

# Hearing Committee Meeting

## Thursday June 29, 2023

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B.Petrie, Chair of the Hearing Committee, called the meeting to order at 12:30pm on Thursday June 29, 2023.

Members:

Skylar Franke – Online

Paul Mitchell

Brian Petrie – Chair

Sandy Levin – Online

Regrets: Dean Trentowsky

Applicant: Nathan Kok – Everest Estates

Solicitor: G.Inglis

Staff:

Jenna Allain

Tracy Annett

Emily Chandler

Michelle Viglianti – Recorder

Ben Dafoe

Mike Funk

Karen Winfield

### **1. Approval of Agenda**

Staff noted an error in the title of item 5 and within the notice of Hearing.

Mover: P.Mitchell

Seconder: S.Franke

THAT the Hearing Committee amend the agenda to read: 5. Application #61-23

Proposed development within an area regulated by the Upper Thames River

Conservation Authority at 290 Pittock Park Road, City of Woodstock.

Carried.

The online connection was lost due to an internet outage at approximately 12:33pm.

Due to the outage, quorum was lost and the meeting was stopped. Quorum was

regained and the meeting re-convened at 12:41pm.

Mover: S.Levin

Seconder: P.Mitchell

THAT the Hearing Committee add an item to this agenda to ask staff to report back at the next Hearings Committee meeting regarding a review of the Hearings Procedure to see if there are additional steps that the Committee could take at the start of the

meeting.  
Carried.

THAT the Hearing Committee agenda be approve with the two amendments.  
Carried.

## **2. Declaration of Conflicts of Interest**

There were none.

## **3. Minutes of Previous Meeting**

There were no minutes to consider.

## **4. Business Arising from the Minutes**

There was no business arising from the minutes to discuss.

## **5. Application #61-23**

**Proposed development within an area regulated by the Upper Thames River Conservation Authority at 290 Pittock Park Road, City of Woodstock.**

The Hearing for the consideration of application # 61-23 was called to order at 12:45pm.

The Chair presented his opening remarks stating the Committee was to consider an application by Ian Myers care of Nathan Kok of Everest Estates – Application #61-23 to permit development within an area regulated by the Upper Thames River Conservation Authority at 290 Pittock Park Road in the City of Woodstock, Ontario.

Mover: P.Mitchell

Seconder: S.Levin

RESOLVED that the Hearing Committee sits to consider application #61-23 by Ian Myers c/o Nathan Kok of Everest Estates to permit development within an area regulated by the Upper Thames River Conservation Authority at 290 Pittock Park Road in the City of Woodstock, Ontario.

Carried.

The Chair inquired whether the members had any conflicts of interest to declare relating to the agenda. There were none.

B.Dafoe presented his report to the Hearing Committee.

Nathan Kok of Everest Estates, representing the applicant, presented his case using the information provided in the staff report. He noted the home owner was willing to work with UTRCA staff on re-directing the watercourse, lining it with gabion stones, and

extending the pipe on the watercourse, at the owner's expense, to help with erosion control and for the benefit of the current and future property owners. Further, if the application is denied only cosmetic improvements would be made to the home.

Committee members asked questions of staff and the applicant.

Moved: S.Franke

Seconded: P.Mitchell

That the Hearing Committee move into to deliberation.

Carried.

### **Progress Reported**

**Resolved that** the Hearing Committee of the Upper Thames River Conservation Authority (UTRCA) defer the decision pending the applicant provide staff a complete application of proposed development with all recommended information to the satisfaction of Authority staff, to be brought back to the Committee within six months.

The decision to defer was made for the following reason: The Committee felt they did not have enough information to make a decision.

The Chair provided further comments and clarification, stating that if the applicant's proposal conforms to UTRCA policy, then the application to the Hearing Committee can be rescinded and no further involvement by the Committee will be necessary. If the applicant works with UTRCA staff on a complete proposal that does not conform to UTRCA policy, then the applicant can return to the Committee within six months to resume this Hearing and the Committee will make a decision on the complete proposal at that time.

Mover: P.Mitchell

Secunder: S.Levin

THAT the Hearing Committee rises.

Carried.

## **6. Proposed Motion by S.Levin**

S.Levin clarified he was looking for direction from the Committee to ask staff to review the Hearing Procedures to determine if after step two of the Hearing Procedure, an additional opportunity for adjournment or other action on the application would be appropriate. The report would be requested to be part of the next Hearings Committee agenda.

The Committee questioned whether it would be within their statutory powers to make the decision within a Hearing to not hear an application. Staff noted the significant pressure to bring forward incomplete applications for approval "in principal" which has been discussed by many CA General Managers as a challenge developing across many Conservation Authorities. Conservation Authorities are currently looking to refine their policies to limit Hearings to only complete applications but are waiting until the new Section 28 Regulations are released.

Mover: S.Levin

Seconder: P.Mitchell

THAT the Hearing Committee of the Upper Thames River Conservation Authority (UTRCA) directs staff to report back at a future meeting on incomplete applications and procedure to deal with them.

Carried.

## **7. Adjournment**

There being no further business to discuss, the meeting was adjourned at 2:58pm on a motion by P.Mitchell.

A handwritten signature in blue ink, appearing to read "Tracy Annett", with a long horizontal flourish extending to the right.

Tracy Annett,  
General Manager