



HEARING BOARD
Wednesday, February 4, 2026 @ 6:30pm
Tillsonburg Headoffice

AGENDA

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1. Roll Call and Call to Order	
2. Declaration of Conflicts of Interest	
3. Hearing Procedures Policy	1-20
4. Chair's Opening Remarks: LPRCA-220/25 – Mudford.	
5. Presentation by Long Point Region Conservation Authority Staff (L. Mauthe)	
a) Staff Report – Re: Mudford	21-38
b) Staff Presentation – Re: Mudford	39-54
6. Presentation by the Applicant	
a) Applicant/Agent Presentation	
7. Closed Session	
8. Reconvene in Public Forum	
9. Chair to advise of Hearing Board decision	
10. Chair's Opening Remarks: LPRCA-212/25 – Clark	
11. Presentation by Long Point Region Conservation Authority Staff (L. Mauthe)	
a) Staff Report – Re: Clark	55-71
b) Staff Presentation – Re: Clark	72-87
12. Presentation by the Applicant	
a) Applicant/Agent Presentation	
13. Closed Session	
14. Reconvene in Public Forum	
15. Chair to advise of Hearing Board decision	
16. Hearing Adjournment	



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Policy Title: Hearing Procedures Policy Conservation Authorities Act, Section 28	Policy Number: 014-24	Pages 20
Date: June 5, 2024	Supersedes: Hearing Procedures Policy Conservation Authorities Act, Section 28	
Cross Reference:	Issuing Authority: Board of Directors by Resolution A-79/24	

Approved July 5, 2017 by Res. A-171/17

Amendments

Amended July 3, 2019 by Res. A-100/19 re. MLT

Amended January 13, 2021 by Res. A-12/21 re. Electronic Hearings

Amended April 6, 2022 by Res. A-44/22 re OLT and hearings under Section 28.0.1

Amended June 5, 2024 by Res.A-79/24 re New Regulation O. Reg 41/24

**Long Point Region Conservation Authority
Hearing Procedures Policy,
Conservation Authorities Act, Section 28**

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Hearing Procedures Policy

Ontario Regulation 41/24

1.0 INTRODUCTION AND PURPOSE

The purpose of the Hearing Procedures Policy is to guide the Long Point Region Conservation Authority (LPRCA) Hearing Board in conducting hearings under Section 28 of the *Conservation Authorities Act*.

The *Conservation Authorities Act* under section 28.1 (1) allows the Long Point Region Conservation Authority to permit development in regulated areas where, in the opinion of the Authority,

- (a) The activity is not likely to affect the control of flooding, erosion, dynamic beaches or unstable soil or bedrock;
- (b) The activity is not likely to create conditions or circumstances 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; and
- (c) Any other requirements that may be prescribed by the regulations are met.

For an application for a permit to be refused or approved with contentious conditions, the *Conservation Authorities Act* requires that the applicant be provided with an opportunity for a hearing by the local Conservation Authority Board. Further, where staff is recommending that a permit be cancelled under *Ontario Regulation 41/24*, a hearing will be held to provide the applicant with the opportunity to show cause why the permit should not be cancelled. In the case of hearings related to applications submitted pursuant to s. 28.1.2 of the *Conservation Authorities Act*, where a Minister's Zoning Order has been approved, the Authority must grant permission to the applicant and a hearing will only be held to determine conditions which will be attached to a permission.

The Hearing Board, which is comprised of the members of the Long Point Region Conservation Authority Board of Directors, is empowered by law to make a decision, governed by the *Statutory Powers Procedures Act*. It is the purpose of the Hearing Board to evaluate the information presented at the hearing by both the Conservation Authority staff and the applicant and to decide whether the application will be approved with or without conditions, or refused. In the case of hearings related to applications submitted pursuant to Section 28.1.2, the Hearing Board shall determine what conditions, if any, will be attached to the permission.

These procedures are intended to provide a step-by-step process to conducting hearings required under Sections 28.1 (5), 28.3 (3) or 28.1.2 (7) of the *Conservation Authorities Act*. The procedures ensure that hearings meet the legal requirements of the *Statutory Powers Procedures Act* without being unduly legalistic or intimidating to the participants.

2.0 PREHEARING PROCEDURES

2.1 Apprehension of Bias

In considering the application, the Hearing Board is acting as a decision-making tribunal. The tribunal is to act fairly. Under general principles of administrative law relating to the duty of fairness, the tribunal is obliged not only to avoid any bias but also to avoid the appearance or reasonable apprehension of bias. The following are three examples of steps to be taken to avoid apprehension of bias where it is likely to arise:

- (a) No member of the Authority taking part in the hearing should have prior involvement with the application that could lead to a reasonable apprehension of bias on the part of the member. Where a member has a personal interest, the test is whether a reasonably well-informed person would consider that the interest might have an influence on the exercise of the official's public duty. Where a member is a municipal councilor, the *Municipal Conflict of Interest Act* applies. In the case of a previously expressed opinion, the test is that of an open mind, i.e. is the member capable of persuasion in participating in the decision making.
- (b) If material relating to the merits of an application that is the subject of a hearing is distributed to Board members before the hearing, the material shall be distributed to the applicant at the same time. The applicant may be afforded an opportunity to distribute similar pre-hearing material. These materials can be distributed electronically.
- (c) The applicant will be given an opportunity to attend the hearing before a decision is made; however, the applicant does not have to be present for a decision to be made.
- (d) Where a hearing is required for applications submitted pursuant to s. 28.1.2 of the *Conservation Authorities Act* (e.g. to determine the conditions of the permission), final decisions on the conditions shall not be made until such time as the applicant has been given the opportunity to attend a hearing.

2.2 Application

The right to a hearing arises where staff is recommending refusal of an application or is recommending conditions to the approval of an application or has given notice of intent to cancel a permit.

Additionally, in the case of applications submitted pursuant to s.28.1.2 of the CA Act, the authority shall not attach conditions to a permission unless the applicant has been given an opportunity to be heard by the authority.

The applicant is entitled to reasonable notice of the hearing pursuant to the *Statutory Powers Procedures Act*.

2.3 Notice of Hearing

The Notice of Hearing shall be sent to the applicant within sufficient time to allow the applicant to prepare for the hearing. To ensure that reasonable notice is given, it is recommended that prior

to sending the Notice of Hearing, the applicant be consulted to determine an agreeable date and time based on the local Conservation Authority's regular meeting schedule.

The Notice of Hearing will contain or append the following:

- (a) Reference to the applicable legislation under which the hearing is to be held (i.e., the *Conservation Authorities Act*).
- (b) The time, place and the purpose of the hearing. For electronic hearings: The time, purpose of the hearing, and details about the manner in which the hearing will be held.

For electronic hearings: The applicant should notify the Authority if they believe holding the hearing electronically is likely to cause them significant prejudice. The Authority shall assume the applicant has no objection to the electronic hearing if no such notification is received.

- (c) Particulars to identify the applicant, property and the nature of the application which are the subject of the hearing.

Note: If the applicant is not the property owner but the prospective owner, the applicant must have written authorization from the registered property owner.

- (d) The reasons for the proposed refusal or conditions of approval shall be specifically stated. This should contain sufficient detail to enable the applicant to understand the issues so he or she can be adequately prepared for the hearing.

It is sufficient to reference in the Notice of Hearing that the recommendation for refusal or conditions of approval is based on the reasons outlined in a hearing report that is attached or will follow.

- (e) A statement notifying the applicant that the hearing may proceed in the applicant's absence and that the applicant will not be entitled to any further notice of the proceedings.

Except in extreme circumstances, it is recommended that the hearing not proceed in the absence of the applicant.

- (f) Reminder that the applicant is entitled to be represented at the hearing by a representative such as legal counsel, if desired. The conservation authority may be represented at the hearing by counsel or staff.

- (g) A copy of LPRCA's Hearing Procedures Policy.

It is recommended that the Notice of Hearing be directed to the applicant and/or property owner by registered mail. An example Notice of Hearing is included in **Appendix A**. An example Notice of Hearing for hearings under Section 28.1.2 (7) of the CA Act is included in **Appendix B**. The Notice of Hearing is normally also sent to the applicant and the agent (if any) by email.

2.4 Pre-submission of Reports

It is LPRCA's practice to submit reports to the Board members in advance of the hearing as part of the Authority Board agenda; the applicant will be provided with the same opportunity. The applicant will be given two weeks to prepare a report once the reasons for the staff recommendations have been received.

The applicant's time to prepare a submission may affect the timing and scheduling of the staff hearing reports. The two weeks preparation time may be shortened at the applicant's request.

2.5 Hearing Information

Prior to the hearing, the applicant will be advised of the Conservation Authority's hearing procedures.

3.0 HEARING

3.1 Public Hearing

Pursuant to the *Statutory Powers Procedure Act*, hearings, including electronic hearings, are required to be held in public. For electronic hearings, public attendance should be synchronous with the hearing. The exception is in very rare cases where public interest in public hearings is outweighed by the fact that intimate financial, personal or other matters would be disclosed at hearings.

3.2 Hearing Participants

The *Conservation Authorities Act* does not provide for third party status at the local hearing. The hearing however is open to the public. Any information provided by third parties should be incorporated within the presentation of information by, or on behalf of, the applicant or Authority staff as appropriate.

3.3 Attendance of Hearing Board Members

In accordance with case law relating to the conduct of hearings, those members of the Authority who will decide whether to grant or refuse the application must be present during the full course of the hearing. If it is necessary for a member to leave, the remaining members can continue with the hearing and render a decision.

3.4 Adjournments

The Board may adjourn a hearing on its own motion or that of the applicant or Authority staff where it is satisfied that an adjournment is necessary for an adequate hearing to be held.

Any adjournments form part of the hearing record.

3.5 Orders and Directions

The Authority is entitled to make orders or directions to maintain order and prevent the abuse of its hearing processes. A hearing procedures example has been included as **Appendix C**.

3.6 Information Presented at Hearings

- (a) The *Statutory Powers Procedure Act* requires that a witness be informed of their right to object pursuant to the *Canada Evidence Act*. The *Canada Evidence Act* indicates that a witness shall be excused from answering questions on the basis that the answer may be incriminating. Further, answers provided during the hearing are not admissible against the

witness in any criminal trial or proceeding. This information should be provided to the applicant as part of the Notice of Hearing.

- (b) It is the decision of the hearing members as to whether information is presented under oath or affirmation. It is not a legal requirement. The applicant must be informed of the above, prior to or at the start of the hearing.
- (c) The Board may authorize receiving a copy rather than the original document. However, the Board can request certified copies of the document if required.
- (d) Privileged information, such as solicitor/client correspondence, cannot be heard. Information that is not directly within the knowledge of the speaker (hearsay), if relevant to the issues of the hearing, can be heard.
- (e) The Board may take into account matters of common knowledge such as geographic or historic facts, times, measures, weights, etc., or generally recognized scientific or technical facts, information or opinions within its specialized knowledge without hearing specific information to establish their truth.

3.7 Conduct of Hearing

3.7.1 Record of Attending Hearing Board Members

A record will be made of the members of the Hearing Board.

3.7.2 Opening Remarks

The Chair will convene the hearing with opening remarks which, generally, identify the applicant, the nature of the application, and the property location; outline the hearing procedures; and advise on requirements of the *Canada Evidence Act*. An example Opening Remarks is included in **Appendix D**. An example Opening Remarks for hearings under Section 28.1.2 (7) of the CA Act is included in **Appendix E**.

In an electronic hearing, all the parties and the members of the Hearing Board must be able to clearly hear one another and any witnesses throughout the hearing.

3.7.3 Presentation of Authority Staff Information

Staff of the Authority presents the reasons supporting the recommendation for the refusal or conditions of approval of the application. Any reports, documents or plans that form part of the presentation shall be properly indexed and received.

Staff of the Authority should not submit new technical information at the hearing as the applicant will not have had time to review and provide a professional opinion to the Hearing Board.

Consideration should be given to the designation of one staff member or legal counsel who coordinates the presentation of information on behalf of Authority staff and who asks questions on behalf of Authority staff.

3.7.4 Presentation of Applicant Information

The applicant has the opportunity to present information at the conclusion of the Authority staff presentation. Any reports, documents or plans which form part of the submission should be properly indexed and received.

The applicant shall present information as it applies to the permit application in question. For instance, does the requested activity affect the control of flooding, erosion, dynamic beach or conservation of land or pollution? The hearing does not address the merits of the activity or appropriateness of such a use in terms of planning.

- The applicant may be represented by legal counsel or agent, if desired.
- The applicant may present information to the Board and/or have invited advisors to present information to the Board
- The applicant(s) presentation may include technical witnesses, such as an engineer, ecologist, hydrogeologist, etc.

The applicant should not submit new technical information at the hearing as the Authority staff will not have had time to review and provide a professional opinion to the Hearing Board.

3.7.5 Questions

Members of the Hearing Board may direct questions to each speaker as the information is being heard. The applicant and/or agent can make any comments or questions on the staff report.

Pursuant to the *Statutory Powers Procedure Act*, the Board can limit questioning where it is satisfied that there has been full and fair disclosure of the facts presented. Please note that the courts have been particularly sensitive to the issue of limiting questions and there is a tendency to allow limiting of questions only where it has clearly gone beyond reasonable or proper bounds.

3.7.6 Deliberation

After all the information is presented, the Board may adjourn the hearing and retire in private to confer. The Board may reconvene on the same date or at some later date to advise of the Board's decision. The Board members shall not discuss the hearing with others prior to the decision of the Board being finalized.

4.0 DECISION

The applicant must receive written notice of the decision. The applicant shall be informed of the right to ask for a Minister's review within 15 days of receiving the written decision, or appeal the decision within 90 days of receiving the written decision to the Ontario Land Tribunal.

It is important that the hearing participants have a clear understanding of why the application was refused or approved. The Board shall itemize and record information of particular significance which led to their decision.

4.1 Notice of Decision

The decision notice should include the following information:

- (a) The identification of the applicant, property and the nature of the application that was the subject of the hearing.
- (b) The decision to refuse or approve the application, and in the case of applications under s. 28.1 of the CA Act, the decision to approve the application with or without conditions. A copy of the Hearing Board resolution should be attached.

It is recommended that the written Notice of Decision be forwarded to the applicant by registered mail. A sample Notice of Decision and cover letter has been included as **Appendix F**. A sample Notice of Decision and cover letter for hearings under Section 28.1.2 (7) of the CA Act is included in **Appendix G**.

4.2 Adoption

A resolution advising of the Board's decision and particulars of the decision should be adopted.

5.0 RECORD

The Authority shall compile a record of the hearing. In the event of an appeal, a copy of the record should be forwarded to the Ontario Land Tribunal. The record must include the following:

- (a) The application for the permit.
- (b) The Notice of Hearing.
- (c) Any orders made by the Board (e.g., for adjournments).
- (d) All information received by the Board.
- (e) Attendance of Hearing Board members.
- (f) The decision and reasons for decision of the Board.
- (g) The Notice of Decision sent to the applicant

APPENDIX A

Notice of Hearing

IN THE MATTER OF
The Conservation Authorities Act,
R.S.O. 1990, Chapter 27

AND IN THE MATTER OF an application by

**FOR THE PERMISSION OF THE
CONSERVATION AUTHORITY**

Pursuant to Regulations made under
Section 28, Subsection 5 of the said Act

TAKE NOTICE THAT a Hearing before the Hearing Board of the Long Point Region Conservation Authority (LPRCA) will be held under Section 28.1, Subsection 5 of the Conservation Authorities Act at the office of the LPRCA (4 Elm Street, Tillsonburg ON), at the hour of , **on the day of , 202x**, *[for electronic hearings: Details about the manner in which the hearing will be held are to be provided]* with respect to the application by **(NAME)** to permit development within an area regulated by the Authority in order to ensure no adverse effect on **(the control of flooding, erosion, dynamic beaches or unstable soil or bedrock / alter or interfere with a watercourse or wetland)** on Lot , Plan/Lot , Concession , **(Street)** in the **City of** , **Regional Municipality of , River Watershed.**

TAKE NOTICE THAT you are invited to make a delegation and submit supporting written material to the Hearing Board for the meeting of **(meeting number/date)**. If you intend to appear *[For electronic hearings: or if you believe that holding the hearing electronically is likely to cause significant prejudice]*, please contact **(name)**. Written material will be required by **(date)**, to enable the Hearing Board members to review the material prior to the meeting.

TAKE NOTICE THAT this hearing is governed by the provisions of the Statutory Powers Procedure Act. Under the Act, a witness is automatically afforded a protection that is similar to the protection of the Ontario Evidence Act. This means that the evidence that a witness gives may not be used in subsequent civil proceedings or in prosecutions against the witness under a Provincial Statute. It does not relieve the witness of the obligation of this oath since matters of perjury are not affected by the automatic affording of the protection. The significance is that the legislation is Provincial and cannot affect Federal matters. If a witness requires the protection of the Canada Evidence Act that protection must be obtained in the usual manner. The Ontario Statute requires the tribunal to draw this matter to the attention of the witness, as this tribunal has no knowledge of the effect of any evidence that a witness may give.

AND FURTHER TAKE NOTICE that if you do not attend at this Hearing, the Hearing Board may proceed in your absence, and you will not be entitled to any further notice in the proceedings.

DATED the ____ day of _____ 202X

APPENDIX B

NOTICE OF HEARING

(Subsection 28.1.2 (7) of the *Conservation Authorities Act*)

IN THE MATTER OF

The Conservation Authorities Act,
R.S.O. 1990, Chapter 27

AND IN THE MATTER OF an application by

FOR THE PERMISSION OF THE LONG POINT REGION CONSERVATION AUTHORITY

Pursuant to Regulations made under
Section 28.1.2, Subsection 7 of the said Act

TAKE NOTICE THAT a Hearing before the Hearing Board of the Long Point Region Conservation Authority will be held under Section 28.1.2, Subsection 7 of the Conservation Authorities Act at the offices of the LPRCA (4 Elm Street, Tillsonburg, ON), at the hour of , on the day of , 2020, [for electronic hearings, include details about the manner in which the hearing will be held] with respect to the application by (NAME) to permit development within an area regulated by the Authority in association with a Minister's Zoning Order (REGULATION NUMBER) on Lot , Plan/Lot , Concession , (Street) in the City of , Regional Municipality of , River Watershed.

TAKE NOTICE THAT you are invited to make a delegation and submit supporting written material to the Hearing Board for the meeting of (meeting number). If you intend to appear [For electronic hearings: or if you believe that holding the hearing electronically is likely to cause significant prejudice], please contact (name). Written material will be required by (date), to enable the Committee members to review the material prior to the meeting.

TAKE NOTICE THAT pursuant to Section 28.1.2 of the Conservation Authorities Act, a conservation authority is required to grant the permission applied for and may only impose conditions to the permission. The Hearing will therefore focus on the conditions to be imposed to the granting of the permission.

TAKE NOTICE THAT this hearing is governed by the provisions of the Statutory Powers Procedure Act. Under the Act, a witness is automatically afforded a protection that is similar to the protection of the Ontario Evidence Act. This means that the evidence that a witness gives may not be used in subsequent civil proceedings or in prosecutions against the witness under a Provincial Statute. It does not relieve the witness of the obligation of this oath since matters of perjury are not affected by the automatic affording of the protection. The significance is that the legislation is Provincial and cannot affect Federal matters. If a witness requires the protection of the Canada Evidence Act that protection must be obtained in the usual manner.

The Ontario Statute requires the tribunal to draw this matter to the attention of the witness, as this tribunal has no knowledge of the effect of any evidence that a witness may give.

DATED the _____ day of , _____ 202X

Long Point Region Conservation Authority

Per:

General Manager/Secretary Treasurer

APPENDIX C

HEARING PROCEDURES

1. **Motion** to sit as Hearing Board.
2. Roll Call
3. **Chair's opening remarks.** For electronic hearings, the Chair shall ensure that all parties and the Hearing Board are able to clearly hear one another and any witnesses throughout the hearing.

Presentations and Questions

4. **Staff** will:
 - a. introduce to the Hearing Board the applicant/owner, his/her agent and others wishing to speak;
 - b. indicate the nature and location of the subject application and the conclusions;
 - c. present the staff report included in the Authority agenda.
5. **The Applicant** and/or their agent will speak to the application.
6. Staff and/or the LPRCA's agent may question the applicant and/or their agent if reasonably required for a full and fair disclosure of matters presented at the Hearing.
7. The applicant and/or their agent may question the conservation authority staff and/or their agent if reasonably required for full and fair disclosure of matters presented at the Hearing.
8. The Hearing Board will question both the LPRCA staff/agent and the applicant/agent.

Deliberation and Decision

9. The Hearing Board **will move into deliberation.** For electronic meetings, the Hearing Board will separate from other participants for deliberation.
10. Reasons for the decision of the Board must be provided.
11. Members of the Hearing Board will move and second **a motion.**
12. A motion will be carried which will culminate in **the decision.**
13. The Hearing Board will move out of deliberation. For electronic meetings, the Hearing Board will reconvene with other participants.

Communicate Decision

14. The Chair will **advise the owner/applicant** of the Hearing Board **decision.**

15. If decision is "to refuse" or "approve with conditions", the Chair or Acting Chair shall notify the owner/applicant of his/her right to request a Minister's review within 15 days of receipt of the reasons for the decision or, alternatively, appeal the decision to the Ontario Land Tribunal within 90 days of receipt of the reasons for the decision.

16. Motion to move out of Hearing Board.

APPENDIX D

CHAIR'S OPENING REMARKS

when dealing with Hearings (Section 7 of the *Conservation Authorities Act*)
with respect to Ontario Regulation 41/24

We are now going to conduct a Hearing under Section 28 of the *Conservation Authorities Act* in respect of an application by **(applicant)** for permission to **(nature of the application)** at **(location, address)**.

The Authority administers Ontario Regulation 41/24 under Section 28 of the *Conservation Authorities Act* which requires the permission of the Authority for development within an area regulated by the Authority in order to ensure no adverse effect on the control of flooding, erosion, dynamic beaches or unstable soil or bedrock or to permit alteration to a watercourse or interference with a wetland.

The Staff has reviewed this proposed work and a copy of the staff report has been given to the applicant and the Board. The applicant was invited to file material in response to the staff report, a copy of which has also been provided to the Board.

The Conservation Authorities Act (Section 28 [5]) provides that:

"An authority shall not refuse an application for a permit or attach conditions to a permit unless the applicant for the permit has been given an opportunity to be heard by the authority."

In holding this hearing, the Authority Board is to determine whether or not a permit is to be issued, with or without conditions. In doing so, we can only consider the application in the form that is before us, the staff report, such evidence as may be given, and the submissions to be made on behalf of the applicant. Only information disclosed prior to the hearing is to be presented at the hearing.

The proceedings will be conducted according to the *Statutory Powers Procedure Act*.

Under Section 5 of the *Canada Evidence Act*, a witness may refuse to answer any question on the ground that the answer may tend to criminate the person, or may tend to establish his/her liability to a civil proceeding at the instance of the Crown or of any person.

The procedure in general shall be informal without the evidence before it being given under oath or affirmation.

As the Hearing proceeds, the procedures listed in the Hearing Procedure summary provided may be relaxed or abbreviated for efficiency.

The Authority may ask questions of witnesses for clarification at any time.

If the applicant has any questions to ask of the Hearing Board or of the Authority representative, they must be directed to the Chair of the Board.

APPENDIX E

CHAIR'S OPENING REMARKS

When dealing with Hearings (Section 28.1.2 (7) of the *Conservation Authorities Act*) **with respect to Ontario Regulation 41/24**

We are now going to conduct a hearing under section 28.1.2 of the *Conservation Authorities Act* in respect of an application by **(applicant)** for permission to **(nature of the application)** at **(location, address)**.

Under Section 28.1.2 of the Conservation Authorities Act, an Authority is required to grant permission for any application submitted under a regulation made under subsection 28(1) for permission to carry out all or part of a development project, in an area regulated by the Authority, associated with a Minister's Zoning Order, provided the criteria listed under subsection 28.1.2 (1) are met. A permission is subject to any conditions as may be prescribed by the Authority.

The Staff has reviewed this proposed work and prepared a staff report, including the proposed conditions of approval for the proposed work, which has been given to the applicant and the Board. The applicant was invited to file material in response to the staff report, a copy of which has also been provided to the Board.

Under Section 28.1.2 (7) of the *Conservation Authorities Act*, the person requesting permission has the right to a hearing before the Authority.

In holding this hearing, the Authority Board is to determine the prescribed conditions to be attached to the approved permission. In doing so, we can only consider the application in the form that is before us, the staff report, such evidence as may be given and the submissions to be made on behalf of the applicant. Only information disclosed prior to the hearing is to be presented at the hearing.

The proceedings will be conducted according to the *Statutory Powers Procedure Act*. Under Section 5 of the *Canada Evidence Act*, a witness may refuse to answer any question on the ground that the answer may tend to incriminate the person, or may tend to establish his/her liability to a civil proceeding at the instance of the Crown or of any person.

The procedure in general shall be informal without the evidence before it being given under oath or affirmation unless decided by the hearing members.

If the applicant has any questions to ask of the Hearing Board or of the Authority representative, they must be directed to the Chairperson of the board.

APPENDIX F

Notice of Decision

(Date)

BY COURIER

(name)

(address)

Dear:

RE: NOTICE OF DECISION

**Hearing Pursuant to Section 28.1 (5) of the Conservation Authorities Act
To (Nature of application) at (location, address). (Application #LPRCA-##/##)**

In accordance with the requirements of the *Conservation Authorities Act*, the Long Point Region Conservation Authority (LPRCA) provides the following Notice of Decision:

On (**meeting date**), a Hearing pursuant to Section 28.1 (5) of the *Conservation Authorities Act* to permit development within an area regulated by LPRCA within (**location, address**) was conducted. Following presentations by LPRCA staff and yourself, questions and deliberation, the LPRCA's Board of Directors (**approved, approved with conditions, refused**) your application to (nature of application) (Resolution No. A-xx/xx)). The Resolution reads as follows:

On (**meeting date and number**), the Hearing Board refused/approved your application/approved your application with conditions. A copy the resolution # has been attached for your records. Please note that this decision is based on the following reasons:

- a. *Example: The proposed development/alteration to a watercourse adversely affects the control of flooding, erosion, dynamic beaches or unstable soil or bedrock or interferes with a wetland.*
- b.
- c.

In accordance with Section 28.1 (8) of the *Conservation Authorities Act*, an applicant who has been refused permission or who objects to conditions imposed on a permit may, within 15 days of receiving the reasons for the Authority's decision under Section 28.1 (7), request a review by the Minister who may refuse the permission; or grant permission, with or without conditions.

Alternatively, in accordance with Section 28.1 (20) the applicant may, within 90 days of receiving the reasons for the Authority's decision under Section 28.1 (7), appeal the Authority's decision to the Ontario Land Tribunal.

For your information, should you wish to exercise your right to appeal the decision **to either the Minister or the Ontario Land Tribunal**, a letter by you or your agent/counsel setting out your appeal must be sent within 15 or 90 days respectively of receiving this decision addressed to:

Minister of Natural Resources and Forestry Whitney Block, 99 Wellesley St W, Toronto, ON M7A 1W3	Ontario Land Tribunal 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5
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A carbon copy of this letter should also be sent to this conservation authority. Should you require any further information, please do not hesitate to contact (**staff contact**) or the undersigned.

Yours truly,

General Manager/Secretary Treasurer

APPENDIX G

NOTICE OF DECISION

(Subsection 28.1.2 (7) of the *Conservation Authorities Act*)

(Date)

BY COURIER

(name)

(address)

Dear:

RE: NOTICE OF DECISION

Hearing Pursuant to Section 28.1.2 (7) of the Conservation Authorities Act

Proposed Residential Development

Lot , Plan ; ?? Drive City of

(Application #)

In accordance with the requirements of the Conservation Authorities Act, the Long Point Region Conservation Authority provides the following Notice of Decision:

On (**meeting date and number**), the Hearing Board of the Long Point Region Conservation Authority approved your application/approved your application with conditions. A copy the Board's resolution # has been attached for your records. Please note that this decision is based on the following reasons: (**conditions are required to mitigate the effects of the development project on the control of flooding, erosion, dynamic beaches or unstable soil or bedrock; or conditions or circumstances created by the development project 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**).

In accordance with **Section 28.1.2 (9) of the Conservation Authorities Act**, an applicant who objects to conditions imposed on a permission may, within **15 days** of receiving the reasons under subsection (8), submit a request to the Minister for the Minister to review the conditions. The Minister may confirm or vary the conditions as proposed by the authority. Alternatively, in accordance with **Section 28.1.2 (15) of the Conservation Authorities Act**, the holder of a permission who objects to the conditions proposed by an authority may, within 90 days of the reasons under subsection (8) being issued, appeal to the Ontario Land Tribunal to review the conditions.

For your information, should you wish to exercise your right to appeal the decision **to either the Minister or the Ontario Land Tribunal**, a letter by you or your agent/counsel setting out your appeal must be sent within 15 or 90 days respectively of receiving this decision addressed to:

Minister of Natural Resources and Forestry Whitney Block, 99 Wellesley St W, Toronto, ON M7A 1W3	Ontario Land Tribunal 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5
--	---

A carbon copy of this letter should also be sent to this conservation authority. Should you require any further information, please do not hesitate to contact (**staff contact**) or the undersigned.

Yours truly,

General Manager/Secretary Treasurer

Enclosure



LONG POINT REGION CONSERVATION AUTHORITY STAFF REPORT

Date: January 14, 2026

File: 3.3.1

To: Chair and Members,
LPRCA Board of Directors

From: General Manager, LPRCA

Re: **Long Point Region Conservation Authority Application LPRCA #220/25
(C.Mudford) Pursuant to Ontario Regulation 41/24, Proposed structure at Plan
128, Lot 22, 172 Cedar Drive, Turkey Point**

Recommendation:

THAT the LPRCA Board of Directors refuse to grant a “Prohibited Activities, Exemptions and Permits” Permit for Permit Application LPRCA #220/25 (C.Mudford) for the following reasons:

1. The construction of the proposed structure is contrary to Long Point Region Conservation Authority shoreline policies for development in the Lake Erie flood hazard. These policies have been implemented to reduce or eliminate preventable risk to life and property damage from flooding,
2. The control of flooding is affected by the development as the overall risk to property damage is increased, and
3. The control of flooding is affected by the development as the second storey area could be utilized as habitable space and would therefore put additional risk to life and property for both the occupants and emergency personal and first responders.

Background:

The subject land is located at 172 Cedar Drive in Turkey Point (Figure 1). The subject land contains a single-storey, detached vacation home and an existing single-storey accessory structure (Figure 2). The existing single-storey accessory structure will be replaced with a proposed two-storey structure. The site is generally surrounded by other vacation homes. In this location, the property and associated development is subject to flood and erosion related hazards from Lake Erie and is fully regulated under Long Point Region Conservation Authority’s Ontario Regulation 41/24 (Figure 3).

On April 1, 2024, O. Reg. 41/24, *Prohibited Activities, Exemptions and Permits*, came into effect. Through this regulation, LPRCA may permit, restrict or refuse development and development activities in or adjacent to river or stream valleys, Great Lakes shorelines, watercourses, hazardous lands and wetlands.

More specifically, as it relates to this application, the *Conservation Authorities Act* states that:

Prohibited activities re watercourses, wetlands, etc.

28 (1) No person shall carry on the following activities, or permit another person to carry on the following activities, in the area of jurisdiction of an authority:

2. Development activities in areas that are within the authority's area of jurisdiction and are,

iv. areas that are adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to an inland lake and that may be affected by flooding, erosion or dynamic beach hazards, such areas to be further determined or specified in accordance with the regulations

The lakeshore resort community of Turkey Point is subject to frequent flooding from Lake Erie. Widespread flooding has been documented in at least 1954, 1955, 1975 and 1985. During the times of high lake levels in 2017, 2018, 2019, and 2020 there was also reported flooding in Turkey Point.

As they relate to this application, LPRCA's objectives in administrating the Regulation are to:

- ❖ Prevent loss of life
- ❖ Minimize property damage and social disruption
- ❖ Reduce public and private expenditure for emergency operations, evacuation, restoration and protection measures
- ❖ Minimize the hazardous and unnecessary development of flood and erosion susceptible shoreline areas which in future years may require expensive protection measures.

The Application:

An application has been deemed complete for a construction of a two-storey accessory building.

The proposed structure includes a 71m² (768ft²) two car garage on the lower level, interior stairs leading to a second storey internal area that measures 71m² (768ft²), totaling 142m² (1,528.5ft²) in floor space.

LPRCA staff received the site plan and construction details which are attached as Figure 4.

Site Description

The property is located in the resort area of Turkey Point in Norfolk County. The property is entirely regulated under Ontario Regulation 41/24 as it is located entirely within the flood and erosion hazard associated with Lake Erie. The site grades are approximately 175.7m CGVD28 and the garage at grade would be subject to 1.1m of flooding at the design flood elevation of 176.8m CGVD28.

Applicable Policy and Analysis

The LPRCA's Policies for the Administration of the Prohibited Activities, Exemptions and Permits Regulation currently stand as the LPRCA's guide for decision-making related to applications for permission.

LPRCA Policies for the Prohibited Activities, Exemption and Permits Regulation

Applicable general policies for development for areas defined as regulated are as follows:

Applicable LPRCA policy	Planning Comments
Section 7.1.2 Development, interference or alteration within a Regulated Area may be permitted where it can be demonstrated through appropriate technical studies and/or assessments, site plans and/or other plans as regulated by the LPRCA that: a) the risk to public safety is not increased, b) susceptibility to natural hazards is not increased or new hazards created	The application proposes the structure as an accessory building, however, staff cannot consider this structure to be minor in nature. Based on the size and design of the structure there creates an opportunity for habitable space and a potential additional unit. Additional units within the floodplain of Lake Erie are not allowed as the risk to public safety is increased as it puts more lives and property at risk. Safe access from the site is not available; the flood depths are significantly greater than the 0.8 metres depth which is considered the upper limit for safe access in calm, still water conditions. The route for ingress and egress is approximately 450m in length. The depth of flooding on the access route is unsafe, putting both residents' and emergency responders' lives at risk.

Applicable policies for development associated with existing uses within lands subject to the Lake Erie Shoreline Flooding Hazard are as follows:

Applicable LPRCA policy	Planning Comments
Section 8.4.2 <i>Development associated with existing uses located within Lake Erie Shoreline Flooding Hazards</i> may be permitted in accordance with the policies in Sections 7.1.2-7.1.3 – General Policies, and where there is no feasible alternative site outside the <i>flooding or erosion hazard</i> , provided that it can be demonstrated that: a) the proposed development is located in an area of least (and acceptable) risk, b) <i>floodproofing</i> standards, protection works standards and safe access standards as determined by the LPRCA are met,	As it relates to criteria a: The entire property is located within an area of risk. As it relates to criteria b: The structure has not been either dry or wet floodproofed.

<ul style="list-style-type: none"> c) no basement is proposed in the <i>flooding hazard</i> and any <i>crawl space</i> is non-habitable and designed to facilitate services only, d) there is no risk of structural failure due to potential hydrostatic/dynamic pressures, 	<p>As it relates to criteria c: No basement or crawl space is proposed.</p> <p>As it relates to criteria d: The structure has not been designed to withstand hydrostatic or dynamic forces. Given the depth of flooding, the building would be subject to 1.1m of floodwaters during a 100-year storm event.</p>
---	--

Applicable policies for Non-Habitable Accessory Buildings or Structures associated with existing uses within lands subject to the Lake Erie Shoreline Flooding Hazard are as follows:

Applicable LPRCA policy	Planning Comments
<p>Section 8.4.7</p> <p><i>Non-Habitable Accessory Buildings or Structures</i> associated with <i>existing uses</i> such as detached garages, tool sheds, gazebos and other similar structures within lands subject to the <i>Lake Erie Shoreline Flooding Hazard</i> may be permitted in accordance with the policies in <i>Sections 8.4.2 - Policies for Lake Erie Shoreline Flooding Hazard</i>, and where it can be demonstrated that:</p> <ul style="list-style-type: none"> a) there is no feasible alternative site outside the <i>Lake Erie Shoreline Flooding or Erosion Hazard</i>, b) the site is not subject to frequent flooding, c) the floor area of the building or structure is less than or equal to 100 m² (1,080 ft²), and d) there is no opportunity for conversion into habitable space in the future. 	<p>As it relates to criteria a: LPRCA staff acknowledge that there is no feasible alternative outside the Lake Erie Shoreline Flooding and Erosion hazards on the property.</p> <p>As it relates to criteria b: The site is subject to frequent flooding. Frequent flooding is defined as within the 25-year flood event, however, there is no feasible alternative outside of the flood or erosion hazard.</p> <p>As it relates to criteria c: The total usable area for this structure is 142m². The size of the proposed structure is beyond what LPRCA policy allows for which would be 100m² total floor area.</p> <p>As it relates to criteria d: Given the proposed size and design plans as presented, there is concern that additional uses could be included. With the increased size of the second storey, the overall risk to natural hazards is increased from existing and greater than what LPRCA policy allows for.</p>

Staff Recommendation:

The proposed development does not conform to the LPRCA's policies for development within the flood and erosion hazard of Lake Erie and is contrary to LPRCA's objectives for the administration of Ontario Regulation 41/24. In LPRCA staff's opinion, the control of flooding and erosion will be affected by the proposed development and, therefore, staff recommend that the application be refused for the following reasons:

1. The construction of the proposed structure is contrary to Long Point Region Conservation Authority shoreline policies for development in the Lake Erie flood hazard area. These policies have been implemented to reduce or eliminate preventable risk to life and property damage from flooding.
2. The control of flooding is affected by the development as the overall risk to property damage is increased.
3. The control of flooding is affected by the development as the second storey area could be utilized as habitable space and would therefore put additional risk to life and property for both the occupants and emergency personal and first responders.

Prepared by:

Leigh-Anne Mauthe

Leigh-Anne Mauthe, BES, MCIP, RPP
Manager of Watershed Services

Approved and submitted by:

Judy Maxwell

Judy Maxwell, CGA, CPA
General Manager



Figure 1

172 Cedar Drive
Turkey Point
Charlottesville, Norfolk County

N

Legend

 Subject Property

0 0.5 1 1.5 2 km



Figure 2
172 Cedar Drive
Turkey Point
Charlottesville, Norfolk County



Legend

 Subject Property

0 10 20 30 40 m





Figure 3

172 Cedar Drive
Turkey Point
Charlottesville, Norfolk County



Legend

- Subject Property (Yellow box)
- Regulation Limit (Pink box)
- Lake Erie Flood Hazard (Blue line)
- Lake Erie Erosion Hazard (Yellow line)

0 0.5 1 1.5 2 km

PROPOSED LOT GRADING
AND DRAINAGE SITE PLAN

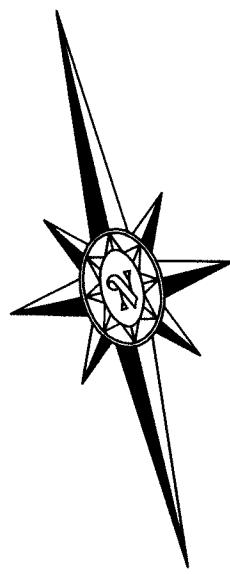
FOR:

CAREY MUDFORD
172 CEDAR DRIVE
TURKEY POINT

PIN 50267-0422

SCALE 1 : 200

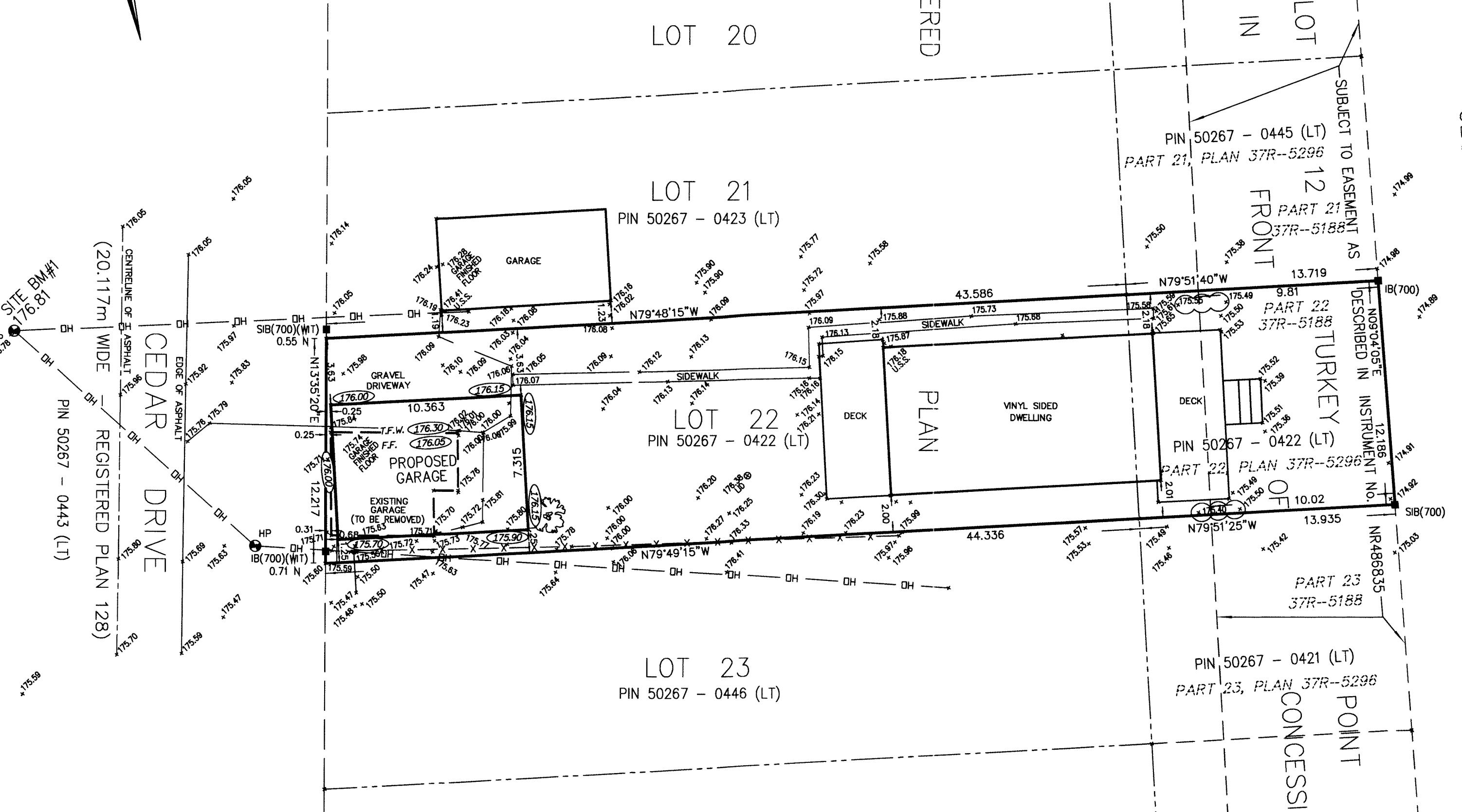
2 0 8 METRES
JEWITT AND DIXON LTD.



SITE B.M.#1
SPIKE IN FACE OF
WOOD HYDRO POLE
ELEV = 176.81
(GEODETIC)

REGISTERED

LOT 20



GEOGRAPHIC

TOWNSHIP

JEWITT AND DIXON LTD.
ONTARIO LAND SURVEYORS
650 IRELAND ROAD
SIMCOE, ONTARIO, N3Y 4K2
PHONE: (519) 426-0842
E-mail: info@jewittdixon.com

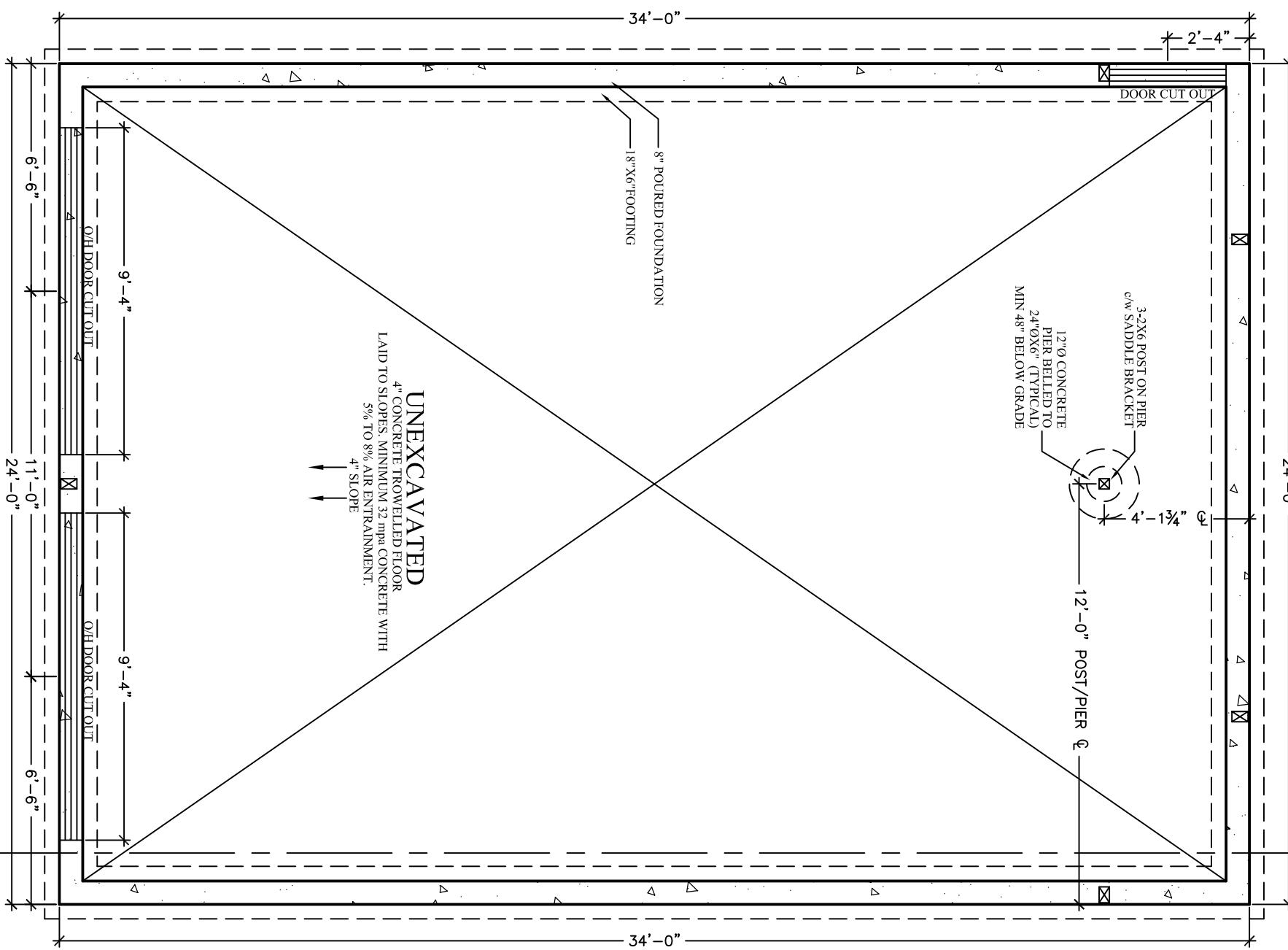
F.W. -	J.M.R.
CALC. -	J.M.R.
PLAN -	J.L.M.
CHECK -	K.H.
CLIENT -	MUDFORD
24-4112-GP	

NOTES

- (1) - A SURVEY OF THE SUBJECT PROPERTY WAS COMPLETED
ON THE 14TH DAY OF AUGUST, 2024.
- (2) - PROPOSED BUILDING POSITIONED BY CALCULATIONS,
NOT BY ACTUAL SURVEY
- (3) - PROPOSED FINAL GRADES ARE SHOWN 176.80 AND
ARE IN METRES
- (4) - T.F.W. DENOTES TOP OF FOUNDATION WALL
- (5) - U.S.F. DENOTES UNDERSIDE OF FOOTING
- (6) - F.F. DENOTES FINISHED FLOOR
- (7) - THE UNDERSIDE OF FOOTING ELEVATIONS IS BASED ON
A 46" WALL AND 6" FOOTING (1.52m) TO BE VERIFIED
BY THE CONTRACTOR PRIOR TO EXCAVATION.
- (8) - IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO
VERIFY THE ELEVATION OF THE UPPER LIMIT OF THE
GROUND WATER TABLE, SOIL BEARING CAPACITY AND
THE ELEVATION OF THE UNDER SIDE OF FOOTING PRIOR
TO EXCAVATION.
- (9) - IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO
VERIFY THE SITE BENCH MARK PRIOR TO EXCAVATION
- (10) - ELEVATIONS ARE REFERRED TO CANADIAN GEODETIC
DATUM, NAD83 (CRS) HTV2.0 (2010) (CGVD28)
- (11) - THIS SKETCH WAS COMPLETED FROM FIELD WORK
COMPLETED ON THE 14TH DAY OF AUGUST, 2024.

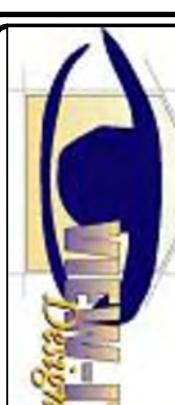
FOUNDATION PLAN

Scale 1/4"-1'-0"



GENERAL NOTES

GENERAL NOTES:	
<u>FOUNDATION PLAN NOTES:</u>	
<ol style="list-style-type: none"> ALL DIMENSIONS TO EXTERIOR FOUNDATION WALLS ALL FOOTINGS SHALL BEAR DIRECTLY ON UNDISTURBED SOIL (ASSUMED SOIL BEARING CAPACITY: 2500/S.F.) APPROVED GRAVEL FILL SHALL BE COMPACTED IN LAYERS TO 95% STANDARD PROCTOR MAXIMUM DRY DENSITY. ALL EXTERIOR FOOTINGS SHALL BE A MINIMUM 4" BELOW FINISHED GRADE TO PROTECT FROM FROST ACTION. CONCRETE FOR FLOOR SLABS SHALL HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 2,500 PSI. ALL OTHER CONCRETE SHALL HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 25 MPa (3,600 PSI) UNLESS OTHERWISE SPECIFIED. 60% AIR, 4" SLUMP. REINFORCED STEEL TO HAVE MINIMUM 1 1/2" COVER. MAXIMUM 2" COVER AT BOTTOM OF SLAB. 	
<p>I review and take responsibility for the design work on behalf of a firm registered under subsection 2.17.4. of the O.B.C.</p> <p>I am qualified and the firm is registered in the appropriate classes/categories.</p>	



PROPERTY OF VIEW-IT DESIGN

VIEW-IT DES
RR# 1 PORT BUR

2232510 ONTARIO INC.
172 CEDAR DRIVE
TURKEY POINT, ONT

PROPOSED GARAGE PLAN

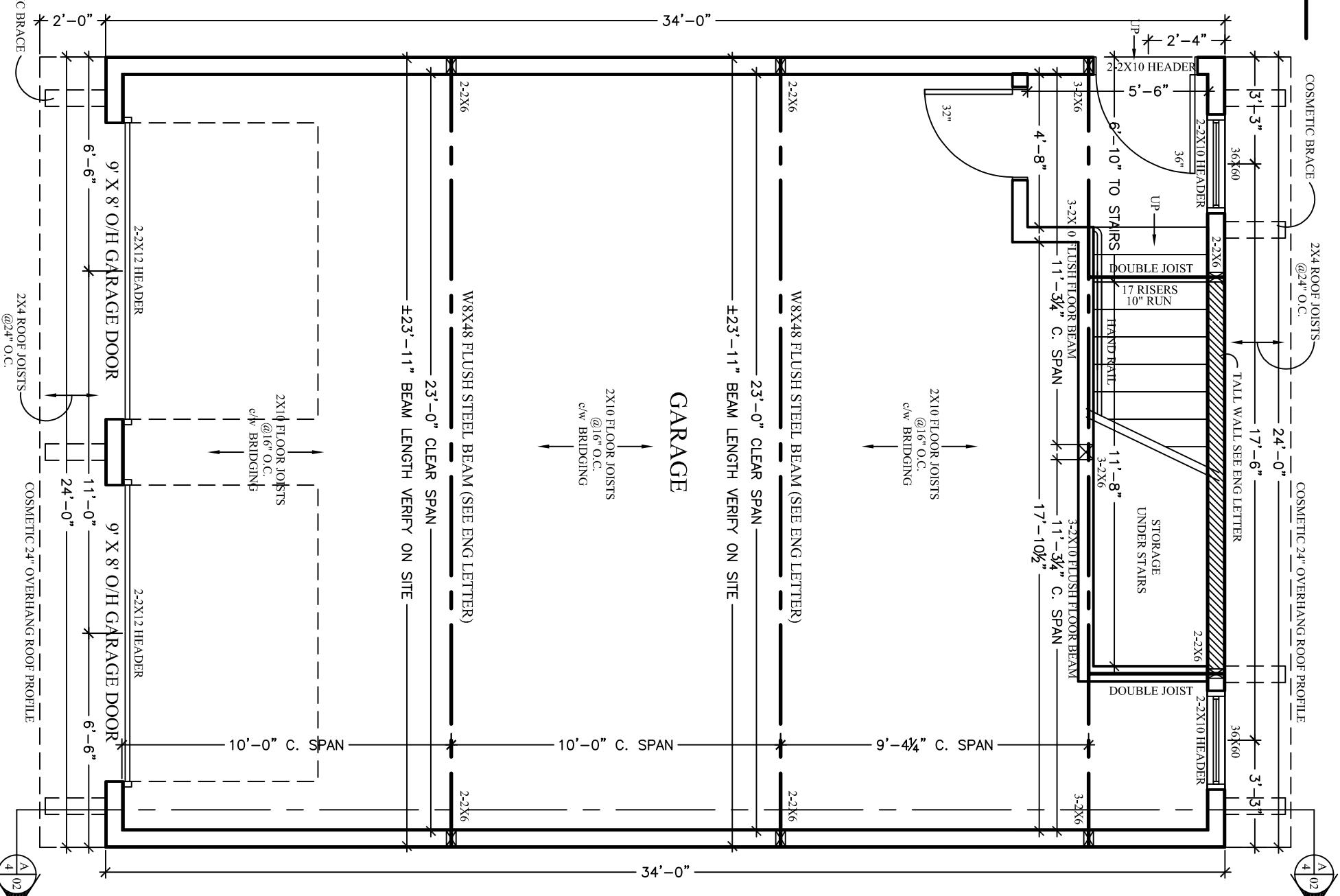
FOUNDATION PLAN

2232510 ONTARIO INC. 172 CEDAR DRIVE TURKEY POINT, ONT	
PROPOSED GARAGE PLANS	
FOUNDATION PLAN	
DRAWN BY: TONY WALL BOIN: 220620 PO#: 223251 DATE: DECEMBER 2023 SHEET NO. 1 OF 9	SCALE: SEE DWG
A 1	

111

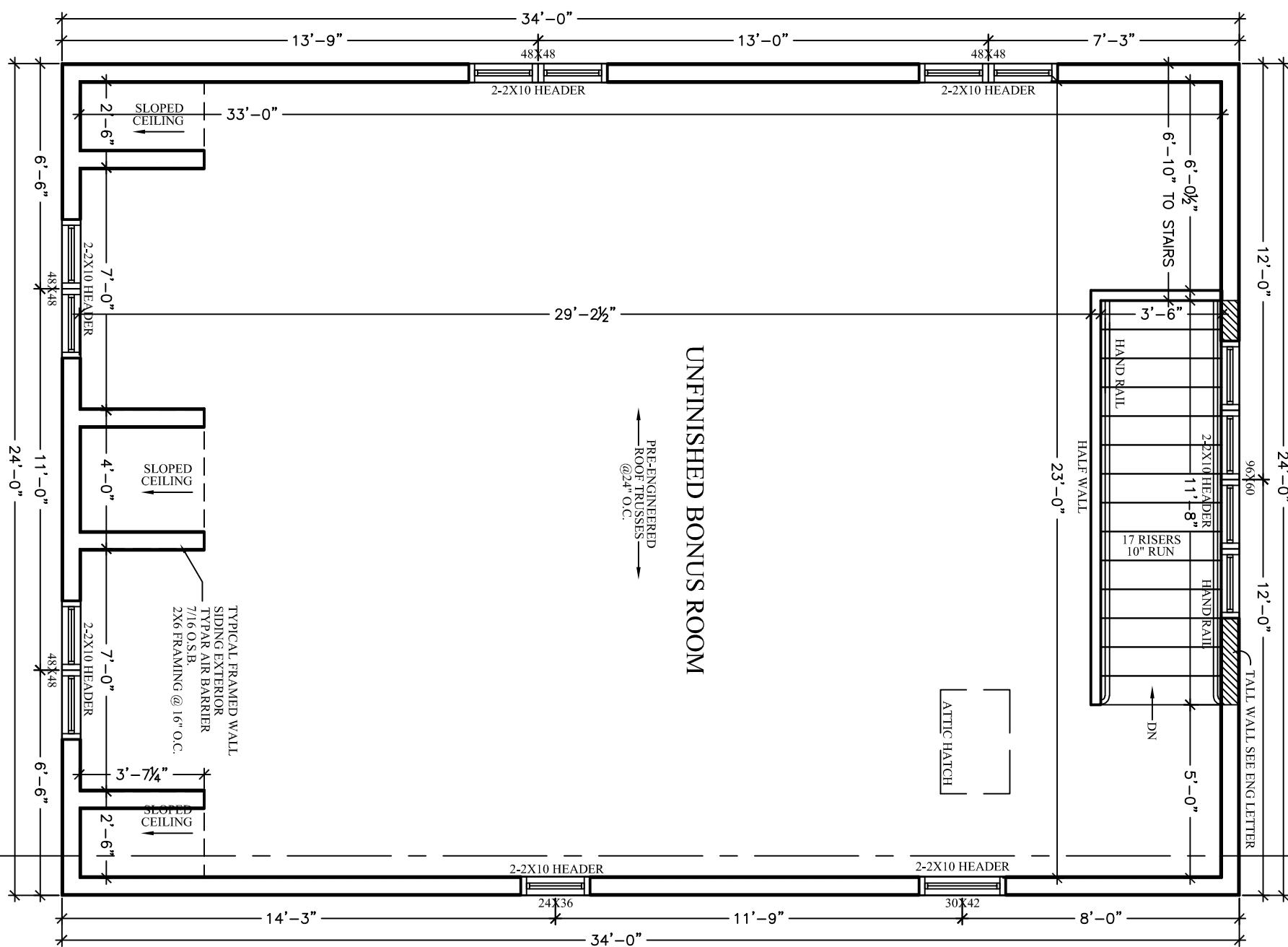
MAIN FLOOR PLAN

Scale 1/4"-1'-0"



UPPER FLOOR PLAN

Scale 1/4"-1'-0"



UNFINISHED BONUS ROOM

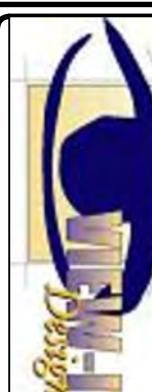
PRE-ENGINEERED
ROOF TRUSSES
@24" O.C.

I review and take responsibility for the design work on behalf
of a firm registered under subsection 217.4 of the O.B.C.
I am qualified, and the firm is registered, in the appropriate classes/categories

Tony Wall
BCN : 22052

Agenda Page 32

GENERAL NOTES



PROPERTY OF VIEW-IT DESIGN

VIEW-IT DESIGN
RR# 1 PORT BURWELL
OFFICE: 519-881-1173
FAX: 519-884-9489

2232510 ONTARIO INC.
172 CEDAR DRIVE
TURKEY POINT, ONT

PROPOSED GARAGE PLANS

UPPER FLOOR PLAN

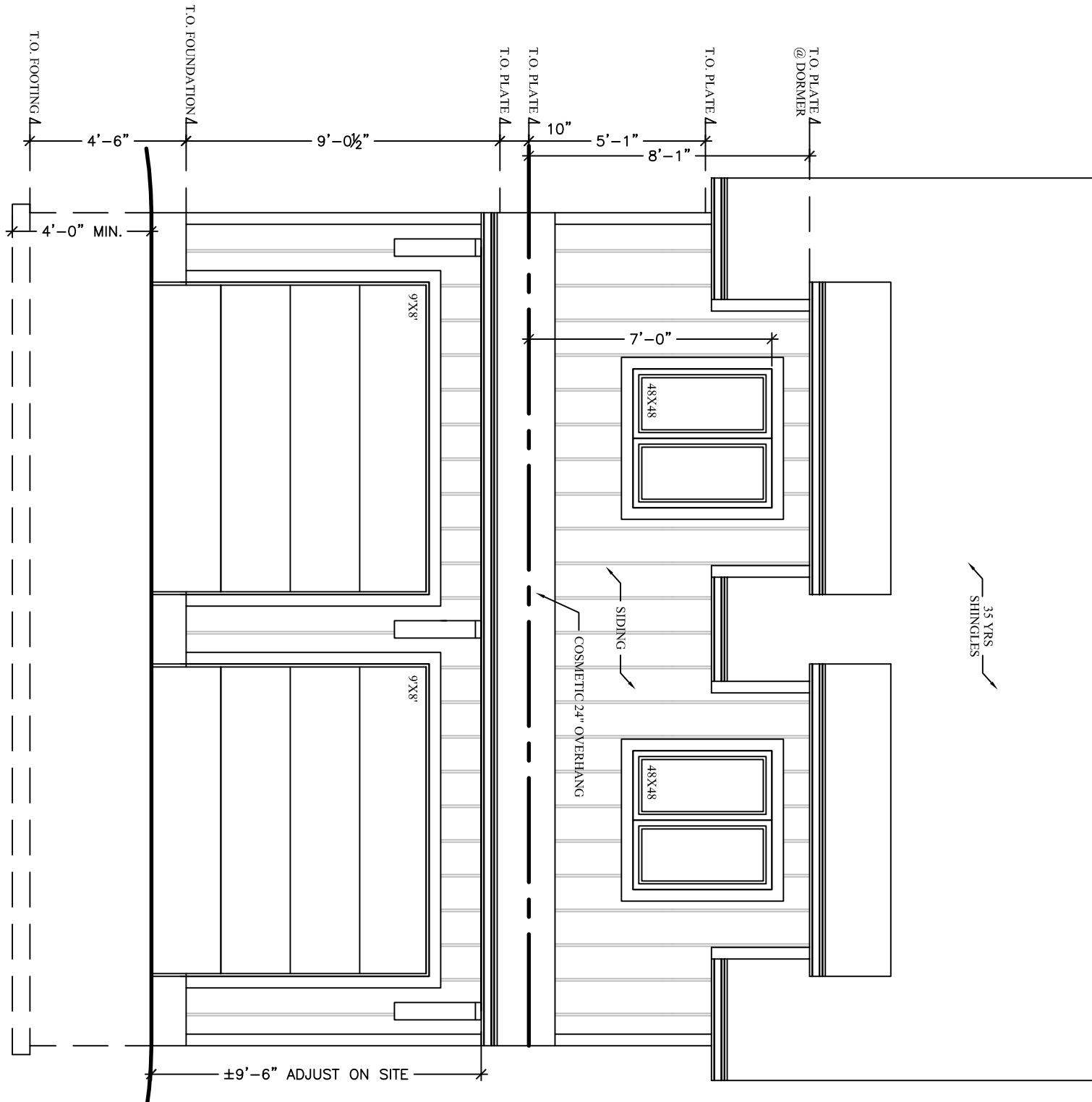
DRAWN BY: TONY WALL
BCN: 29620
DATE: DECEMBER 2023
SHEET NO. 3 OF 9

SCALE: SEE DWG

A3

FRONT ELEVATION

Scale 1/4"-1'-0"



I review and take responsibility for the design work on behalf
of a firm registered under subsection 217.4 of the O.B.C.
I am qualified, and the firm is registered in the appropriate classes/categories
Tony Wall
BCN : 22052

Agenda Page 33



PROPERTY OF VIEW-IT DESIGN

VIEW-IT DESIGN
RR# 1 PORT BURWELL
OFFICE: 519-881-1173
FAX: 519-884-9469

2232510 ONTARIO INC.
172 CEDAR DRIVE
TURKEY POINT, ONT

PROPOSED GARAGE PLANS

ELEVATIONS

DRAWN BY: TONY WALL
BCN: 29620
DATE: DECEMBER 2023
SHEET NO. 4 OF 9

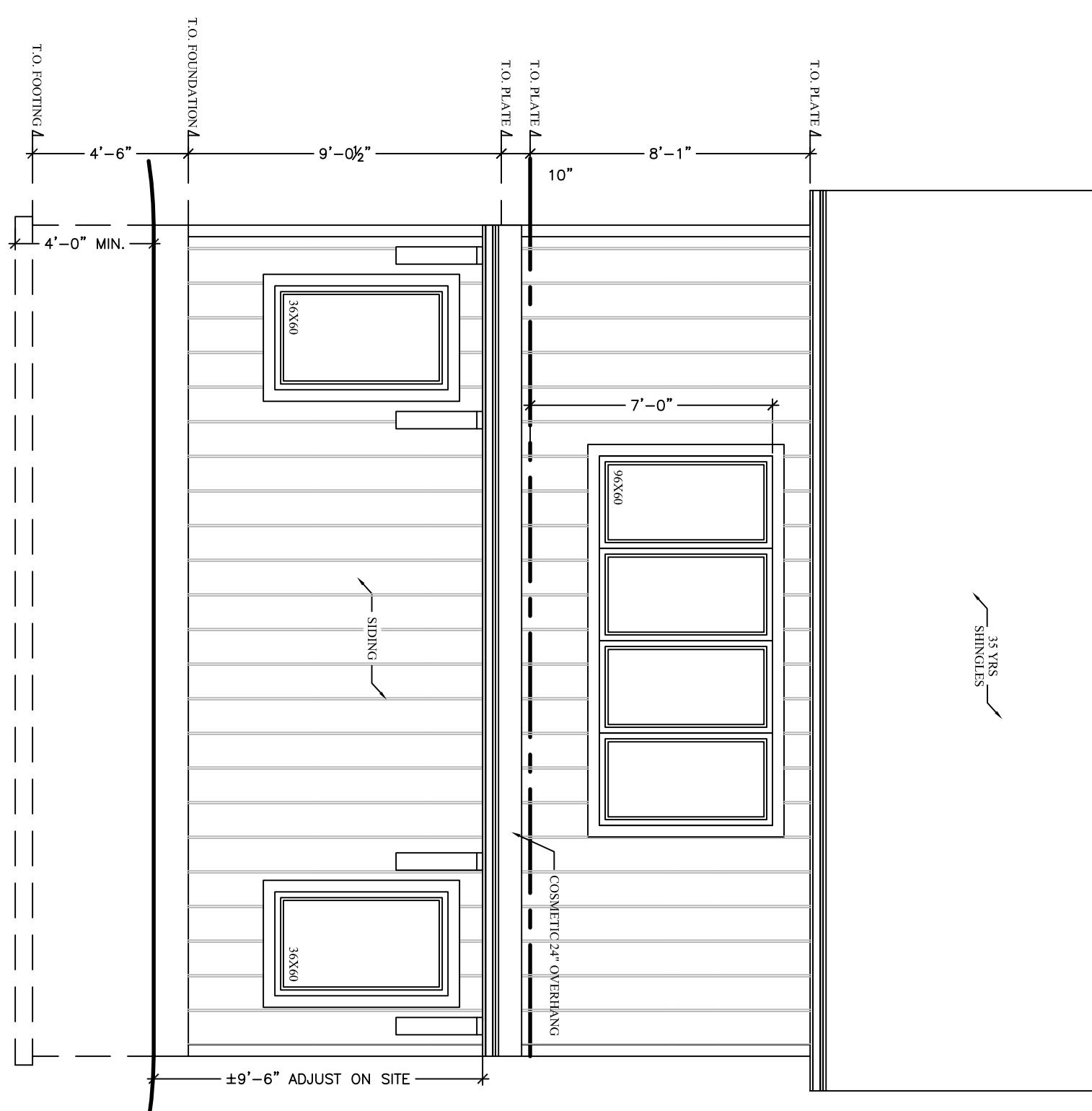
SCALE: SEE DWG

GENERAL NOTES

A4

REAR ELEVATION

Scale 1/4"-1'-0"



GENERAL NOTES

I review and take responsibility for the design work on behalf of a firm registered under subsection 2(14) of the O.B.C. I am qualified, and the firm is registered, in the appropriate classes/categories

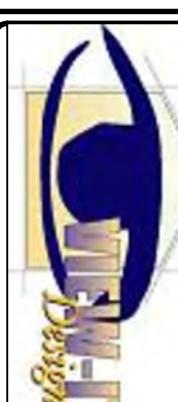
Tony Wall

BCN : 22052

Agenda Page 34

MAIN FLOOR 816 SQ.FT.
UPPER FLOOR 770 SQ.FT.

REV.#	DATE	DESCRIPTION
4		
3		
2		
1	12/06	PERMIT ISSUE



PROPERTY OF VIEW-IT DESIGN

VIEW-IT DESIGN
RR# 1 PORT BURWELL
OFFICE: 519-881-1173
FAX: 519-884-9809

2232510 ONTARIO INC.
172 CEDAR DRIVE
TURKEY POINT, ONT

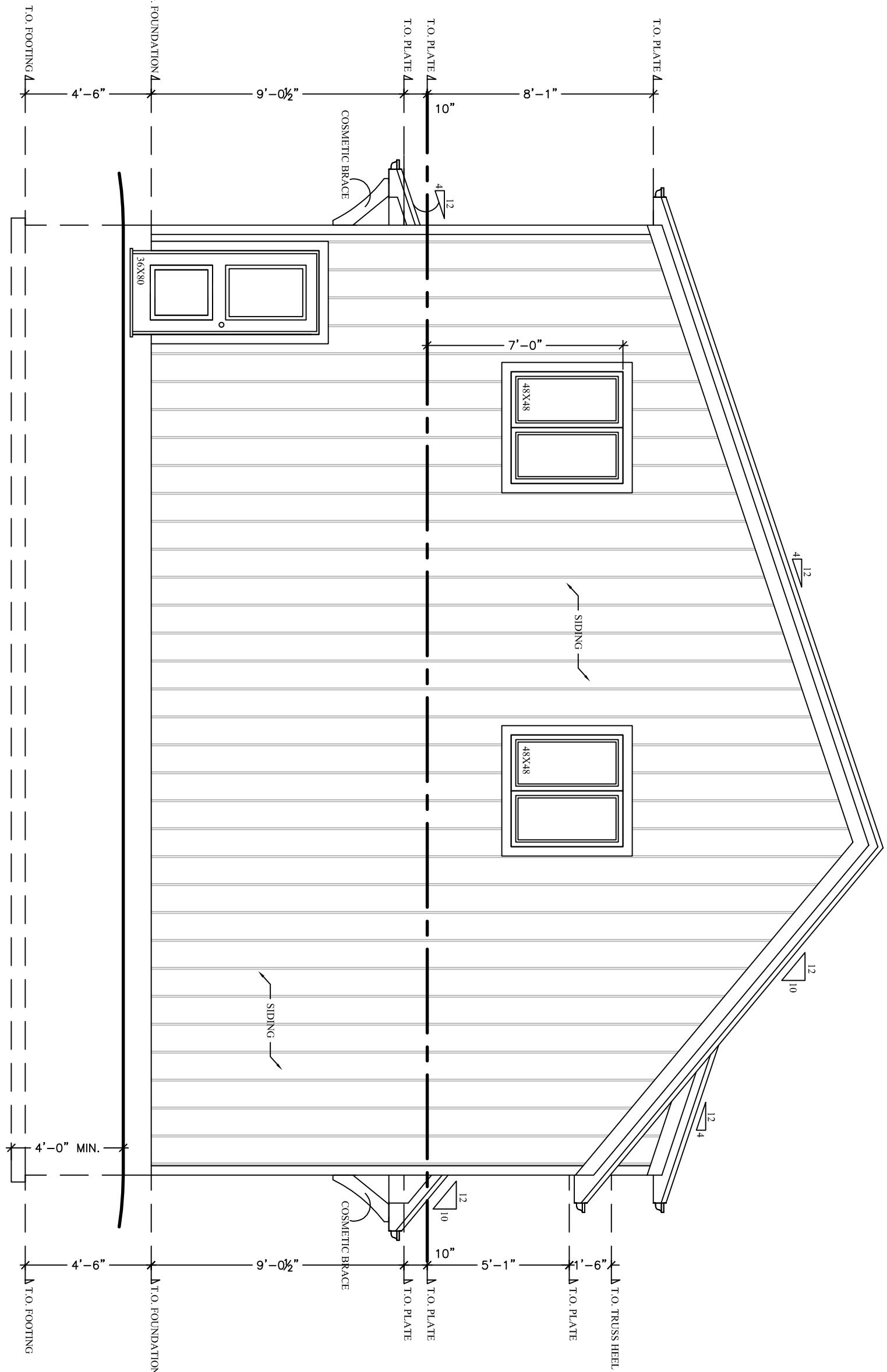
PROPOSED GARAGE PLANS
ELEVATIONS

DRAWN BY: TONY WALL	SCALE: SEE DWG
BCN: 29620	PO# 23251
DATE: DECEMBER 2023	
SHEET NO. 5 OF 9	

A5

LEFT ELEVATION

Scale 1/4" - 1'-0"



I review and take responsibility for the design work on behalf
of a firm registered under subsection 2(14) of the O.B.C.
I am qualified, and the firm is registered in the appropriate classes/categories

Tony Wall
BCIN : 22052

Agenda Page 36

PROPERTY OF VIEW-IT DESIGN



VIEW-IT DESIGN
RR# 1 PORT BURWELL
OFFICE: 519-881-1173
FAX: 519-881-4689

2232510 ONTARIO INC.
172 CEDAR DRIVE
TURKEY POINT, ONT

PROPOSED GARAGE PLANS

ELEVATIONS

DRAWN BY: TONY WALL
BCIN: 29620
PO# 23251
DATE: DECEMBER 2023
SHEET NO. 7 OF 9

GENERAL NOTES

A7

GENERAL NOTES:

CONTRACTOR SHALL REVIEW THE DESIGN DRAWINGS AND REPORT ANY ERRORS OR OMISSIONS TO THE DESIGNER PRIOR TO PROCEEDING WITH THE WORK OF THE CONTRACT. PROCEEDING WITHOUT NOTIFICATION, OR IF CHANGES ARE MADE WITHOUT THE APPROVAL OF THE DESIGNER, WILL VOID ALL RESPONSIBILITY AND LIABILITY OF THE DESIGNER.

THE GENERAL CONTRACTOR SHALL PROVIDE MECHANICAL DRAWINGS FOR HEATING & AIR CONDITIONING SYSTEM AND HEAT LOSS & GAIN CALCULATIONS AND BALANCING REPORTS AS MAY BE REQUIRED BY AUTHORITIES HAVING JURISDICTION.

ALL CONSTRUCTION SHALL CONFORM TO THE REQUIREMENTS OF THE ONTARIO BUILDING CODE, ONTARIO REG. 403/97 AND ALL OTHER APPLICABLE CODES AND REQUIREMENTS OF THE MUNICIPALITY HAVING JURISDICTION.

GIRDER POST SUPPORTS

BUILT-UP COLUMN SELECTION TABLE NAILED BUILT-UP 2 x 4	
S-P-F No.1 / No.2	
WALL HT	2 PLY
8'	3,442 lbf
9'	2,645 lbf
10'	2,063 lbf
11'	1,628 lbf
12'	1,299 lbf
BUILT-UP COLUMN SELECTION TABLE NAILED BUILT-UP 2 x 6	
WALL HT	S-P-F No.1 / No.2
8'	3 PLY
9'	4 PLY
10'	5 PLY
11'	6 PLY
12'	7 PLY

S-P-F No.1 / No.2

WALL HT	2 PLY	3 PLY	4 PLY	5 PLY
8'	3,442 lbf	9,652 lbf	15,342 lbf	19,177 lbf
9'	2,645 lbf	8,390 lbf	12,291 lbf	15,363 lbf
10'	2,063 lbf	6,996 lbf	9,860 lbf	12,325 lbf
11'	1,628 lbf	5,911 lbf	7,946 lbf	9,939 lbf
12'	1,299 lbf	4,810 lbf	6,366 lbf	7,911 lbf

STAIR DIMENSIONS (UNLESS OTHERWISE SHOWN ON DRAWINGS)

INTERIOR:

MAX RISE 200mm (7 7/8")
MIN. RUN 255mm (10")
MIN. TREAD 278mm (11")
NOSING 25mm (1")

EXTERIOR:

MAX RISE 200mm (7 7/8")
MIN. RUN 255mm (10")
MIN. TREAD 278mm (11")
NOSING 25mm (1")

UNIFORM RISE & RUN ON ANY FLIGHT OF STAIRS

MINIMUM HEADROOM 1950mm (6' 5")
GUARD HEIGHT AT LANDING 902mm (35 1/2")
GUARD SPACING 100mm (4") NON CLIMBABLE
HANDRAILS INSTALLED BETWEEN 920mm (36")

GUARD HEIGHT - 2' 0" ABOVE GRADE = 902mm (35 1/2")
GUARD HEIGHT - 5' 0" ABOVE GRADE = 1067mm (42")
CONCRETE STAIRS OVER 2 RISERS ARE REQUIRED TO
BE SUPPORTED ON FOUNDATION
HANDRAIL REQ'D ON STAIRS OVER 3 RISERS INSTALLED
BETWEEN 864mm (34") & 965mm (38")

CONCRETE

AS PER OBC SECTION 9.15 & 9.16

ALL CONCRETE FOOTINGS SHALL BEAR ON UNDISTURBED SOIL WITH A MIN SOIL BEARING PRESSURE OF 2000 PSF
CONCRETE FOR FOOTINGS & FOUNDATIONS TO HAVE MIN. COMPRESSIVE STRENGTH OF 20 MPa (2900 PSI) AT 28 DAYS
STEP FOOTINGS:

MAX RISE 600mm (23 5/8") FOR FIRM SOIL MAX RISE 400mm (16") FOR SAND OR GRAVEL MIN RUN BETWEEN RISERS 600mm (23 5/8")

NOTES:

* PROVIDE SOLID BEARING BELOW ALL BEAMS AND
GIRDER TRUSSES (i.e. 2 PLY TRUSS REQUIRES MINIMUM 2
STUDS FOR BEARING).

* ALL LUMBER IN THE DESIGNS ABOVE ARE SPF #2 OR
BETTER

* BUILT-UP COLUMNS ARE TO BE MAILED OR BOLTED AS
PER ONTARIO BUILDING CODE AND CSA-086.1-94
REQUIREMENTS.

* THESE CHARTS ARE MEANT TO BE USED AS A DESIGN
GUIDELINE ONLY. ALL ITEMS NOT CONFORMING TO THE
ONTARIO BUILDING CODE PART 9 ARE TO BE REVIEWED
AND CERTIFIED BY A STRUCTURAL ENGINEER.

EXTERIOR DOORS & WINDOWS

AS PER OBC SECTION 9.7

DOORS TO DWELLING SHALL BE OPERABLE FROM THE INSIDE WITHOUT THE USE OF KEYS
ALL EXTERIOR DOORS IF WOOD SHALL CONFORM TO CAN/CSA-O132.2-M, STEEL INSULATED CONFORM TO CAN/CGSB-82.5M

WINDOW GLASS SIZE TO COMPLY WITH CURRENT OBC REQUIREMENTS
ALL DOORS & WINDOWS SHALL COMPLY WITH OBC SECTION 9.7.6- RESISTANCE TO FORCED ENTRY

ELECTRICAL

ALL LIGHTING AND ELECTRICAL TO COMPLY WITH OBC 9.34

I am qualified, and the firm is registered in the appropriate classes/categories
of a firm registered under subsection 2(17.4) of the O.B.C.

Review and take responsibility for the design work on behalf
of a firm registered under subsection 2(17.4) of the O.B.C.
Tony Wall
BCN : 22052

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Agenda

MAIN FLOOR 816 SQ.FT.
UPPER FLOOR 770 SQ.FT.

REV# DATE DESCRIPTION

4		
3		
2		
1	12/06	PERMIT ISSUE



* PROPERTY OF VIEW-IT DESIGN*

VIEW-IT DESIGN
RR# 1 PORT BURWELL
OFFICE: 519-881-1773
FAX: 519-884-9689

2232510 ONTARIO INC.
172 CEDAR DRIVE
TURKEY POINT, ONT

PROPOSED GARAGE PLANS

NOTES

DRAWN BY: TONY WALL
SCALE: SEE DWG
BCN: 29620
PO# 23251
DATE: DECEMBER 2023

SHEET NO. 9 OF 9

A9



Board Hearing

For Application LPRCA-220/25

(C.Mudford)

Pursuant to Ontario Regulation 41/24 under Section 28
of the Conservation Authorities Act

Wednesday, February 4, 2026



The Application

Scope of proposed work:

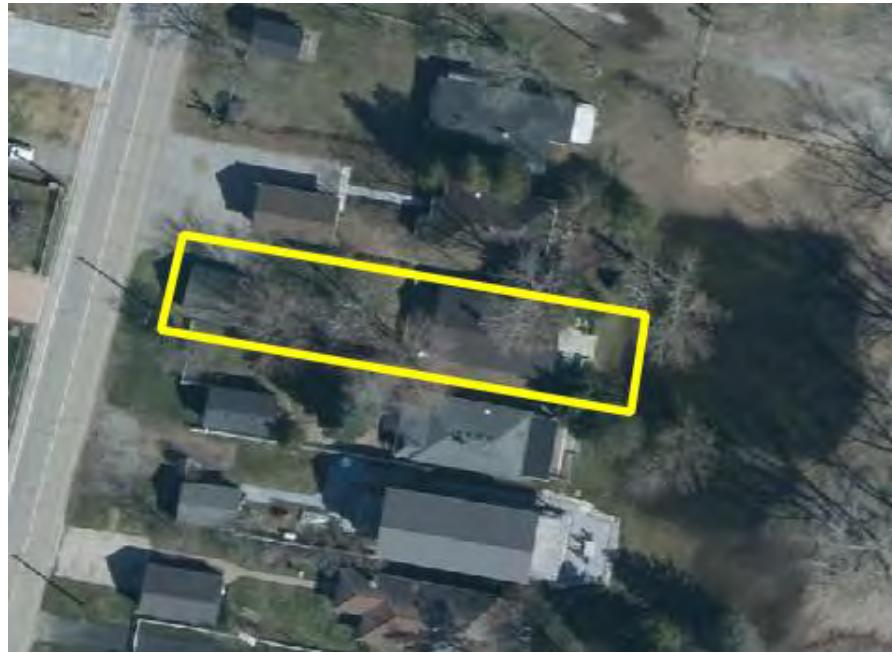
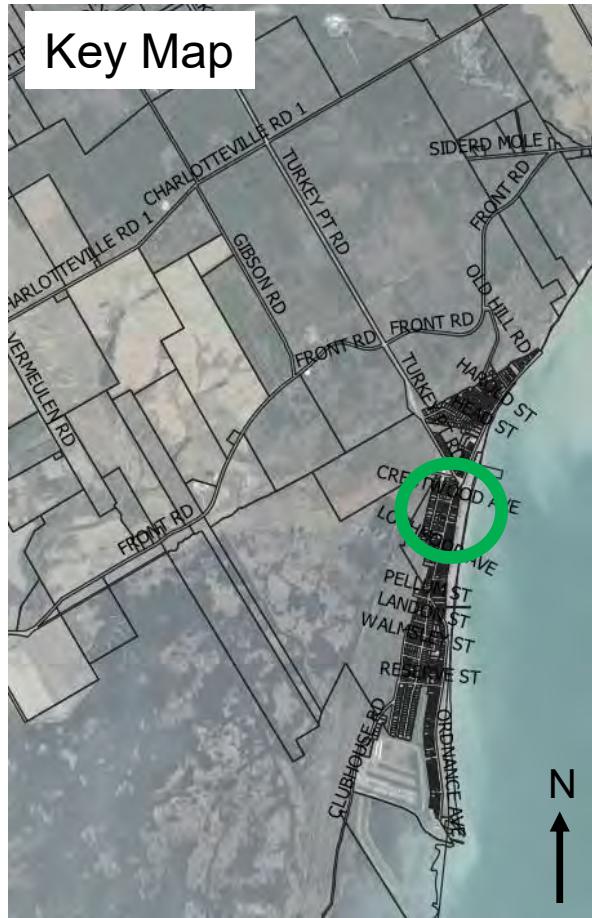
- To construct a two-storey accessory structure

LPRCA staff are unable to recommend approval of this application.



Subject Lands

Key Map



N
↑

O.Reg 41/24 Regulated Area



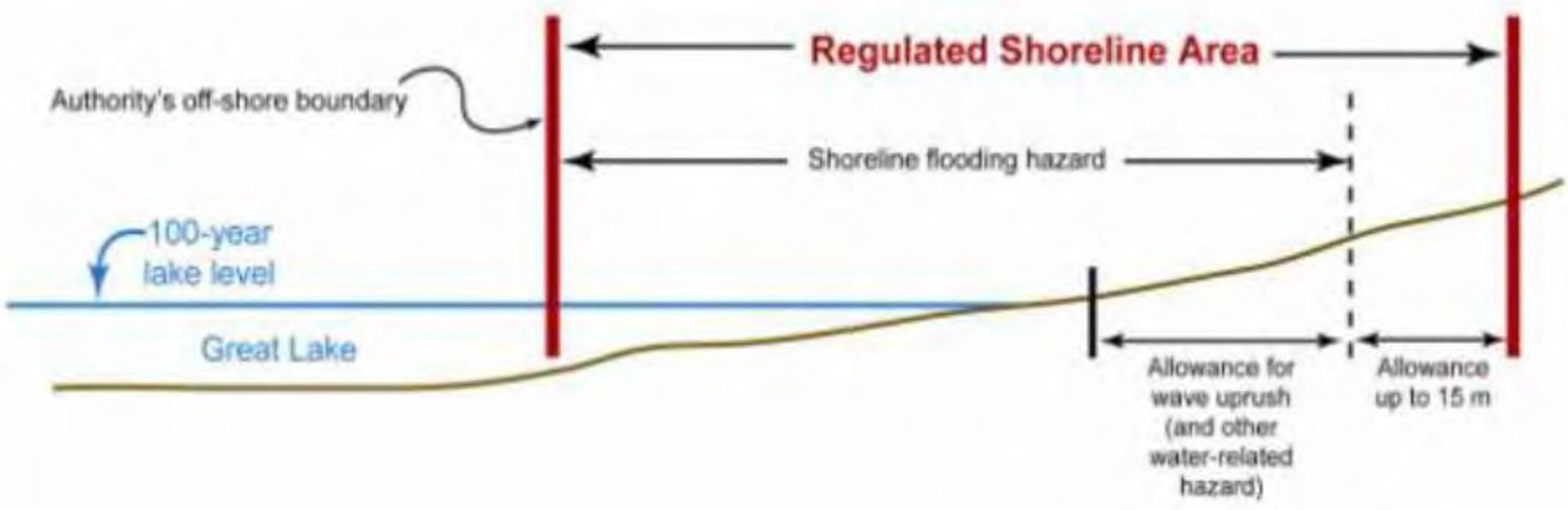
Legend

- Subject Property (Yellow line)
- Regulation Limit (Red and white diagonal hatching)

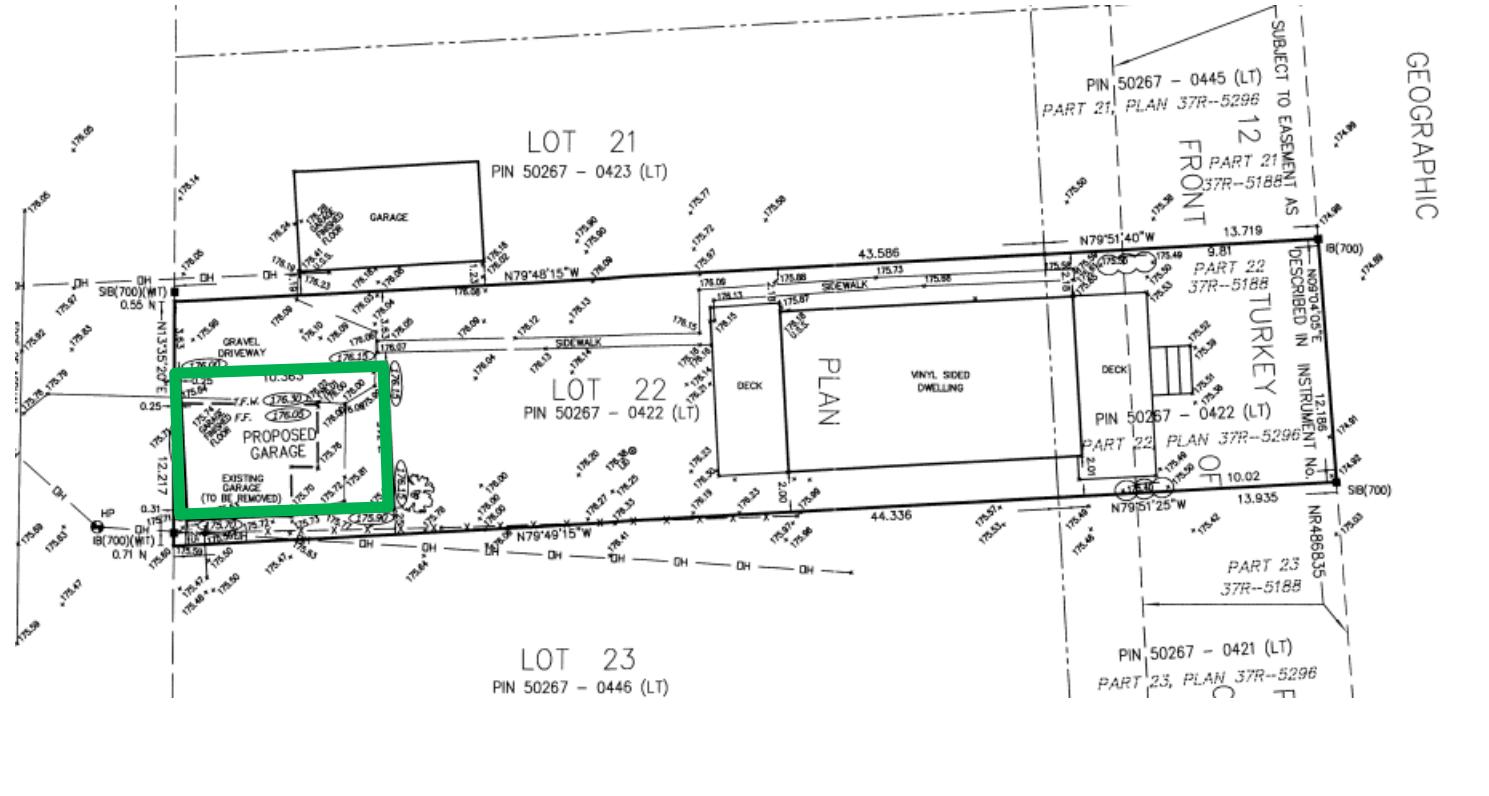
N



Shoreline Flooding Hazard



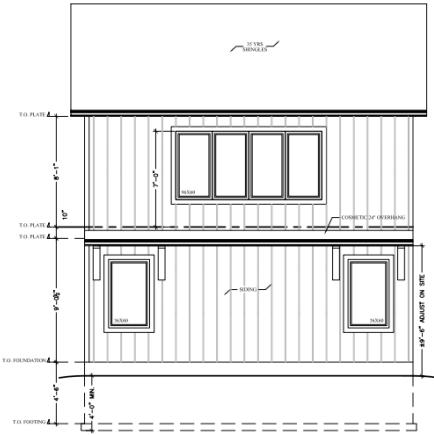
Site Plan



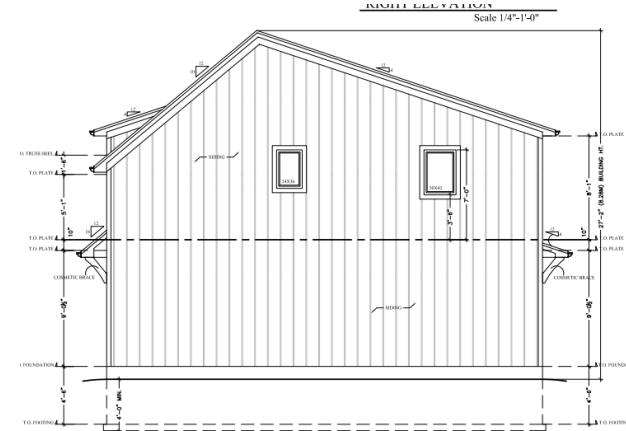
Proposed Garage

Site Plan

Proposed Structure



East Side



South Side

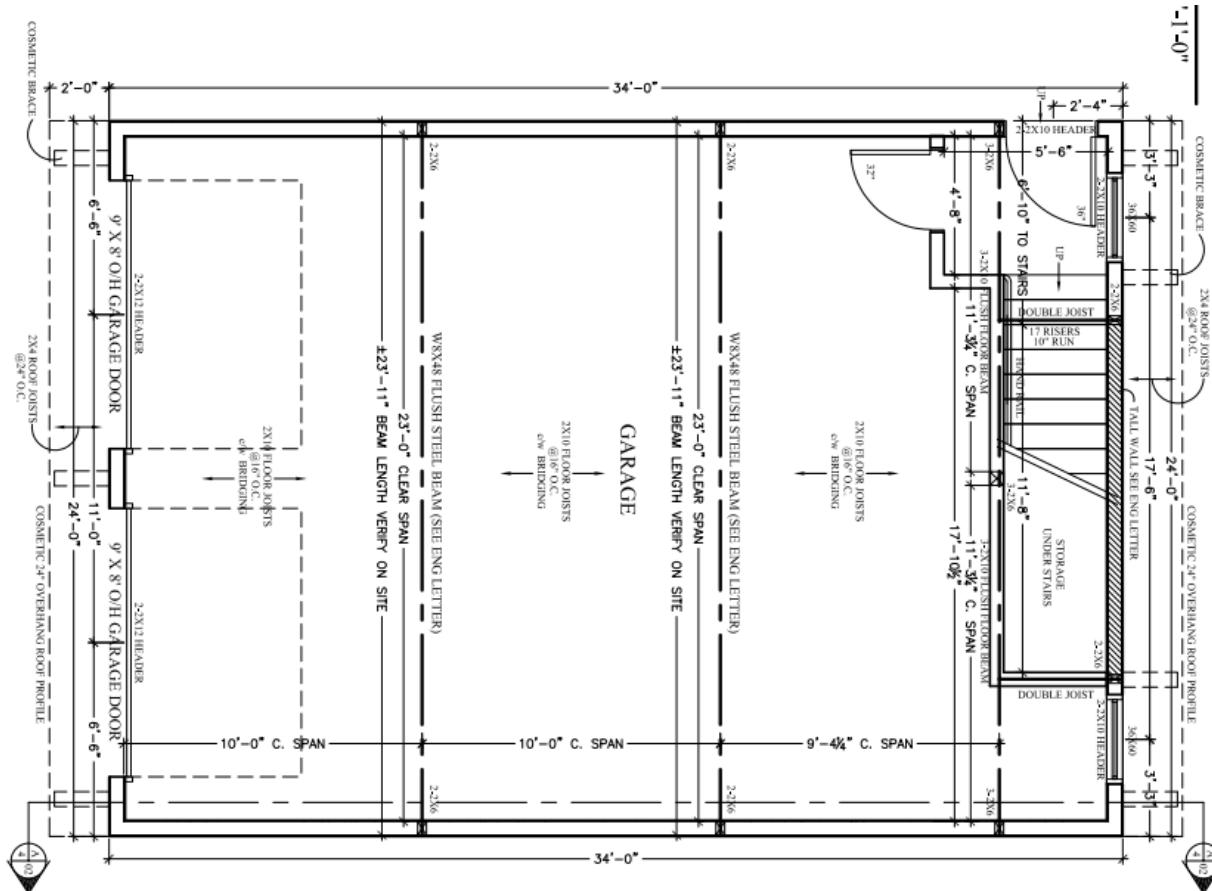


West Side



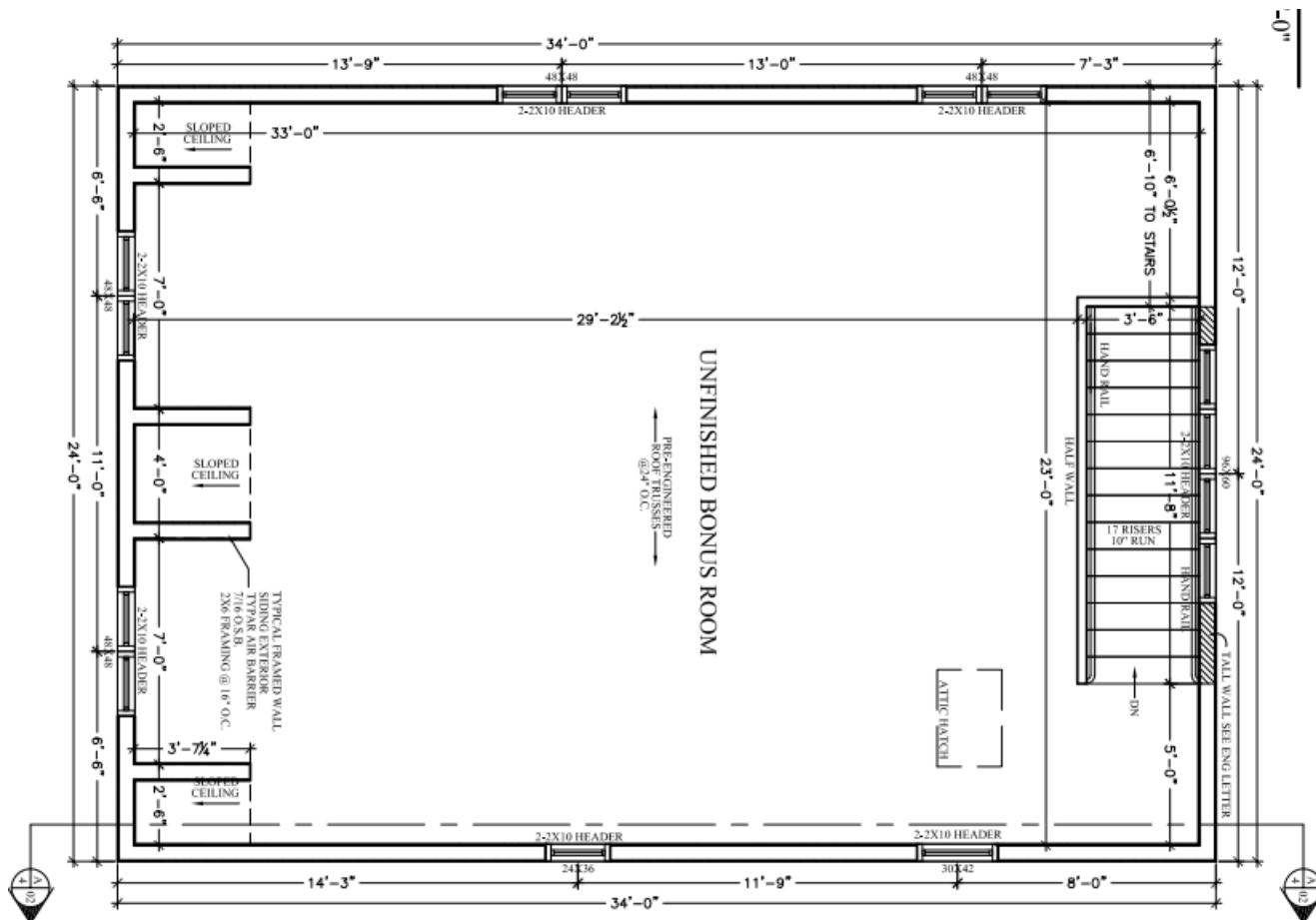
North Side

Proposed Structure



Main Floor – Garage and Stairwell

Proposed Structure



Second Floor – Enclosed space

Policy Considerations

LPRCA Policies for the Prohibited Activities, Exemption and Permits Regulation O. Reg 41/24

Policy Section	Analysis	Policy met
7.1.2 a) The risk to public safety is not increased	<ul style="list-style-type: none">The size and the design of the structure creates an opportunity for habitable space.Additional units within the floodplain of Lake Erie are not a concept that staff can support as there is no safe access to and from the site.	X
b) Susceptibility to natural hazards is not increased or new hazards are created	<ul style="list-style-type: none">The overall size of the structure is increased substantially from the existing.	X



Policy Considerations Cont.

Policy Section	Analysis	Policy met
8.4.2 a) The proposed development is located in an area of least (and acceptable) risk	<ul style="list-style-type: none">The entire property is located within an area of risk.	✓
b) Floodproofing standards, protection works standards and safe access standards as determined by LPRCA are met	<ul style="list-style-type: none">The structure has not been either dry or wet floodproofed.	



Policy Considerations Cont.

Policy Section	Analysis	Policy met
8.4.2 c) No basement is proposing in the flooding hazard and any crawl space is non-habitable	<ul style="list-style-type: none">• No basement or crawl space is proposed	✓
d) There is no risk of structural failure due to potential hydrostatic/dynamic forces.	<ul style="list-style-type: none">• The structure has not been designed to withstand hydrostatic or dynamic forces. Given the depth of flooding that the building would be subject to 1.6m of floodwaters during a 100-year storm event.	

Policy Considerations Cont.

Policy Section	Analysis	Policy met
8.4.7 a) There is no feasible alternative site outside the Lake Erie Shoreline Flood Hazard	<ul style="list-style-type: none">There is no site on the property outside of the flood hazard	✓
b) The site is not subject to frequent flooding	<ul style="list-style-type: none">The site is subject to frequent flooding. Frequent flooding is defined as within the 25-year flood event. However, staff note that there is no feasible alternative outside of the flood hazard at this site.	✓



Policy Considerations Cont.

Policy Section	Analysis	Policy met
8.4.7 c) The floor area of the building or structure is less than or equal to 100 m ² (1,080 ft ²)	<ul style="list-style-type: none">• The total usable area for this structure is 174 m².• The size of the proposed structure is beyond what LPRCA allows for.	
d) There is no opportunity for conversion into habitable space in the future.	<ul style="list-style-type: none">• Given the size and design, additional uses may be included. The overall risk to natural hazards is greatly increased from existing.	

Summary

- Staff cannot consider this structure to be minor in nature, the size and design create an opportunity for habitable space which are not allowed within the floodplain of Lake Erie.
- The site does not have safe access during times of flooding, the depth of flooding on the access route is unsafe, potentially putting both residents' and emergency responder's lives at risk.
- The overall guidance and intent of our policies are to minimize potential risk to life and property during natural hazard events.



Recommendation

THAT the LPRCA Board of Directors refuse to grant a “Prohibited Activities, Exemptions and Permits” Permit for Permit Application LPRCA #220/25 for the following reasons:

- The construction of the proposed structure is contrary to Long Point Region Conservation Authority shoreline policies for development in the Lake Erie flood hazard. These policies have been implemented to reduce or eliminate preventable risk to life and property damage from flooding.
- The control of flooding is affected by the development as the overall risk to property damage is increase,
- The control of flooding is affected by the development as the second storey area could be utilized as habitable space and would therefore put additional risk to life and property for both the occupants and emergency personal and first responders.





LONG POINT REGION CONSERVATION AUTHORITY STAFF REPORT

Date: January 14, 2026

File: 3.3.1

To: Chair and Members,
LPRCA Board of Directors

From: General Manager, LPRCA

Re: **Long Point Region Conservation Authority Application LPRCA #212/25
(T.Clark) Pursuant to Ontario Regulation 41/24, Proposed structure at Plan
436, Lot 606, 74 Old Cut Blvd, Long Point**

Recommendation:

THAT the LPRCA Board of Directors refuse to grant a “Prohibited Activities, Exemptions and Permits” Permit for Permit Application LPRCA #212/25 (T.Clark) for the following reasons:

1. The construction of the proposed structure is contrary to Long Point Region Conservation Authority shoreline policies for development in the Lake Erie flood hazard. These policies have been implemented to reduce or eliminate preventable risk to life and property damage from flooding,
2. The control of flooding is affected by the development as the overall risk to property damage is increased, and
3. The control of flooding is affected by the development as the second storey area could be utilized as habitable space and would therefore put additional risk to life and property for both the occupants and emergency personal and first responders.

Background:

The subject land is located at 74 Old Cut Blvd in Long Point (Figure 1). The subject land contains a single-storey, detached vacation home and an existing single-storey accessory structure (Figure 2). The existing single-storey accessory structure will be replaced with a proposed two-storey structure. The site is generally surrounded by other vacation homes. In this location, the property and associated development is subject to flood and erosion related hazards from Lake Erie and is fully regulated under Long Point Region Conservation Authority's Ontario Regulation 41/24 (Figure 3).

On April 1, 2024, O. Reg. 41/24, *Prohibited Activities, Exemptions and Permits*, came into effect. Through this regulation, LPRCA may permit, restrict or refuse development and development activities in or adjacent to river or stream valleys, Great Lakes shorelines, watercourses, hazardous lands and wetlands.

More specifically, as it relates to this application, the *Conservation Authorities Act* states that:

Prohibited activities re watercourses, wetlands, etc.

28 (1) No person shall carry on the following activities, or permit another person to carry on the following activities, in the area of jurisdiction of an authority:

2. Development activities in areas that are within the authority's area of jurisdiction and are,

iv. areas that are adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to an inland lake and that may be affected by flooding, erosion or dynamic beach hazards, such areas to be further determined or specified in accordance with the regulations

The lakeshore resort community of Long Point is subject to frequent flooding from Lake Erie. Widespread flooding has been documented in many years and Long Point is also subject to seiche events of Lake Erie.

As they relate to this application, LPRCA's objectives in administrating the Regulation are to:

- ❖ Prevent loss of life
- ❖ Minimize property damage and social disruption
- ❖ Reduce public and private expenditure for emergency operations, evacuation, restoration and protection measures
- ❖ Minimize the hazardous and unnecessary development of flood and erosion susceptible shoreline areas which in future years may require expensive protection measures.

The Application:

An application has been deemed complete for a construction of a two-storey accessory building.

The proposed structure includes a 94.8m² (1,020ft²) two car garage on the lower level, interior stairs leading to a second storey internal area that measures 94.8m² (1,020ft²), totaling 189.6m² (2,040.9ft²) in floor space. The second storey will also have a proposed covered deck measuring approximately 22.2m² (240ft²).

LPRCA staff received the site plan and construction details which are attached as Figure 4.

Site Description

The property is located in the resort area of Long Point in Norfolk County. The property is entirely regulated under Ontario Regulation 41/24 as it is located entirely within the flood and erosion hazard associated with Lake Erie. The site grades are approximately 175.2m CGVD28 and the garage at grade would be subject to 1.6m of flooding at the design flood elevation of 176.8m CGVD28.

Applicable Policy and Analysis

The LPRCA's Policies for the Administration of the Prohibited Activities, Exemptions and Permits Regulation currently stand as the LPRCA's guide for decision-making related to applications for permission.

LPRCA Policies for the Prohibited Activities, Exemption and Permits Regulation

Applicable general policies for development for areas defined as regulated are as follows:

Applicable LPRCA policy	Planning Comments
Section 7.1.2 Development, interference or alteration within a Regulated Area may be permitted where it can be demonstrated through appropriate technical studies and/or assessments, site plans and/or other plans as regulated by the LPRCA that: a) the risk to public safety is not increased, b) susceptibility to natural hazards is not increased or new hazards created	The application proposes the structure as an accessory building, however, staff cannot consider this structure to be minor in nature. Based on the size and design of the structure there creates an opportunity for habitable space and a potential additional unit. Additional units within the floodplain of Lake Erie are not allowed as the risk to public safety is increased as it puts more lives and property at risk. Safe access from the site is not available; the flood depths are significantly greater than the 0.8 metres depth which is considered the upper limit for safe access in calm, still water conditions. The route for ingress and egress is approximately 7.9km in length. The depth of flooding on the access route is unsafe, putting both residents' and emergency responders' lives at risk.

Applicable policies for development associated with existing uses within lands subject to the Lake Erie Shoreline Flooding Hazard are as follows:

Applicable LPRCA policy	Planning Comments
Section 8.4.2 <i>Development associated with existing uses located within Lake Erie Shoreline Flooding Hazards</i> may be permitted in accordance with the policies in <i>Sections 7.1.2-7.1.3 – General Policies</i> , and where there is no feasible alternative site outside the <i>flooding or erosion hazard</i> , provided that it can be demonstrated that: a) the proposed development is located in an area of least (and acceptable) risk, b) <i>floodproofing</i> standards, protection works standards and safe access standards as	As it relates to criteria a: The entire property is located within an area of risk. As it relates to criteria b: The structure has not been either dry or wet floodproofed.

<p>determined by the LPRCA are met,</p> <p>c) no basement is proposed in the <i>flooding hazard</i> and any <i>crawl space</i> is non-habitable and designed to facilitate services only,</p> <p>d) there is no risk of structural failure due to potential hydrostatic/dynamic pressures,</p>	<p>As it relates to criteria c: No basement or crawl space is proposed.</p> <p>As it relates to criteria d: The structure has not been designed to withstand hydrostatic or dynamic forces. Given the depth of flooding, the building would be subject to 1.6m of floodwaters during a 100-year storm event.</p>
--	--

Applicable policies for Non-Habitable Accessory Buildings or Structures associated with existing uses within lands subject to the Lake Erie Shoreline Flooding Hazard are as follows:

Applicable LPRCA policy	Planning Comments
<p>Section 8.4.7</p> <p><i>Non-Habitable Accessory Buildings or Structures</i> associated with <i>existing uses</i> such as detached garages, tool sheds, gazebos and other similar structures within lands subject to the <i>Lake Erie Shoreline Flooding Hazard</i> may be permitted in accordance with the policies in <i>Sections 8.4.2 - Policies for Lake Erie Shoreline Flooding Hazard</i>, and where it can be demonstrated that:</p> <p>a) there is no feasible alternative site outside the <i>Lake Erie Shoreline Flooding or Erosion Hazard</i>,</p> <p>b) the site is not subject to frequent flooding,</p> <p>c) the floor area of the building or structure is less than or equal to 100 m² (1,080 ft²), and</p> <p>d) there is no opportunity for conversion into habitable space in the future.</p>	<p>As it relates to criteria a: LPRCA staff acknowledge that there is no feasible alternative outside the Lake Erie Shoreline Flooding and Erosion hazards on the property.</p> <p>As it relates to criteria b: The site is subject to frequent flooding. Frequent flooding is defined as within the 25-year flood event, however, there is no feasible alternative outside of the flood or erosion hazard.</p> <p>As it relates to criteria c: The total usable area for this structure is 189.6m². The size of the proposed structure is beyond what LPRCA policy allows for which would be 100m² total floor area.</p> <p>As it relates to criteria d: Given the proposed size and design plans as presented, there is concern that additional uses could be included. With the increased size of the second storey, the overall risk to natural hazards is increased from existing and greater than what LPRCA policy allows for.</p>

Staff Recommendation:

The proposed development does not conform to the LPRCA's policies for development within the flood and erosion hazard of Lake Erie and is contrary to LPRCA's objectives for the administration of Ontario Regulation 41/24. In LPRCA staff's opinion, the control of flooding and erosion will be affected by the proposed development and, therefore, staff recommend that the application be refused for the following reasons:

1. The construction of the proposed structure is contrary to Long Point Region Conservation Authority shoreline policies for development in the Lake Erie flood hazard area. These policies have been implemented to reduce or eliminate preventable risk to life and property damage from flooding.
2. The control of flooding is affected by the development as the overall risk to property damage is increased.
3. The control of flooding is affected by the development as the second storey area could be utilized as habitable space and would therefore put additional risk to life and property for both the occupants and emergency personal and first responders.

Prepared by:

Leigh-Anne Mauthe

Leigh-Anne Mauthe, BES, MCIP, RPP
Manager of Watershed Services

Approved and submitted by:

Judy Maxwell

Judy Maxwell, CGA, CPA
General Manager

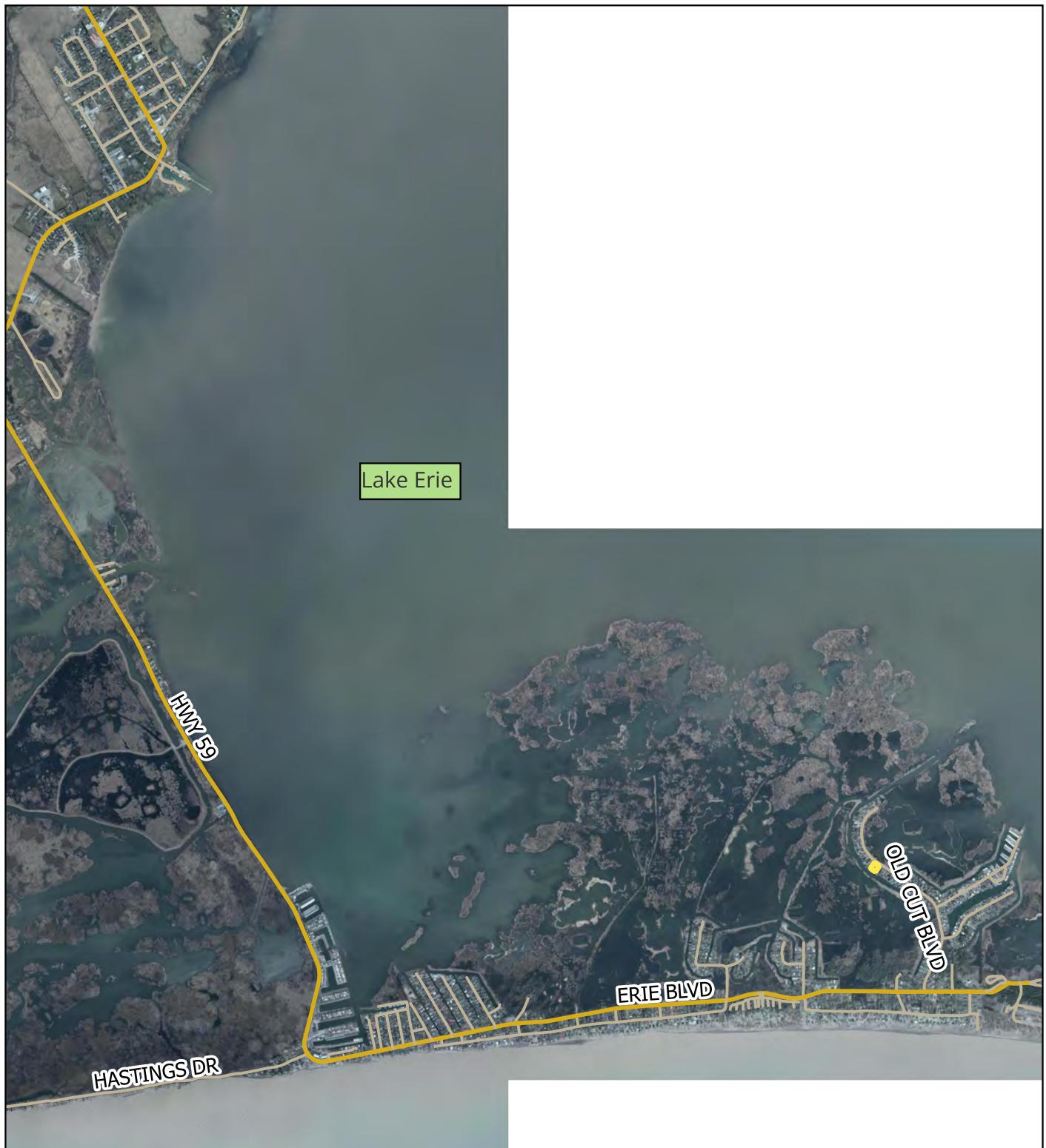


Figure 1
74 Old Cut Blvd
Long Point
South Walsingham, Norfolk County



Legend

 Subject Property

0 0.5 1 1.5 2 2.5 km



Figure 2
74 Old Cut Blvd
Long Point
South Walsingham, Norfolk County

N

Legend

 Subject Property

0 10 20 30 40 m





Figure 3

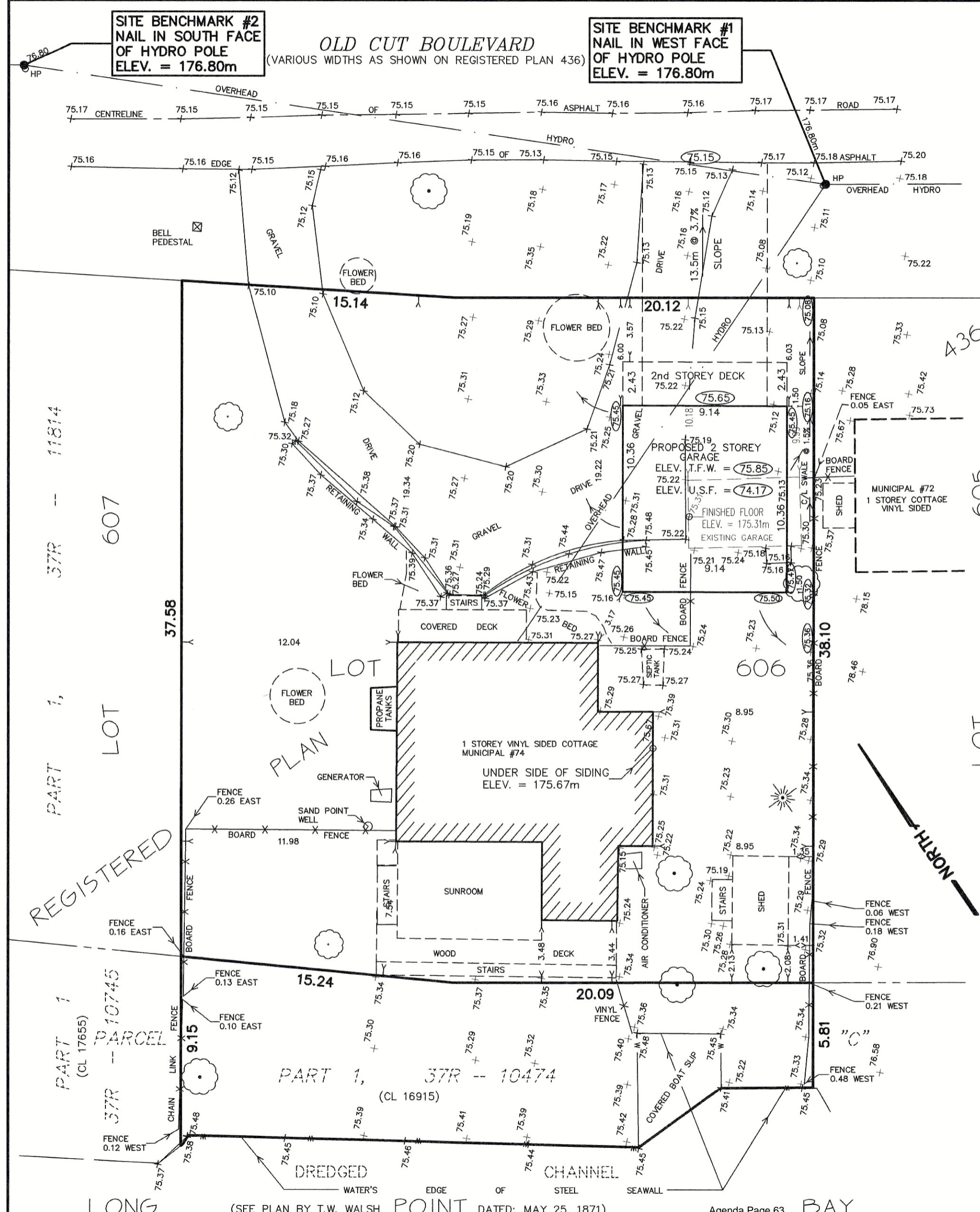
74 Old Cut Blvd
Long Point
South Walsingham, Norfolk County



Legend

- Subject Property (Yellow box)
- Regulation Limit (Light pink)
- Lake Erie Flood Hazard (Blue line)
- Lake Erie Erosion Hazard (Yellow line)

0 0.5 1 1.5 2 2.5 km



SITE PLAN FOR BUILDING PERMIT AND LOT GRADING

FOR: MYRON GRAVES

*MUNICIPAL #74 OLD CUT BOULEVARD
P.I.N. 50115-0334*

SCALE 1:200

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN
BE CONVERTED TO FEET BY DIVIDING BY 0.3048

CAUTION

- THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK
- DO NOT CONVEY FROM THIS PLAN
- THE PROPOSED GARAGE AND IT'S LOCATION SHOWN HEREON MAY BE SUBJECT TO CHANGES PRIOR TO CONSTRUCTION. THIS SKETCH SHOULD NOT BE RELIED UPON AS CERTIFICATION THAT THE DWELLING WAS ACTUALLY CONSTRUCTED AS SHOWN.
- ELEVATION OF EXISTING GROUND WATER TABLE AND SOIL CONDITIONS NOT DETERMINED
- LOCATION OF UNDER GROUND UTILITIES HAVE NOT BE VERIFIED

NOTES

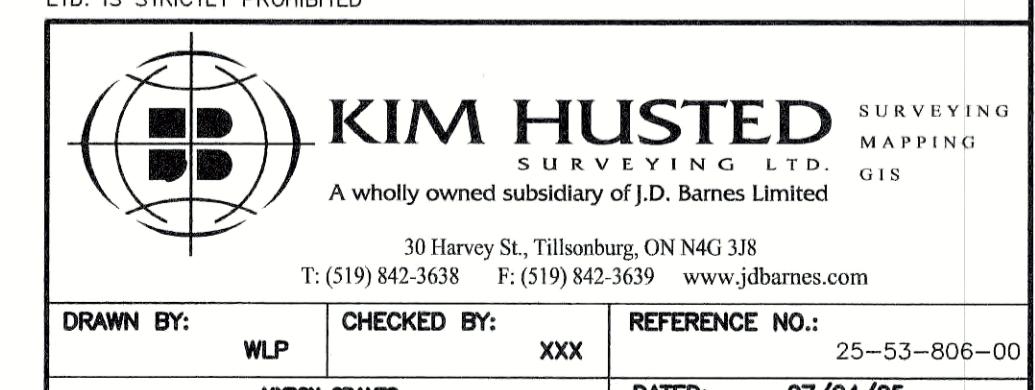
- (1) - PROPERTY DIMENSIONS ARE AS SHOWN ON DEPOSITED PLAN 37R-10474
- (2) - SITE BENCHMARK #1 NAIL SET IN WEST FACE OF HYDRO POLE LOCATED IN THE NORTH-EAST CORNER OF THE SUBJECT PROPERTY HAVING A GEODETIC ELEVATION OF 176.80 metres
 - SITE BENCHMARK #2 NAIL SET IN SOUTH FACE OF HYDRO POLE LOCATED IN THE NORTH-WEST CORNER OF THE SUBJECT PROPERTY HAVING A GEODETIC ELEVATION OF 176.80 metres
 - ADD 100.00m TO ELEVATIONS SHOWN HERON TO OBTAIN GEODETIC DATUM
 - ELEVATIONS ARE REFERRED TO CANADIAN VERTICAL GEODETIC DATUM 1928, GEOID MODEL HT2_2010v70, REFERENCE FRAME NAD83 (CSRS) (2010.0)
- (3) - IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE ELEVATION OF THE UPPER LIMIT OF THE GROUND WATER TABLE, SOIL BEARING CAPACITY AND THE ELEVATION OF THE UNDER SIDE OF FOOTING PRIOR TO EXCAVATION.
- (4) - IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE SITE BENCH MARK PRIOR TO EXCAVATION
- (5) - THIS SITE PLAN WAS COMPLETED FROM FIELD WORK COMPLETED ON THE 3rd DAY OF JUNE, 2025.
- (6) - AREA OF LOT 606 = 1338.6 SQ. M.
AREA OF PART 1, PLAN 37R-10474 = 300.0 SQ. M
TOTAL AREA = 1638.6 SQ. M
 - DWELLING AREA (INCLUDING DECKS AND SUNROOM) = 261.6 SQ. M.
DWELLING COVERAGE = 16%
 - BOAT SLIP, GARAGE AND EXISTING SHED AREA = 63.8 SQ. METRES
BOAT SLIP, GARAGE AND SHED COVERAGE = 3.9%
 - AREA OF PROPOSED NEW GARAGE AND 2nd STOREY DECK = 116.90 SQ. M.
NEW GARAGE AND 2nd STOREY DECK COVERAGE = 7.1%

LEGEND

-  DENOTES BELL PEDESTAL
-  DENOTES DECIDUOUS TREE
-  DENOTES HYDRO POLE

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GENERAL NOTES

THESE DOCUMENTS ARE NOT TO BE SCALED. THE DESIGN AND DOCUMENTS REMAIN THE PROPERTY OF "THE BUILDING PERMIT GUY" AND ARE PROTECTED BY LAW. THEY MAY NOT BE ALTERED, ISSUES, OR REPRODUCED IN ANY WAY WITHOUT THE WRITTEN CONSENT OF THE DESIGNER AND "TBPGB" ALL DOCUMENTS ARE TO BE USED FOR THE CONSTRUCTION PROPOSED. ONLY SIGNED SEALED AND STAMPED DOCUMENTS ARE TO BE USED FOR THE CONSTRUCTION PROPOSED. ANY DEVIATIONS FROM THESE PLANS AND DETAILS WILL REQUIRE REVISED DRAWINGS AND CLEARANCE BY THE BUILDING DEPARTMENT. CONTRACTOR TO SITE VERIFY ANY AND ALL DETAILS AND DIMENSIONS AND REPORT ANY AND ALL DISCREPANCIES TO THE DESIGNER BEFORE COMMENCING WITH THAT RELATED PORTION OF THE WORK.

CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS AND FOR MAKING ARRANGEMENTS FOR ALL REQUIRED INSPECTIONS. ALL CONSTRUCTION & MATERIALS SHALL CONFORM TO THE LATEST EDITION OF THE ONTARIO BUILDING CODE. ANY CHANGES TO DESIGN OR USE OF OTHER BUILDING MATERIALS SHALL BE APPROVED BY THE DESIGNER AND/OR APPROVED BY THE ENGINEER IF REQUIRED. IF DURING THE COURSE OF THE WORK UNKNOWN CONDITIONS ARE DISCOVERED WHICH WOULD NOT BE REASONABLY ASSUMED TO HAVE BEEN PRESENT OR ANTICIPATED, THE CONTRACTOR SHALL NOTIFY THE DESIGNER.

ALL DIMENSIONS ARE IMPERIAL, UNLESS OTHERWISE NOTED.

EXCAVATION AND BACKFILL

- EXCAVATION SHALL BE UNDERTAKEN IN SUCH A MANNER SO AS TO PREVENT DAMAGE TO EXISTING STRUCTURES, ADJACENT PROPERTY AND UTILITIES.
- THE TOPSOIL AND ANY ORGANIC MATTER IN UNEXCAVATED AREAS UNDER A BUILDING SHALL BE REMOVED. THE BOTTOM OF ECAVATIONS FOR FOUNDATIONS SHALL BE FREE OF ALL ORGANIC MATERIAL.
- IF TERMITES ARE KNOWN TO EXIST, ALL STUMPS, ROOTS AND WOOD DEBRIS SHALL BE REMOVED TO A MINIMUM OF DEPTH OF 11 3/4" IN EXCAVATED AREAS UNDER A BUILDING, AND THE CLEARANCE BETWEEN UNTREATED STRUCTURAL WOOD ELEMENTS AND THE GROUND SHALL BE NO LESS THAN 18"
- BACKFILL WITHIN 24" OF THE FOUNDATION WALLS SHALL BE FREE OF DEBRIS AND BOULDERS OVER 10" IN DIAMETER.

DIAMETER. FOOTINGS.

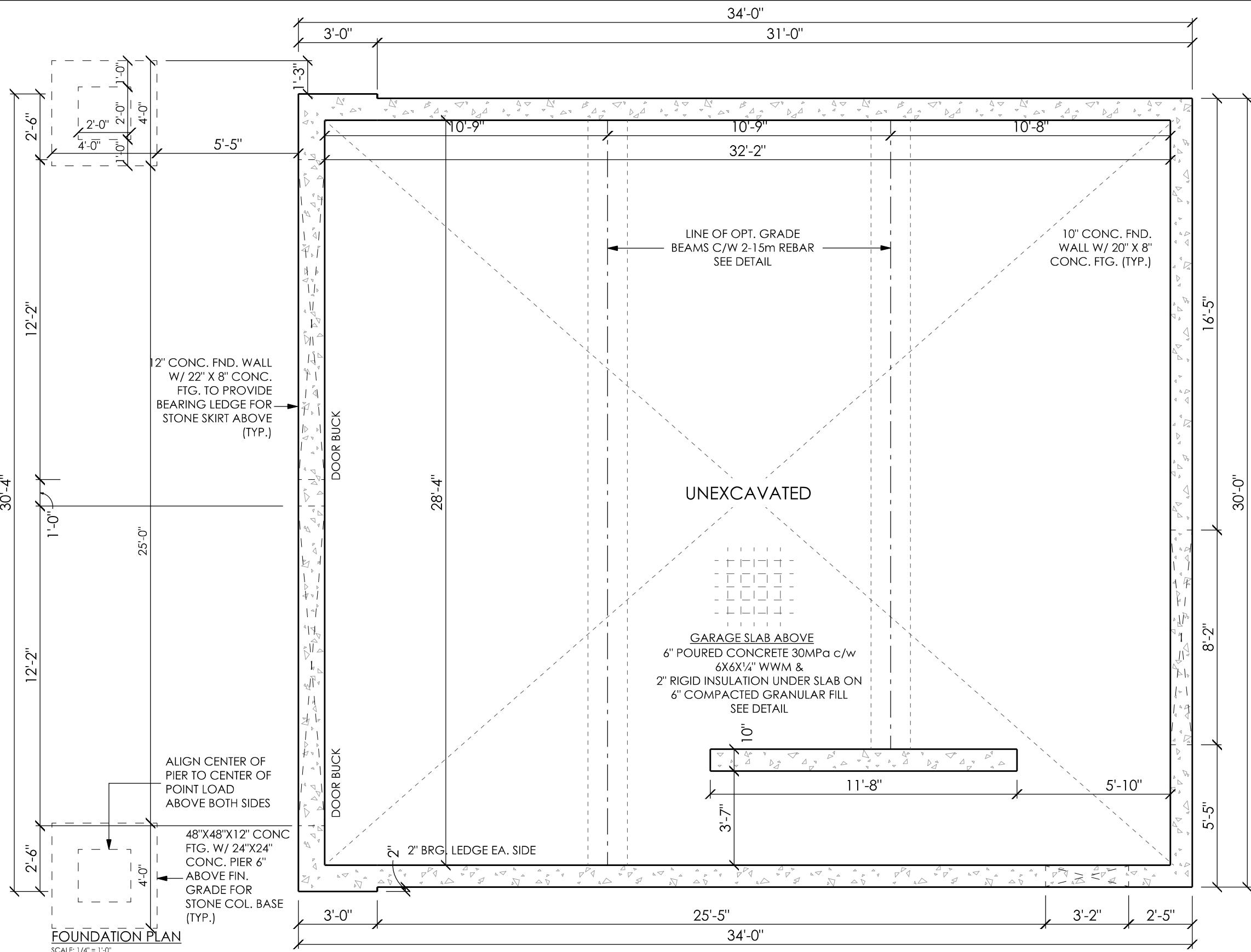
- ALL FOOTINGS TO BEAR ON NATIVE UNDISTURBED SOIL AND BE A MIN. OF 4'-0" BELOW FINISHED GRADE.
- SOIL BEARING CAPACITY TO BE A MIN. OF 3000 PSF
STANDARD FOOTINGS

STANDARD FOOTINGS

- MINIMUM 20"X6" CONTINUOUS KEYED POURED CONCRETE FOOTING, UNLESS NOTED OTHERWISE.
- MINIMUM 4'-0" BELOW FINISHED GRADE IN ACCORDANCE WITH O.B.C. TABLE 9.12.2.2 MINIMUM BEARING CAPACITY OF 1570 PSF
- THE PROJECTION OF AN UNREINFORCED FOOTING BEYOND THE WALL SUPPORTED SHALL BE GREATER OR EQUAL THAN ITS THICKNESS.

NOTES:

ALL TOP SOIL SOFT ORGANIC OR OTHERWISE COMPRESSIBLE MATERIAL MUST BE REMOVED FROM THE GROUND SURFACE, THE SLAB IS TO BE PLACED ON A MINIMUM 6" OF GRANULAR 'A' OR CRUSHED STONE COMPAKTED TO MINIMUM 98% OF ITS MAXIMUM STANDARD PROCTOR DRY DENSITY TO PROVIDE UNIFORM SUPPORT FOR THE SLAB, NO SOFT SPOTS PERMITTED CONCRETE SHALL BE IN ACCORDANCE TO THE LATEST EDITION OF CSA A32.1 AND A23.3, ALL FORM WORK TO BE IN ACCORDANCE TO CSA A23.1. CONCRETE SHALL BE MINIMUM 25MPa WITH 5% TO 8% AIR ENTRAINED FOR COLD WEATHER REQUIREMENTS, SLUMP TO BE 3" MIN AND 4" MAX REINFORCING STEEL TO BE PROPERLY SUPPORTED IN FORMS OR WITH CHAIRS WITH COVER AS REQUIRED, STEEL SHALL BE 400 MPa YIELD STRENGTH, WIRE MESH TO BE 460 MPa YIELD STRENGTH. PROVIDE A MINIMUM OF 3" CLR COVER FROM EARTH, STEEL REINFORCING BARS OR WIRE MESH FOR SLAB TO BE PROVIDED AT A MAXIMUM DEPTH OF 1/3 DEPTH FROM TOP OF SLAB LAP ALL JOINTS IN BARS MINIMUM 24". WET SETTING OF ANCHOR BOLTS IS PERMITTED BUT NOT RECOMMENDED, PLACE CAREFULLY TO ENSURE NO VOIDS ARE CREATED COLD WEATHER CONSTRUCTION FOR TEMPERATURES LISTED OR PREDICTED WITHIN 24HRS OF INSTALLATION - BELOW 40°F - POUR CONCRETE AT A TEMPERATURE OF 60°F, TARP WITH POLYETHYLENE DROP SHEETS FOR 3 DAYS AFTER PLACEMENT - BELOW FREEZING - POUR CONCRETE AT A TEMPERATURE OF 60°, TARP AS ABOVE AND PACK WITH 3' MIN STRAW AND PROVIDE HEAT ALL WORK TO CONFORM TO CSA A23.3 AND O.B.C. MOST RECENT EDITIONS AND AMENDMENTS THE BUILDING PERMIT GUY IS NOT RESPONSIBLE OR LIABLE AS A RESULT OF POOR WORKMANSHIP OR DEVIATIONS OF THIS DETAIL



Agenda Page 64



T B P G
DRAFTING & DESIGN
220 BROAD STREET EAST
DUNNIVILLE, ON, N1A 1G2
289-388-6442
INFO@THEBUILDINGPERMITGUY.CA

THE DESIGNER IS RESPONSIBLE FOR THE DESIGN, AND HAS THE QUALIFICATIONS AND NEEDS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO ACT AS A DESIGNER.	
QUALIFICATION INFORMATION REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. C. 3.2.5.1. OF THE 2012 ONTARIO BUILDING CODE.	
JOHN BARNHART	
THE BUILDING PERMIT GUY	41773
FIRM NAME	103362
	BC IN

CLARK

DETACHED GARAGE

74 OLD CUT BOULEVARD, LONG POINT, ON.

THE BUILDING CO.

AWN BY:

A-1

GENERAL NOTES CONT...

FOUNDATION WALLS

- TO BE POURED CONCRETE OR UNIT MASONRY (REFER TO DRAWINGS FOR TYPE AND THICKNESS)
- DAMPROOFING SHALL BE A HEAVY COAT OF BITUMINOUS MATERIAL.
- FOUNDATION WALL TO EXTEND MINIMUM 6" ABOVE FINISHED GRADE.
- A DRAINAGE LAYER IS REQUIRED ON THE OUTSIDE OF A FOUNDATION WALL WHERE THE INTERIOR INSULATION EXTENDS MORE THAN 2'-11" BELOW EXTERIOR GRADE. A DRAINAGE LAYER SHALL CONSIST OF:
 - MIN. 3/4" MINERAL FIBER INSULATION WITH MIN. DENSITY OF 3.6 LB/FT² OR
 - MIN. 4" OF FREE DRAINAGE GRANULAR MATERIAL OR
 - AN APPROVED SYSTEM WHICH PROVIDES EQUIVALENT PERFORMANCE.
- FOUNDATION WALLS SHALL BE BRACED OR HAVE THE FLOOR JOISTS INSTALLED BEFORE BACKFILLING.
- SILL PLATES SHALL BE PROVIDED WHERE FLOORS/WALLS DIRECTLY BEAR ON THE FOUNDATION WALLS.
- SILL PLATES SHALL BE CONTINUOUS 2X4 OR 2X6 WOOD (REFER TO DRAWINGS) MOUNTED ON A CONTINUOUS SILL GASKET C/W 1/2" Ø ANCHOR BOLTS, 12" LONG, EMBEDDED A MIN. OF 4" INTO THE CONCRETE @ 7'-10" O/C AND BE DESIGNED TO PREVENT TIGHTENING WITHOUT WITHDRAWING THEM FROM THE FOUNDATION

DAMPROOFING AND DRAINAGE

- IN NORMAL SOIL CONDITIONS, THE EXTERIOR SURFACES OF FOUNDATION WALLS ENCLOSING BASEMENTS AND CRAWLSPACES SHALL BE DAMPROOFED. WHERE HYDROSTATIC PRESSURE OCCURS, A WATERPROOFING SYSTEM IS REQUIRED.
- MASONRY FOUNDATION WALLS SHALL BE PARGED WITH 1/4" OF MORTAR COVERED OVER THE FOOTING PRIOR TO DAMPROOFING.
- 4" Ø PERFORATED WEEPING TILE WRAPPED WITH FILTER SOCK IN ACCORDANCE WITH O.B.C. 9.14.3. FOUNDATION DRAINS SHALL BE LAID ON LEVEL, UNDISTURBED GROUND ADJACENT TO THE FOOTINGS AT OR BELOW THE TOP OF THE BASEMENT SLAB OR CRAWLSPACE FLOOR AND SHALL BE COVERED WITH 6" OF CRUSHED STONE
- FOUNDATION DRAINS SHALL FRAIN TO A STORM SEWER, DRAINAGE DITCH, DRY WELL OR SUMP.
- WINDOW WELLS SHALL BE DRAINED TO THE FOOTING
- DOWNSPOUTS NOT DIRECTLY CONNECTED TO A STORM SEWER SHALL HAVE EXTENSIONS TO CARRY WATER AWAY FROM THE BUILDING AND PROVISIONS SHALL BE MADE TO PREVENT SOIL EROSION.
- CONCRETE SLABS IN ATTACHED GARAGES SHALL BE SLOPED TO DRAIN TO EXTERIOR.
- THE BUILDING SITE SHALL BE GRADED SO THAT SURGACE, SUMP AND ROOF DRAINAGE WILL NOT ACCUMULATE AT OR NEAR THE BUILDING AND WILL NOT ADVERSELY AFFECT ADJACENT PROPERTIES.

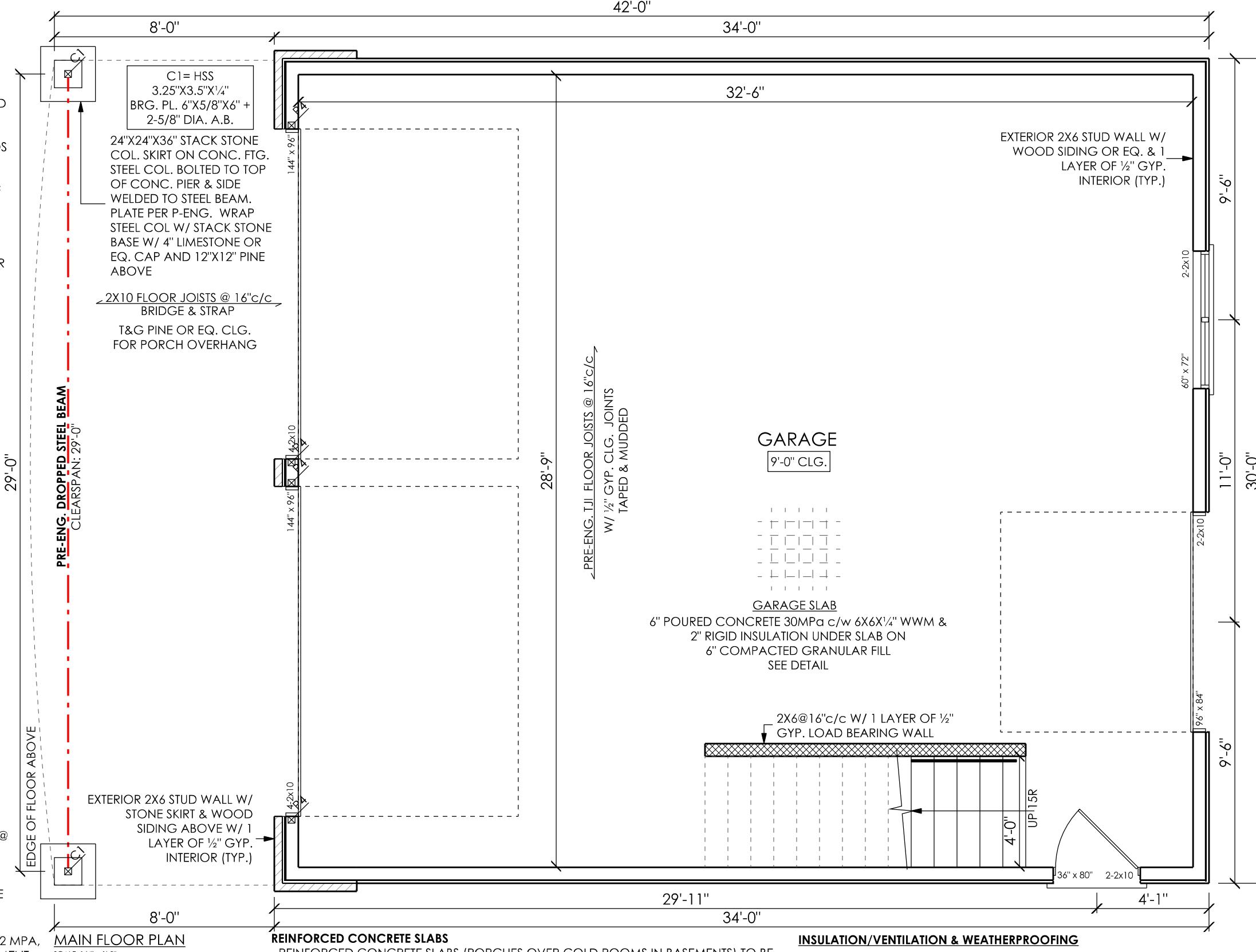
CONCRETE

ALL CONCRETE TO HAVE ULTIMATE COMPRESSIVE STRENGTH @ 28 DAYS OF:

- 20 MPa FOR FOOTINGS AND WALLS
- 25 MPa FOR BASEMENT FLOORS
- 32 MPa FOR GARAGE FLOORS AND ALL EXTERIOR CONCRETE WITH 5%-8% AIR ENTRAINMENT.

CONCRETE FLOOR SLABS

- GARAGE, CARPORT, EXTERIOR SLABS AND STEPS SHALL BE 32 MPa, 4650 PSI CONCRETE (AFTER 28 DAYS) WITH 5-8% AIR ENTRAINMENT UNLESS NOTED OTHERWISE.
- BASEMENT SLABS TO BE 4" THICK 20 MPS POURED CONCRETE WITH DAMPROOFING (REFER TO SECTIONS) ON 6" COURSE CLEAN GRANULAR MATERIAL.
- ALL FILL OTHER THAN COURSE CLEAN MATERIAL PLACED BENEATH CONCRETE SLABS SHALL BE COMPACTED TO PROVIDE UNIFORM SUPPORT.



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DETACHED GARAGE
74 OLD CUT BOULEVARD, LONG POINT, ON.
DRAWN BY: J. BARNHART

A-2

GENERAL NOTES CONT...

NATURAL VENTILATION

- EVERY ROOF SPACE ABOVE AN INSULATED CEILING SHALL BE VENTILATED WITH UNOBSTRUCTED OPENINGS EQUAL TO AND/OR NOT LESS THAN 1/300 OF INSULATED AREA.
- INSULATED ROOF SPACES NOT INCORPORATING AN ATTIC SHALL BE VENTILATED WITH NOT LESS THAN 1/250 OF UNSULATED AREA.
- ROOF VENTS SHALL BE UNIFORMLY DISTRIBUTED AND DESIGNED TO PREVENT THE ENTRY OF RAIN, SNOW OR INSECTS.
- UNHEATED CRAWL SPACES SHALL BE PROVIDED WITH 1.1 ft² OF VENTILATION FOR EACH 538 ft²

LIGHTING / ELECTRICAL

- CONFIRM ALL PLACEMENT OF OUTLETS, SWITCHES AND LIGHT FIXTURES WITH HOME OWNER PRIOR TO INSTALLATION.
- PROVIDE AN EXTERIOR LIGHT AT ALL EXITS.
- AN EXTERIOR LIGHT CONTROLLED BY AN INTERIOR SWITCH IS REQUIRED AT EVERY ENTRANCE AS PER O.B.C. 9.34.2.1.

ELECTRICAL

- ALL ELECTRICAL TO CONFORM WITH O.B.C. 9.34. AND BE COMPLETED AND INSPECTED AS PER E.S.A.

STRUCTURAL

TRUSSES AND LVL

SUPPLIERS OF ALL LVL MEMBERS AND TRUSS JOIST SYSTEMS TO PROVIDE ENGINEERED SHOP DRAWINGS. NEW PRE ENGINEERED TRUSSES TO BE DESIGNED BY TRUSS MANUFACTURER. MANUFACTURER TO SUBMIT STAMPED ENGINEERED SHOP DRAWINGS TO THE CONTRACTOR/OWNER FOR APPROVAL.

POINT LOADS

POINT LOADS IN WALLS DUE TO GIRDER TRUSSES OR BEAM ENDS TO HAVE TRIPLE STUDS WHICH ARE TO BE CARRIED DOWN TO THE FOUNDATION.

WOOD LINTELS/HEADERS

ALL LINTELS SUPPORTING TRUSS SPANS THAT EXCEED 32'-0" OF SUPPORTED TRUSS LENGTH ARE TO BE PRE-ENGINEERED LVL HEADERS PER O.B.C. 9.23.12.

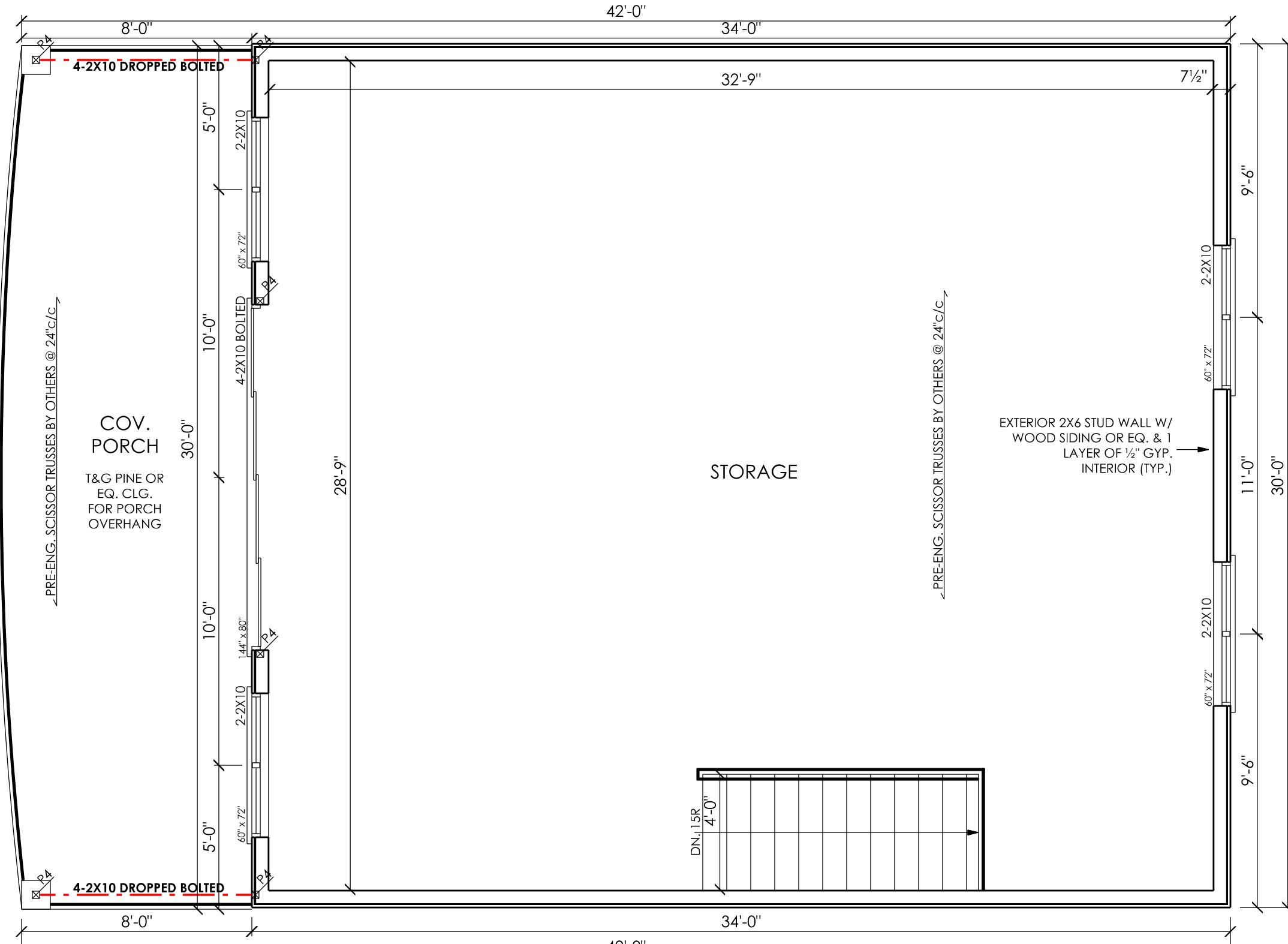
STEEL BEAMS & COLUMNS

- ALL LUMBER AND WOOD PRODUCTS SHALL CONFORM TO 9.3.2.
- BUILT UP WOOD COLUMNS SHALL CONFORM WITH 9.17.4.2.(2). ALL MEMBERS SHALL BE SO FRAMED, ANCHORED, FASTENED, TIED AND BRACED SO AS TO PROVIDE THE NECESSARY STRENGTH AND RIGIDITY.
- STEEL BEAMS SHALL AT LEAST MEET THE REQUIREMENTS FOR 350W STEEL IN CANADA CAN/CSA-G40.2. PROVIDE LATERAL SUPPORT FOR STEEL BEAMS PER O.B.C. 9.23.4.3.(3).
- COLUMNS SHALL BE SECURELY FASTENED TO BEAMS TO PREVENT LATERAL MOVEMENT. ANCHORAGE OF EXTERIOR COLUMNS AND POSTS SHALL CONFORM WITH O.B.C. 9.23.6.2
- PROVIDE ADEQUATE LEVEL BEARING FOR ALL BEAMS AT THE END SUPPORTS PER O.B.C. 9.23.8.1.

STAIRS

ALL INTERIOR AND EXTERIOR STAIRS TO CONFORM WITH O.B.C. 9.8.2.

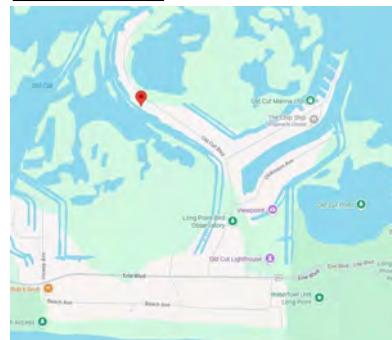
- MIN STAIR WIDTH TO BE 2'-10" PER O.B.C. 9.8.2.1.(2).
- ALL STAIRS TO BE UNIFORM IN RISE AND RUN
- MIN. RISE = 4 7/8" MAX RISE = 7 7/8"
- MIN. RUN = 10" MAX RUN = 14"
- COMPLIES WITH THE DIMENSIONS FOR RECTANGULAR TREADS SPECIFIED IN TABLE 9.8.4.1 WHEN MEASURED AT A POINT 300mm FROM THE CENTER LINE OF THE INSIDE OF THE HANDRAIL.
- TAPERED TREADS IN REQUIRED EXIT STAIRS SHALL CONFORM TO THE REQUIREMENTS OF O.B.C. 3.4.6.9.
- THE DEPTH OF A TAPERED TREAD SHALL NOT BE LESS THAN ITS RUN AT ANY POINT AND NOT MORE THAN ITS RUN AT ANY POINT PLUS 1"



GUARDS

- ALL HANDRAILS AND GUARDS TO BE INSTALLED PER O.B.C. SB-1 HANDRAILS PER O.B.C. 9.8.7.
- HANDRAILS SHALL BE NOT LESS THAN 34" AND NOT MORE THAN 38" IN HEIGHT.
- IF STAIRS ARE OPEN ON BOTH SIDES OF STAIRS, GUARDS ARE REQUIRED ON ONE SIDE. IF STAIR WIDTH EXCEEDS 43" RAILINGS ARE REQUIRED ON BOTH SIDES IN ADDITION TO GUARDS.
- STAIRS WITH WALLS ON BOTH SIDES REQUIRE A HANDRAIL ON ONE SIDE, IF THE STAIR WIDTH EXCEEDS 3'-7" RAILINGS ARE REQUIRED ON BOTH SIDES OF THE STAIRS.
- EXTERIOR GUARDS AS PER O.B.C. 9.8.8.1.
- MIN. RAILING HEIGHT TO BE 36" IF DECK HEIGHT IS LESS THAN 5'-11" ABOVE GRADE.
- MIN. RAILING HEIGHT TO BE 42" IF DECK HEIGHT IS MORE THAN 5'-11" ABOVE GRADE.
- NO GUARD REQUIRED FOR DECKS LESS THAN 24" ABOVE GRADE.

SITE LOCATION



DRAWN BY: J. BARNHART

A-3

CLARK

DETACHED GARAGE

74 OLD CUT BOULEVARD, LONG POINT, ON.

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THE DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO ACT AS A DESIGNER.
QUALIFICATION INFORMATION REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. C.3.2.5.1. OF THE 2012 ONTARIO BUILDING CODE.
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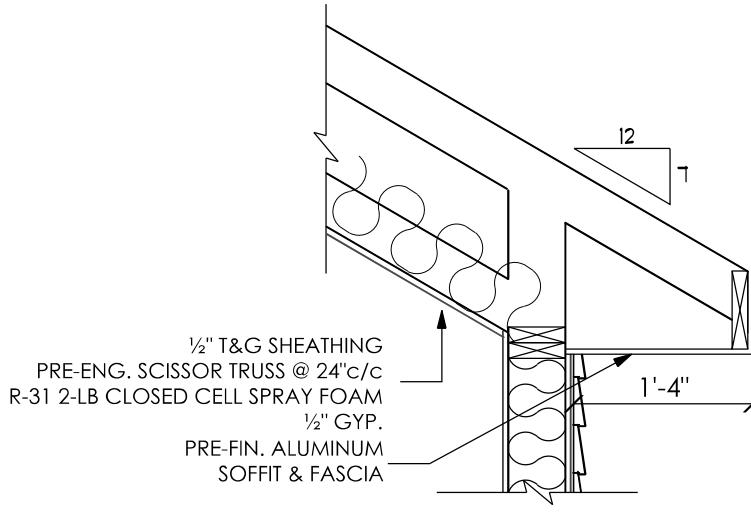
41773

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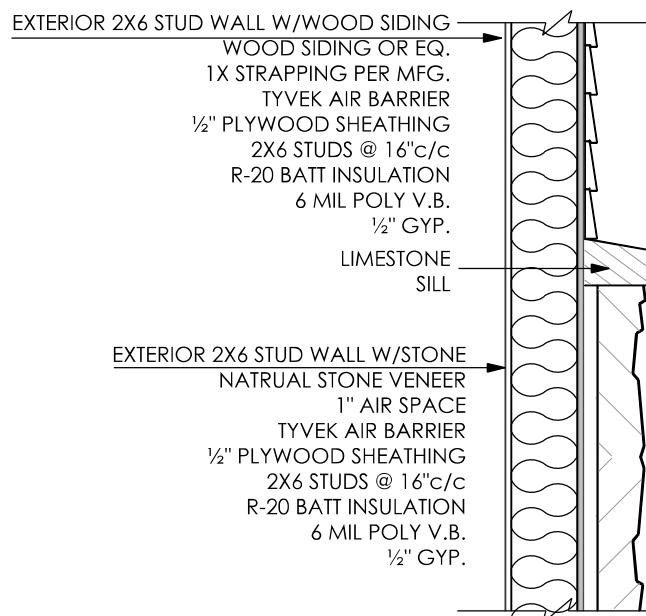
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DETACHED GARAGE
74 OLD CUT BOULEVARD, LONG POINT, ON.



EAVES DETAIL

SCALE: 1/4" = 1'-0"



STUD WALL DETAIL

SCALE: 1/4" = 1'-0"

4" MIN. REINFORCED CONCRETE SLAB - SEE STRUCTURAL DRAWINGS AND NOTES
SLOPE SLAB TOWARD DOOR AT 1/8" PER FT.

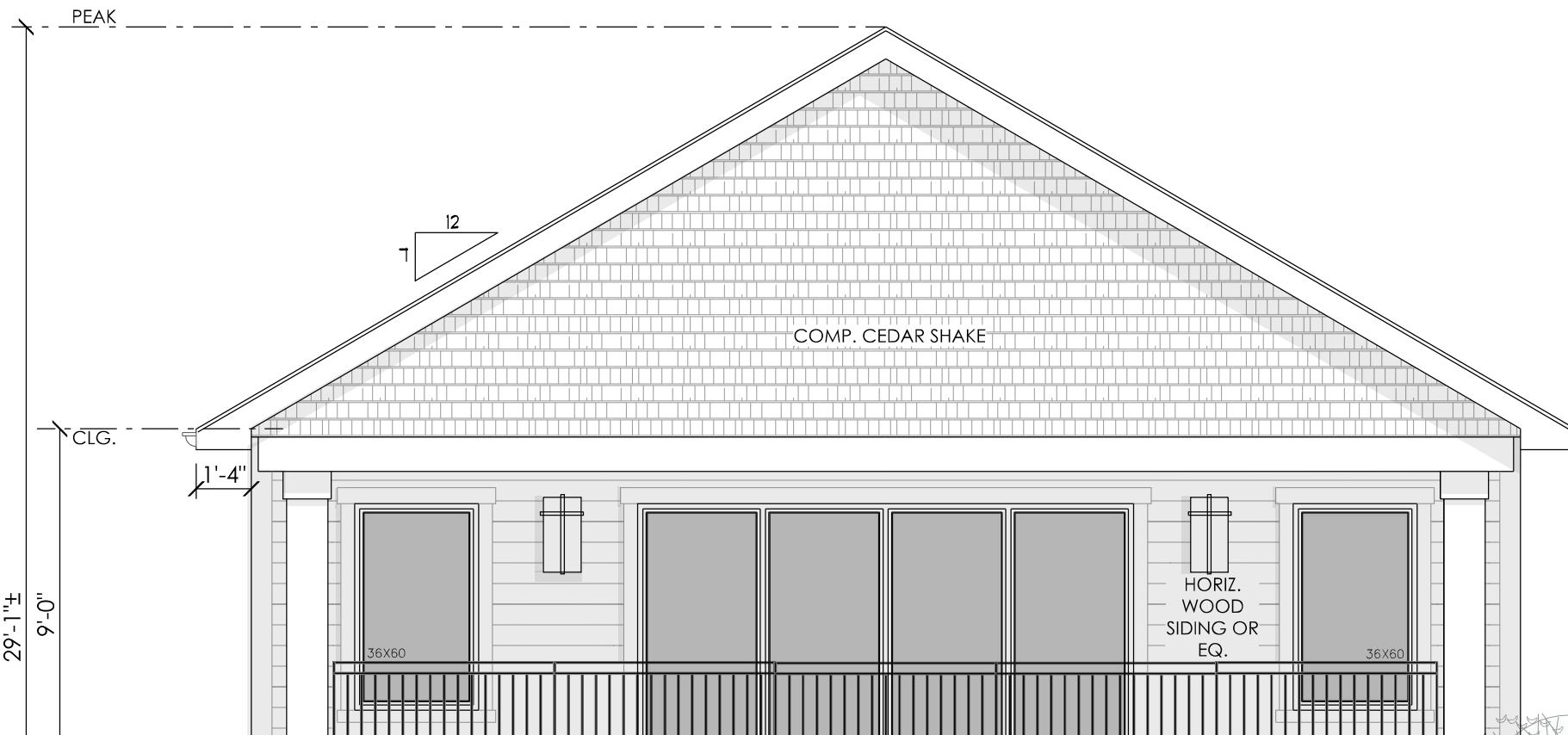
4" MIN. 6" MIN.

6 MIL POLYETHYLENE CONCRETE RATED MOISTURE BARRIER 4" MINIMUM
COMPACTED GRAVEL

10" 48" MIN.
PER PLAN
BOTTOM OF FOOTING

GARAGE FOOTING DETAIL

SCALE: 1/4" = 1'-0"



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

6" POURED CONCRETE 30MPa c/w 6X6X1/4" WWM &
2" RIGID INSULATION UNDER SLAB (JOINTS TAPE)

6"

COMPACTED GRANULAR FILL

GRADE BEAM DETAIL

SCALE: 1/4" = 1'-0"

2-1.5m REBAR MIN. 2" FROM
BOTTOM

Agenda Page 67

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A-4



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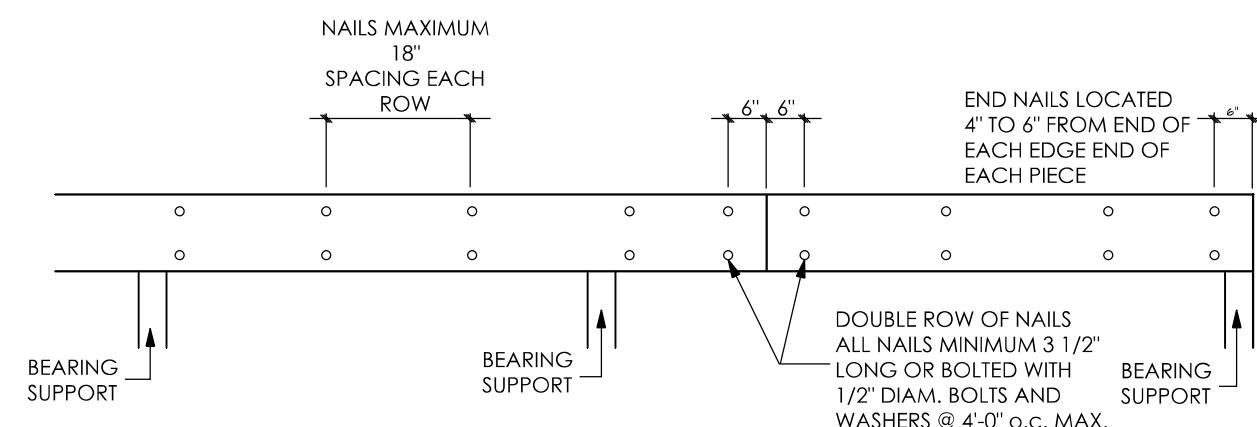
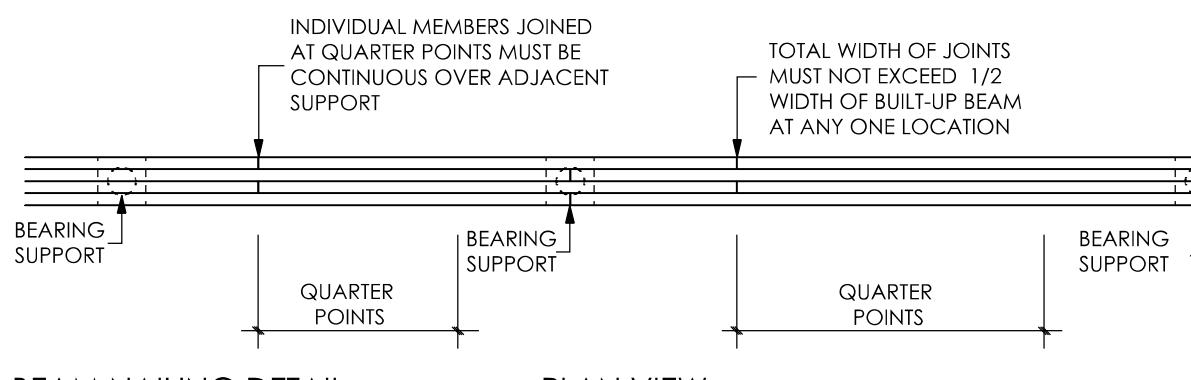
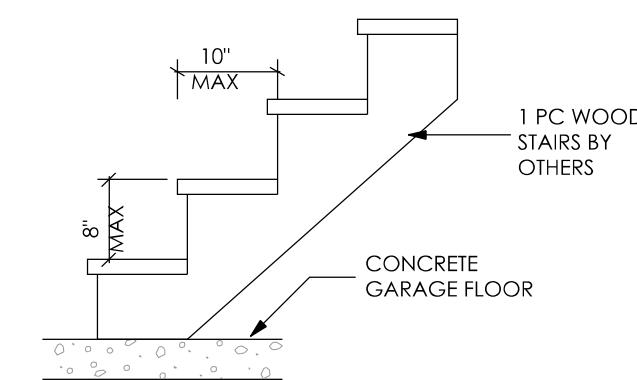
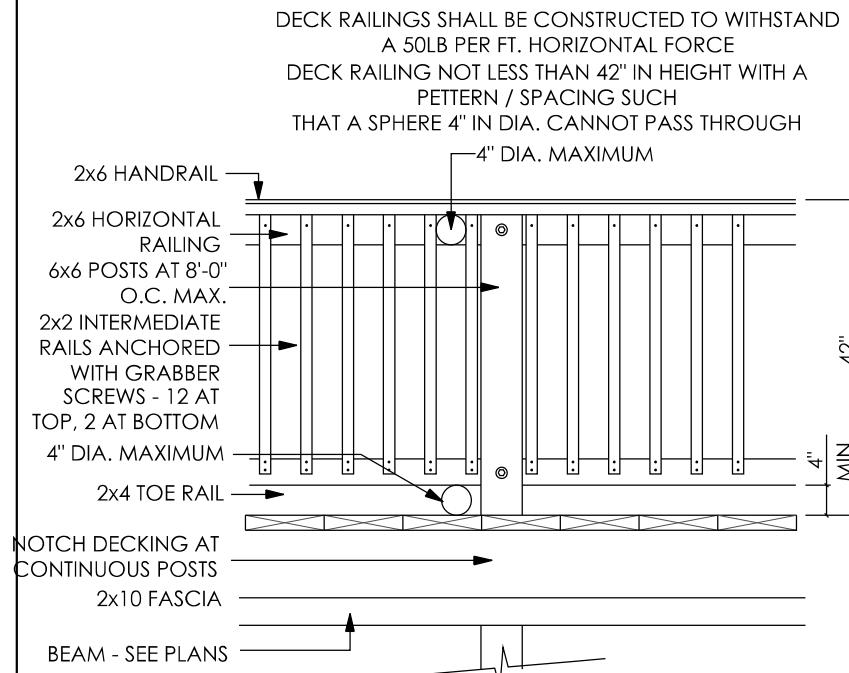
DETACHED GARAGE

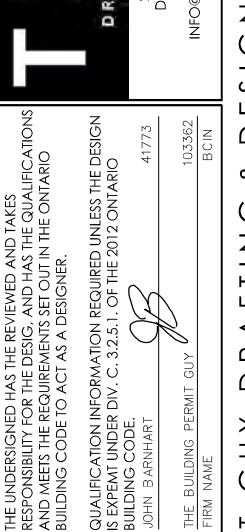
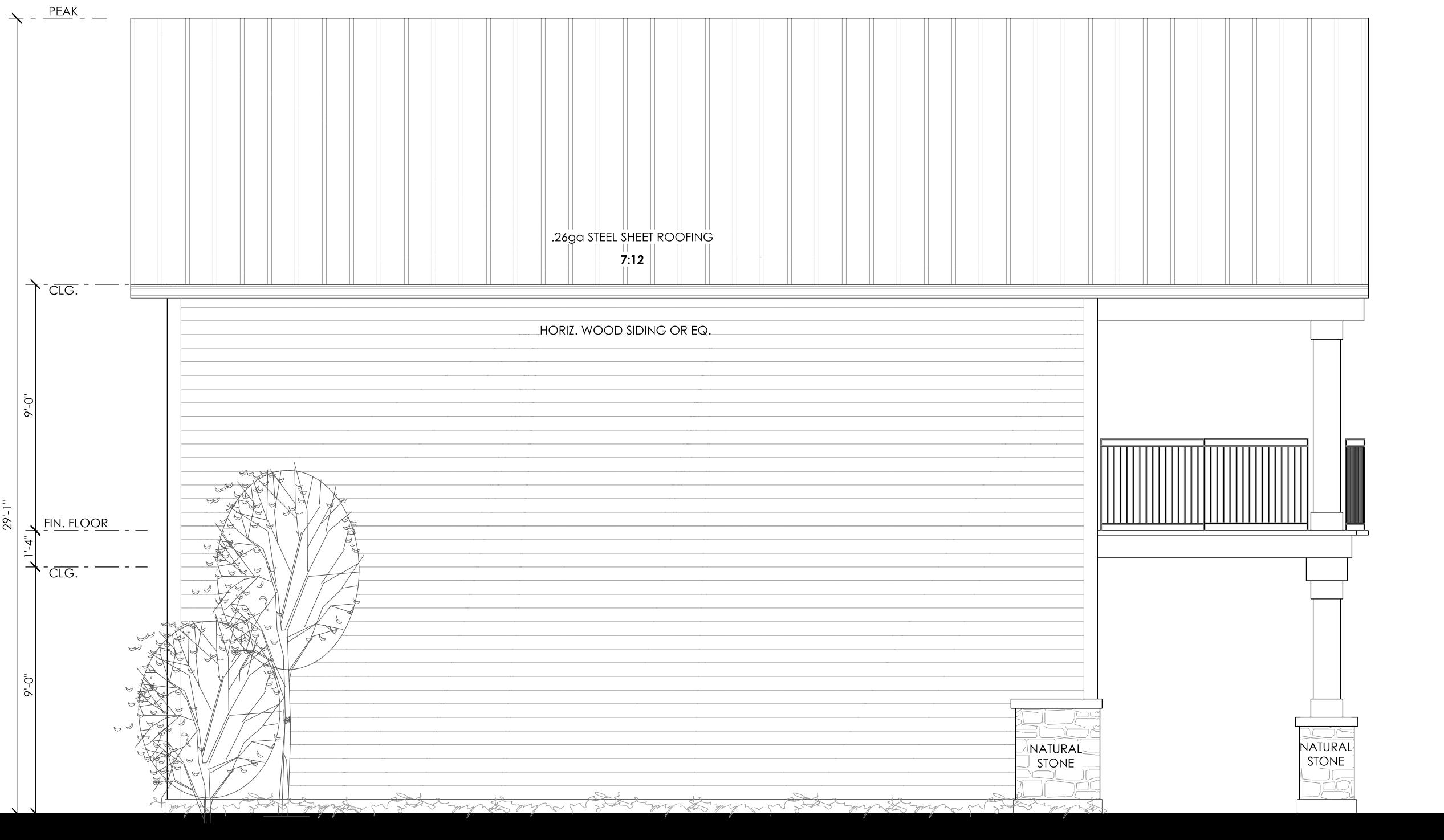
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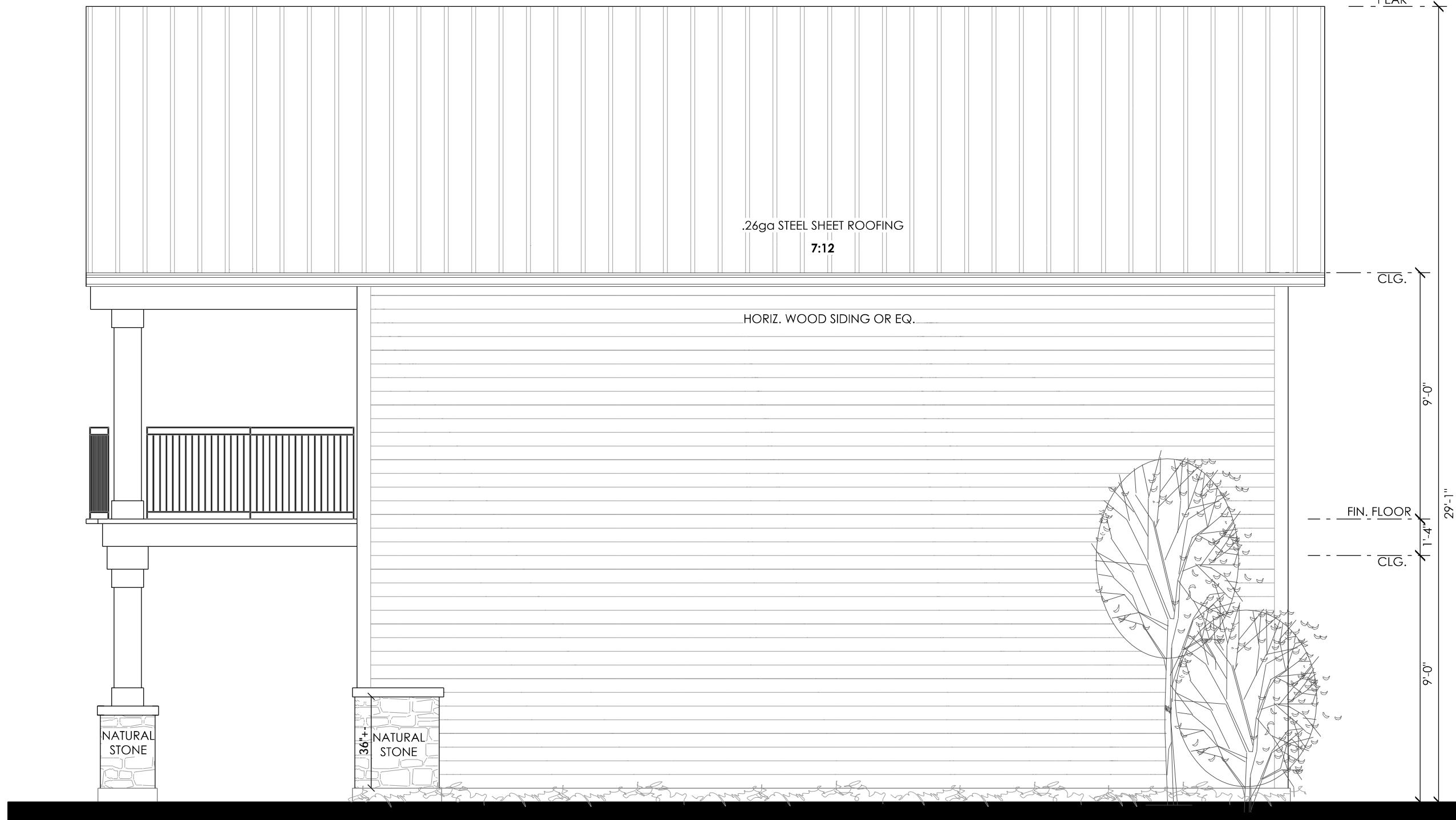
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A-5





A-6



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J. BARNHART

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THE BUILDING PERMIT GUY DRAFTING & DESIGN



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<p>QUALIFICATION INFORMATION REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. C. 3.25.1. OF THE 2012 ONTARIO BUILDING CODE.</p> <p>JOHN BARNHART  41773</p>	
<p>103362 BCIN</p>	

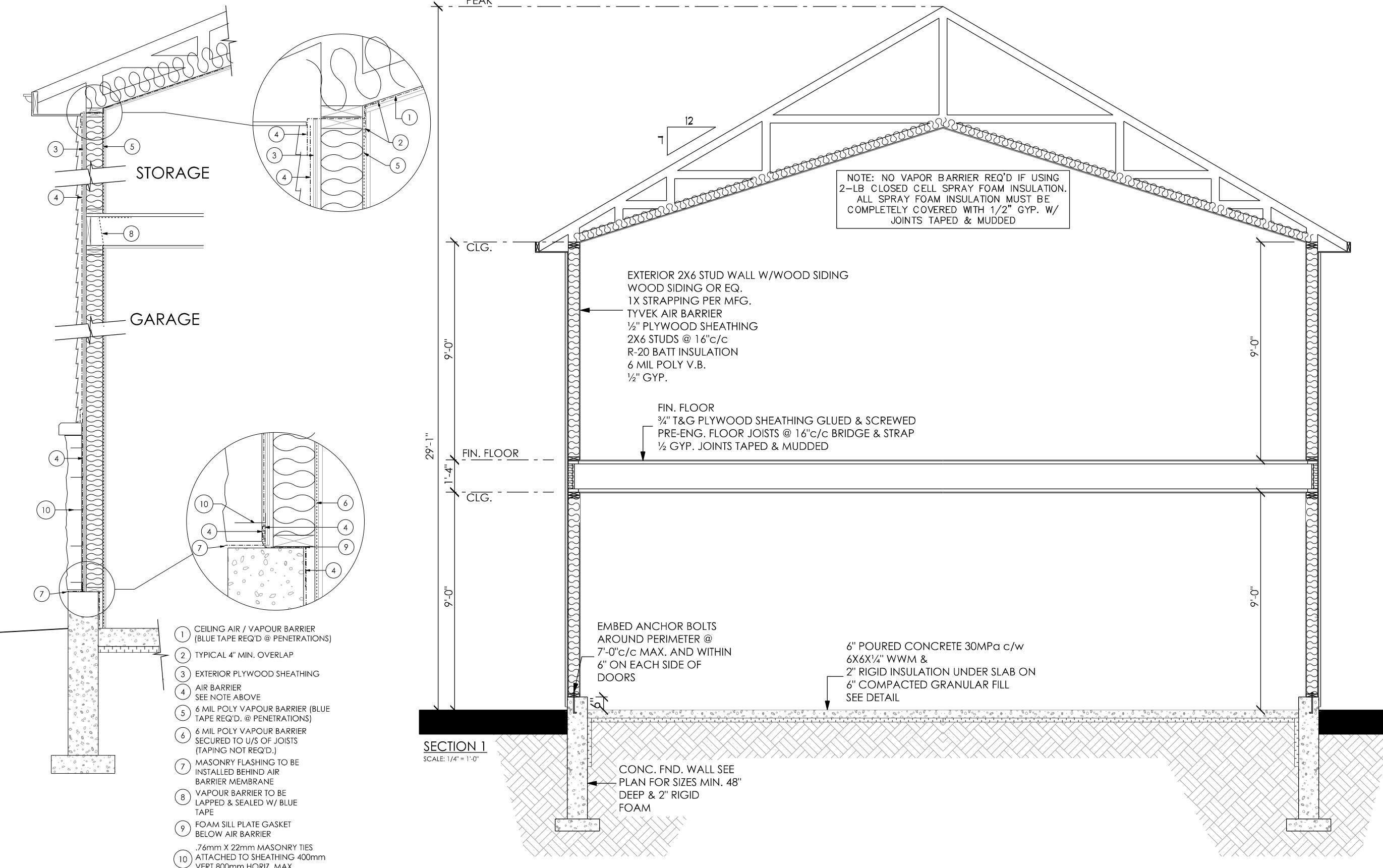
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DETACHED GARAGE

74 OLD CUT BOULEVARD, LONG POINT, ON.

DRAWN BY:

J. BARNHART





Board Hearing

For Application LPRCA-212/25

(T.Clark)

Pursuant to Ontario Regulation 41/24 under Section 28
of the Conservation Authorities Act

Wednesday, February 4, 2026



The Application

Scope of proposed work:

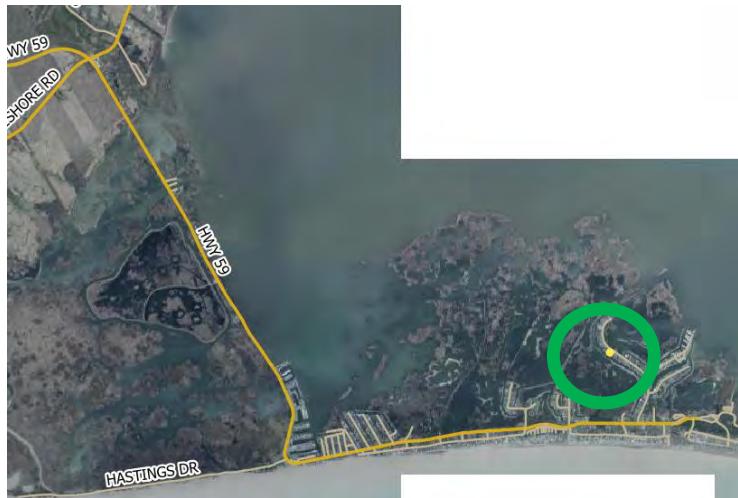
- To construct a two-storey accessory structure

LPRCA staff are unable to recommend approval of this application.



Subject Lands

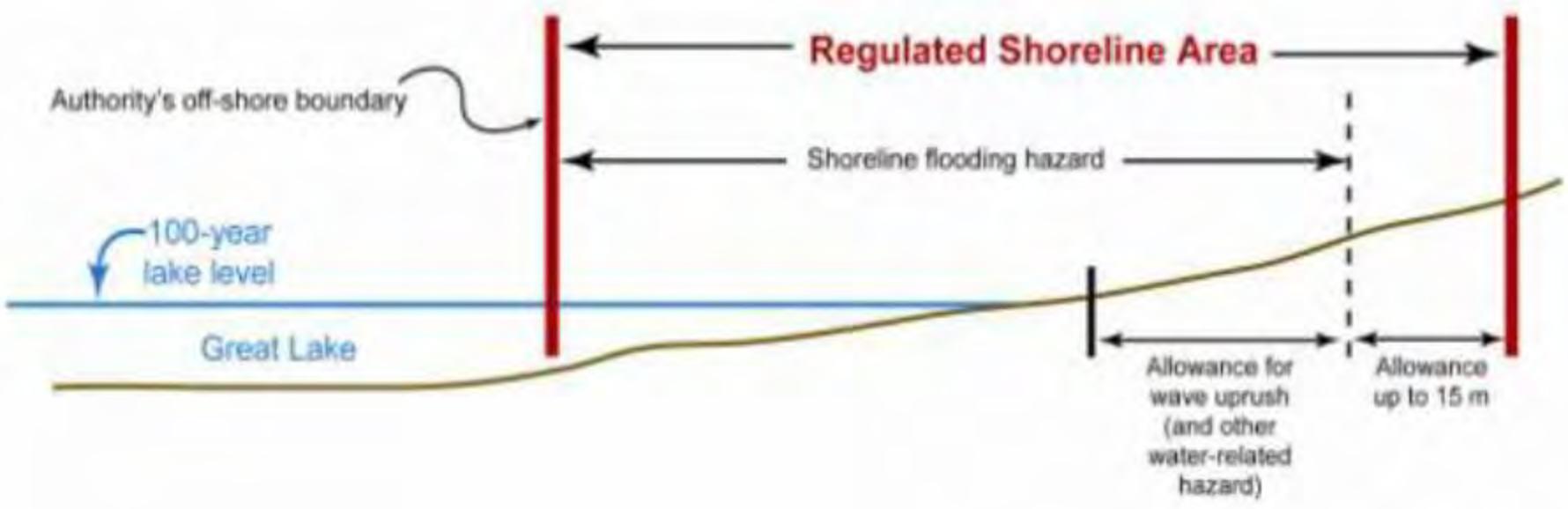
Key Map



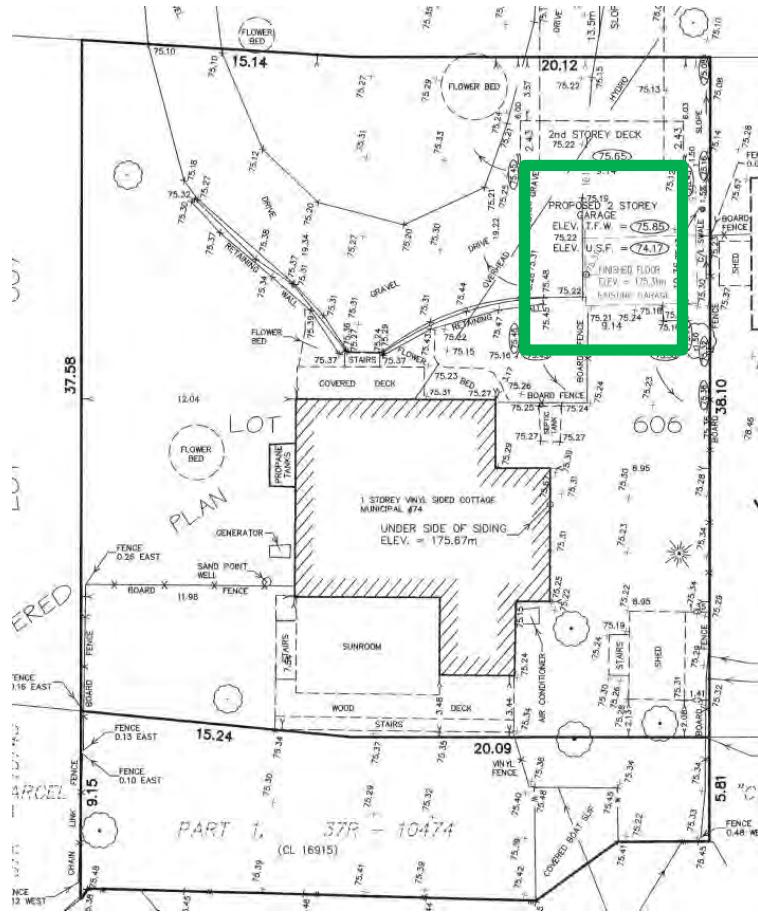
O.Reg 41/24 Regulated Area



Shoreline Flooding Hazard



Site Plan



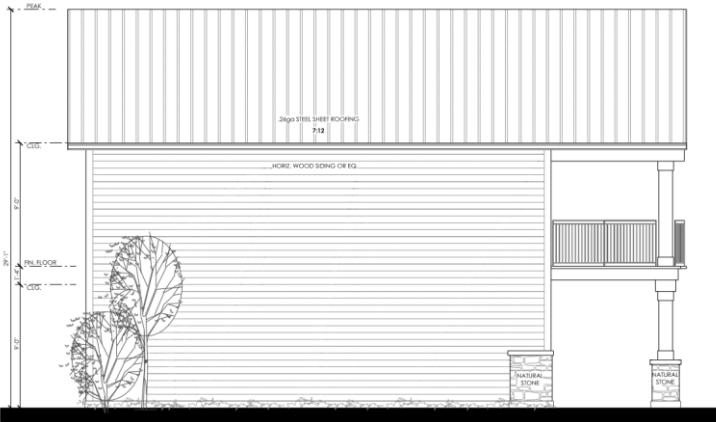
Proposed Garage

N

Site Plan



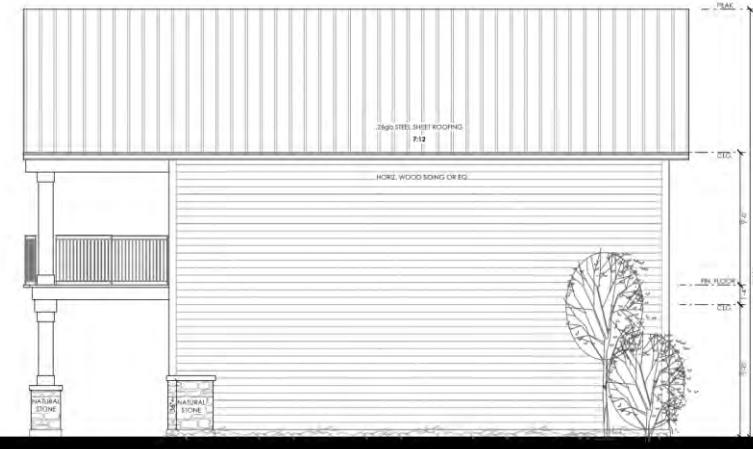
Proposed Structure



East Side



South Side

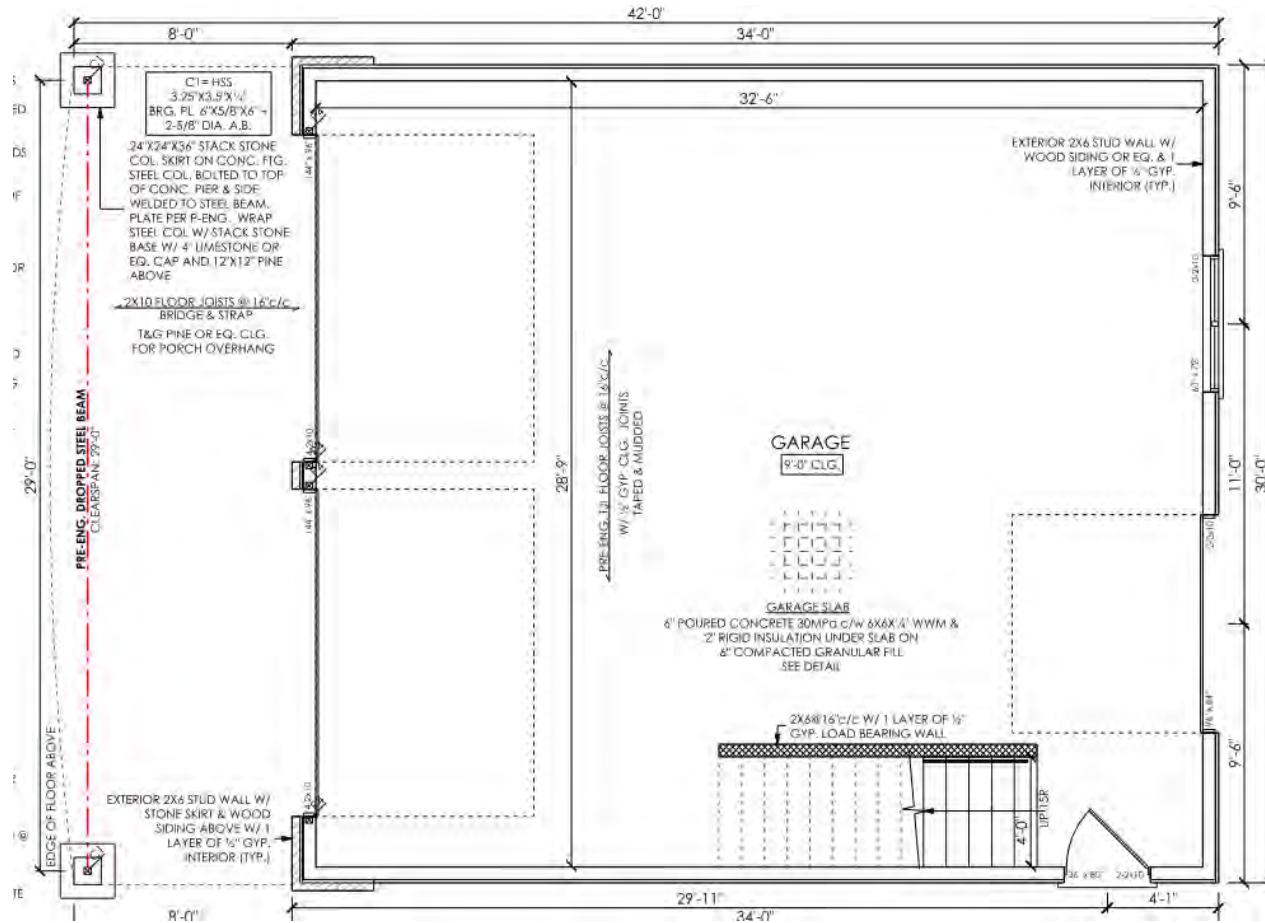


West Side



North Side

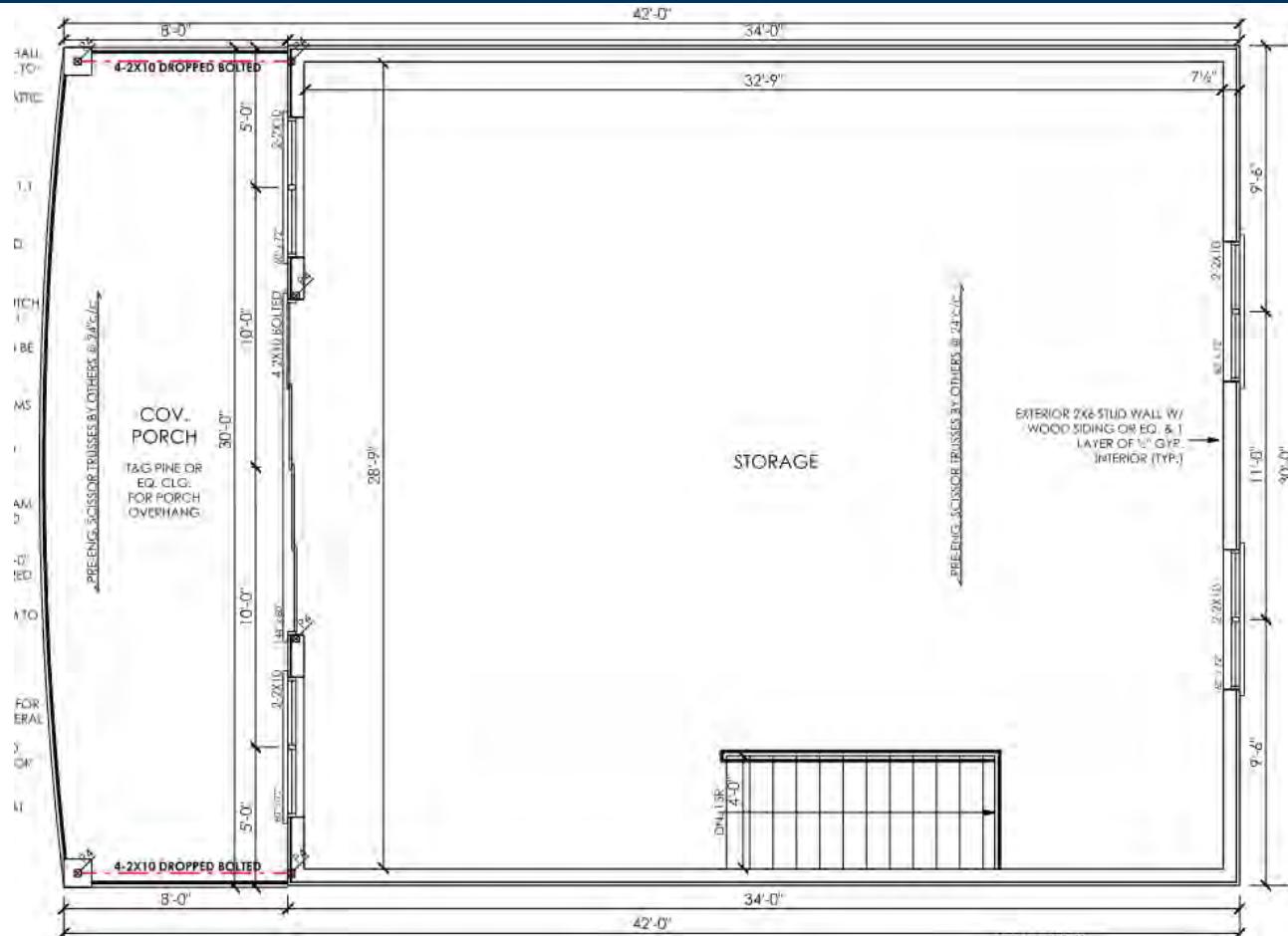
Proposed Structure



Main Floor – Garage and Stairwell



Proposed Structure



Second Floor – Enclosed space and covered deck



Policy Considerations

LPRCA Policies for the Prohibited Activities, Exemption and Permits Regulation O. Reg 41/24

Policy Section	Analysis	Policy met
7.1.2 a) The risk to public safety is not increased	<ul style="list-style-type: none">The size and the design of the structure creates an opportunity for habitable space.Additional units within the floodplain of Lake Erie are not a concept that staff can support as there is no safe access to and from the site.	X
b) Susceptibility to natural hazards is not increased or new hazards are created	<ul style="list-style-type: none">The overall size of the structure is increased substantially from the existing.	X



Policy Considerations Cont.

Policy Section	Analysis	Policy met
8.4.2 a) The proposed development is located in an area of least (and acceptable) risk	<ul style="list-style-type: none">The entire property is located within an area of risk.	✓
b) Floodproofing standards, protection works standards and safe access standards as determined by LPRCA are met	<ul style="list-style-type: none">The structure has not been either dry or wet floodproofed.	



Policy Considerations Cont.

Policy Section	Analysis	Policy met
8.4.2 c) No basement is proposing in the flooding hazard and any crawl space is non-habitable	<ul style="list-style-type: none">• No basement or crawl space is proposed	✓
d) There is no risk of structural failure due to potential hydrostatic/dynamic forces.	<ul style="list-style-type: none">• The structure has not been designed to withstand any hydrostatic or dynamic forces.	



Policy Considerations Cont.

Policy Section	Analysis	Policy met
8.4.7 a) There is no feasible alternative site outside the Lake Erie Shoreline Flood Hazard	<ul style="list-style-type: none">There is no site on the property outside of the flood hazard	✓
b) The site is not subject to frequent flooding	<ul style="list-style-type: none">The site is subject to frequent flooding. Frequent flooding is defined as within the 25-year flood event. However, staff note that there is no feasible alternative outside of the flood hazard at this site.	✓

Policy Considerations Cont.

Policy Section	Analysis	Policy met
8.4.7 c) The floor area of the building or structure is less than or equal to 100 m ² (1,080 ft ²)	<ul style="list-style-type: none">• The total usable area for this structure is 189 m².• The size of the proposed structure is beyond what LPRCA allows for.	
d) There is no opportunity for conversion into habitable space in the future.	<ul style="list-style-type: none">• Given the size and design, additional uses may be included. The overall risk to natural hazards is greatly increased from existing.	

Summary

- Staff cannot consider this structure to be minor in nature, the size and design create an opportunity for habitable space which are not allowed within the floodplain of Lake Erie.
- The site does not have safe access during times of flooding, the depth of flooding on the access route is unsafe, potentially putting both residents' and emergency responder's lives at risk.
- The overall guidance and intent of our policies are to minimize potential risk to life and property during natural hazard events.



Recommendation

THAT the LPRCA Board of Directors refuse to grant a “Prohibited Activities, Exemptions and Permits” Permit for Permit Application LPRCA #212/25 for the following reasons:

- The construction of the proposed structure is contrary to Long Point Region Conservation Authority shoreline policies for development in the Lake Erie flood hazard. These policies have been implemented to reduce or eliminate preventable risk to life and property damage from flooding.
- The control of flooding is affected by the development as the overall risk to property damage is increase,
- The control of flooding is affected by the development as the second storey area could be utilized as habitable space and would therefore put additional risk to life and property for both the occupants and emergency personal and first responders.

