

CATARAQUI REGION CONSERVATION AUTHORITY

MINUTES OF THE FULL AUTHORITY BOARD - HEARING

WEDNESDAY, OCTOBER 23, 2019

CRCA ADMINISTRATION OFFICE BOARDROOM

Present: Alan Revill (Chair), Alan Barton, Leigh Bursey, Rhonda Ferguson, Claire Gunnewiek, Al Hanes, Matt Harper, Bert Herfst, Garry Hewett, Paul McAuley, Gary Oosterhof, Terry Richardson, Ross Sutherland (Vice Chair)

Regrets: Wayne Hill, Robert Kiley, Gordon Ohlke, Lisa Osanic

Staff Present: Geoff Rae, General Manager; Donna Campbell, Assistant, Chair & General Manager; Mike Dakin, Resource Planner; Krista Fazackerley, Supervisor, Communications & Education; Katrina Furlanetto, Manager, Watershed Planning & Engineering; Rob McRae, Manager, Corporate Services; Rhonda Roantree, Receptionist/Clerk; Andrew Schmidt, Supervisor, Development Review

Delegation: Christine Brennan, Cataraqui Source Protection Committee Member, John Williamson, Chair Cataraqui Source Protection Committee, Pat McNamee, Friends Cataraqui Trail, Ana Marcos, Applicant

The meeting commenced at 6:30 P.M.

1. MOTION TO CONVENE HEARING IN ACCORDANCE WITH SECTION 28(12) OF THE CONSERVATION AUTHORITIES ACT

Resolution: 092-19
Moved by: Leigh Bursey
Seconded by: Terry Richardson

THAT Cataraqui Region Conservation Authority Full Authority Board Hearing regarding Permit Application F-231/19-Grip Lk, BE CONVENEED, in accordance with Section 28 (12) of the Conservation Authorities Act.

CARRIED

2. ROLL CALL

There were thirteen (13) members present.

3. DECLARATION OF CONFLICT OF INTEREST

There were none.

4. COMMENCEMENT OF HEARING

4.1. Chair's opening remarks

The following remarks were read by the Chair:

We are now going to conduct a hearing under section 28 of the Conservation Authorities Act in respect of an application by Ana Marcos: for permission to: construct a 30.2 square metre attached deck (CRCA file F-231/19-Grip Lk).

The Authority has adopted regulations under section 28 of the Conservation Authorities Act which requires the permission of the Authority for development within an area regulated by the Authority in order to ensure no adverse affect on the control of flooding, erosion, dynamic beaches or pollution or conservation of land or to permit alteration to a shoreline or watercourse or interference with a wetland.

The Staff has reviewed this proposed work and a copy of the staff report has been given to the Applicant and Board. Staff have recommended approval of the permit, with conditions.

The Conservation Authorities Act (Section 28 [12]) provides that:

"Permission required under a regulation made under clause (1)(b) or (c) shall not be refused or granted subject to conditions unless the person requesting permission has been given the opportunity to require a hearing before the authority or, if the authority so directs, before the authority's executive committee."

In holding this hearing, the Board is to determine whether or not a permit is to be issued. In doing so, we can only consider the application in the form that is before us, the staff report, such evidence as may be given and the submissions to be made on behalf of the applicant.

The proceedings will be conducted according to the Statutory Powers Procedure Act. Under Section 5 of the Canada Evidence Act, a witness may refuse to answer any question on the ground that the answer may tend to criminate the person, or may tend to establish his/her liability to a civil proceeding at the instance of the Crown or of any person.

The procedure in general shall be informal without the evidence before it being given under oath or affirmation unless decided by members of the hearing.

If the applicant has any questions to ask of the Board or of the Authority representative, they must be directed to the Chair.

As per the agenda, the Board may wish to move In Camera to deliberate after evidence is provided and will then report. The Board may make a decision to approve or deny the application with or without conditions at this time, or reserve their decision and provide notice at a later date. In any event, the applicant will be provided with a Notice of Decision with written reasons of the decision within 30-days.

- 4.2. Introduction of applicant and/or agent and any others wishing to speak, by staff

Mike Dakin, Resource Planner, provided a brief introduction.

- 4.3. Discussion of nature and location of application F-231/19-Grip Lk, by staff

Mike Dakin, Resource Planner, provided details.

- 4.4. Presentation of staff report and recommendation (Report IR-077-19, Application F-231/19-Grip Lk (Marcos) – 820 Camp Lane, Township of Leeds and the Thousand Islands)

Mike Dakin, Resource Planner, provided a presentation ([Attachment #1](#)).

- 4.5. Presentation of applicant and/or agent

There was none.

- 4.6. Remarks by others in attendance

There were none.

- 4.7. Questions by members of the Board

There were no questions.

- 4.8. Summary remarks by applicant and/or agent and staff

Mike Dakin, Resource Planner, provided summary remarks in his presentation.

5. MOTION TO MOVE IN CAMERA TO CONSIDER DECISION – IF REQUIRED

An In-Camera Session was not required. Members concurred to approve the recommendation from Report IR-077-19 Application F-231/19-Grip Lk (Marcos) – 820 Camp Lane, Township of Leeds and the Thousand Islands, in open session.

5.1. Chair to advise the applicant and/or agent of the decision

The applicant was in attendance at the time of the decision.

Resolution: 093-19
Moved by: Al Hanes
Seconded by: Gary Oosterhof

THAT report IR-077-19, Application F-231/19-Grip Lk (Marcos) – 820 Camp Lane, Township of Leeds and the Thousand Islands, BE RECEIVED; and,

THAT permission BE GRANTED under Ontario Regulation 148/06 for development at 820 Camp Lane, Township of Leeds and the Thousand Islands, subject to the conditions outlined in report IR-077-19, Application F-231/19-Grip Lk (Marcos) Township of Leeds and the Thousand Islands.

CARRIED

6. ADJOURNMENT

The meeting adjourned at 6:50 P.M. on a motion by Matt Harper, seconded by Leigh Bursey.

Katrina Furlanetto, M.Env.Sc
Manager, Watershed
Management and Engineering

Geoff Rae, MBA, P.Eng.
General Manager

Alan Revill
Chair



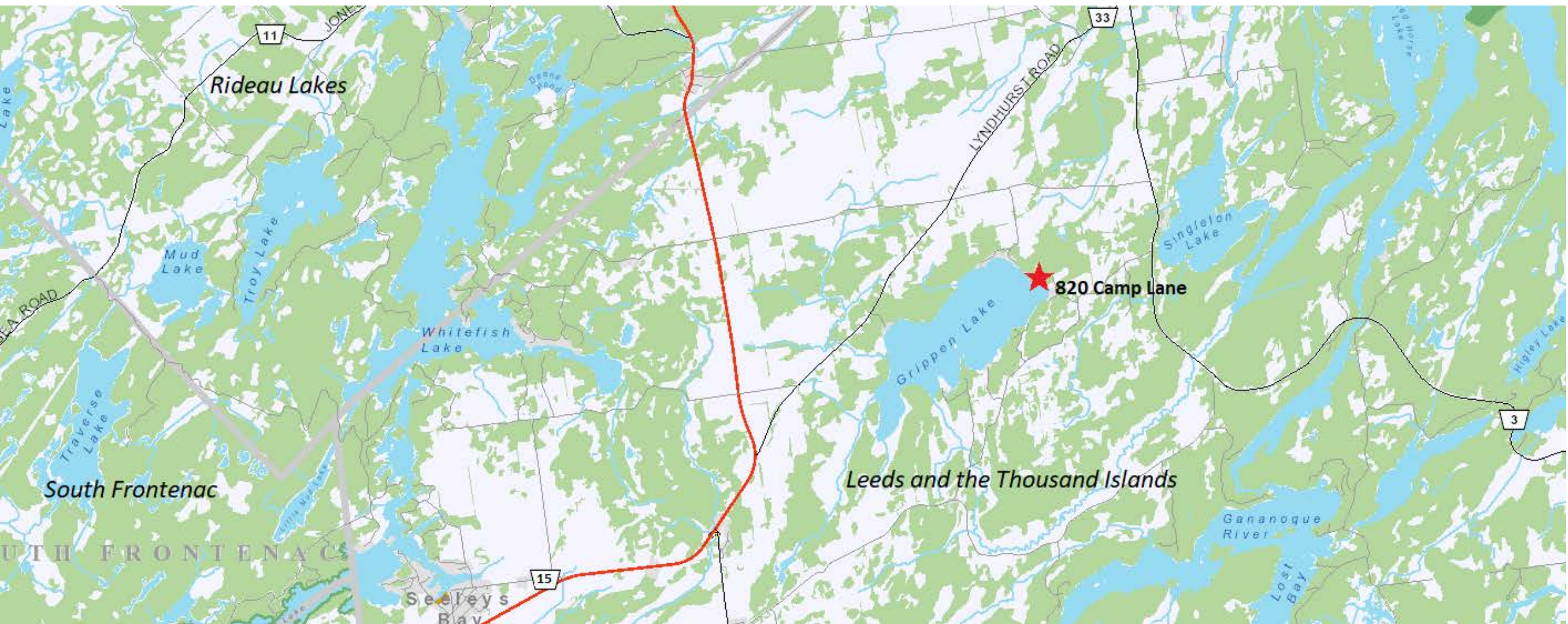
Cataraqui
conservation

Permit Application F-231/19 – Grip Lk

October 23, 2019 - CRCA Full Authority Permit Hearing

Agenda Item 4.3 Background

Subject Property – 820 Camp Lane



Source: CRCA DRAPE Imagery (2014)

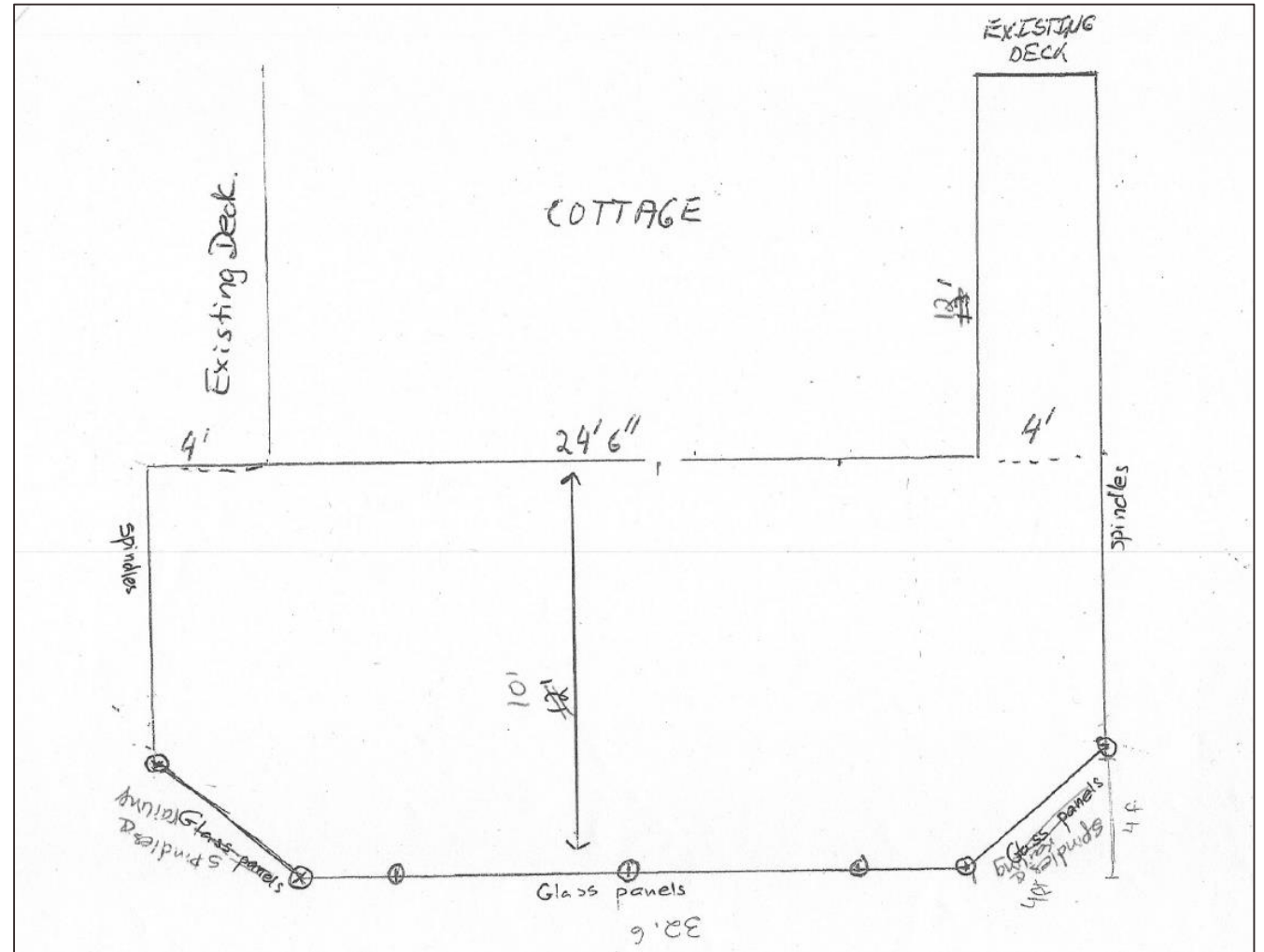
Subject Property – 820 Camp Lane



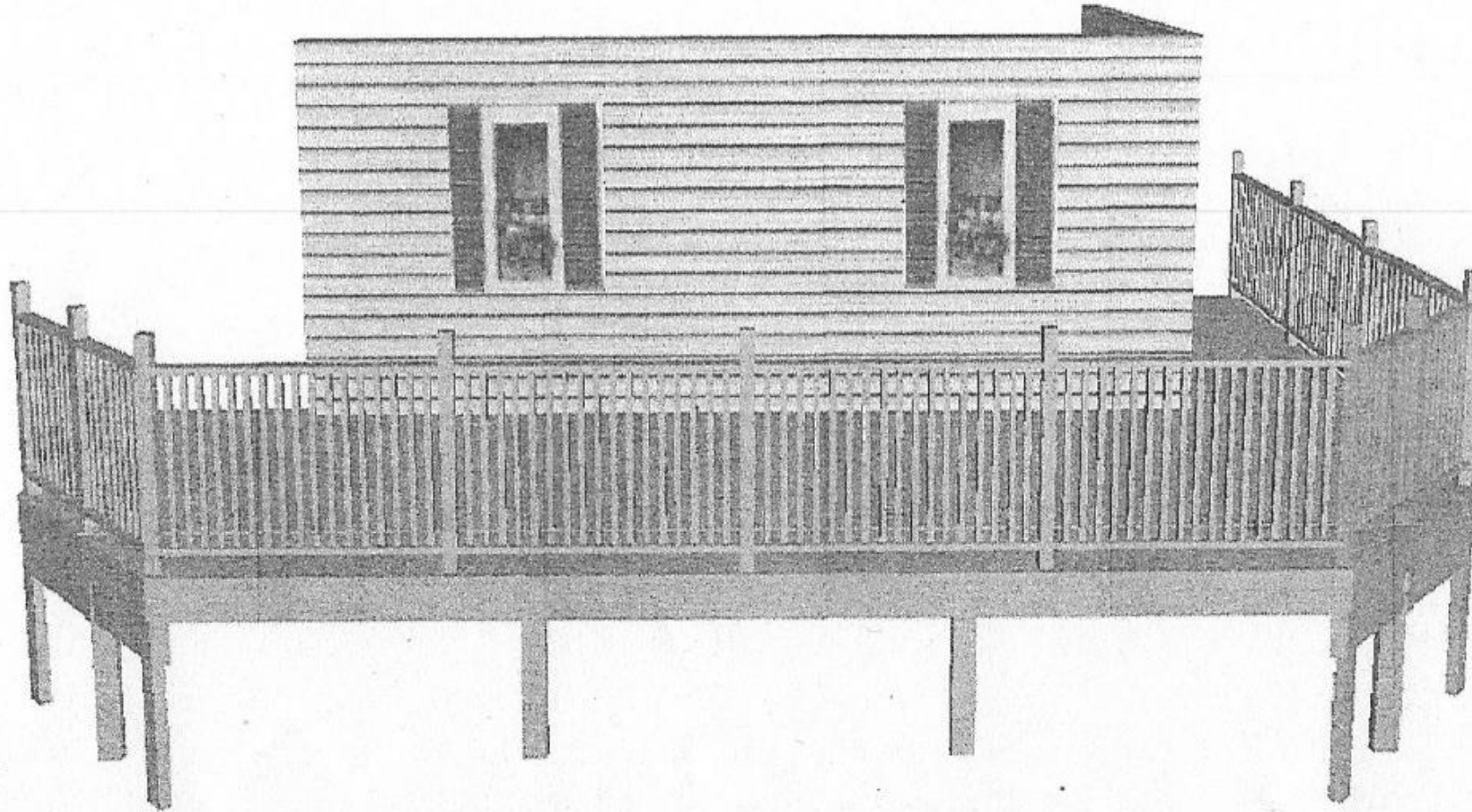
Source: CRCA DRAPE Imagery (2014)

Proposed Development – Attached Deck

- Approximately 30 sq. m. attached deck on west side of cottage
- Elevated, post-supported
- Approximately 10 m wide by 3 m deep



Proposed Development – Attached Deck



Agenda Item 4.4

Staff Report

Ontario Regulation 148/06



Figure 1: Hierarchy of Legislation and Policies

Ontario Regulation 148/06

Cataraqui Conservation Regulates:

- **Development** in river or stream valleys, **wetlands**, shorelines and hazardous lands and associated allowances;
- The straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream, watercourse or for changing or **interfering in any way with a wetland**.

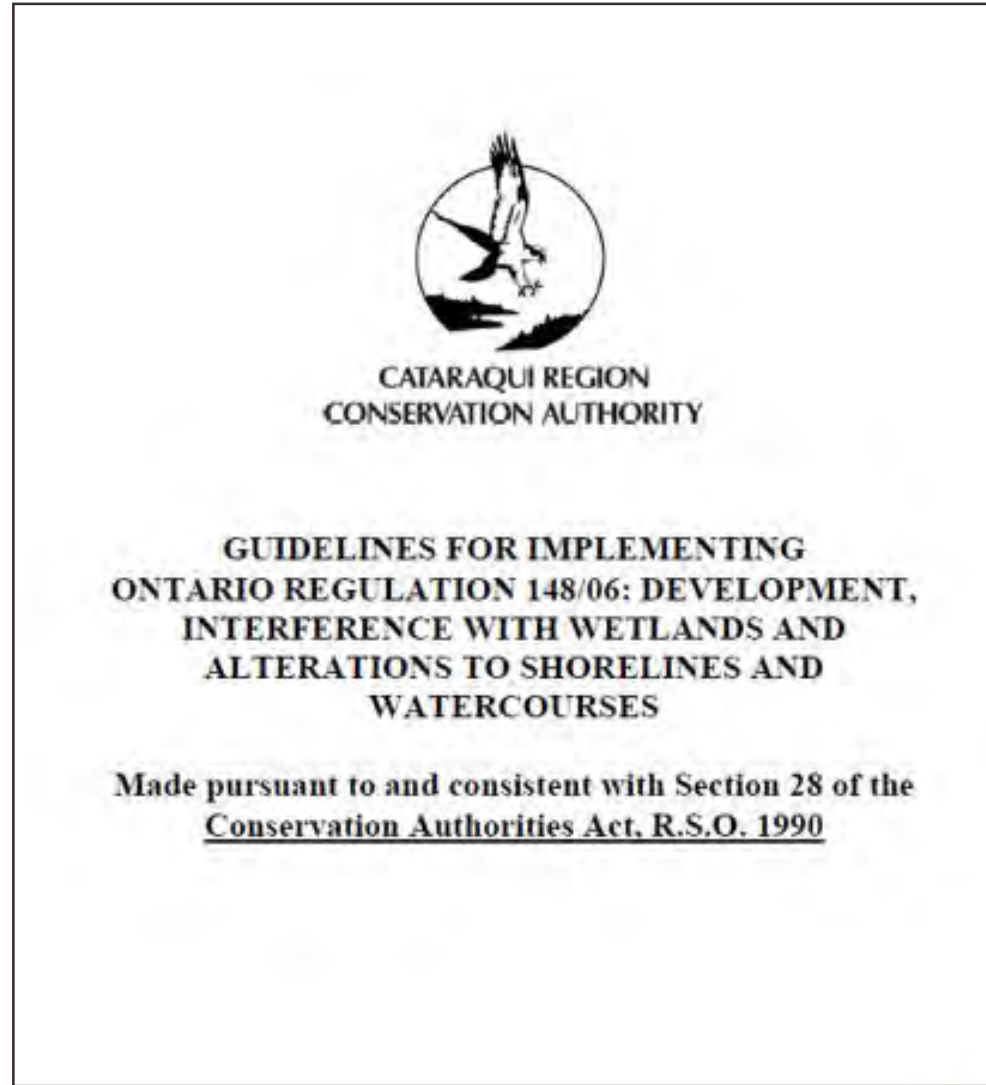
Tests:

- In order to permit development:
 - *must be demonstrated in an application that the control of flooding, erosion, pollution, dynamic beaches or the conservation of land will not be affected.*
- In order to permit interference with a wetland:
 - *must be demonstrated in an application that the interference to the wetland is acceptable in terms of the natural features and hydrologic and ecological functions of the wetland*

Ontario Regulation 148/06 – Guidelines

Board-approved
guidelines

Current version
adopted 2017



Agenda Item 4.4

O. Reg. 148/06

Guidelines

Guideline Sections

9.4.2.1(1) & 9.4.2.1(8)

Areas within 30 m. of a wetland

Proposed Development Site



Proposed Development Location (Attachment 4)



Photo by CRCA staff, August 16, 2019

Proposed Development Location (Attachment 5)

Photo by CRCA staff, August 16, 2019



Proposed Development Location (Attachment 5)

Photo by CRCA staff, August 16, 2019



Agenda Item 4.4 Summary

Staff Report - Summary

- Thorough review and consultation with owner
- Alternative options considered
- Potential impacts and mitigating factors considered
- O. Reg. 148/06 tests satisfied:
 - **Control of flooding and erosion will not be affected**
 - **No concerns with regards to pollution, dynamic beaches and conservation of land**
 - **No interference with the hydrologic & ecologic function of the wetland**

Agenda Item 4.4 Recommendation

Recommendation and Conditions

Staff recommend Board approval of application F-231/19-Grip Lk with the following conditions:

- That the attached deck be open and uncovered;
- That a buffer of natural vegetation between the deck and the Provincially Significant Wetland be maintained; and
- That a light-duty sediment barrier (silt fence) be installed and maintained between the proposed development and wetland for the duration of construction.

Thank You

Michael Dakin *MCIP, RPP*

Resource Planner

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