



planning@erca.org

P.519.776.5209

F.519.776.8688

360 Fairview Avenue West
Suite 311, Essex, ON N8M 1Y6

January 11, 2023

Mr. Ian Rawlings

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

Dear Mr. Ian Rawlings:

RE: Application for Minor Variance A-48-2022 1546 CAILLE AVE
ARN 375118000018500; PIN: 750340029
Applicant: Danny & Megan Di Caro

The Municipality of Lakeshore has received an Application for Minor Variance for the subject property. The applicants are proposing to construct a 46 m2 accessory structure in the side yard of the property. The following is provided as a result of our review of Application for Minor Variance A-48-2022.

DELEGATED RESPONSIBILITY TO REPRESENT THE PROVINCIAL INTEREST IN NATURAL HAZARDS (PPS) AND REGULATORY RESPONSIBILITIES OF THE CONSERVATION AUTHORITIES ACT

The following comments reflect our role as representing the provincial interest in natural hazards as outlined by Section 3.1 of the Provincial Policy Statement of the *Planning Act* as well as our regulatory role as defined by Section 28 of the *Conservation Authorities Act*.

The above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the *Conservation Authorities Act* (Ontario Regulation No. 158/06). The parcel falls within the regulated area of Lake St. Clair. The property owner is required to obtain a Permit and/or Clearance 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 the following in regards to safe ingress/ egress at the subject property:

Section 3.1.2 of the Provincial Policy Statement notes that Development and Site Alteration shall not be permitted within:

c. areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard

Section 3.1.7 notes, further to policy 3.1.6, and except as prohibited in policies 3.1.2 and 3.1.5, Development and Site Alteration may be

Mr. Ian Rawlings
January 11, 2023

permitted in those portions of hazardous lands and hazardous sites where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:

- a. development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standard
- b. vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies
- c. new hazards are not created and existing hazards are not aggravated; and
- d. no adverse environmental impacts will result

Notwithstanding the above, due to the size and nature of the proposed structure (non-habitable structure and less than 64m²), the safe access requirement is waived for the works proposed in the Application for Minor Variance A-48-2022.

We note that ERCA Permit #279-22, dated October 4, 2022, was issued for the proposed accessory building. All openings into this structure must meet the minimum required floodproofing elevation.

FINAL RECOMMENDATION

ERCA has no objections to Application for Minor Variance A-48-2022. All openings into the proposed structure must meet the minimum required floodproofing elevation.

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

Sincerely,



Kathleen Schnekenburger
Resource Planner
/ks

