

# SAUGEEN VALLEY CONSERVATION AUTHORITY

# MINUTES

Conservation through Cooperation

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**MEETING:** Authority Meeting  
**DATE:** Thursday June 4, 2020  
**TIME:** 1:00 p.m.  
**LOCATION:** Electronic

**CHAIR:** Dan Gieruszak

**MEMBERS PRESENT:** Paul Allen, Maureen Couture, Barbara Dobreen, Mark Goetz, Cheryl Grace, Tom Hutchinson, Steve McCabe, Don Murray, Mike Myatt, Sue Paterson, Diana Rae, Christine Robinson, Bill Stewart

**ABSENT WITH REGRETS:** Mark Davis

**OTHERS PRESENT:** Wayne Bell, Delegate  
Dick Hibma, Interim General Manager/Secretary-Treasurer  
Jennifer Stephens, General Manager/Secretary Treasurer  
Laura Molson, Manager, Accounting  
Erik Downing, Manager, Environmental Planning & Regulations  
Shannon Wood, Manager, Communications  
JoAnne Harbinson, Manager, Water Resources & Stewardship Services  
Donna Lacey, Forestry Coordinator  
Shaun Anthony, Flood Warning/Water Quality Coordinator  
Alyssa Gowing, Regulations Officer  
Janice Hagan, Administrative Assistant/Recording Secretary

Chair Dan Gieruszak, called the meeting to order at 1:00 p.m.

## 1. Adoption of Agenda

### **MOTION #G20-60**

Moved by Paul Allen

Seconded by Maureen Couture

THAT the agenda be adopted as presented.

**CARRIED**

## 2. Declaration of Pecuniary Interest

No persons declared a pecuniary interest relative to any item on the agenda.

**3. Minutes of the Authority Meeting – May 7, 2020**

**MOTION #G20-61**

Moved by Bill Stewart

Seconded by Barbara Dobreen

THAT the minutes of the Authority meeting, held on May 7, 2020 be approved as circulated.

**CARRIED**

**4. Introduction of New GM/S-T, Jennifer Stephens**

The Chair introduced Jennifer Stephens and welcomed her as the new GM/S-T. Jennifer thanked staff and the members for the warm welcome received so far. She told the members that she looks forward to meeting each one individually and to bringing leadership and experience to SVCA to build strong stakeholder relationships in the SVCA jurisdiction.

**5. Administrative Review of Completeness of Permit Application**

Dick Hibma introduced the application file for Wayne Bell and reviewed the procedures for determining if an application is complete. He reminded the members that the purpose of the Administrative Review is for determination of completeness and not for the purpose of discussion on approval or non-approval of the permit. Wayne Bell told the Authority that when he purchased the property, the land search indicated that a portion of the property is regulated by EP zoning. When construction started in 2018, the dwelling was outside the EP area according to the building permit. The foundation and footings were inspected and approved by the building inspector. A post core sample on the property performed by B.M. Ross revealed a very dense clay. He noted that all requirements were followed by him and he was not notified of any violation until November 2019, after construction was complete and all fill had been replaced. Mr. Bell states that he may have had an environmental study done had he been notified of the violation beforehand.

Alyssa Gowing read her report as submitted. She confirmed that notification of the violation was not received by the SVCA office until November 2019. Erik Downing clarified that the dwelling and the deck included on the application were not in the slope hazard, therefore if the application had come in with only the dwelling and the deck, it may have been approved with only minor conditions. The shed structure, however, may contribute to a disturbance or failure of the slope to the detriment of the shed or neighbouring properties. The requested geotechnical study, as supported by the SVCA Environmental Planning and Regulations Policies Manual, would clarify if there is a risk to property, and potentially to life as the provincial guidelines suggest. Erik explained that it is not possible for staff to determine the possible damage that could occur due to the weight of a structure and only a geotechnical study could provide this information.

After further discussion, the following motion was defeated:

**MOTION #G20-62**

Moved by Mark Goetz

Seconded by Cheryl Grace

THAT the Authority considers the permit application by Wayne and Laurie Bell with respect to a 66 m<sup>2</sup> accessory structure (shed) located approximately 12.5 m from the top of an over-steepened ancient glacial shoreline bluff and a single-storey bungalow style dwelling with basement, attached deck and covered porches located approximately 30 metres from the top of the slope at 730 Lake Range Drive, CON A PT LOT 43 RP 3R 1906 Part 2, Township of Huron-Kinloss, to be incomplete and requires submission of the following as

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acceptable to SVCA staff:

- Application to Alter a Regulated Area form with site plan
- Payment of Standard Works application review fee (\$1472) and
- Submission of an acceptable site-specific geotechnical stability study.

**DEFEATED**

The Chair explained that staff may not be able to approve the application, but that the Authority does not require the geotechnical study to deem the application complete. If staff are unable to approve the permit, a Section 28 Hearing will take place.

Wayne Bell left the meeting at 2:55 p.m.

The Chair called a recess and the meeting was reconvened at 3:05 p.m.

The Chair informed the members that he had had a discussion with Wayne Bell during the recess. The decision was reviewed, and next steps were discussed. He told Mr. Bell that anything he can do to provide staff with additional evidence and information would be beneficial moving forward, but that there is no guaranteed outcome of a Section 28 Hearing.

**6. Matters Arising from the Minutes**

**a. COVID-19 Measures Update**

Dick reviewed the report submitted. The members requested that the watershed municipal clerks be informed and updated of any changes especially regarding park and campsite openings.

**7. Consent Agenda**

**MOTION #G20-63**

Moved by Tom Hutchinson

Seconded by Steve McCabe

THAT the reports, Minutes, and information contained in the Consent Agenda, [items 7a-c], along with their respective recommended motions be accepted as presented.

**CARRIED**

**8. New Business**

**a. Violations Reporting Policy**

Dick Hibma reviewed the submitted report and noted that SVCA is a regulatory agency charged with upholding Ontario Regulation 169/06, as amended, protecting people and property from hazards, which is one of the main functions of the Authority. Staff are not currently requesting to make substantive changes to processes; however, the report clarifies the importance of the type of work being done and the challenge to uphold the regulatory role as a serious responsibility. He stressed that staff need to be supported in upholding Section 28 Regulations. He noted that there are current risks that need to be mitigated and some legal costs that may need to be incurred. He noted that legal budgets of other CA's are much higher than SVCA's budget. The members thanked Dick for the reminder.

After discussion, the following motion was passed:

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**MOTION #G20-63**

Moved by Mike Myatt

Seconded by Sue Paterson

THAT the Authority approve the SVCA Section 28 Violations Process Report as presented, and further

THAT the Authority confirm the current practice for reporting and processing of Section 28 violations should be continued.

**CARRIED**

**9. For the Good of the Committee**

In recognition of Dick Hibma’s retirement and dedication as Interim General Manager/Secretary-Treasurer, the Chair presented him with a plaque and a donation of \$200 to the charity of his choice.

There being no further business, the meeting adjourned at 3:38 p.m. on motion of Diana Rae and Christine Robinson.

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Dan Gieruszak  
Chair

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Janice Hagan  
Recording Secretary