authorities, various provincial and federal agencies, led by Conservation Ontario, the Watershed Report Cards (WRC) are a tool to report on the health of the watershed using standardized environmental indicators. The first Watershed Report Cards were issued in 2013 and are updated every five years.

A standardized grading system (A to F) is used for the environmental indicators in LPRCA’s six sub-watersheds and were assigned based on standardized scientific data, collected by staff, through established monitoring programs.

The third WRC was released by LPRCA in March of 2023 and can be found on the LPRCA website.

A-44/23

Moved by R. Weisler
Seconded by T. Masschaele

THAT the LPRCA Board of Directors receives the Watershed Report Card report as information.

Carried

Adjournment

The Chair adjourned the meeting at 8:30 p.m.

John Scholten
Chair

Judy Maxwell
General Manager/Secretary-Treasurer

/dm

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