



**LONG POINT REGION CONSERVATION AUTHORITY
BOARD OF DIRECTORS – MINUTES of May 3, 2017
Approved June 7, 2017**

Members in attendance: Leroy Bartlett, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus, Roger Geysens, Craig Grice, Noel Haydt, David Hayes and John Scholten

Staff in attendance: C. Evanitski, J. Maxwell, L. Minshall, P. Walther-Mabee, P. Gagnon and D. McLachlan

Regrets: Tom Southwick

The LPRCA Chair called the meeting to order at 6:30 pm Wednesday, May 3, 2017 in the Tillsonburg Administration Office Boardroom.

ADDITIONAL AGENDA ITEMS

MOTION A-107/17 moved: D. Brunton seconded: R. Geysens

THAT the LPRCA Board of Directors add “Waterford North/Cook Application” under New Business as item 10 (e) to the May 3rd, 2017 agenda.

CARRIED

DISCLOSURES OF INTEREST

None

DEPUTATIONS

- a) Clark Hoskin, Norfolk County Manager of Economic Development re: Alternative Accommodations

Mr. Hoskin provided the results of a recent alternative accommodation study in Norfolk, Haldimand and Elgin counties. The study suggests increasing the number of overnight accommodations in the area by 10% would create an additional \$15 million per year in tourism revenue. To help achieve these revenue goals, it was suggested that planning/building policies should be revised to support accommodation creation with clear, quick, inexpensive approval processes.

MOTION A-108/17 moved: R. Geysens seconded: D. Brunton

THAT the LPRCA Board of Directors receives the deputation from Clark Hoskin, Norfolk County Manager of Economic Development regarding alternative accommodations as information.

CARRIED

FULL AUTHORITY COMMITTEE MEMBERS

Leroy Bartlett, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus, Roger Geysens, Craig Grice, Noel Haydt, David Hayes, John Scholten, Tom Southwick

MINUTES OF PREVIOUS MEETINGS

No questions or comments

MOTION A-109/17 moved: J. Scholten seconded: R. Geysens

THAT the minutes of the LPRCA Board of Directors Regular Meeting held April 5, 2017 be adopted as circulated.

CARRIED

BUSINESS ARISING

a) Backus Rental Property Removal

Staff obtained a quote for demolition and found that the most cost-effective option is to rent a mini-excavator and allow staff to remove during the off season. Discussion ensued regarding obtaining other quotes, renting different types of equipment for demolition or possibly converting the house into another cabin.

MOTION A-110/17 moved: D. Brunton seconded: J. Scholten

THAT the LPRCA Board of Directors approves the demolition of the tenant house by staff resources prior to the end of 2017.

CARRIED

REVIEW OF COMMITTEE MINUTES

None

CORRESPONDENCE

None

DEVELOPMENT APPLICATIONS

a) **Hearing LPRCA – 30/17 – Nancy & John Rogers**

MOTION A-111/17 moved: R. Geysens seconded: D. Brunton

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

CARRIED

FULL AUTHORITY COMMITTEE MEMBERS

Leroy Bartlett, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus,
Roger Geysens, Craig Grice, Noel Haydt, David Hayes, John Scholten, Tom Southwick

The roll was called.

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

Staff introduced John Rogers and then proceeded to present the staff report. The area requested for constructing a major addition to an existing vacation home is in the Lake Erie shoreline flood hazard and is contrary to the LPRCA shoreline policies. The additional construction would be built below the 100-year flood elevation threshold thereby increasing the risk of property damage due to flooding, and the area has been identified as not having safe access/egress for evacuation or emergency assistance in a flood event.

Mr. Rogers explained that it was impractical to raise the addition to a higher level than the original foundation and the design he commissioned is engineered to building code. He stated that his property is approximately 200 metres to the shoreline and that the issue of safe access/egress is currently being addressed by Norfolk County's proposed new flood emergency plan.

Staff and the proponent responded to questions from the Board.

MOTION A-112/17 moved: D. Brunton seconded: D. Beres

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

- *advice that is subject to solicitor-client privilege, including communications necessary for that purpose.*

CARRIED

MOTION A-113/17 moved by: J. Scholten seconded: D. Brunton

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

CARRIED

MOTION A-114/17 moved by: R. Geysens seconded: J. Scholten

THAT the LPRCA Board of Directors refuses to grant a "Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses" Permit for Permit Application No. 30/17 (Nancy and John Rogers) for the following reason:

- *the proposed development does not meet the 100-year flood level.*

CARRIED

FULL AUTHORITY COMMITTEE MEMBERS

Leroy Bartlett, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus,
Roger Geysens, Craig Grice, Noel Haydt, David Hayes, John Scholten, Tom Southwick

MOTION A-115/17 moved by: D. Brunton seconded: J. Scholten

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

CARRIED

b) **Hearing LPRCA – 44/17 - Harvey & Sharon Harrietha**

MOTION A-116/17 moved: J. Scholten seconded: R. Geysens

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

CARRIED

The roll was called.

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

Staff introduced Sharon Harrietha and then proceeded to present the staff report. The area requested for constructing a new dwelling is in the Lake Erie shoreline flood hazard and has been identified as not having safe access/egress to support evacuation and emergency assistance in the event of a flood.

Mrs. Harrietha provided a history on the previous renovations completed on the current dwelling and detailed the current deficiencies. The size of the building will increase by 69% and the family has hired engineers to design the dwelling to conform to all codes including LPRCA's flood proofing standard.

Staff responded to questions from the Board.

MOTION A-117/17 moved: R. Geysens seconded: D. Hayes

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

- *advice that is subject to solicitor-client privilege, including communications necessary for that purpose.*

CARRIED

MOTION A-118/17 moved by: D. Brunton seconded: D. Hayes

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

CARRIED

FULL AUTHORITY COMMITTEE MEMBERS

Leroy Bartlett, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus,
Roger Geysens, Craig Grice, Noel Haydt, David Hayes, John Scholten, Tom Southwick

MOTION A-119/17 moved by: J. Scholten seconded: D. Hayes

THAT the Board of Directors approves Permit Application LPRCA-44/17 made by Harvey and Sharon Harrietha to construct a new dwelling in the Lake Erie shoreline flood hazard provided that the applicant provides to the Long Point Region Conservation Authority a restrictive covenant or release in a form satisfactory to the Authority in accordance with the plans filed by the applicant with all fees and costs covered by the applicant.

CARRIED

L. Bartlett left the meeting.

MOTION A-120/17 moved by: D. Hayes seconded: J. Scholten

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

CARRIED

c) **Hearing LPRCA – 55/17 – Randy Mawhiney**

MOTION A-121/17 moved: R. Geysens seconded: D. Hayes

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

CARRIED

The roll was called.

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

Staff introduced Randy Mawhiney and then proceeded to present the staff report. The applicant requested to remove and replace 16 dock posts, and import and place material to form a berm. The importing and placement of material to construct a berm structure in the Lake Erie shoreline flood hazard, erosion hazard and dynamic beach hazard along Hastings Drive is contrary to the approved 1989 Long Point Region Conservation Authority Shoreline Management Plan and LPRCA policies for development in the area. Importing and placement of material to construct a berm structure affects the control of dynamic beaches in that it interferes with dynamic beach processes.

Mr. Mawhiney had completed a berm along his properties a number of years ago as advised by LPRCA as a fence or armor stone is not included in the regulations for the area. The applicant requested to continue the berm along the remainder of the properties, topped with cedar trees, to help address illegal dumping and trespassing. Also, the dock is used by others, including emergency services, and needs to be in good repair.

FULL AUTHORITY COMMITTEE MEMBERS

Leroy Bartlett, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus,
Roger Geysens, Craig Grice, Noel Haydt, David Hayes, John Scholten, Tom Southwick

Staff and the proponent responded to questions from the Board.

Neighbouring property owner, Ellen Boyce , opposed this application and any new development along Hastings Drive, Long Point.

MOTION A-122/17 moved: M. Columbus seconded: D. Brunton

THAT the LPRCA Board of Directors waives its policy, and carries on business beyond the 3-hour limit.

CARRIED

Neighbouring property owner, Mary Weber, abuts Mr. Mawhiney' s property and supports this application noting that the applicant is trying to work within the rules.

Staff responded to questions from the Board.

MOTION A-123/17 moved: D. Hayes seconded: R. Geysens

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

- *advice that is subject to solicitor-client privilege, including communications necessary for that purpose.*

CARRIED

C. Grice left the meeting.

MOTION A-124/17 moved by: D. Beres seconded: D. Hayes

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

CARRIED

MOTION A-125/17 moved by: R. Chambers seconded: D. Beres

THAT the LPRCA Board of Directors refuses to grant a “Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses” Permit for Permit Application LPRCA-55/17 (Randy Mawhiney) for the following reasons:

1. The importing and placement of material to construct a berm structure in the Lake Erie shoreline flood hazard, erosion hazard and dynamic beach hazard along Hastings Drive is contrary to the approved 1989 Long Point Region Conservation Authority Shoreline Management Plan and LPRCA policies for development in the area of the subject lands.

FULL AUTHORITY COMMITTEE MEMBERS

Leroy Bartlett, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus, Roger Geysens, Craig Grice, Noel Haydt, David Hayes, John Scholten, Tom Southwick

2. This importing and placement of material to construct a berm structure affects the control of dynamic beaches in that it interferes with dynamic beach processes.
3. The proposal is not unique; therefore the granting of an exemption to policy could be seen as setting precedent. Similar applications may have to be permitted as a consequence.

CARRIED

MOTION A-126/17 moved by: D. Brunton seconded: D. Beres

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

CARRIED

d) Staff Approved applications

Staff approved 11 applications since the last meeting in April: LPRCA-67/17, LPRCA-76/17, LPRCA-69/17, LPRCA-74/17, LPRCA-77/17, LPRCA-78/17, LPRCA-79/17, LPRCA-80/17, LPRCA-81/17, LPRCA-82/17 and LPRCA-83/17.

There were no questions or comments.

MOTION A-127/17 moved: J. Scholten seconded: R. Geysens

That the LPRCA Board of Directors receives the Staff Approved Section 28 Regulation Applications report dated April 20th, 2017 as information.

CARRIED

e) New applications

The Planning Department recommended approval for seven applications. LPRCA-87/17 was given permission to buttress the wall as an emergency measure once reviewed by a geotechnical engineer.

MOTION A-128/17 moved: D. Hayes seconded: D. Brunton

THAT the LPRCA Board of Directors approves the following Development Applications contained within the background section of the 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-48/17
LPRCA-84/17
LPRCA-88/17

LPRCA-65/17
LPRCA-86/17

LPRCA-66/17
LPRCA-87/17

FULL AUTHORITY COMMITTEE MEMBERS

Leroy Bartlett, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus,
Roger Geysens, Craig Grice, Noel Haydt, David Hayes, John Scholten, Tom Southwick

- 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

NEW BUSINESS

a) GENERAL MANAGER'S REPORT

There were no questions or comments.

MOTION A-129/17 moved: D. Hayes seconded: J. Scholten

THAT the LPRCA Board of Directors receives the General Manager's Report for April 2017 as information.

CARRIED

b) 1ST QUARTER FINANCIAL REPORT

Staff responded to questions and will provide investment revenue updates on a quarterly basis at future meetings.

MOTION A-130/17 moved: J. Scholten seconded: D. Hayes

THAT the LPRCA Board of Directors receives the 1st Quarter, 2017 Budget Performance Report as information.

CARRIED

c) SEWAGE DISPOSAL BID

As of the deadline, two tenders for the park sewage disposal service were received. The cost will increase by 4.1% provided the loads remain the same as 2016.

MOTION A-131/17 moved: J. Scholten seconded: R. Geysens

THAT the LPRCA Board of Directors receives the Septic Tender Report as information; AND THAT the contract of septic services for 2017 be awarded to Bill's Septic with respect to the following Conservation Areas: Backus Heritage Conservation Area; Deer Creek Conservation Area; Haldimand Conservation Area; Norfolk Conservation Area; and Waterford North Conservation Area.

CARRIED

FULL AUTHORITY COMMITTEE MEMBERS

Leroy Bartlett, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus, Roger Geysens, Craig Grice, Noel Haydt, David Hayes, John Scholten, Tom Southwick

d) HALDIMAND HYDRO TENDER

At the deadline, two tenders for the hydro upgrades at Haldimand CA were received. As per the capital plan, 20 sites will be upgraded from 15 amp service to 30 amp service. Staff recommended Darlington Electric who completed the site upgrades at Backus and Haldimand last fall.

MOTION A-132/17 moved: R. Geysens seconded: J. Scholten

THAT the LPRCA Board of Directors accepts the tender submitted by Darlington Electric for the upgrade of 20 sites from 15 amp to 30 amp, including the replacement of both water and sewer lines at the Haldimand CA for a total tendered price of \$19,875.00 plus HST.

CARRIED

e) WATERFORD NORTH/COOK APPLICATION

The agreement with Mr. and Mrs. Cook for a Watersports Cable Park at Waterford North CA is on hold as staff awaits hydro upgrades at the road. A new plan is being prepared to include the Watersports Cable Park hydro requirements and will be submitted to Hydro One for review upon completion.

MOTION A-133/17 moved: M. Columbus seconded: R. Geysens

THAT the LPRCA Board of Directors receives staff's verbal report regarding the Cook proposal for Waterford North CA as information.

CARRIED

MOTION A-134/17 moved: J. Scholten seconded: R. Chambers

THAT the LPRCA Board of Directors adjourns due to time.

DEFEATED

MOTION A-135/17 moved: D. Hayes seconded: R. Geysens

That the LPRCA Board of Directors does now enter into a closed session to discuss:

- personal matters about an identifiable individual, including Conservation Authority employees*
- a proposed or pending acquisition or disposition of land by the Conservation Authority*
- litigation or potential litigation, including matters affecting the Conservation Authority*

CARRIED

FULL AUTHORITY COMMITTEE MEMBERS

Leroy Bartlett, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus, Roger Geysens, Craig Grice, Noel Haydt, David Hayes, John Scholten, Tom Southwick

MOTION A-136/17 moved: J. Scholten seconded: D. Hayes

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

CARRIED

MOTION A-137/17 moved: M. Columbus seconded: R. Geysens

THAT the LPRCA Board of Directors receives the GM's verbal update regarding a personnel matter, as information.

CARRIED

MOTION A-138/17 moved: D. Beres seconded: J. Scholten

*THAT the LPRCA Board of Directors receives the General Manager's Report regarding the divestiture of Port Burwell Harbour as information;
AND THAT the Long Point Region Conservation Authority Board of Directors confirms its disinterest in acquiring the federally-owned harbour lands located in the Municipality of Bayham;
AND THAT The Conservation Authority continues to act as a resource to the Municipality where applicable.*

CARRIED

MOTION A-139/17 moved: D. Brunton seconded: D. Hayes

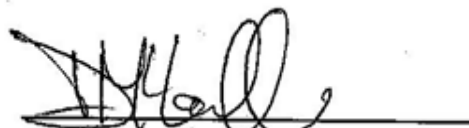
*THAT the LPRCA Board of Directors receives the Golden's Settlement Report as information;
AND THAT LPRCA inform its legal counsel that the Campers Notice issued in 2012 to Guy and Donna golden has been rescinded.*

CARRIED

The Chair adjourned the meeting at 11:10pm.



Noel Haydt
Chair



Dana McLachlan
Administrative Assistant

FULL AUTHORITY COMMITTEE MEMBERS

Leroy Bartlett, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus,
Roger Geysens, Craig Grice, Noel Haydt, David Hayes, John Scholten, Tom Southwick