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May 20, 2022

Mr. Enrico De Cecco
Town of Tecumseh, Junior Planner
917 Lesperance Road
Tecumseh, Ontario, N8N 1W9

Dear Mr. De Cecco:

RE: Zoning By-Law Amendment D19 12322RIV
12322 Riverside Dr E
ARN 374411000000400; PIN: 752630011
Applicant: WARREN PATRICIA

The following is provided as a result of our review of Zoning By-Law Amendment D19 12322RIV.

A Zoning By-law amendment application has been submitted for a 0.29 acre parcel of land situated on the north side of Riverside Drive (12322 Riverside Drive), approximately 147 feet east of its intersection with Lesperance Road.

The purpose of the application is to amend Zoning By-law 1746 by rezoning the subject property from "Residential Zone 1 (R1)" to a site-specific "Residential Zone 1 (R1)" in order to permit the conversion of an existing accessory structure (garage) into a stand-alone Additional Residential Unit (ARU), in accordance with subsection 4.2.2 viii) of the Tecumseh Official Plan.

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 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*.

Upon review of the application and available background information, 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.

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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 fulfil the municipality's responsibilities under Section 3.1.7 of the Provincial Policy Statement (2020). This confirmation would need to be provided in writing, from the Town of Tecumseh, to the Conservation Authority, at the time of permitting. It is acknowledged that the Town has purchased a High-Water Rescue Vehicle.

The conversion of the existing accessory structure or garage, to an additional residential unit is considered "intensification of use". We cannot assess at this time if a Section 28 Permit can be issued for this property, as the Conservation Authority may not be able to satisfy all hazard concerns for the proposed development. Therefore, the ERCA recommends this application to be **deferred** until the applicant consults with our regulations department at regs@erca.org.

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 1.6.6.7 Stormwater Management (PPS, 2020)

Our office has reviewed the proposal and has no concerns relating to stormwater management.

PLANNING ADVISORY SERVICE TO PLANNING AUTHORITIES - NATURAL HERITAGE POLICIES OF THE PPS, 2020

The following comments are provided from our perspective as an advisory service provider to the Planning Authority on matters related to natural heritage and natural heritage systems as outlined in Section 2.1 of the Provincial Policy Statement of the *Planning Act*. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the Planning Authority.

The subject property is not within or adjacent to any natural heritage feature that may meet the criteria for significance as defined by the PPS. Based on our review, we have no objection to the application with respect to the natural heritage policies of the PPS.

FINAL RECOMMENDATION - Deferral

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



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Conservation Authorities Act. We cannot assess at this time, if a Section 28 Permit can be issued for this property, as the Conservation Authority, may not be able to satisfy all hazard concerns for the proposed development (ARU in the existing accessory structure or garage). Therefore, the ERCA recommends this application to be **deferred** until the applicant consults with our regulations department at regs@erca.org.

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

Sincerely,



Vitra Chodha, E.P
Resource Planner
/vc

