



## SPECIAL BOARD OF DIRECTORS' MEETING

NO. BOD-01-14 – Friday, January 17, 2014

120 Bayview Parkway, Newmarket, ON

### MINUTES

#### **LSRCA Board Members Present:**

Regional Councillor D. Bath, Chair  
Deputy Mayor B. Drew, Vice-Chair  
Councillor M. Baier  
Regional Councillor J. Ballinger  
Councillor P. Craig  
Councillor D. Crake  
Mayor G. Dawe  
Councillor A. Eek  
Councillor D. Evans  
Councillor K. Ferdinands  
Mayor V. Hackson  
Councillor B. Haire  
Councillor D. Kerwin  
Councillor J. O'Donnell  
Councillor S. Strangway

#### **Regrets:**

Mr. E. Bull  
Mayor R. Grossi, LOA  
Mayor A. Orsi  
Councillor B. Ward

#### **LSRCA Staff Present:**

D. G. Wood, Chief Administrative Officer  
R. Jarrett, General Manager, Communications & Education  
M. Walters, General Manager, Watershed Management  
R. Baldwin, Director, Planning & Development Services  
T. Barnett, Coordinator, BOD/CAO, Project & Services  
B. Booth, Manager – Planning, Regulations & Enforcement  
P. Davies, Manager, Watershed Stewardship  
L. Hanson, Annual Fund Coordinator  
S. Jagminas, Communications Specialist  
D. Lembcke, Manager, Environmental Science and Monitoring  
P. Strong, Sub-Watershed Planner  
C. Taylor, Executive Director, LSCF  
B. Thompson, Subwatershed Implementation Specialist

#### **Guests:**

D. Avery, IDA  
H. Behrend, Citizen of Georgina  
J. Chisholm, Toronto  
J. Gibson, NGFA  
C. Gibbons, NGFA  
J. Gibbons, NGFA  
N. Gibbons, NGFA  
P. Harpley, South Lake Simcoe Naturalists  
T. Kinnear, Citizen of Innisfil  
L. Longo, Aird & Berlis LLP  
J. Olah, Beard Winter LLP  
A. Mott, Citizen of Georgina  
F. Nelson, Metrus Development Inc.  
A. Salomie, MPP Julia Munro's office  
A. Teuyens, Aware Simcoe  
T. Usher, Anthony Usher Planning Consultant  
S. Villiers, NGFA

The Chair called the meeting to order @ 9:16 a.m. and wished all a Happy New Year.

CAO Gayle Wood made an announcement regarding the recent statement by the North Gwillimbury Forest Alliance who alleged that LSRCA holds the worst record for wetlands protection. CAO Wood advised that in fact LSRCA's record shows that LSRCA has taken a total of 55 watershed landowners to court over wetland

violations and holds the highest conviction rate regarding wetland protection in the province of Ontario. She went on to note that more than 10% of province's wetland violations are issued by LSRCA.

**I. DECLARATION OF PECUNIARY INTEREST**

None noted for the record of this meeting.

**II. APPROVAL OF THE AGENDA**

CAO Gayle Wood pointed out that Staff Report No. 01-14-BOD contained an error in that the reference to February 17, 2014 in the recommendation on Pages 1 and 4 of the Staff Report should have read January 17, 2014.

CAO Wood advised Board members that a letter from Mr. Leo Longo of Aird & Berlis LLP had been received by the Authority after the Agenda had been posted and asked the Chair for permission to distribute it to the Board. With the Chair's agreement, the letter was distributed to members.

Moved by: P. Craig

Seconded by: S. Strangway

BOD-001-14      **RESOLVED THAT the content of the Revised Agenda for the Special Meeting of the LSRCA Board of Directors held Friday, January 17, 2014 be approved as amended to correct a typo on Pages 1 and 4 of Staff Report No. 01-14-BOD where February 17, 2014 should read January 17, 2014, and to include a letter from Aird and Berlis LLP dated January 14, 2014 as part of the deputation by Mr. Leo Longo. CARRIED**

**III. DEPUTATIONS**

a) Mr. Leo Longo of Aird & Berlis LLP

Mr. Leo Longo of Aird & Berlis LLP, legal counsel for the North Gwillimbury Forest Alliance, made a deputation to the Board requesting that LSRCA's Watershed Development Policy 11.4.1.2 be deleted. Mr. Longo referred to recommendations in Anthony Usher's reports dated September 12, 2013 and October 22, 2013, which had been distributed to Board members, along with Mr. Longo's opinion.

Mr. Longo noted that no other conservation authority had a policy similar 11.4.1.2. Manager, Planning, Regulations and Enforcement, Beverley Booth, advised that based on her review, both Grand River Conservation Authority and Niagara Peninsula Conservation Authority have similar policies. She did, however, note that watershed development policies for conservation authorities are as unique as the watershed that each one serves.

Moved by: D. Crake

Seconded by: G. Dawe

BOD-002-14      **RESOLVED THAT Mr. Longo be permitted to continue with his deputation beyond the ten minute time limit normally afforded deputations. CARRIED**

Moved by: J. Ballinger

Seconded by: P. Craig



**and staff be authorized to take all necessary action required to give effect to same.**  
CARRIED

**1. Correspondence**

BOD-008-14        **RESOLVED THAT correspondence listed as items 1 (a) to (d) be received for information. CARRIED**

**VI. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

**2. Watershed Development Policy 11.4.1 – Development and Interference within Provincially Significant Wetlands**

Manager, Planning, Regulations and Enforcement, Beverley Booth, addressed Staff Report No. 01-14-BOD which had been distributed to Board members. Ms. Booth explained that LSRCA’s current watershed development policies are 15 to 18 years old, and staff believe that a complete review at this time is appropriate and is therefore seeking the Board’s approval to conduct a six month review of all watershed development policies.

Mayor Hackson questioned if six months would be sufficient given that it would have staff trying to complete their review at the beginning of summer, a very busy time for the department. She asked if there was an opportunity to extend this timeframe out to nine months. Director, Planning and Development Services, Rob Baldwin, advised that staff would certainly appreciate the extra time as it would allow for public consultation. LSRCA Legal Counsel from Beard Winter, John Olah, noted that should the review timeframe be extended to nine months, it would be imperative that the “undertaking” offered on this day by Mr. Nelson, also be extended to match the policy review timeframe. Mr. Nelson agreed to extend his undertaking to nine months, and longer if additional time is required for the policy review, as long as the outside date is reasonable.

Board members expressed a desire to hear from Mr. Olah in Closed Session regarding the legal opinion prior to considering the recommendations contained in Staff Report No. 01-14-BOD.

Moved by: D. Kerwin

Seconded by: V. Hackson

BOD-009-14        **RESOLVED THAT Staff Report No. 01-14-BOD regarding the LSRCA’s Watershed Development Policy 11.4.1 – Development and Interference within Provincially Significant Wetlands be received; and**

**FURTHER THAT the consideration of any remaining resolutions on Staff Report No. 01-14-BOD be deferred until after Item XI. Closed Session. CARRIED**

Councillor Craig raised the earlier discussion regarding the agreement Metrus Developments has with the Town of Georgina and LSRCA staff to explore the transfer of land for the Maples Lake Estates. Councillor Craig also reiterated earlier discussions regarding NGFA being actively involved in these discussions and accordingly, the following resolutions were passed.

Moved by: P. Craig

Seconded by: A. Eek



a) Confidential Legal Matter

Moved by: J. O'Donnell

Seconded by: J. Ballinger

BOD-015-14      **RESOLVED THAT the LSRCA Board of Directors accept the verbal undertaking by Metrus Developments dated January 17, 2014 to not submit an application on its site during the comprehensive Watershed Development Policy review and adoption of new policies by the Board of Directors; and**

**FURTHER THAT the verbal offer of this undertaking be reduced to writing. CARRIED**

Moved by: G. Dawe

Seconded by: D. Crake

**RESOLVED THAT Staff be directed to complete a comprehensive review of LSRCA's Watershed Development Policies in consultation with watershed stakeholders; and**

**FURTHER THAT Staff be directed to bring the results of the policy review and the Board to make a decision regarding any policy change at the December 2014 Board of Directors' meeting.**

Councillor Craig proposed an amending motion, which was seconded by M. Baier as follows:

BOD-016-14      **FURTHER THAT LSRCA Watershed Development Policy 11.4.1.2 be suspended until such time as the Board has made any decisions regarding any policy changes. DEFEATED**

The original motion as moved by G. Dawe and D. Crake was considered.

BOD-017-14      **RESOLVED THAT Staff be directed to complete a comprehensive review of LSRCA's Watershed Development Policies in consultation with watershed stakeholders; and**

**FURTHER THAT Staff be directed to bring the results of the policy review and the Board to make a decision regarding any policy change at the December 2014 Board of Directors' meeting. CARRIED**

**XIII. ADJOURNMENT**

The meeting was adjourned at 1:30 p.m. on a motion by Councillor O'Donnell.



Regional Councilor Debbie Bath  
Chair



D. Gayle Wood  
Chief Administrative Officer