



Date: Wednesday, September 30, 2020

Location: Microsoft Teams

Participants: Alan Revill, Township of South Frontenac, Chair
Al Barton, Township of Front of Yonge
Leigh Burse, City of Brockville
Al Hanes, Township of Elizabethtown-Kitley
Garry Hewett, City of Brockville
Paul McAuley, Loyalist Township
Jim Neill, City of Kingston
Gordon Ohlke, Township of Leeds and the Thousand Islands
Gary Oosterhof, City of Kingston
Lisa Osanic, City of Kingston
Claire Smith, Township of Rideau Lakes
Terry Richardson, Town of Greater Napanee
Ross Sutherland, Township of South Frontenac, Vice Chair
Nathan Townend, Loyalist Township

Conflict of Interest Rhonda Ferguson, Township Athens

Non-Participants: Simon Chapelle, City of Kingston
Matt Harper, Town of Gananoque

Staff Participants: Katrina Furlanetto, General Manager
Tom Beaubiah, Manager, Watershed Planning & Engineering
Donna Campbell, Assistant, Chair & General Manager
Michael, Dakin, Resource Planner
Hailey Esdon, Development Officer
Andrew Schmidt, Supervisor, Development Review
Kristen Wozniak, Resource Planner

Staff Participants: Lisa Asbreuk, Applicant

In response to recommendations by the Province of Ontario and public health officials for mitigating and responding to the Coronavirus pandemic (COVID-19) meetings are not held in-person, therefore, this Full Authority Board Hearing Meeting was convened via Microsoft Teams.

The meeting commenced at 6:45 p.m.

1. Roll Call

There were fourteen (14) members who participated in the Microsoft Teams meeting.

2. Motion to convene hearing in accordance with Section 28(12) of the Conservation Authorities Act

Resolution:	090-20
Moved By:	Nathan Townend
Seconded By:	Lisa Osanic

THAT Cataraqui Region Conservation Authority Full Authority Board Hearing regarding Permit Application F-293/20-Ch Lk – 1510 Conc 9 Charleston, Township of Leeds and the Thousand Islands, **Be Convened**, in accordance with Section 28 (12) of the Conservation Authorities Act.

Carried

3. Declaration of Conflict of Interest

Rhonda Ferguson declared a personal conflict of interest and chose to leave the meeting at this time.

4. Commencement of Hearing

4.1 Chair's opening remarks

We are now going to conduct a hearing under section 28 of the Conservation Authorities Act in respect of an application by Lisa Asbreuk: for permission to: construct an approximately 1,560 sq. ft. (145 sq. m.) two storey seasonal dwelling (cottage) including a cantilevered deck as a replacement for an existing cottage at the property (Cataraqui Conservation file F-293/20-Ch 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 of the committee.

As per the agenda, the Board will 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

Michael Dakin, Resource Planner, provided a brief introduction.

4.3 Discussion of nature and location of application F-293/20-Ch Lk, by staff

Michael Dakin, Resource Planner, provided details.

4.4 Presentation of staff report and recommendation, Report IR-089-20, Application F-293/20-Ch Lk – 1510 Conc 9 Charleston, Township of Leeds and the Thousand Islands

Michael Dakin, Resource Planner, reviewed the report.

4.5 Presentation of applicant and/or agent

The Applicant provided some comments.

4.6 Remarks by others in attendance

There were none.

4.7 Questions by members of they Board

Both Michael Dakin, Resource Planner and the Applicant responded to members questions.

4.8 Summary remarks by applicant and/or agent and staff

Both Michael Dakin, Resource Planner and the Applicant provided summary remarks.

5. **Motion to Move in Camera to Consider Decision**

Resolution: **091-20**
Moved By: Garry Hewett
Seconded By: Paul McAuley

That the Cataraqui Conservation Full Authority Board move **In Camera**.

Carried

Resolution: **092-20**
Moved By: Al Hanes
Seconded By: Terry Richardson

That the Cataraqui Conservation Full Authority Board move out of **In Camera** and report.

Carried

6. Board to Move out of In Camera and Report

6.1 Chair to advise the applicant and/or agent of the decision

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

Resolution:	093-20
Moved By:	Gordon Ohlke
Seconded By:	Claire Smith

That report IR-089-20, Application F-293/20-Ch Lk (Asbreuk) – 1510 Conc 9 Charleston, Township of Leeds and the Thousand Islands, **Be Received**; and,

That permission **Be Granted** under Ontario Regulation 148/06 for permit application F-293/20-Ch Lk (Asbreuk) subject to the conditions outlined in report IR-089-20.

Carried

7. Adjournment

The meeting adjourned at 7:50 P.M. on a motion by Al Barton, seconded by Gary Oosterhof.

Cataraqui Region Conservation Authority

Katrina Furlanetto, M.Env.Sc.
General Manager

Alan Reville, Chair