



## Essex Region Conservation Authority

### Board of Directors

### Meeting Minutes

**Meeting Date:** Thursday, September 12, 2024

**Time:** 6:00 pm

**Location and Details:** Council Chambers, County of Essex Civic Centre  
360 Fairview Avenue West, Essex, ON

#### Attendance

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**Members Present:**

Sue Desjarlais (Vice-Chair)	Anthony Abraham
Molly Allaire	Larry Verbeke
Jason Matyi	Dayne Malloch
Dennis Rogers	Tania Jobin
Thomas Neufeld	Angelo Marignani
Tracey Bailey	Kieran McKenzie
Ryan McNamara	

**Absent:**

Katie McGuire-Blais

**Regrets:**

Peter Courtney	Jim Morrison (Chair)
Michael Akpata	Mark McKenzie
Joe Bachetti	

**Staff Present**

Tim Byrne, CAO/Secretary-Treasurer  
Nicole Kupnicki, Corporate Services, Manager HR & Council Services  
Shelley McMullen, CFO/Director Finance and Corporate Services  
Danielle Stuebing, Director Community and Outreach Services  
Kevin Money, Director Conservation Services  
James Bryant, Director Watershed Management Services  
Ryan Rossman, Director Information Technology Services  
Dan Jenner, Regulations Coordinator  
Summer Locknick, Regulations Analyst

**Others**

John Winkfield  
Shawn Piskovic, Dzigner Man & Associates  
Joe Francisco  
Tom Dufour, Geomatics Technician

#### 1. Call to Order

Good evening and welcome to the September 12, 2024, meeting of the ERCA Board of Directors. I will call the meeting to order. Thank you all.

We have regrets this evening from:

- Chair Jim Morrison, Windsor
- Councillor Peter Courtney, Amherstburg

- Deputy Mayor Michael Akpata, Lasalle
- Deputy Mayor Joe Bachetti, Tecumseh
- Councillor Mark McKenzie, Windsor

## 2. Land Acknowledgement

I'd like to begin by acknowledging that this land is the traditional territory of the Three Fires Confederacy of First Nations, comprised of the Ojibway, the Odawa, and the Potawatomi Peoples.

We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island - North America who have been living and working on the land from time immemorial.

## 3. Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

## 4. Approval of Agenda

### A. ERCA Board of Directors

**Resolution 75/24** Moved by Dennis Rogers  
Seconded by Molly Alliare

THAT the Agenda of the September 12, 2024, meeting of the ERCA Board of Directors be approved. **Carried**

## 5. Hearings

### A. Convene as the Hearing Board

**Resolution 76/24** Moved by Larry Verbeke  
Seconded by Ryan McNamara

THAT the Board of Directors sit as the Hearing Board in respect of an application(s) under Section 28.1 of the Conservation Authorities Act. **Carried**

We are now going to conduct hearings under Section 28.1 of the *Conservation Authorities Act* in respect of two application(s).

We, as the Hearing Board, are unaware of the matters being brought forward and we are only now receiving and reviewing the information provided by staff this on this day.

The Authority administers regulations under Part 6 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 unstable soils or bedrock) or to permit alteration to a shoreline or watercourse or interference with a wetland. The Staff has reviewed the proposed works and a copy of the staff report has been given to the applicant.

The *Conservation Authorities Act* Section 28.1 subsection 3 provides that:

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*"An authority shall not refuse an application for a permit or attach conditions to a permit unless the applicant for the permit has been given an opportunity to be heard by the authority."*

In holding these hearings, the Authority 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 each 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. However, this is a quasi-judicial process, and provides for evidence to be given in response to members' question. Therefore, staff and applicants will be asked to swear an oath or provide an affirmation to speak the truth.

In accordance with the Act, an applicant who has been refused permission or who objects to conditions imposed on a permission, may appeal the decision to the Ontario Land Tribunal who may refuse the permission, or grant permission with or without conditions.

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

As a reminder, the Hearings will be conducted in accordance with the approved Hearing Guidelines. We, as the Hearing Board, will question, if necessary, both the staff and the applicant/agent.

Before I ask Dan Jenner, Regulations Coordinator to introduce the applications, I would ask that they swear an oath or provide an affirmation to speak the truth for the duration of the Hearing Board.

Dan Jenner, Regulations Coordinator, Watershed Management Services took an affirmation.

Dan Jenner introduced the applications and context for the application. The Chair asked applicant (or agents for applicant) to swear oath or provide affirmation to speak the truth (as above).

i. [Rintaniemi & Winkfield c/o Shawn Piskovic](#)

**Resolution 77/24** Moved by Angelo Marignani  
Seconded by Thomas Neufeld

THAT the application from Tara Rintaniemi & John Winkfield c/o Shawn Piskovic, Dzigner Man & Associates, to request relief from access (ingress and egress) policy requirements to construct an addition to an existing dwelling at 348 Lauzon Road, City of Windsor, be approved. **Carried**

ii. [Joe Francisco c/o Noah Homes](#)

**Resolution 78/24** Moved by Molly Alliare

Seconded by Tania Jobin

THAT the application from Joe Francisco c/o Noah Homes, to request relief from access (ingress and egress) policy requirements to construct a dwelling at VL Beach Street RP 12R29347 Parts 5-8, Town of Essex, be approved. **Carried**

## **B. Hearing Board to Reconvene as the Board of Directors**

**Resolution 79/24** Moved by Anthony Abraham  
Seconded by Angelo Marignani

THAT the Hearing Board reconvene as the Board of Directors. **Carried**

## **6. Adoption of Minutes**

### **A. ERCA Board of Directors**

**Resolution 80/24** Moved by Tania Jobin  
Seconded by Molly Alliare

THAT the Minutes of the June 20, 2024, meeting of the Board of Directors and the recommendations therein be approved as distributed. **Carried**

### **B. Conservation Ontario Council**

**Resolution 81/24** Moved by Ryan McNamara  
Seconded by Jason Matyi

THAT the minutes of the June 24, 2024, Conservation Ontario Council meeting be received. **Carried**

## **7. Business Arising from the Previous Minutes**

None

## **8. Announcements**

Good evening, and welcome. We hope that everyone had an enjoyable summer. We were certainly pleased to welcome thousands of guests to enjoy our local conservation areas and trails over the last few months.

As members have seen in today's Board reports, we were most discouraged to discover the invasive Hydrilla plant species at Hillman Marsh. We will learn about this in more detail this evening.

As well, tonight we will receive the drafts of the Watershed Strategy and Conservation Areas Strategy. Both of these documents required significant extra work on behalf of the staff team, and I'd like to express my appreciation for these efforts.

I'd like to invite all Board members to consider attending this weekend's Festival of Hawks, which promises to be a wonderfully educational event.

And finally, I invite you all to consider riding in the Foundation's Essex Region Bike Tour on September 28. All funds raised support our conservation projects, it would be great if we could all lend our support.

## 9. Delegations

None

## 10. Presentations

None

## 11. Reports for Approval

### A. BD19/24

**Resolution 82/24** Moved by Kieran McKenzie

Seconded by Tracey Bailey

THAT Report BD19/24 be received for consideration, as there will be the potential for budget implications, and further,

THAT Administration enter into an agreement to implement initial treatment of the Hillman Marsh West Cell with Procillacor as described in BD 19/24, and further,

THAT ERCA Administration report back to the Board within a year to provide a progress report and impact the proposed process has in the immediate area and region generally. **Carried**

### B. BD20/24 2025 Board Meeting Schedule

**Resolution 83/24** Moved by Larry Verbeke

Seconded by Ryan McNamara

THAT the ERCA Board of Directors 2025 meeting schedule as outlined in Report BD20/24 be approved. **Carried**

## 12. Reports for Information

### A. BD21/24 Draft Watershed-Based Resource Management Strategy

**Resolution 84/24** Moved by Molly Alliare

Seconded by Jason Matyi

THAT Report BD20/24 and the Draft Watershed-Based Resource Management Strategy be received as distributed, for Members' information. **Carried**

### B. BD22/24 Draft Conservation Land Strategy

**Resolution 85/24** Moved by Mark McKenzie

Seconded by Angelo Marignani

THAT Report BD21/24 and the Draft Conservation Area Strategy be received as distributed, for Members' information. **Carried**

### C. BD23/24 Financial Activities for the Seven Months ended July 31, 2024

**Resolution 86/24** Moved by Molly Alliare

Seconded by Thomas Neufeld

THAT Report BD23/24, Financial Activities for the Seven Months Ended July 31, 2023, be received as distributed, for Members' information. **Carried**

#### **D. BD24/24 John R. Park Homestead Restoration Update**

**Resolution 87/24** Moved by Jason Matyi  
Seconded by Ryan McNamara

THAT Report BD 24/24 be received as distributed, for Members' information. **Carried**

#### **E. BD25/24 Watershed Management Services Activities Report for June, July & August 2024**

**Resolution 88/24** Moved by Kieran McKenzie  
Seconded by Molly Alliare

THAT the review of Regulations and Planning Applications, as presented in Report BD25/24 be received for Members' information. **Carried**

#### **F. Environmental Registry Reports**

- i. Conservation Ontario's comments on the "Proposed Modernization of the Emergency Management and Civil Protection Act" (ERO # 019-8860)
- ii. Conservation Ontario's comments on "Improving Accessible Built Environment Standards, August 29, 2024"

**Resolution 89/24** Moved by Tania Jobin  
Seconded by Angelo Marignani

THAT Conservation Ontario comments on ERO#019-8860 and Improving Accessible Built Environment Standards be received for Members' information.

#### **G. Correspondence**

- i. Letter from the City of Windsor 2025 Budget Request dated July 31, 2024

**Resolution 90/24** Moved by Angelo Marignani  
Seconded by Tania Jobin

THAT correspondence be received for Member's information.

#### **13. Committee of the Whole**

None

#### **14. New Business**

None

**15. Other Business.**

**A. Next Meeting**

The next meeting of the Board of Directors will be held on Thursday, November 14, 2024, at 6:00pm in Council Chambers at the Civic Centre in Essex, ON.

**16. Adjournment**

**Resolution 91/24** Moved by Anthony Abraham  
Seconded by Ryan McNamara

THAT the September 12, 2024 meeting of the Essex Region Conservation Authority Board of Directors be adjourned. **Carried**



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Jim Morrison, Chair



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Tim Byrne, CAO/Secretary-Treasurer