



**LONG POINT REGION CONSERVATION AUTHORITY**  
**Hearing Board Meeting Minutes of April 1, 2026**  
**Approved May 6, 2026**

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Members in attendance:

Doug Brunton, Chair	Norfolk County
Chris Van Paassen, Vice-Chair	Norfolk County
Shelley Ann Bentley	Haldimand County
Dave Beres	Town of Tillsonburg
Robert Chambers	County of Brant
Michael Columbus	Norfolk County
Ed Ketchabaw	Municipality of Bayham/Township of Malahide
Tom Masschaele	Norfolk County
Debera McKeen	Haldimand County
Jim Palmer	Township of Norwich
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, Manager of Watershed Services  
Saifur Rahman, Manager of Engineering and Infrastructure  
Jessica King, Social Media and Marketing Associate  
Nicole Sullivan, HR Coordinator/Executive Assistant

**1. Roll Call and Call to Order**

The Chair called the Hearing to order at 6:29 p.m., Wednesday, April 1, 2026.

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

**A-43/26**

Moved by J. Palmer  
Seconded by S. Bentley

THAT the LPRCA Board of Directors does now sit as a Hearing Board.

**Carried**

A vote was brought to the Hearing Board to allow the late material presented by the applicant to be displayed at the meeting.

**A-44/26**

Moved by D. Beres  
Seconded by D. McKeen

THAT the LPRCA Hearing Board does allow for the applicant's presentation material to be presented.

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**FULL AUTHORITY COMMITTEE MEMBERS**

Shelley Ann Bentley, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus, Ed Ketchabaw, Tom Masschaele, Debera McKeen, Jim Palmer, Chris Van Paassen, Peter Ypma

**2. Declaration of Conflicts of Interest**

None Declared.

**3. Chair's Opening Remarks for Hearing LPRCA- 18/26**

The Chair's opening remarks for LPRCA-18/26 Brookshaw were read and the guidelines and process to be followed for the hearing were reviewed.

\*P. Ypma entered the meeting at 6:33 p.m.

**4. Presentation by Long Point Region Conservation Authority Staff**

Leigh-Anne Mauthe presented the staff report and presentation.

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 riverine one-zone policies for development in the flood hazard. These policies have been implemented to reduce or eliminate preventable risk to life and property damage from flooding,
2. The control of flooding is affected by the development as the overall risk of property damage is increased,
3. The control of flooding is affected by the development as the encroachment of the proposed structure and associated fill material into the floodplain and the resulting loss of flood storage capacity cumulatively increases flood flows and flood levels downstream, and
4. Therefore, the development activity will likely create conditions or circumstance that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property.

**5. Presentation by the Applicant**

John Vallee, Agent, addressed the Board on behalf of the Applicant requesting approval of the application.

Mr. Vallee showed the Board the design of the new house proposed to replace the current one at 7 Douglas Street.

Mr. Vallee's opinion is that the building should fall under the eight rules of "replacement" in Section 8.1.4 of the policy not under "development" under LPRCA's policies. Mr. Vallee argues that all 8 tests for permission to replace a residential building is met with the application that was submitted to LPRCA by Vallee.

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Mr. Vallee noted that the ground floor habitable space will only increase to 28m<sup>2</sup> and the dock area of 10m<sup>2</sup> which totals 38m<sup>2</sup> is less than the 50m<sup>2</sup> which is allowed through LPRCA policies to increase ground floor areas up to 50m<sup>2</sup>.

Mr. Vallee's reading of the *Conservation Authorities Act* argues that a permit is not required for this re-development as the house did not require a planning application.

Mr. Vallee spoke towards LPRCA's three main objectives and how this proposed development meets all three objectives as the floor is above the flood level and as such will prevent loss of life; the proposed structure is superior to existing one and will have no impact to the area which minimizes property damage and social disruption; and the new house has dry access along with a structure designed to withstand flooding which will reduce the need for emergency operations.

## **6. Questions**

Leigh-Anne Mauthe asked the applicant about the calculations that were indicated to have been done regarding the proposed filling of the floodplain, were these calculations and justifications given to staff and how were the calculations determined to be insignificant. John Vallee states that the calculations were not given to staff. The calculations were made based on the total meters of the existing floor area against the added 28m<sup>2</sup> along with the flood elevation, this led to the calculation being insignificant, which LPRCA Policy allows for. Leigh-Anne Mauthe asked the applicant if these calculations also considered the surrounding areas and did they account for other factors including velocity, flood flows, and the loss of opportunity to other lands. John Vallee agreed that the velocity was not considered in the calculations. John Vallee noted that the house is not on the main channel of Black Creek, it is on a dead-end channel with numerous large buildings before it on the channel which would prevent velocity. The house is located at the back channel, which makes velocity not a concern.

Leigh-Anne Mauthe questions the interpretation of the *Conservation Authorities Act*, the section of the *Conservation Authorities Act* requires enabling legislation to be in place to prohibit the *Conservation Authorities Act* from applying, and as of now there is no such legislation. John Vallee acknowledged there was a difference in reading and that whether the Act applies or not, this development still qualifies under LPRCA policies.

There were no questions from the applicant.

Staff and the proponent responded to questions from the Board.

Jim Palmer asked the applicant about the request for a 48-month permit over the standard 24-month permit. Lesley Hutton-Rhora from Vallee Engineering, informed the Board that the request was due to the complexity of the project, it was not necessary, but would make the project move smoother based on the time it takes to go through all the application process.

Jim Palmer asked staff when the permit time starts. Leigh-Anne Mauthe informed the Board that the permit starts the day of approval and lasts for 24 months.

Mike Columbus asked staff about precedence and if any other developments in the area have been approved for similar work. Leigh-Anne Mauthe informed the Board that there was one other application on Douglas Street which was approved for a small amount of fill through a

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### **FULL AUTHORITY COMMITTEE MEMBERS**

Shelley Ann Bentley, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus, Ed Ketchabaw, Tom Masschaele, Debera McKeen, Jim Palmer, Chris Van Paassen, Peter Ypma

Hearing, but that this development is unique and LPRCA has had no similar development in approximately the last 10 years. Leigh-Anne Mauthe informed the Board that many requests are received by staff in regards to developing this area.

Mike Columbus asked John Vallee if he stamped the drawings. John Vallee confirmed that all of the drawings have an engineer stamp on them.

Robert Chambers asked the applicant if they felt it was fair to only allow for one day of response time from staff in submitting the material late. John Vallee was unaware that there was a time limit to submitting material and assumed incorrectly that the material could be submitted the day before.

Robert Chambers asked staff if additional time was needed to examine the material brought forward by the applicant. Leigh-Anne Mauthe informed the Board the Notice of Hearing was sent to the Agent on March 13<sup>th</sup>, which informed them of the additional information deadline of March 26<sup>th</sup> to allow staff for time to review. Leigh-Anne Mauthe informed the Board that most of the day was spent on this hearing and more research could have been done in regards to the *Conservation Authorities Act* with more time to respond.

Robert Chambers notes concerns that the Hearing it not a fair hearing for staff as staff was not given the appropriate amount of time to formulate responses.

Tom Masschaele asked staff if there is any data on the number of flooding occurrences that have happened in the specific floodplain the house is in. Leigh-Anne Mauthe informed the Board that every flood event is documented and LPRCA does have information on events occurring in this area. From memory, Leigh-Anne Mauthe can recall an event in 2018 where a number of people from Riverside Drive needed to be rescued by first responders.

Chris Van Paassen notes that there should be less concern about back water flooding into the river as where the house is located is on a man-made side channel of the river.

Leigh-Anne Mauthe reminds the Board that there are two different flood events that affect this development, the Lake Erie Flood and the Riverine Flood. During a Lake Erie storm event it is the predominantly south-westerly winds that create the flood conditions and pushes the water inwards towards Black Creek. When it comes to the Lake Erie Flood effect, which causes the back-water effect, Staff is satisfied with the policies, as the Lake Flood does allow for replacement redevelopment. For the Riverine Flood the water comes from the opposite direction, down Black Creek, it does not matter if the channel is man-made or not, the area where the development is plays a role in how Black Creek system operates and how the flood plain works, which staff know frequently floods.

Doug Brunton asked staff who has authority to postpone the hearing. Staff informs the Board that only the Board as authority to do so.

The members entered the closed session of the Hearing Board at 7:30 p.m.

**A-45/26**

Moved by E. Ketchabaw

Seconded by P. Ypma

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**FULL AUTHORITY COMMITTEE MEMBERS**

Shelley Ann Bentley, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus, Ed Ketchabaw, Tom Masschaele, Debera McKeen, Jim Palmer, Chris Van Paassen, Peter Ypma

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. Ontario Land Tribunal), affecting the Authority.

**Carried**

**7. Reconvene in Public Forum**

The LPRCA Hearing Board reconvened in open session at 8:03 p.m.

**8. Hearing Board Decision for LPRCA-18/26**

The Chair advised Brookshaw that the permit has been approved. The Notice of Decision will be forwarded by staff.

**9. Adjournment**

**A-46/26**

Moved by J. Palmer

Seconded by M. Columbus

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

**Carried**

The Chair adjourned the Hearing at 8:04 p.m.

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Doug Brunton  
Chair

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Judy Maxwell  
General Manager/Secretary-Treasurer

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**FULL AUTHORITY COMMITTEE MEMBERS**

Shelley Ann Bentley, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus, Ed Ketchabaw, Tom Masschaele, Debera McKeen, Jim Palmer, Chris Van Paassen, Peter Ypma