



February 21, 2023

Mr. Enrico De Cecco  
Town of Tecumseh, Planner  
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Tecumseh, Ontario, N8N 1W9

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Dear Mr. De Cecco:

RE: Zoning By-Law Amendment D19 13931RIV 13931 RIVERSIDE DR E  
ARN 374437000003400; PIN: 752660071  
Applicant: L J B FAMILY HOLDINGS INC

The Town of Tecumseh has received an Application for a Zoning By-Law Amendment for the subject property. The applicant is requesting a zoning by-law amendment to facilitate the construction of a one-storey, two-unit dwelling (semi-detached dwelling) and establish site specific lot provisions. The following is provided as a result of our review of Zoning By-Law Amendment D19 13931RIV.

**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 will be 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

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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

The low lying nature of roadway in this area may result in excess water over the road in a flooding event. ERCA advises that the Town of Tecumseh and the Municipal Emergency Services (fire, police) confirm that they have the ability to access these parcels in order to fulfill the roles and responsibilities of first responders during times of flooding and in order to fulfill the municipality's responsibilities under Section 3.1.7 of the Provincial Policy Statement (2020) noted above.

The proposed development will also be required to meet the minimum required floodproofing elevation requirement.

### **FINAL RECOMMENDATION**

The applicant must obtain a Section 28 Permit from ERCA prior to undertaking any development on the site.

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. 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 3.1.7 of the Provincial Policy Statement (2020). Additionally, the proposed development will be required to meet the minimum required floodproofing elevation requirement.

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

Sincerely,



Kathleen Schnekenburger  
Resource Planner

