



LONG POINT REGION CONSERVATION AUTHORITY
Hearing Board Meeting Minutes of June 4, 2025
Approved July 2, 2025

Members in attendance:

Doug Brunton, Vice-Chair	Norfolk County
Robert Chambers	County of Brant
Michael Columbus	Norfolk County
Tom Masschaele	Norfolk County
Debera McKeen	Haldimand County
Jim Palmer	Township of Norwich
Chris Van Paassen	Norfolk County
Peter Ypma	Township of South-West Oxford
Rainey Weisler	Municipality of Bayham/Township of Malahide

Regrets:

Shelley Ann Bentley	Haldimand County
Dave Beres, Chair	Town of Tillsonburg

Staff in attendance:

Judy Maxwell, General Manager
Aaron LeDuc, Manager of Corporate Services
Leigh-Anne Mauthe, Manager of Watershed Services
Saifur Rahman, Manager of Engineering and Infrastructure
Jessica King, Social Media and Marketing Associate
Nicole Sullivan, HR Coordinator/Executive Assistant

1. Roll Call and Call to Order

The Vice-chair called the Hearing to order at 6:30 p.m., Wednesday, June 4, 2025.

The Vice-Chair, Doug Bruton, chaired the Hearings.

A-68/25

Moved by J. Palmer
Seconded by C. Van Paassen

THAT the Vice Chair, Doug Brunton, is appointed Acting Chair for the Hearing Board.

Carried

The roll was called to conduct the following Hearing under Section 28 of the *Conservation Authorities Act*.

A-69/25

Moved by D. McKeen
Seconded by P. Ypma

THAT the LPRCA Board of Directors does now sit as a Hearing Board.

Carried

FULL AUTHORITY COMMITTEE MEMBERS

Shelley Ann Bentley, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus,
Tom Masschaele, Debera McKeen, Jim Palmer, Rainey Weisler, Chris Van Paassen, Peter Ypma

2. Declaration of Conflicts of Interest

None Declared.

3. Hearing: LPRCA-89/25 – Isabel and Kyle Cronk.

4. Chair's Opening Remarks for Hearing LPRCA- 89/25

The Chair's opening remarks for LPRCA-89/25 Isabel and Kyle Cronk were read and the guidelines and process to be followed for the hearing were reviewed.

5. Presentation by Long Point Region Conservation Authority Staff

Leigh-Anne Mauthe introduced the applicants Isabel and Kyle Cronk, and then proceeded to present the staff report and presentation.

Staff recommended refusal to grant a permit for this application for the following reasons:

1. The construction of the proposed structure adjacent to the shoreline is contrary to Long Point Region Conservation Authority policies for development in the Lake Erie Shoreline Erosion hazard. These policies have been implemented to reduce or eliminate preventable risk to life and property damage from erosion and unstable slopes,
2. The construction of the proposed structure is proposed to occur within an area that is actively eroding and is unsafe for development, and
3. The development activities will likely create conditions or circumstance that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property.

6. Presentation by the Applicant

Kyle Cronk, Applicant, addressed the Board and presented his presentation provided in the Board package requesting approval of the application.

Kyle Cronk highlighted that before the purchase of the property in 2018, a 2012 shoreline protection wall was professionally engineered and installed, it was later inspected by Riggs Engineering when the Old Mill Road. addition to the shoreline protection by Norfolk County was added in 2016. This shoreline protection that runs along the western edge of the Cronk's Lake Erie shoreline has helped to mitigate the erosion from the westerly wave action of the lake. With the protection flanking that continues after the wall the construction of the garage is behind the wall and will be protected from erosion.

Kyle Cronk states that with the shoreline protection already in place and the new shoreline protection they plan on putting in along the shore from the beach on the east of the property to the current flanking will eliminate and stop the erosion.

The accessory building being constructed is a non-habitable building, that is replacing two existing buildings in the similar footprint.

Kyle Cronk also informed the Board that back in 2018 prior to purchasing the property an email

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was sent to LPRCA to assess what could be built on the property within the regulations at the time. An email from the Authority acknowledged that an accessory building could be built on the property in 2018.

7. Questions

Leigh-Anne Mauthe made one note of clarification in the Cronk's presentation. A picture on Agenda Page 59 had "2025 pic" in writing, when the aerial photo was actually from 2020.

Staff and the proponent responded to questions from the Board.

Mike Columbus asked Kyle Cronk if they have met to speak with or filed an application with Norfolk County yet. Kyle Cronk responded in the negative, as LPRCA is the first part of the process.

Debera McKeen asked staff if more of the shoreline protection is added would it be possible to decrease the erosion. Leigh-Anne Mauthe let the Board know that following the latest guidance through the Ministry of Natural Resources technical guides, even if a wall is added the wall cannot guarantee a hundred years of protection, a wall has the potential to reduce erosion, but not to completely mitigate it.

Debera McKeen asked staff about the potential of approval if the building is moved further west on the property. Leigh-Anne Mauthe explained that one issue with the proposal is the size of the building, and they try to keep buildings close to the 100m² to prevent it being turned into habitable space. Moving the building to the west staff would still need an engineer to explore the wall health and how many years it has on it, but even with all of that the background erosion rates still occur, and the erosion rate at this location is very high.

Peter Ypma asked Kyle Cronk if there was plans for further wall construction across the whole front of the lakeshore. Kyle Cronk let the Board know that the planned addition to the shoreline protection will run from the point in the east where the beach is to the existing flanking on the west. With this addition and maintenance, Kyle Cronk believes the wall will hold for the Cronk's lifetime with the maintenance they will do.

Jim Palmer asked staff if the 2018 letter carried any weight legally and asked Kyle Cronk about going after LPRCA regarding the letter. Judy Maxwell responded that no application was submitted at the time and the Authority staff must work under the current regulations and conditions of when the application was submitted, which in this case was 2025. Kyle Cronk let the Board know that he does not want to sue anyone, that is not beneficial to anyone.

Debera McKeen asked staff if the Cronk's could bring a revised version forward. Leigh-Anne Mauthe explained that there were a few different options. If a decision is refused, a Notice of Decision is sent to the applicant and they can appeal that decision with the Minister of the Environment or the Ontario Land Tribunal. The applicant can also appeal conditions placed on an applicant. The applicant can submit a revised application, but that would count as a separate application and would need to be evaluated and another hearing may be required.

Doug Brunton asked Kyle Cronk about geodetic data with the application and what the elevation difference from the floor of the garage and the top of slope were. Kyle Cronk said that the floor of the garage is 182m, and Leigh-Anne Mauthe indicated that the 100-year flood line is 176.5m.

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Leigh-Anne Mauthe let the Board know that a survey with topographic information was submitted with the application, and the tableland is not subject to flooding.

Mike Columbus asked when the erosion mostly happened, during winter months or all year round. Leigh-Anne Mauthe let the Board know that the specific time is hard to pin down, but aerial photos are often taken in the spring prior to tree cover and usually storm events are worse in the winter which is when the most erosion occurs. Kyle Cronk added that the property and Clear Creek mostly has ice coverage in the winter which mitigates the erosion and it was the two years of high water in 2021 and 2022 that caused the most erosion, but beyond that little erosion was seen since 2018 when the property was purchased.

Jim Palmer asked Kyle Cronk where the house was located on the property and if a new house permit was also going to be submitted. Kyle Cronk showed the Board where the house was located on the property and showed where a plan for a new house is.

The members entered the closed session of the Hearing Board at 7:20 p.m.

A-70/25

Moved by M. Columbus

Seconded by R. Weisler

THAT the LPRCA Hearing Board does now enter into a closed session to discuss:

- Litigation or potential litigation, including matters before administrative tribunals (e.g. Local Planning Appeal Tribunal), affecting the Authority.

Carried

8. Reconvene in Public Forum

The LPRCA Hearing Board reconvened in open session at 7:54 p.m.

9. Hearing Board Decision for LPRCA 89/25

The Chair advised Kyle and Isabel Cronk that the permit has been approved with a condition. The conditions of the permit are below:

1. Prior to the issuance of any permit from LPRCA, additional shoreline protection is designed, installed, and stamped by a professional engineer

for the following reasons:

1. Construction of the shoreline protection will mitigate the erosion

The Notice of Decision will be forwarded by staff.

10. Adjournment

A-71/25

Moved by P. Ypma

Seconded by D. McKeen

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That the LPRCA Board of Directors does now adjourn from sitting as a Hearing Board.

Carried

The Chair adjourned the Hearing at 7:56 p.m.

Doug Brunton
Acting Chair

Judy Maxwell
General Manager/Secretary-Treasurer

/ns

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