



## Essex Region Conservation Authority

### Executive Committee

### Meeting Minutes

**Meeting Date:** Thursday, April 10, 2025

**Time:** 5:00 pm

**Location and Details:** Council Chambers, Essex Civic Centre, Essex, ON

#### Attendance

---

**Members Present:** Molly Allaire (Chair) Larry Verbeke  
Jim Morrison (Vice-Chair) Kieran McKenzie

**Absent:**

**Regrets:** Tania Jobin

**Staff Present** Tim Byrne, CAO/Secretary-Treasurer  
Nicole Kupnicki, Manager, Human Resources & Council Services  
Kevin Money, Director Conservation Services  
James Bryant, Director Watershed Management Services  
Sydney Richmond, Regulations Analyst  
Ashley Gyorj, Regulations Analyst

**Others** Frank Frabotta  
Paul Layfield

#### 1. Call to Order

Good day and welcome to the Thursday, April 10, 2025, meeting of the ERCA Executive Committee. We have regrets this afternoon from:

- Councillor Tania Jobin

#### 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

**Resolution EC 15/25** Moved by Larry Verbeke

Seconded by Kieran McKenzie

THAT the agenda for the April 10, 2025 meeting of the ERCA Executive Committee be approved.

**Carried**

#### 5. Hearings

##### A. Convene as the Hearing Board

**Resolution EC 16/25** Moved by Jim Morrison

Seconded by Larry Verbeke

THAT the Executive Committee sit as the Hearing Board in respect of an application(s) under Section 28 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 four applications.

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:

*"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 Sydney Richmond, Regulations Analyst 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.

Sydney Richmond, Regulations Analyst, Watershed Management Services took an affirmation.

Sydney Richmond 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. [Frank Amante](#)

**Resolution EC 17/25** Moved by Jim Morrison

Seconded by Kieran McKenzie

THAT the application from Frank Amante to request relief from access (ingress and egress) policy requirements to construct a new dwelling at 8254 Riverside Drive East, City of Windsor, be approved. **Carried**

ii. [Katherine Bering](#)

**Resolution EC 18/25** Moved by Larry Verbeke

Seconded by Jim Morrison

THAT the application from Katherine Bering to request relief from access (ingress and egress) policy requirements to construct a new dwelling at 13749 Riverside Drive East, Town of Tecumseh, be approved. **Carried**

iii. [John Gillis](#)

**Resolution EC 19/25** Moved by Kieran McKenzie

Seconded by Jim Morrison

THAT the application from John Gillis to request relief from access (ingress and egress) policy requirements to construct a new dwelling at 13778 Riverside Drive East, Town of Tecumseh, be approved. **Carried**

iv. Frank Frabotta

**Resolution EC 20/25** Moved by Larry Verbeke

Seconded by Kieran McKenzie

THAT the application from Frank Frabotta to request relief from access (ingress and egress) policy requirements to reconstruct an existing structure at 10290 St. Clair Road, Municipality of Lakeshore, be approved. **Carried**

**B. Hearing Board Reconvene as Executive Committee**

**Resolution EC 21/25** Moved by Larry Verbeke

Seconded by Jim Morrison

THAT the Hearing Board reconvene as the Executive Committee. **Carried**

**6. Tenders**

**A. Wetland Construction – 3900 N Malden Road, Essex ON**

**Resolution EC 22/25** Moved by Kieran McKenzie

Seconded by Jim Morrison

THAT the tender for a Wetland Construction at 3900 N Malden Road, Essex, in the amount of \$30,000 (+HST) be awarded to Sun County Excavating, subject to favourable review by Administration. **Carried.**

**B. Tender: Electric Vehicle (EV) Truck**

**Resolution EC 23/25** Moved by Kieran McKenzie

Seconded by Jim Morrison

THAT the tender for an Electric Vehicle (EV) Truck in the amount of \$60,941.73, be awarded to County Chevrolet, subject to favourable review by Administration. **Carried.**

**C. Tender: 4WD Utility Vehicle**

**Resolution EC 24/25** Moved by Larry Verbeke

Seconded by Kieran McKenzie

THAT the tender for a 4WD Utility Vehicle in the amount of \$34,465.00 be awarded to Huron Tractor, subject to favourable review by Administration. **Carried.**

**7. Reports for Approval**

None

**8. Committee of the Whole**

None

**9. New Business**

**A. Procurement Policy**

**Resolution EC 25/25** Moved by Kieran McKenzie  
Seconded by Jim Morrison

THAT Administration to report back at the appropriate time with a report to the Board regarding a procurement policy in the context of US/Canada bilateral discussions. **Carried.**

**10. Other Business**

**A. Next Meeting**

The next meeting of the ERCA Board of Directors will be held on Thursday, April 10, 2025, starting at 6:00 p.m. in Council Chambers at the Civic Centre, Essex.

**11. Adjournment**

**Resolution EC 26/25** Moved by Larry Verbeke  
Seconded by Jim Morrison

THAT the April 10, 2025 Meeting of the Essex Region Conservation Authority Executive Committee be adjourned. **Carried**



Molly Allaire, Chair



Tim Byrne, CAO/Secretary-Treasurer