

Hearing Committee Meeting

Friday December 17, 2021

A.Dale, Chair of the Hearing Committee, called the meeting to order at 9:00am on Friday December 17, 2021 via Zoom due to COVID-19 Pandemic.

Members:

M.Blosh
A.Dale - Chair
T.Jackson
S.Levin
B.Petrie

Regrets: None

Solicitor: G.Inglis

Staff:

J.Allain
T.Annett
E.Chandler
C.Harrington
I.Shah
B.Verscheure
M.Viglianti - Recorder

1. Approval of Agenda

Mover: S.Levin

Seconder: B.Petrie

THAT the Hearing Committee approve the agenda as presented.

Carried.

2. Declaration of Conflict of Interest

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

3. Minutes of Previous Meeting

Mover: T.Jackson

Seconder: M.Blosh

THAT the Finance & Audit Committee approves the minutes dated January 21st and

March 28th, 2021 minutes as posted.
Carried.

4. Business Arising from the Minutes

There was no business arising from the minutes to discuss.

5. Application #90-21 (Streamline 'Consent' Hearing)

Proposed Development within a Regulated Area
2533 Gideon Drive, Delaware

Mover: B.Petrie

Seconder: T.Jackson

TO sit as a Hearing Committee to consider application #90/21 by Barry Wade of Barry Wade Design Construction Group to permit development in the floodplain at 2533 Gideon Drive.

Carried.

No conflicts of interest were declared.

The Chair presented his opening remarks stating the Committee was to consider an application by Barry Wade of Barry Wade Design Construction Group c/o Cheryl and Barry Crookshank to permit development in the floodplain at 2533 Gideon Drive, Delaware, Ontario.

B.Verscheure introduced those present on behalf of the applicant and landowners:

Rene Caron – Barry Wade Design Construction

Staff presented the report. The Committee members asked questions of UTRCA staff and the applicants.

Mover: S.Levin

Seconder: T.Jackson

THAT the UTRCA Hearings Committee consent to the issuance of a permit under O. Reg. 157/06 made pursuant to Section 28 of the *Conservation Authorities Act for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses* Permit Application #90-21 for the replacement of a single family residence at 2533 Gideon Drive, Delaware in Middlesex County be conditional upon the architectural plans being sealed and signed by a qualified professional engineer implementing site specific floodproofing measures, to the satisfaction of UTRCA staff.

Carried.

Mover: S.Levin
Seconder: B.Petrie
TO adjourn this Hearing.
Carried.

6. Application #120-21 (Full Hearing)

Proposed Development within a Regulated Area
1326 Sprucedale Ave., London

The Hearing for the consideration of application #120-21 was called to order at 9:26am.

Mover: T.Jackson
Seconder: S.Levin
TO sit as a Hearing committee to consider application #120/21 by Markus Brunner, owner of Forest City Pool and Patio Inc., on behalf of the landowners, Dr. & Mrs. Leeper for permission to construction a pool cabana/accessory structure at 1326 Sprucedale Avenue, London, within lands forming part of the erosion hazard limit.
Carried.

No conflicts of interest were declared.

The Chair presented his opening remarks stating the Committee was to consider an application by Markus Brunner, owner of Forest City Pool and Patio Inc., on behalf of the landowners, Dr. & Mrs. Leeper, application #120/21, for permission to construction a 12'-0" x 20'-0" pool cabana/accessory structure (covered roof with 3 open sides) within lands forming part of the erosion hazard limit, at 1326 Sprucedale Avenue, London.

B.Verscheure introduced those present on behalf of the applicant:

Markus Brunner – Forrest City Pool and Patio
Mark Bertens – EXP
Idib Sadoun – EXP

B.Verscheure presented his report to the Hearing Committee.

M.Brunner presented their materials and noted that safety concerns do not make moving the cabana to the area proposed by UTRCA staff a possibility for the family.

The Committee members asked questions of UTRCA staff and the applicants regarding their reports and presentations.

Moved: S.Levin
Seconded: B.Petrie
That the Hearing Committee adjourn to Closed Session to deliberate.
Carried.

Progress Reported

After deliberation, the Committee rose and reported the following decision:

RESOLVED THAT the Hearings Committee of the Upper Thames River Conservation Authority (UTRCA) refuse the issuance of a permit under O. Reg. 157/06 made pursuant to Section 28 of the *Conservation Authorities Act for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses* (Application #120-21), as it is contrary to UTRCA Board-approved general hazard and riverine erosion hazard policies.

Moved: S.Levin

Seconded: B.Petrie

To adjourn the Hearing for application #120-21.

Carried.

7. Adjournment

There being no further business to discuss, the meeting was adjourned at 11:43am on a motion by B.Petrie.



Tracy Annett,
General Manager