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January 02, 2025

Ian Search

Corporation of the Municipality of Lakeshore
Development Services, Planning Division
419 Notre Dame Street
Belle River, ON N0R 1A0

Dear Mr. Ian Search:

RE: Application for Minor Variance A-33-2024 313 RUSSEL WOODS DR
ARN 375121000037100;

Applicant: Joseph Shaban c/o Gino Piccioni

The Municipality of Lakeshore has received application for Minor Variance A-33-2024 for the above noted subject lands. The applicant is seeking the following relief from the Lakeshore Zoning By-law (2-2012) for the development of a new dwelling on the subject property:

- Relief from Section 8.1 Urban Residential Zone Regulations to permit a maximum lot coverage of 40%, whereas a maximum lot coverage of 35% is permitted in the Residential - Low Density (R1) zone.

The following is provided as a result of our review of Application for Minor Variance A-33-2024.

NATURAL HAZARDS AND REGULATORY RESPONSIBILITIES UNDER THE CONSERVATION AUTHORITIES ACT, O. REG 686/21, PPS

The following comments reflect ERCA's role in protecting people and property from the threats of natural hazards and regulating development hazards lands under Section 28 of the *Conservation Authorities Act*.

The above noted lands are subject to our Regulation under the *Conservation Authorities Act* (Ontario Regulation No. 41/24). The parcel falls within the regulated area of the Lake St. Clair. The property owner will be required to obtain a Permit from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*.

We note that the low-lying nature of the roadway may result in excess water over the road during a 1:100 year flood event. The Municipality must confirm, through applicable emergency services (i.e. fire, police, etc.), that they have the ability to safely access this area during a 1:100 year flood event, in order to fulfill the Municipality's responsibilities under Section 5.2.8 of the Provincial Planning Statement 2024.

Mr. Ian Search
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WATERSHED BASED RESOURCE MANAGEMENT AGENCY

The following comments are provided in an advisory capacity as a public commenting body on matters related to watershed management.

SECTION 3.6.8 Stormwater Management (PPS, 2024)

It is understood that the Municipality implements maximum lot coverage standards through the appropriate Zoning By-laws, which generally limits the footprint of structures on a parcel in terms of percentages. These coverage limits vary with zoning, such that areas where higher density residential development is allowable, the lot coverage limits are also greater than areas where only single family residential is permissible. Similar to this, stormwater management designs account for varying amounts of “percent imperviousness”; however, stormwater management design parameters make a best attempt to account for the potential additional “hardscaping” that is likely to occur on a given parcel. It is important to continue to make the distinction between “lot coverage” and “percent impervious” as the former does not include the additional hardening elements that are likely to occur, such as paved driveways, concrete and other hardening such as for patios and around various amenities like pools etc.

Based on the above, and as a result of stormwater management practitioners currently designing with parameters that are anticipated to represent the drainage areas as “fully developed”, it is expected that newer stormwater management systems are able to adequately convey and properly attenuate flows based on values greater than the maximum lot coverage standards, such that the downstream receivers are not negatively impacted. As a result, newer stormwater management systems have additional resiliency than older systems.

The current request for relief from maximum lot coverage standards is within an “older” subdivision, which may have been designed with much less conservative design parameters than what would be typical for today’s standards. The ERCA acknowledges that the management and maintenance of the roads, storm sewers and stormwater management facilities, once constructed in accordance with all applicable agency approvals, lies with the Municipality. It is recommended that the Municipality consider the current state of the existing development with respect to existing stormwater management infrastructure. Additionally, with respect to the request for relief from maximum lot coverage standards, it is recommended that the determination of any potential impacts / no negative impacts to the stormwater management system be to the satisfaction of the Municipal Engineering/Public Works/Infrastructure Services department. Should there be any changes to the function of the system, such as impacts related to regulated outflows, reductions in water quality treatment, or floodproofing standards, an ERCA approval may be required and further consultation with our office would be required prior to any approval.



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FINAL RECOMMENDATION

As noted above, the property owner will be required to obtain a Permit from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*. Additionally, the Municipality must confirm, through applicable emergency services (i.e. fire, police, etc.), that they have the ability to safely access this area during a 1:100 year flood event, in order to fulfill the Municipality's responsibilities under Section 5.2.8 of the Provincial Planning Statement 2024.

If you have any questions or require any additional information, please contact the undersigned.

Sincerely,



Alicia Good
Watershed Planner
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