



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

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**AGENDA**

**Agenda Page**

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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<b>Policy Title:</b> Hearing Procedures Policy Conservation Authorities Act, Section 28	<b>Policy Number:</b> 014-24	<b>Pages</b> 20
<b>Date:</b> June 5, 2024	<b>Supersedes:</b> Hearing Procedures Policy Conservation Authorities Act, Section 28	
<b>Cross Reference:</b>	<b>Issuing Authority:</b> 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:

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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
--	---

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 administering 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 71m<sup>2</sup> (768ft<sup>2</sup>) two car garage on the lower level, interior stairs leading to a second storey internal area that measures 71m<sup>2</sup> (768ft<sup>2</sup>), totaling 142m<sup>2</sup> (1,528.5ft<sup>2</sup>) 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
<p>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:</p> <ul style="list-style-type: none"> <li>a) the risk to public safety is not increased,</li> <li>b) susceptibility to natural hazards is not increased or new hazards created</li> </ul>	<p>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.</p>

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
<p>Section 8.4.2 <b>Development</b> associated with existing uses located within Lake Erie Shoreline Flooding Hazards 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 flooding or erosion hazard, provided that it can be demonstrated that:</p> <ul style="list-style-type: none"> <li>a) the proposed development is located in an area of least (and acceptable) risk,</li> <li>b) floodproofing standards, protection works standards and safe access standards as determined by the LPRCA are met,</li> </ul>	<p>As it relates to criteria a: The entire property is located within an area of risk.</p> <p>As it relates to criteria b: The structure has not been either dry or wet floodproofed.</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 1.1m 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 <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 m<sup>2</sup> (1,080 ft<sup>2</sup>), 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 142m<sup>2</sup>. The size of the proposed structure is beyond what LPRCA policy allows for which would be 100m<sup>2</sup> 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



### Legend

Subject Property

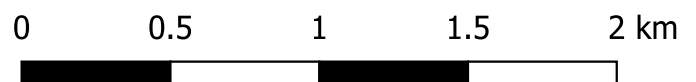






Figure 2

172 Cedar Drive  
Turkey Point  
Charlottesville, Norfolk County



### Legend

 Subject Property

0 10 20 30 40 m







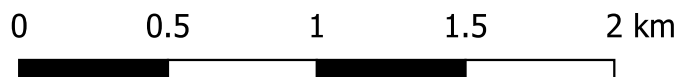
Figure 3

172 Cedar Drive  
 Turkey Point  
 Charlottesville, Norfolk County



### Legend

- Subject Property
- Regulation Limit
- Lake Erie Flood Hazard
- Lake Erie Erosion Hazard



PROPOSED LOT GRADING  
AND DRAINAGE SITE PLAN

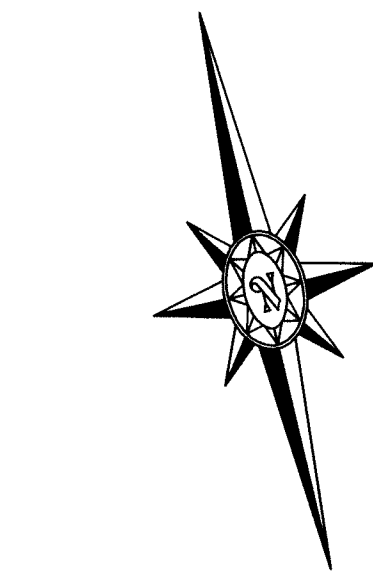
FOR:

CAREY MUDFORD  
172 CEDAR DRIVE  
TURKEY POINT

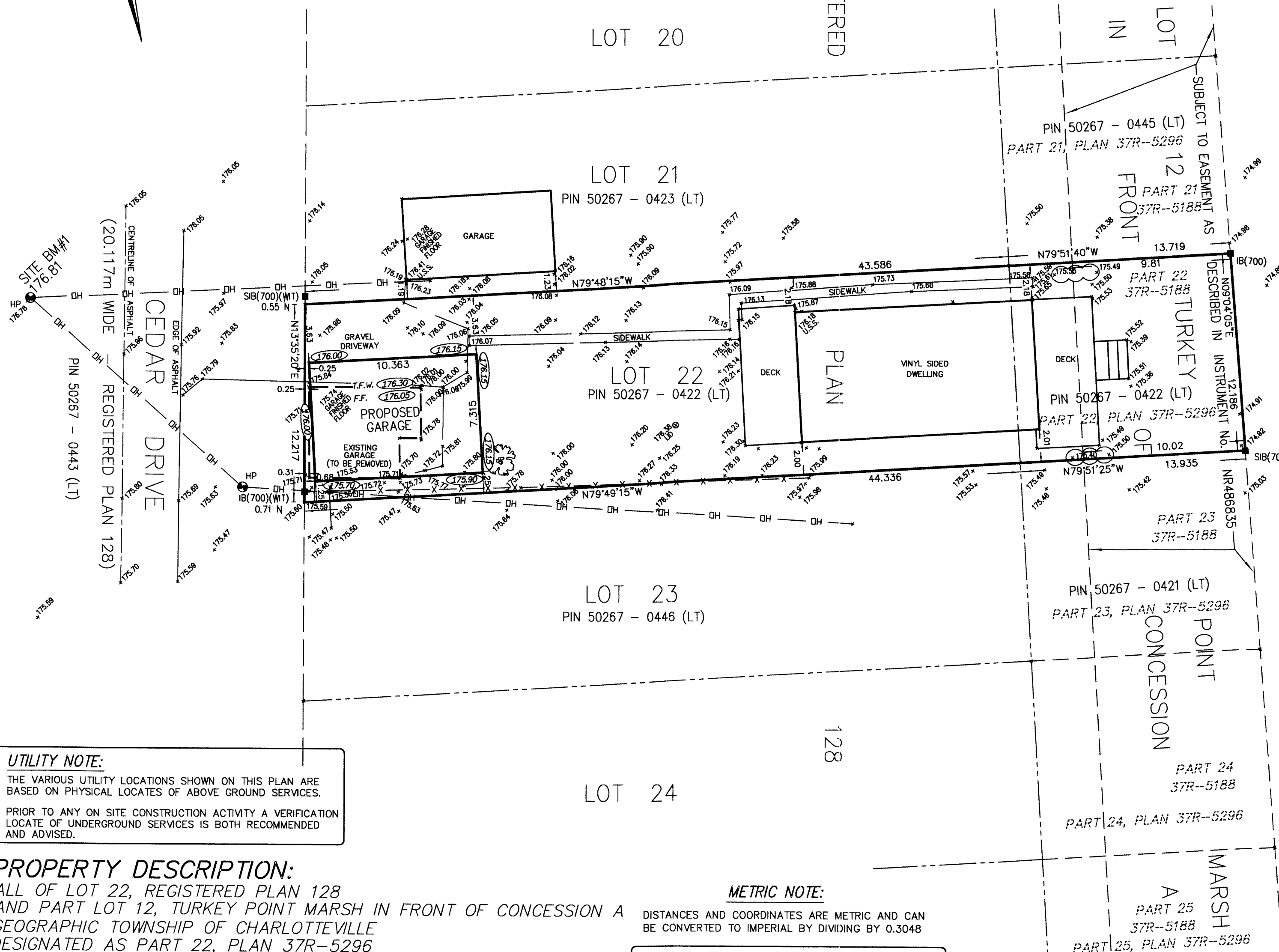
PIN 50267-0422

SCALE 1 : 200

JEWITT AND DIXON LTD.



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



UTILITY NOTE:

THE VARIOUS UTILITY LOCATIONS SHOWN ON THIS PLAN ARE  
BASED ON PHYSICAL LOCATES OF ABOVE GROUND SERVICES.

PRIOR TO ANY ON SITE CONSTRUCTION ACTIVITY A VERIFICATION  
LOCATE OF UNDERGROUND SERVICES IS BOTH RECOMMENDED  
AND ADVISED.

PROPERTY DESCRIPTION:

ALL OF LOT 22, REGISTERED PLAN 128  
AND PART LOT 12, TURKEY POINT MARSH IN FRONT OF CONCESSION A  
GEOGRAPHIC TOWNSHIP OF CHARLOTTEVILLE  
DESIGNATED AS PART 22, PLAN 37R-5296  
SUBJECT TO EASEMENT AS IN INSTRUMENT NR486835  
NORFOLK COUNTY

CAUTION

THIS IS NOT A PLAN OF SURVEY OR SURVEYOR'S REPORT AND SHALL NOT BE USED  
FOR TRANSACTION OR FINANCING PURPOSES

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WITHOUT THE WRITTEN PERMISSION OF JEWITT AND DIXON LTD. IS STRICTLY PROHIBITED

METRIC NOTE:

DISTANCES AND COORDINATES ARE METRIC AND CAN  
BE CONVERTED TO IMPERIAL BY DIVIDING BY 0.3048

LEGEND

BELL BOX	SHOWN	BBX	□
BENCH MARK	SHOWN	BM	○
CATCH BASIN	SHOWN	CB	■
TOP OF FOUNDATION	SHOWN	TOF	○
OVERHEAD HYDRO LINE	SHOWN	O/H	—
WATER VALVE	SHOWN	WV	⚙
HYDRO POLE	SHOWN	HP	⚙
GAS METER	SHOWN	GM	⚙
MANHOLE	SHOWN	MH	⚙

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 (176.50) 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 4" 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 (CSRS) HTV2.0 (2010) (CGVD28)
- (11) - THIS SKETCH WAS COMPLETED FROM FIELD WORK  
COMPLETED ON THE 14TH DAY OF AUGUST, 2024.

JEWITT AND DIXON LTD.  
ONTARIO LAND SURVEYORS

650 IRELAND ROAD  
SIMCOE, ONTARIO, N3Y 4K2

PHONE: (519) 426-0842  
E-mail: info@jewittdixon.com

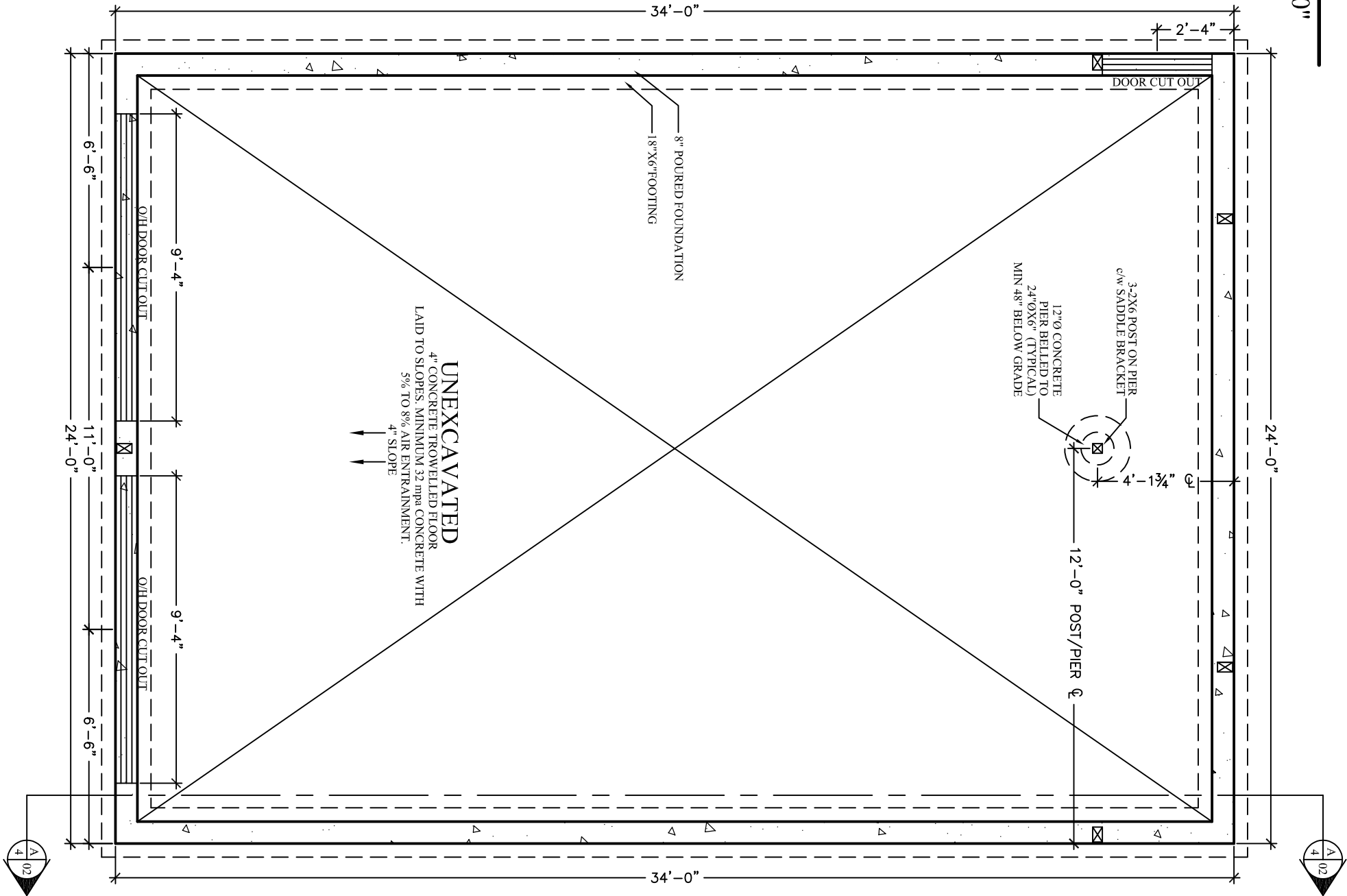
F.W. - J.M.R.  
CALC. - J.M.R.  
PLAN - J.L.M.  
CHECK - K.H.

CLIENT - MUDFORD

24-4112-GP

FOUNDATION PLAN

Scale 1/4"=1'-0"



GENERAL NOTES:

- FOUNDATION PLAN NOTES:
1. ALL DIMENSIONS TO EXTERIOR FOUNDATION WALLS
  2. ALL FOOTINGS SHALL BEAR DIRECTLY ON UNDISTURBED NATURAL OR COMPACTED SOIL BEARING CAPACITY-2500 P.S.F.
  3. APPROVED GRANULAR FILL SHALL BE PROCTOR MAXIMUM DRY DENSITY.
  4. ALL EXTERIOR FOOTINGS SHALL BE A MINIMUM 4'-0" BELOW FINISHED GRADE TO PROTECT FROM FROST ACTION.
  5. CONCRETE FOR FLOOR SLABS SHALL HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 25 MPa. ALL OTHER CONCRETE SHALL HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 25 MPa UNLESS OTHERWISE SPECIFIED. (6% AIR / 4" SLUMP)
  6. REINFORCING STEEL TO HAVE MINIMUM 1 1/2" COVER, MAXIMUM 2" COVER AT BOTTOM OF SLAB.

I hereby and take responsibility for the design work on behalf of a firm registered under subsection 2.17.4. of the O.B.C. I am qualified, and the firm is registered, in the appropriate class/categories

Tony Wall  
BCIN: 22052

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

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



\*PROPERTY OF VIEW-IT DESIGN\*

VIEW-IT DESIGN  
RR# 1 PORT BURWELL  
OFFICE: 519-851-1173  
FAX: 519-851-4069

2232510 ONTARIO INC.  
172 CEDAR DRIVE  
TURKEY POINT, ONT

PROPOSED GARAGE PLANS

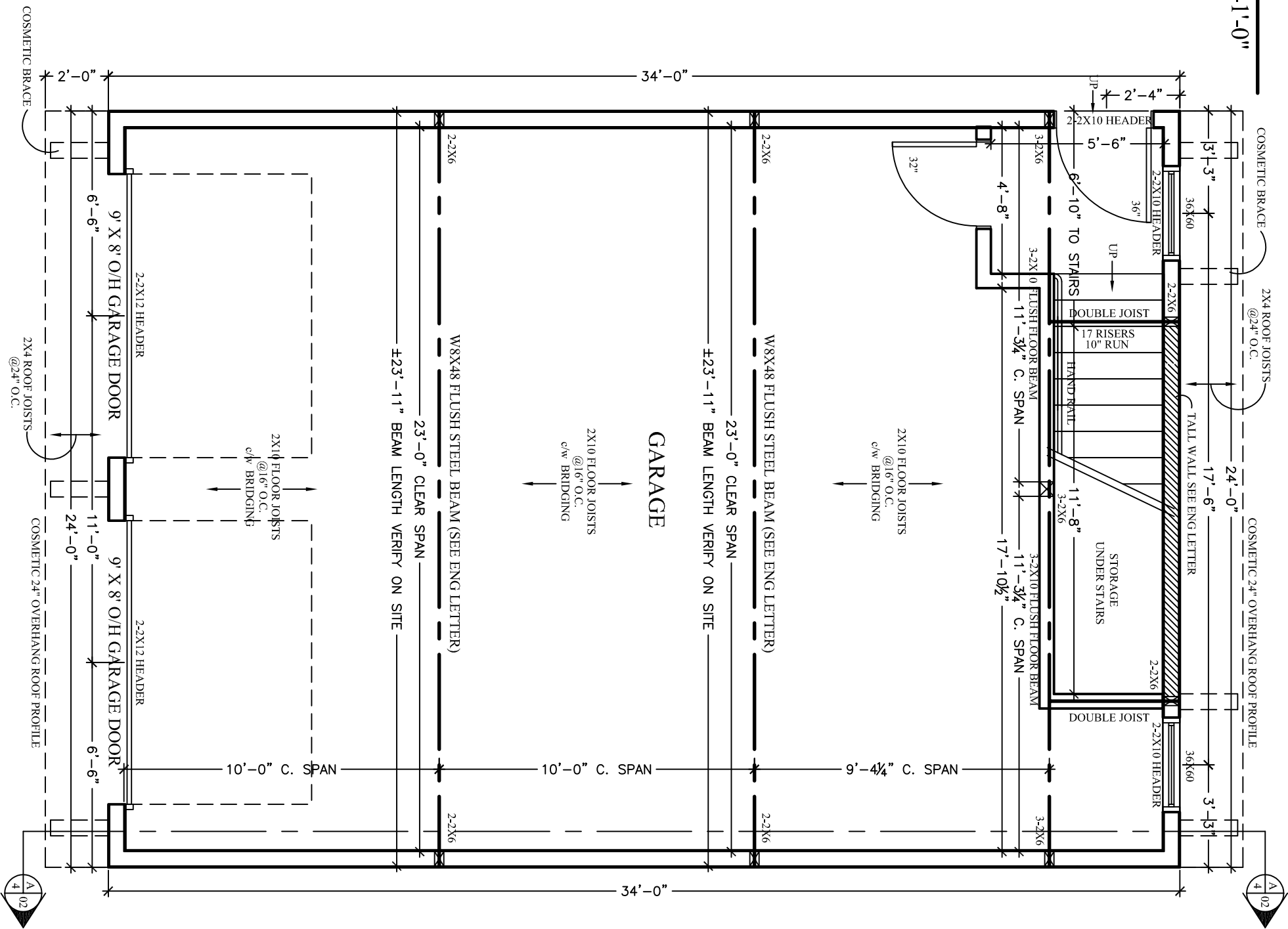
FOUNDATION PLAN

DRAWN BY: TONY WALL  
BCIN: 29620  
PO#: 22251  
DATE: DECEMBER 2023  
SCALE: SEE DWG

A1

MAIN FLOOR PLAN

Scale 1/4"=1'-0"



GENERAL NOTES:

I review and take responsibility for the design work on behalf of a firm registered under subsection 2.17.4. of the O.B.C. I am qualified, and the firm is registered, in the appropriate class/categories

Tony Wall  
BCIN: 22052

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

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



\*PROPERTY OF VIEW-IT DESIGN\*

**VIEW-IT DESIGN**  
RR# 1 PORT BURWELL  
OFFICE: 519-851-1173  
FAX: 519-851-4069

**2232510 ONTARIO INC.**  
172 CEDAR DRIVE  
TURKEY POINT, ONT

PROPOSED GARAGE PLANS

MAIN FLOOR PLAN

DRAWN BY: TONY WALL  
BCIN: 29650  
DATE: DECEMBER 2023

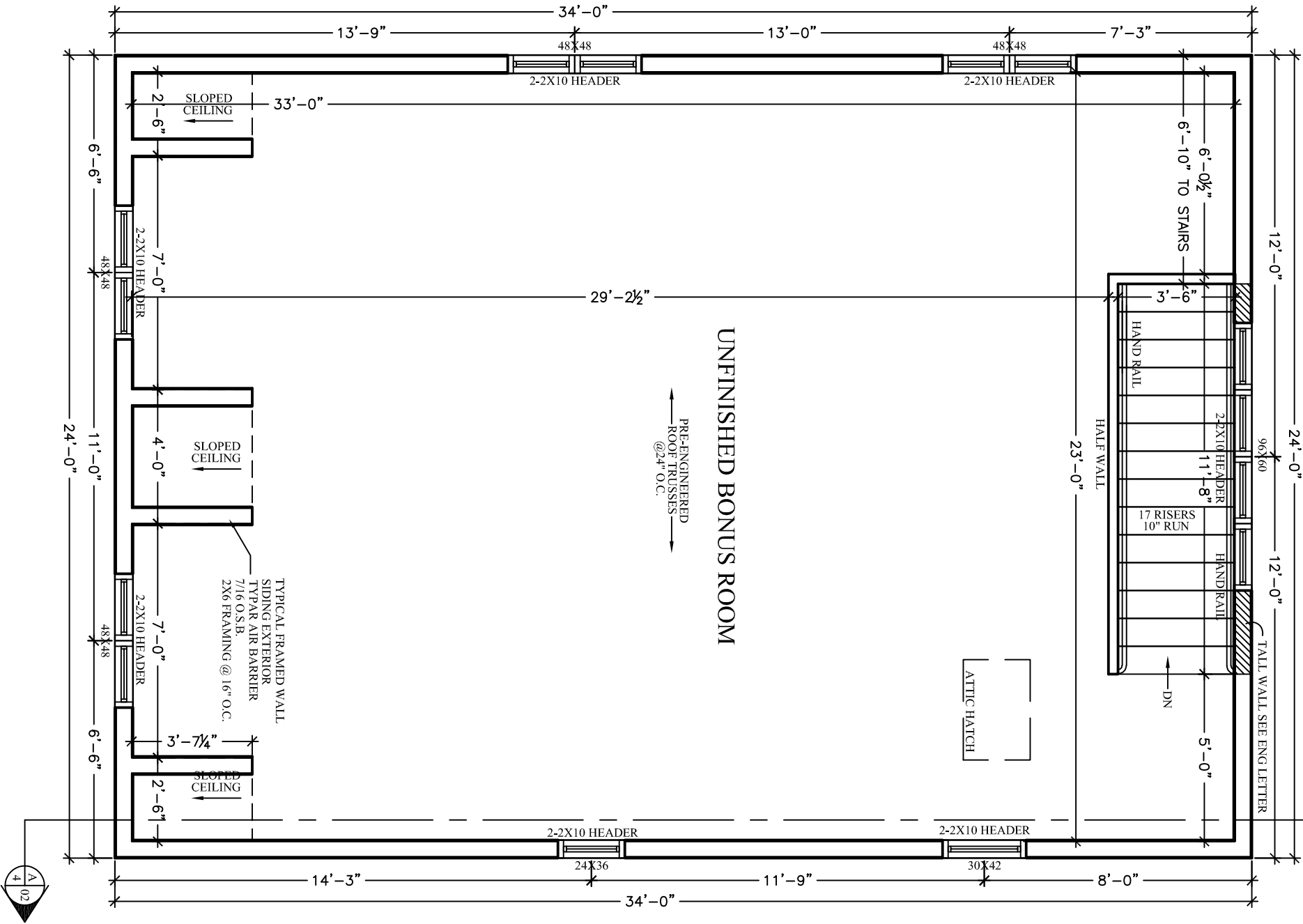
PO#: 223251  
SCALE: SEE DWG

A2



UPPER FLOOR PLAN

Scale 1/4"=1'-0"



GENERAL NOTES:

I review and take responsibility for the design work on behalf of a firm registered under subsection 2.17.4. of the O.B.C. I am qualified, and the firm is registered, in the appropriate class/categories

Tony Wall  
BCIN: 22052

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

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



\*PROPERTY OF VIEW-IT DESIGN\*

VIEW-IT DESIGN  
RR# 1 PORT BURWELL  
OFFICE: 519-851-1173  
FAX: 519-851-4069

2232510 ONTARIO INC.  
172 CEDAR DRIVE  
TURKEY POINT, ONT

PROPOSED GARAGE PLANS

UPPER FLOOR PLAN

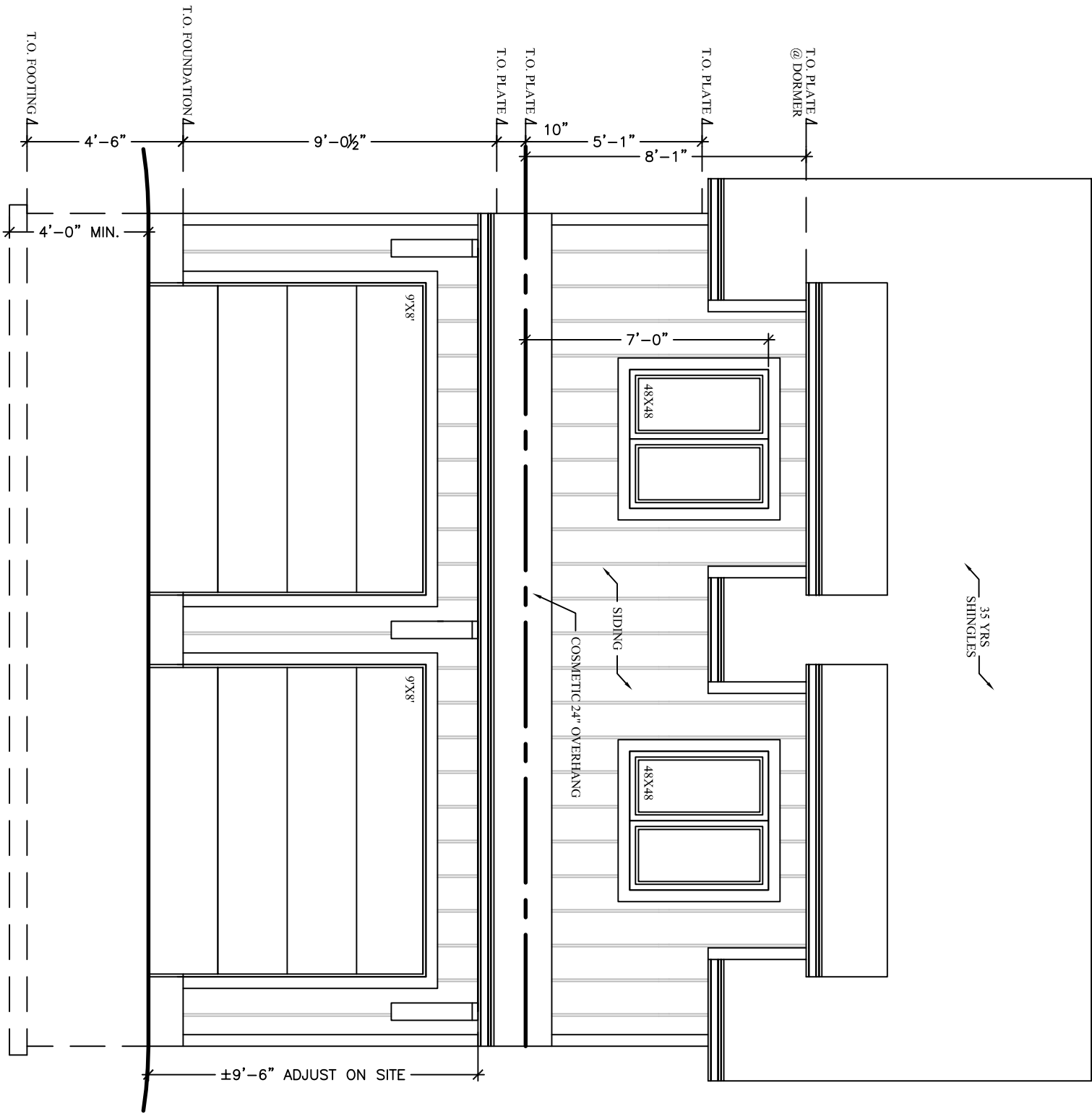
DRAWN BY: TONY WALL  
BCIN: 29620  
DATE: DECEMBER 2023

PO#: 22321  
SCALE: SEE DWG

A3

FRONT 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 2.17.4. of the O.B.C. I am qualified, and the firm is registered, in the appropriate class/categories

Tony Wall  
BCIN: 22052

SQUARE FOOTAGE

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: 519-851-1173  
FAX: 519-851-4069

2232510 ONTARIO INC.  
172 CEDAR DRIVE  
TURKEY POINT, ONT

PROPOSED GARAGE PLANS

ELEVATIONS

DRAWN BY: TONY WALL

BCIN: 29620

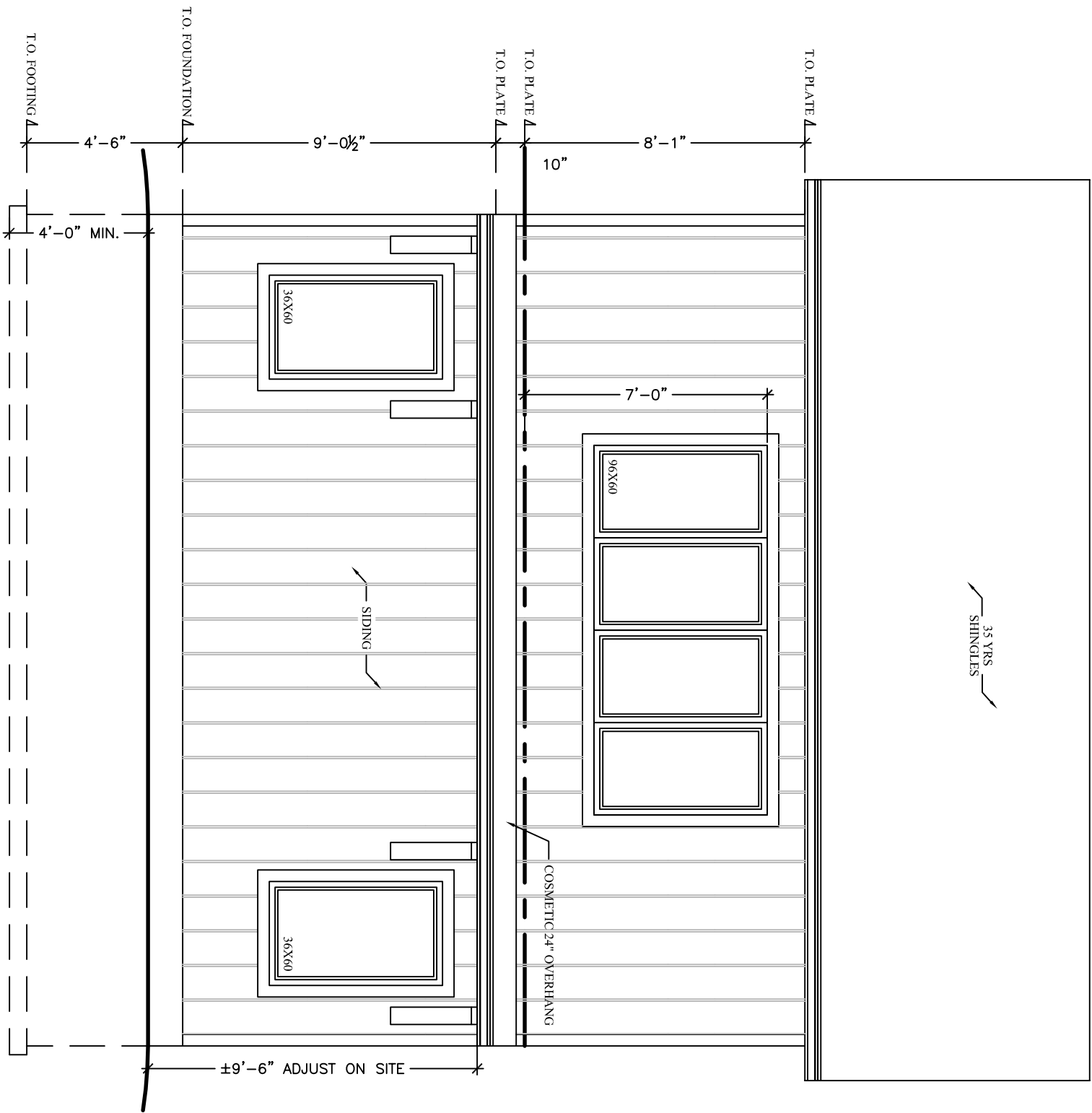
DATE: DECEMBER 2023

SHEET NO. 4 OF 9

A4

REAR ELEVATION

Scale 1/4"=1'-0"



GENERAL NOTES:

I hereby and take responsibility for the design work on behalf of a firm registered under subsection 2.17.4. of the O.B.C. I am qualified, and the firm is registered, in the appropriate class/categories

Tony Wall  
BCIN : 22052

SQUARE FOOTAGE

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: 519-851-1173  
FAX: 519-851-4069

2232510 ONTARIO INC.  
172 CEDAR DRIVE  
TURKEY POINT, ONT

PROPOSED GARAGE PLANS

ELEVATIONS

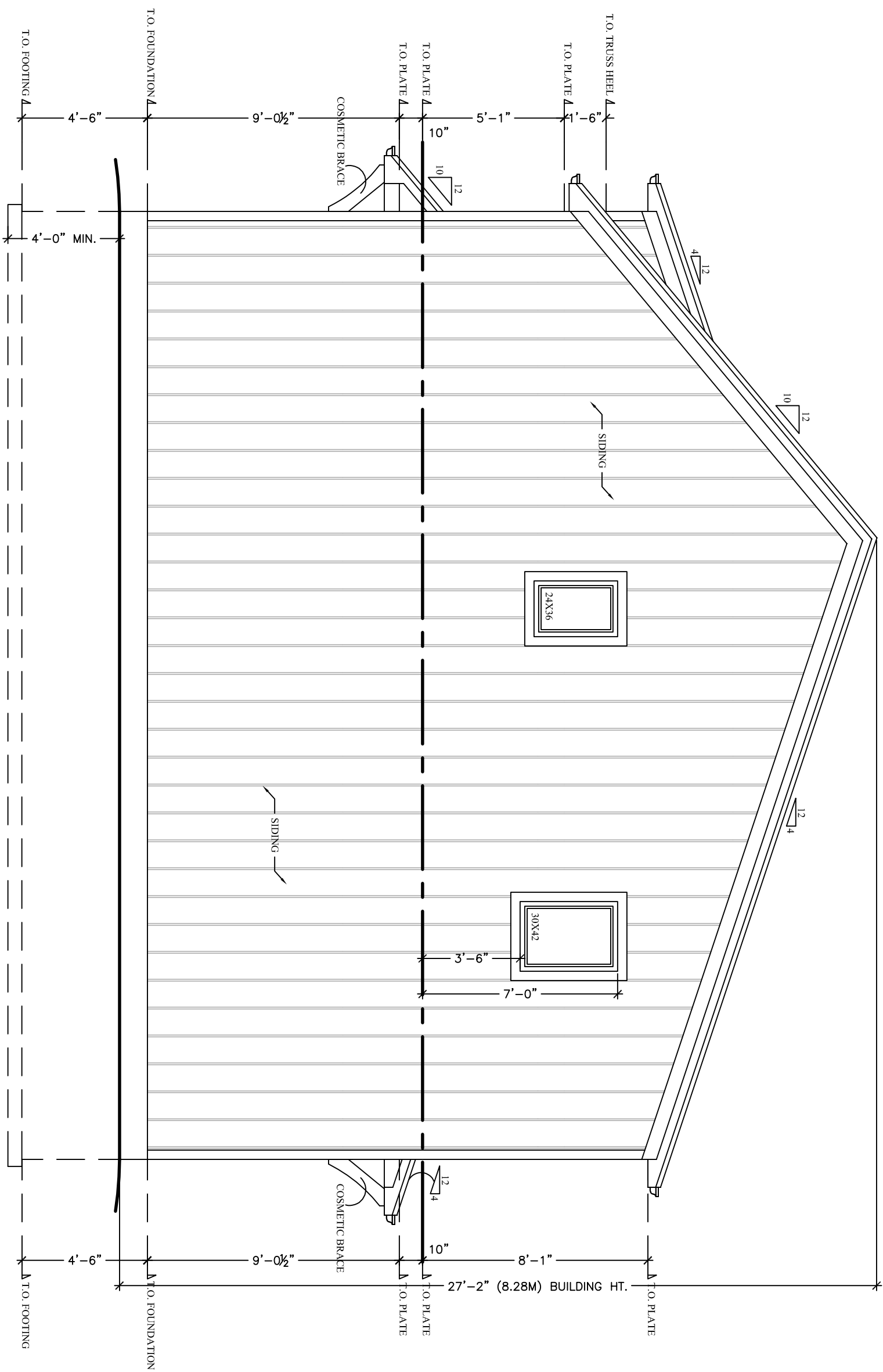
DRAWN BY: TONY WALL  
BCIN: 29620  
DATE: DECEMBER 2023

SCALE: SEE DWG

A5

## RIGHT 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 2.17 A. of the O.B.C. I am qualified, and the firm is registered, in the appropriate classes/categories

Tony Wall  
BCIN : 22052

	SQUARE FOOTAGE
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

FAX: 519-874-4087

2232510 ONTARIO INC.

172 CEDAR DRIVE  
TURKEY POINT, ONT

### PROPOSED GARAGE PLANS

## ELEVATIONS

DRAWN BY: TONY WALL

PO# 23251

DATE: DECEMBER 2023

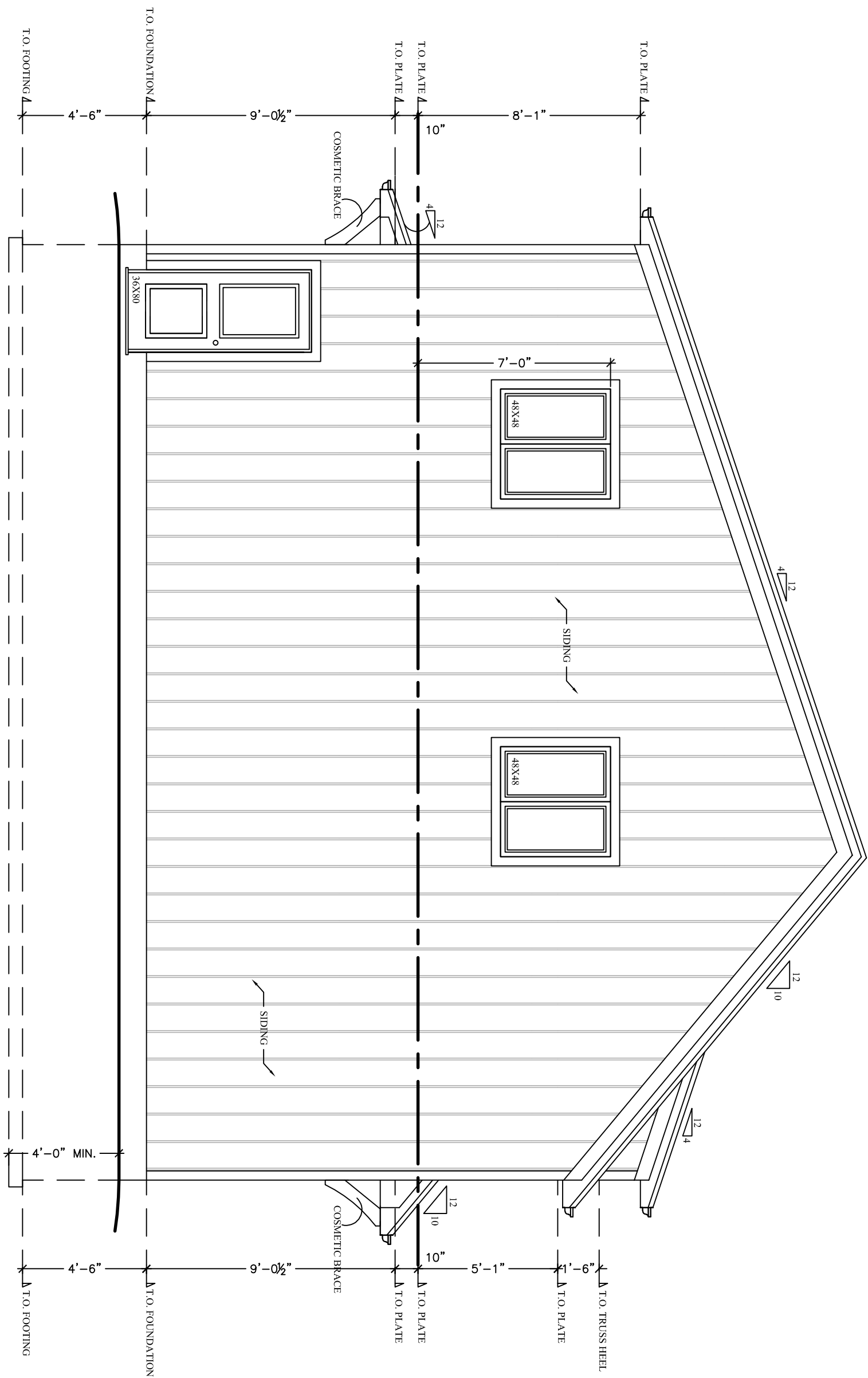
SHEET NO. 6 OF 9

A6



## LEFT 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 2.17.4. of the O.B.C. I am qualified, and the firm is registered, in the appropriate classes/categories

Tony Wall  
BCIN : 22052

	SQUARE FOOTAGE
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: 519-851-1173  
FAX: 519-874-4087

2232510 ONTARIO INC.  
172 CEDAR DRIVE  
TURKEY POINT, ONT

## PROPOSED GARAGE PLANS

## ELEVATIONS

DRAWN BY: TONY WALL

PO# 23251

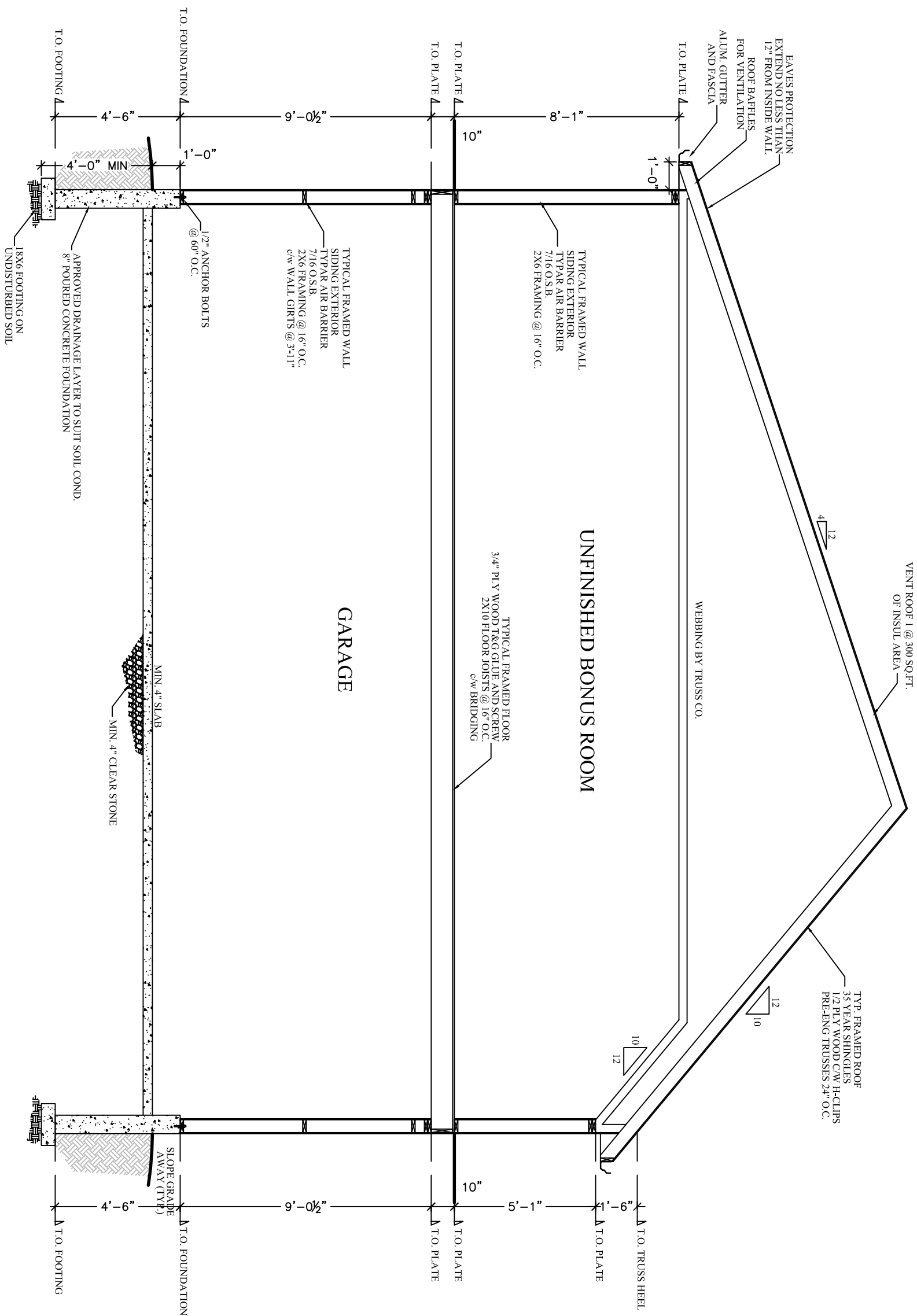
DATE: DECEMBER 2023

SHEET NO. 7 OF 9

A7

## SECTION 01:01

Scale 1/4"-1'-0"



## GENERAL NOTES

I review and take responsibility for the design work on behalf of a firm registered under subsection 2.17 A. of the O.B.C. I am qualified, and the firm is registered, in the appropriate classes/categories

Tony Wall  
BCIN : 22052

	SQUARE FOOTAGE
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: 519-851-1173  
FAX: 519-874-4087

2232510 ONTARIO INC.  
172 CEDAR DRIVE  
TURKEY POINT, ONT

## PROPOSED GARAGE PLANS

## SECTIONS

DRAWN BY: TONY WALL      SCALE: SEE DWG

BCIN: 29620 PO# 23251

DATE: DECEMBER 2023

SHEET NO. 8 OF 9

A8

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.

IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO CONFORM WITH THESE SECTIONS OF THE CODE WHERE APPLICABLE AND BE FAMILIAR WITH PART 9 OF THE CODE.

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")

UNIFORM RISE & RUN ON ANY FLIGHT OF STAIRS  
MINIMUM HEADROOM 1950mm (6' 5")  
GUARD HEIGHT AT LANDING 902mm (35 1/2")  
AT STAIRS BETWEEN 902mm (35 1/2")  
GUARD SPACING 100mm (4") NON CLIMBABLE  
HANDRAILS INSTALLED BETWEEN 920mm (36")

EXTERIOR

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

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")  
ANGLE OF REPOSE IS 45°

CONCRETE FOUNDATION WALLS SHALL EXTEND TO 6" MIN. ABOVE FINISHED GRADE  
FOOTING DESIGN MIN. 6" DEEP X 4" MIN. PROJECTION BEYOND FOUNDATION WALL AND MIN. OF 16" WIDE  
CONCRETE FOUNDATIONS SHALL BE CONSTRUCTED TO SUFFICIENT DEPTH TO PROVIDE ADEQUATE FROST PROTECTION

WOOD FRAME CONSTRUCTION

AS PER OBC SECTION 9.23

ALL STRUCTURAL LUMBER TO BE SPF#2 CONSTRUCTION OR BETTER UNLESS NOTED OTHERWISE. LUMBER SIZES TO BE AS DETERMINED FROM SPAN TABLES OF THE BUILDING CODE.  
SILL PLATES SHALL BE ANCHORED TO THE FOUNDATION WITH 1/2" ANCHOR BOLTS 7'-10" MAX ON SPACING WITH 4" MIN. EMBEDMENT INTO THE CONCRETE  
JOIST END BEARING TO BE 1 1/2 MIN.  
BEAMS & GIRDERS SHALL HAVE 3 1/2" MIN END BEARING  
BEAMS & POINT LOADS SHALL BE SUPPORTED FULL WIDTH TO FOUNDATION  
ALL NON LOAD BEARING PARTITIONS SHALL BE SUPPORTED BY DOUBLE FLOOR JOIST OR SOLID BLOCKING AT 3'11" O.C.  
ALL WOOD IN CONTACT WITH CONCRETE SHALL BE PROTECTED FROM MOISTURE.

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-Q132.2-M, STEEL INSULATED CONFORM TO CAN/CSB-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

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	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

BUILT-UP COLUMN SELECTION TABLE  
NAILED BUILT-UP 2 x 6

S-P-F No.1 / No.2				
WALL HT	2 PLY	3 PLY	4 PLY	5 PLY
8'	5,279 lbf	14,932 lbf	25,382 lbf	33,951 lbf
9'	4,098 lbf	12,973 lbf	22,947 lbf	32,030 lbf
10'	3,207 lbf	10,868 lbf	20,895 lbf	30,000 lbf
17'	N/A	3,215 lbf	9,014 lbf	18,808 lbf
18'	N/A	3,013 lbf	7,957 lbf	13,870 lbf

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.

GENERAL NOTES:

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. I am qualified, and the firm is registered, in the appropriate class/categories

Tony Wall  
BCIN - 22052

		SQUARE FOOTAGE
	MAIN FLOOR	816 SQ.FT.
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2232510 ONTARIO INC.  
172 CEDAR DRIVE  
TURKEY POINT, ONT

PROPOSED GARAGE PLANS

NOTES

DRAWN BY: TONY WALL	SCALE: SEE DWG
BCIN: 29620	PO# 22321
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:

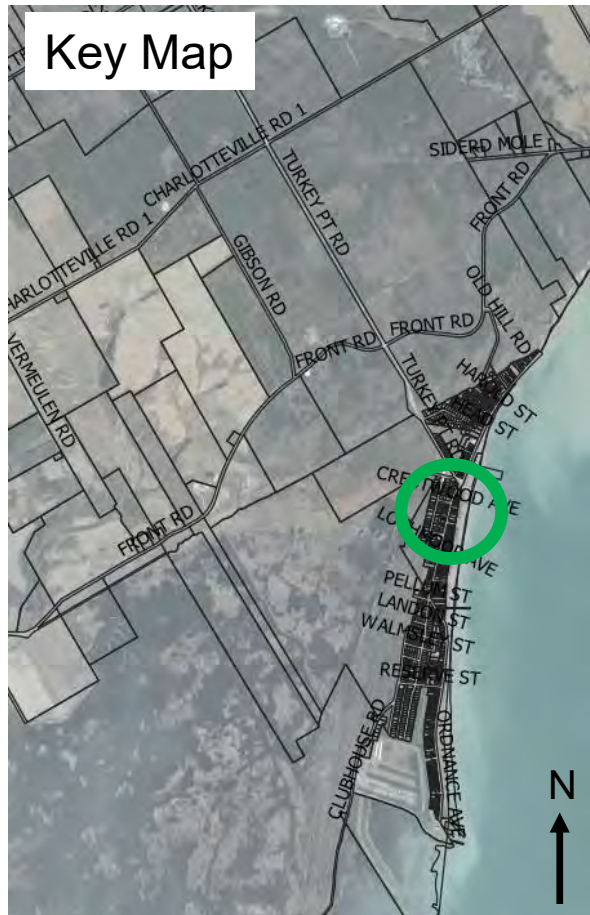
- To construct a two-storey accessory structure

LPRCA staff are unable to recommend approval of this application.

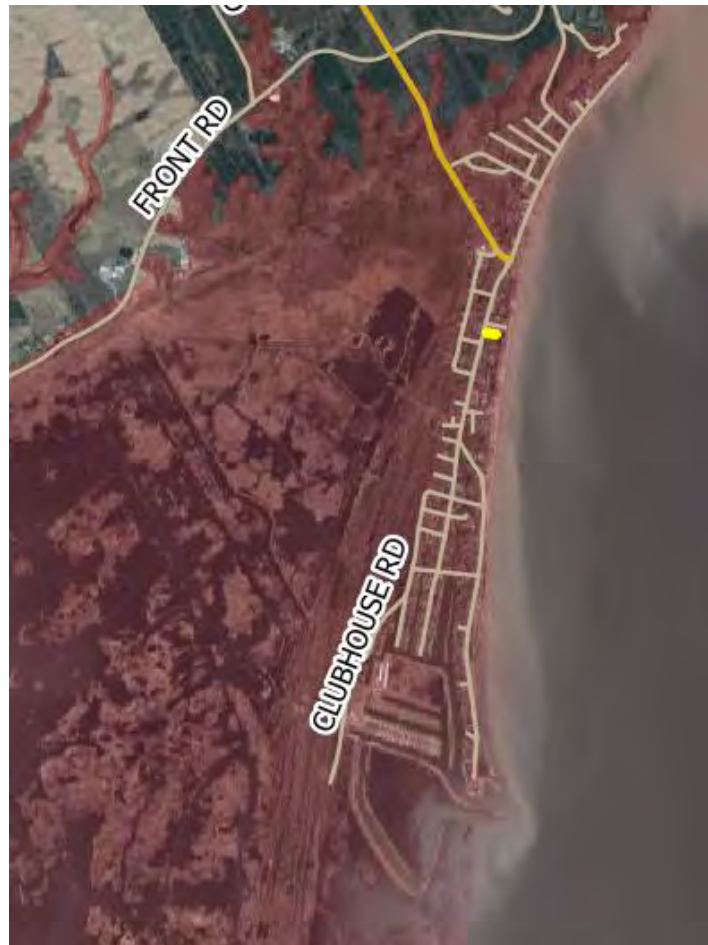






# Subject Lands



# O.Reg 41/24 Regulated Area

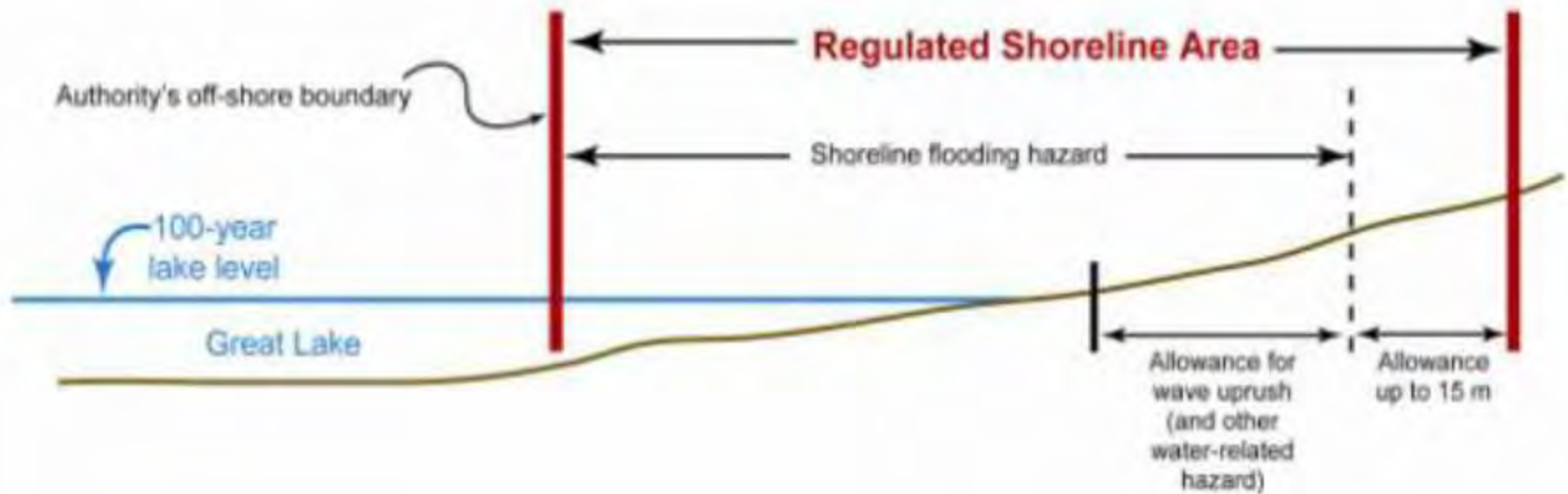


## Legend

-  Subject Property
-  Regulation Limit

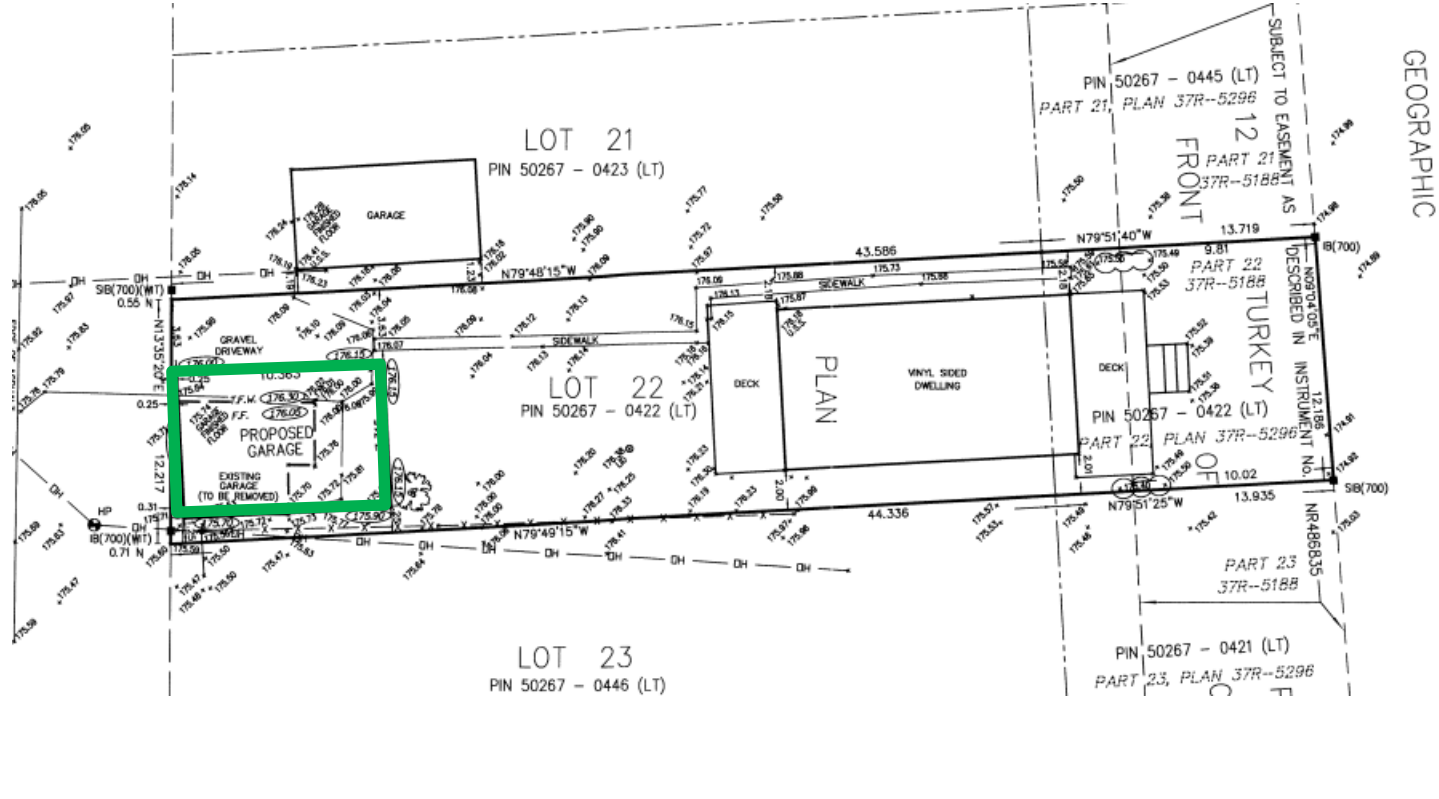


# Shoreline Flooding Hazard





# Site Plan

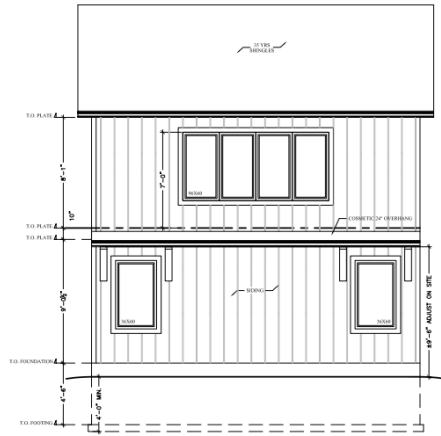


 Proposed Garage

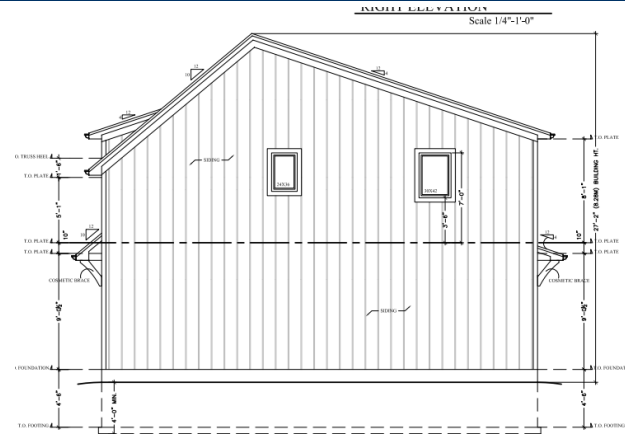
Site Plan



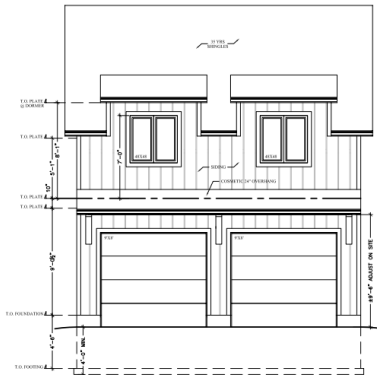
# Proposed Structure



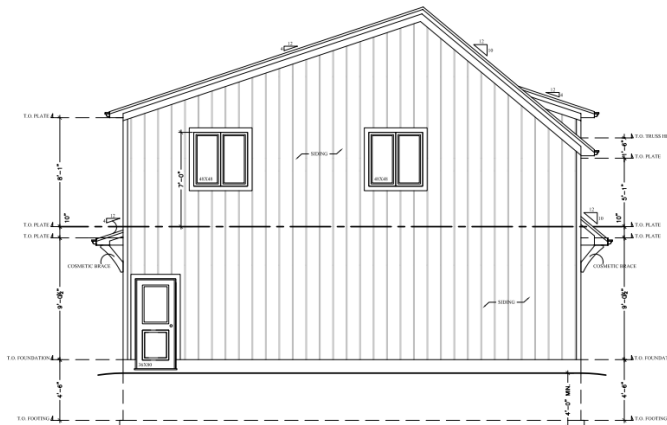
East Side



South Side

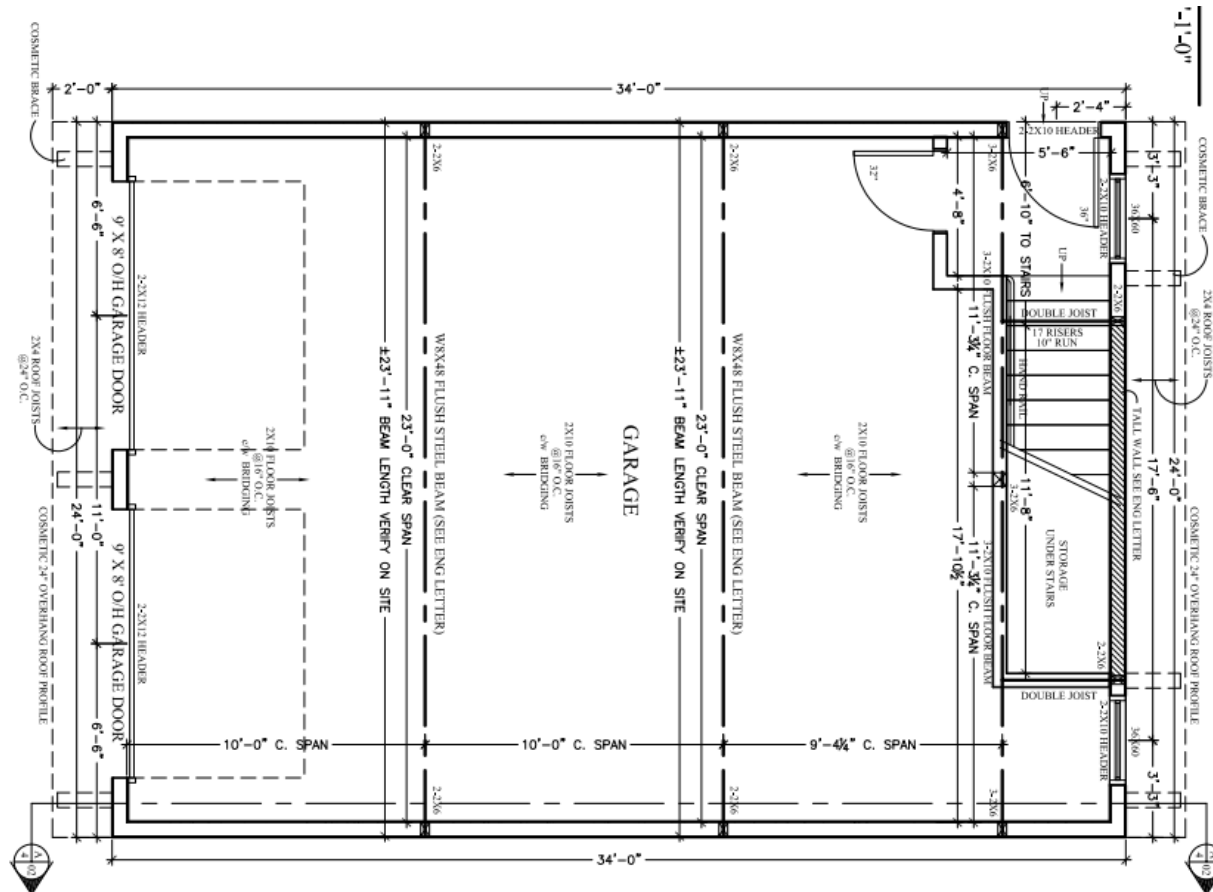


West Side



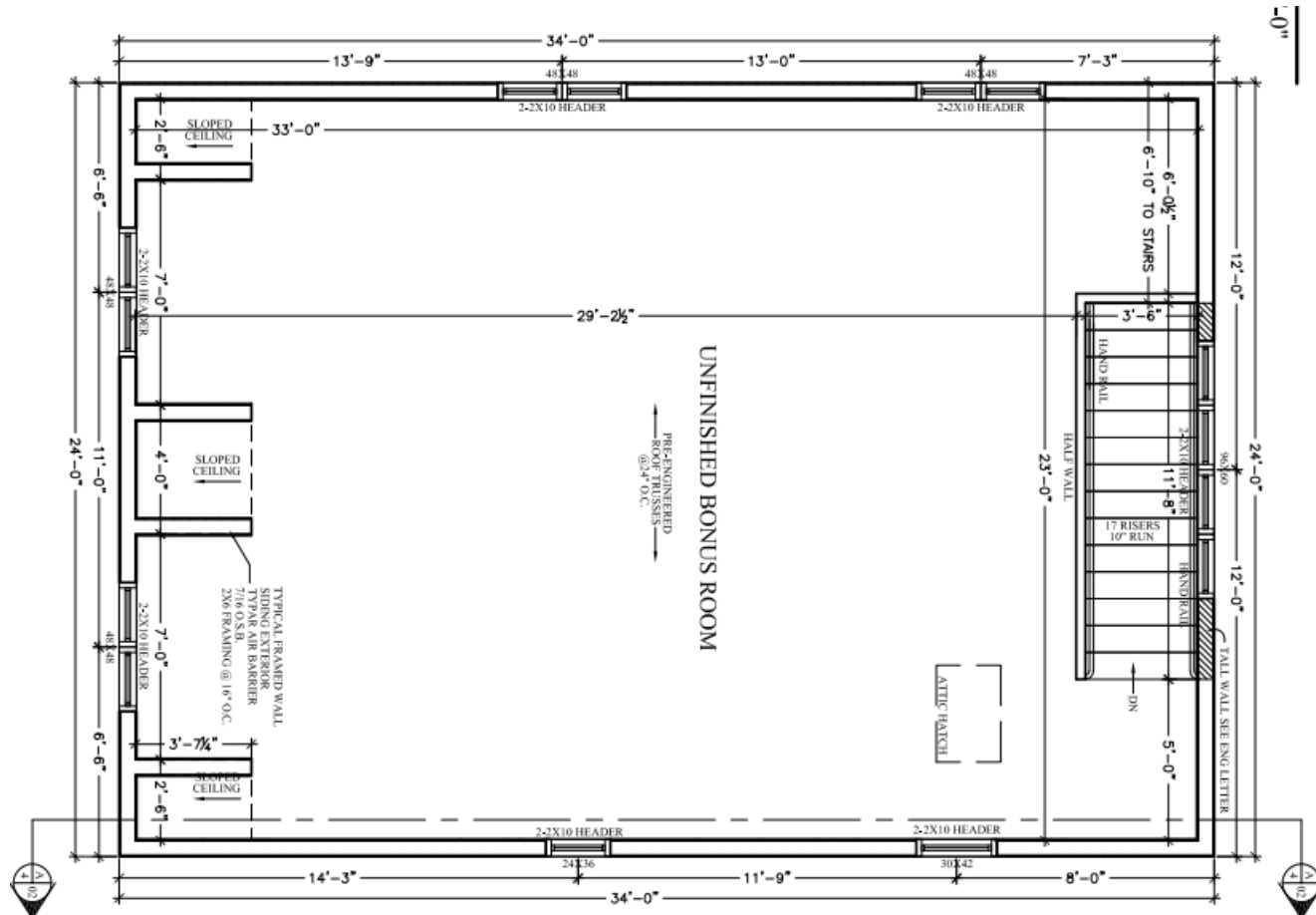
North Side

# 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"><li>• The size and the design of the structure creates an opportunity for habitable space.</li><li>• 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.</li></ul>	
b) Susceptibility to natural hazards is not increased or new hazards are created	<ul style="list-style-type: none"><li>• The overall size of the structure is increased substantially from the existing.</li></ul>	



# 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"> <li>The entire property is located within an area of risk.</li> </ul>	✓
b) Floodproofing standards, protection works standards and safe access standards as determined by LPRCA are met	<ul style="list-style-type: none"> <li>The structure has not been either dry or wet floodproofed.</li> </ul>	





# 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"> <li>No basement or crawl space is proposed</li> </ul>	✓
d) There is no risk of structural failure due to potential hydrostatic/dynamic forces.	<ul style="list-style-type: none"> <li>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.</li> </ul>	





# 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"><li>There is no site on the property outside of the flood hazard</li></ul>	
b) The site is not subject to frequent flooding	<ul style="list-style-type: none"><li>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.</li></ul>	





# 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 <sup>2</sup> (1,080 ft <sup>2</sup> )	<ul style="list-style-type: none"> <li>The total usable area for this structure is 174 m<sup>2</sup>.</li> <li>The size of the proposed structure is beyond what LPRCA allows for.</li> </ul>	
d) There is no opportunity for conversion into habitable space in the future.	<ul style="list-style-type: none"> <li>Given the size and design, additional uses may be included. The overall risk to natural hazards is greatly increased from existing.</li> </ul>	



# 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 administering 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 94.8m<sup>2</sup> (1,020ft<sup>2</sup>) two car garage on the lower level, interior stairs leading to a second storey internal area that measures 94.8m<sup>2</sup> (1,020ft<sup>2</sup>), totaling 189.6m<sup>2</sup> (2,040.9ft<sup>2</sup>) in floor space. The second storey will also have a proposed covered deck measuring approximately 22.2m<sup>2</sup> (240ft<sup>2</sup>).

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
<p>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:</p> <ul style="list-style-type: none"> <li>a) the risk to public safety is not increased,</li> <li>b) susceptibility to natural hazards is not increased or new hazards created</li> </ul>	<p>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.</p>

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
<p>Section 8.4.2 <b>Development</b> associated with existing uses located within Lake Erie Shoreline Flooding Hazards 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 flooding or erosion hazard, provided that it can be demonstrated that:</p> <ul style="list-style-type: none"> <li>a) the proposed development is located in an area of least (and acceptable) risk,</li> <li>b) floodproofing standards, protection works standards and safe access standards as</li> </ul>	<p>As it relates to criteria a: The entire property is located within an area of risk.</p> <p>As it relates to criteria b: The structure has not been either dry or wet floodproofed.</p>

<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  <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 m<sup>2</sup> (1,080 ft<sup>2</sup>), <i>and</i></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 189.6m<sup>2</sup>. The size of the proposed structure is beyond what LPRCA policy allows for which would be 100m<sup>2</sup> 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



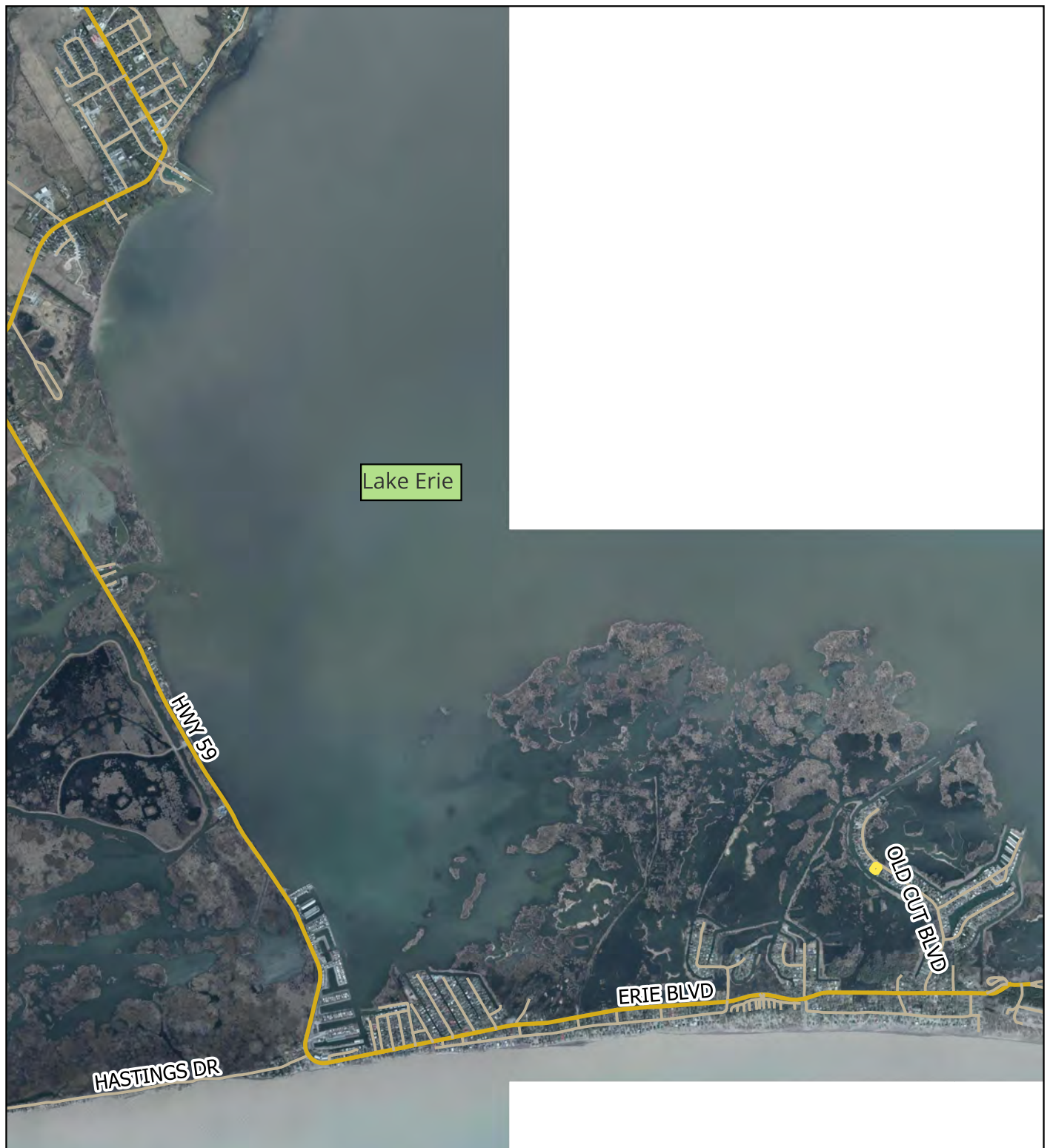


Figure 1

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



### Legend

Subject Property

0 10 20 30 40 m

 A horizontal scale bar with markings at 0, 10, 20, 30, and 40 meters. The bar is divided into segments corresponding to these measurements.





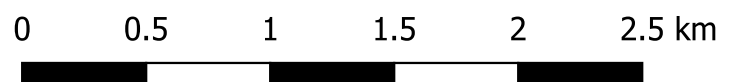
Figure 3

74 Old Cut Blvd  
Long Point  
South Walsingham, Norfolk County

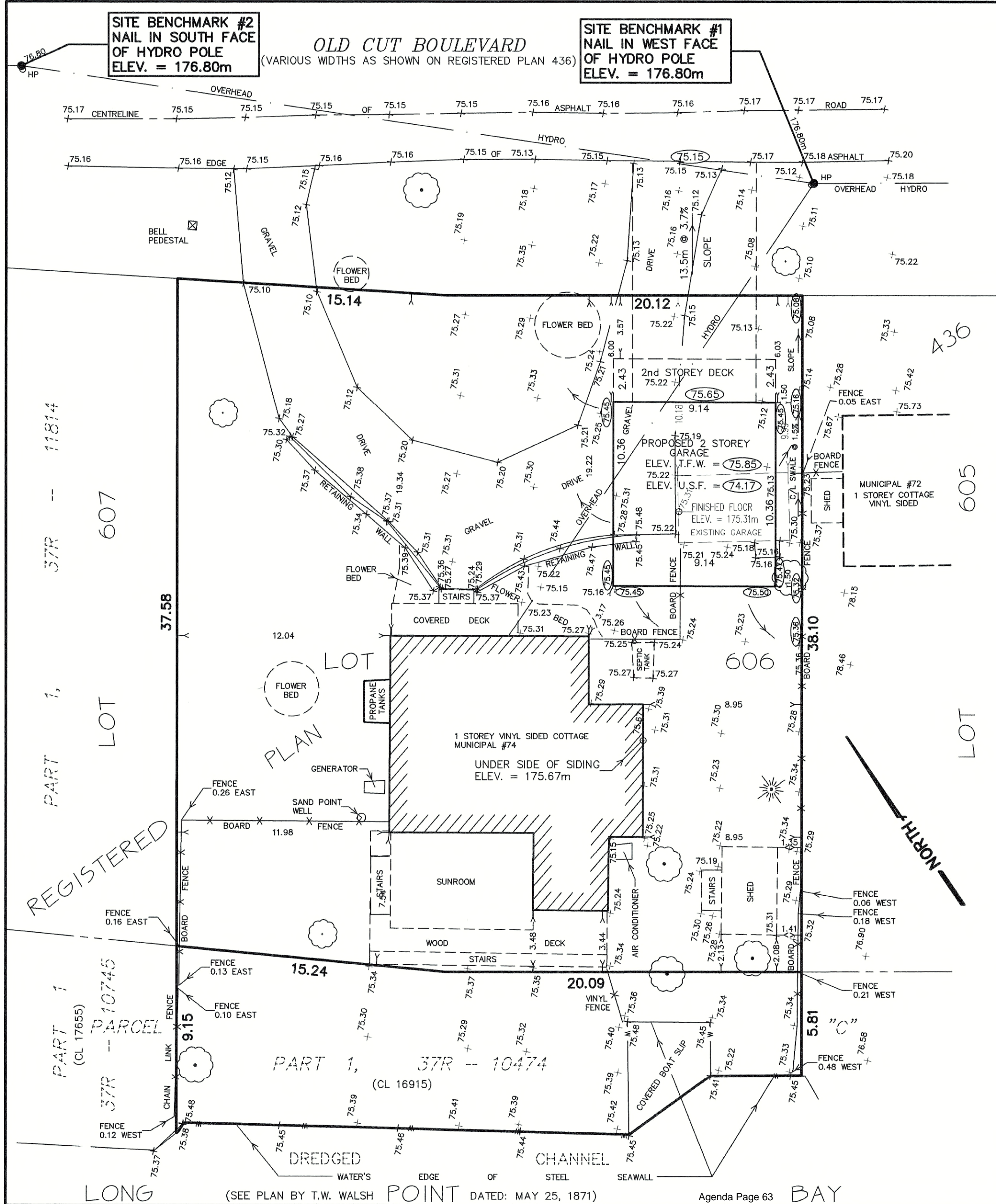


### Legend

- Subject Property
- Regulation Limit
- Lake Erie Flood Hazard
- Lake Erie Erosion Hazard







# SITE PLAN FOR BUILDING PERMIT AND LOT GRADING

FOR: MYRON GRAVES  
MUNICIPAL #74 OLD CUT BOULEVARD  
P.I.N. 50115-0334

SCALE 1:200

0 5 10 15 METRES

METRIC

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
- (3) - 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
- (4) - ADD 100.00m TO ELEVATIONS SHOWN HERON TO OBTAIN GEODETIC DATUM
- (5) - ELEVATIONS ARE REFERRED TO CANADIAN VERTICAL GEODETIC DATUM 1928, GEOID MODEL HT2\_2010v70, REFERENCE FRAME NAD83 (CSRS) (2010.0)
- (6) - 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.
- (7) - IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE SITE BENCH MARK PRIOR TO EXCAVATION
- (8) - THIS SITE PLAN WAS COMPLETED FROM FIELD WORK COMPLETED ON THE 3rd DAY OF JUNE, 2025.
- (9) - 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
- (10) - DWELLING AREA (INCLUDING DECKS AND SUNROOM) = 261.6 SQ. M.  
DWELLING COVERAGE = 16%
- (11) - BOAT SLIP, GARAGE AND EXISTING SHED AREA = 63.8 SQ. METRES  
BOAT SLIP, GARAGE AND SHED COVERAGE = 3.9%
- (12) - 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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JULY 10, 2025

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DRAWN BY:	WLP	CHECKED BY:	XXX	REFERENCE NO.:	25-53-806-00
MYRON GRAVES				DATED:	07/04/25



GENERAL NOTES

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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 REASOABLY ASSUMES 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 BUILDINGSHALL 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.

FOOTINGS

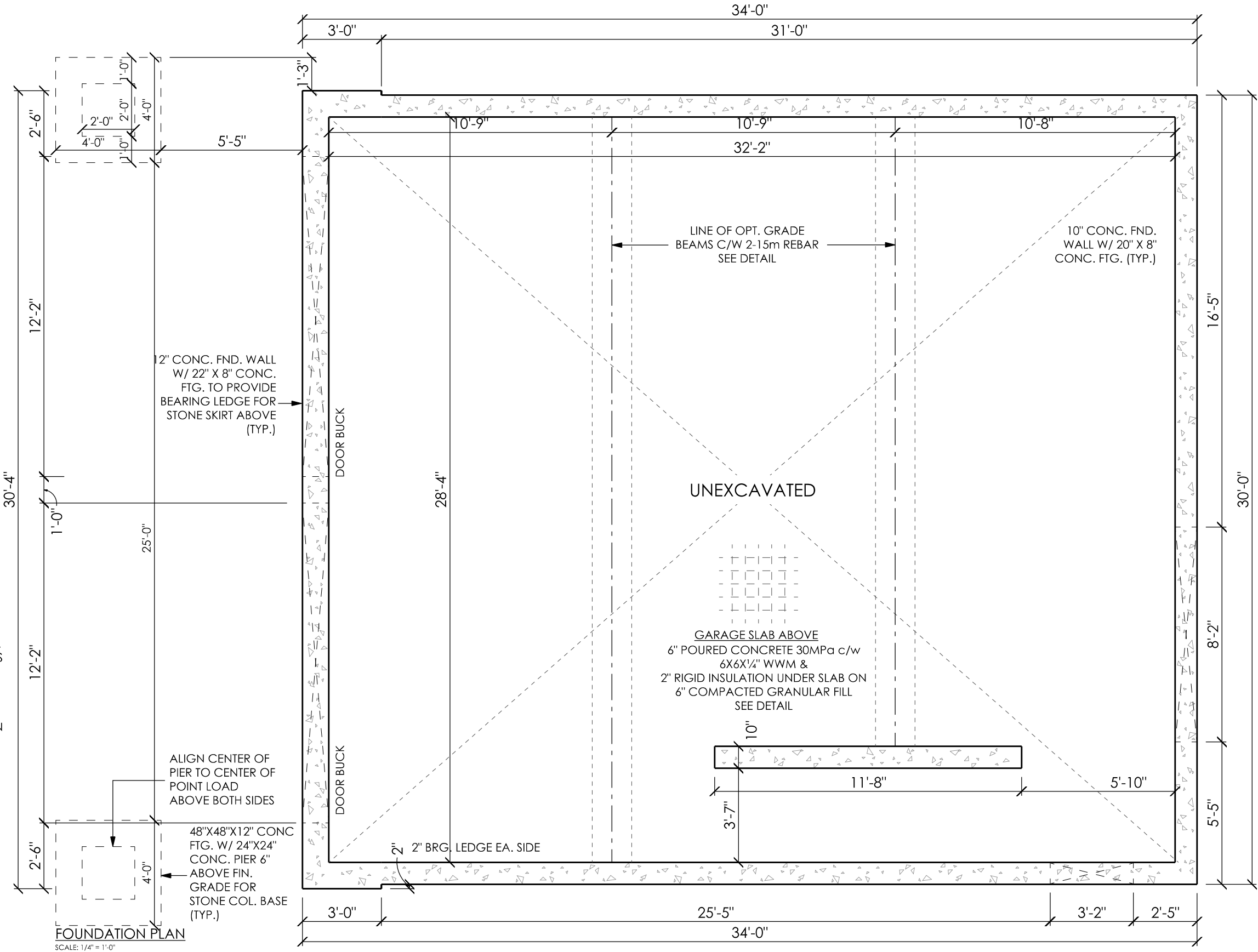
- ALL FOOTINGS TO BEAR ON NATIVE UNDISTURBED SOIL AND BE A MIN. OF 4'-0" BELOW FINISHED GRADE.
- SOIL BEARING CAPACITY TO BE A MIN. OF 3000 PSF

STANDARD FOOTINGS

- 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 COMPACTED 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 CONCRETTTE 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



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JOHN BARNHART 41773  
THE BUILDING PERMIT GUY 103362  
FIRM NAME BCIN

CLARK

DETACHED GARAGE

74 OLD CUT BOULEVARD, LONG POINT, ON.

DRAWN BY:

J. BARNHART

A-1

## FOUNDATION WALLS

- ## DAMPPROOFING AND DRAINAGE

- ## CONCRETE

## CONCRETE FLOOR SLABS

- ## REINFORCED CONCRETE SLABS

- ## INSULATION/VENTILATION & WEATHERPROOFING

- GARAGE, CARPORT, EXTERIOR SLABS AND STEPS SHALL BE 32 MPA, 4650 PSI CONCRETE (AFTER 28 DAYS) WITH 5-8% AIR ENTRAINMENT



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BUILDING CODE:	41773
JOHN BARNHART	
THE BUILDING PERMIT GUY	103362
OWNER NAME	DAVE

# CLARK

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

LIGHTING

- 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 TURSSSES 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

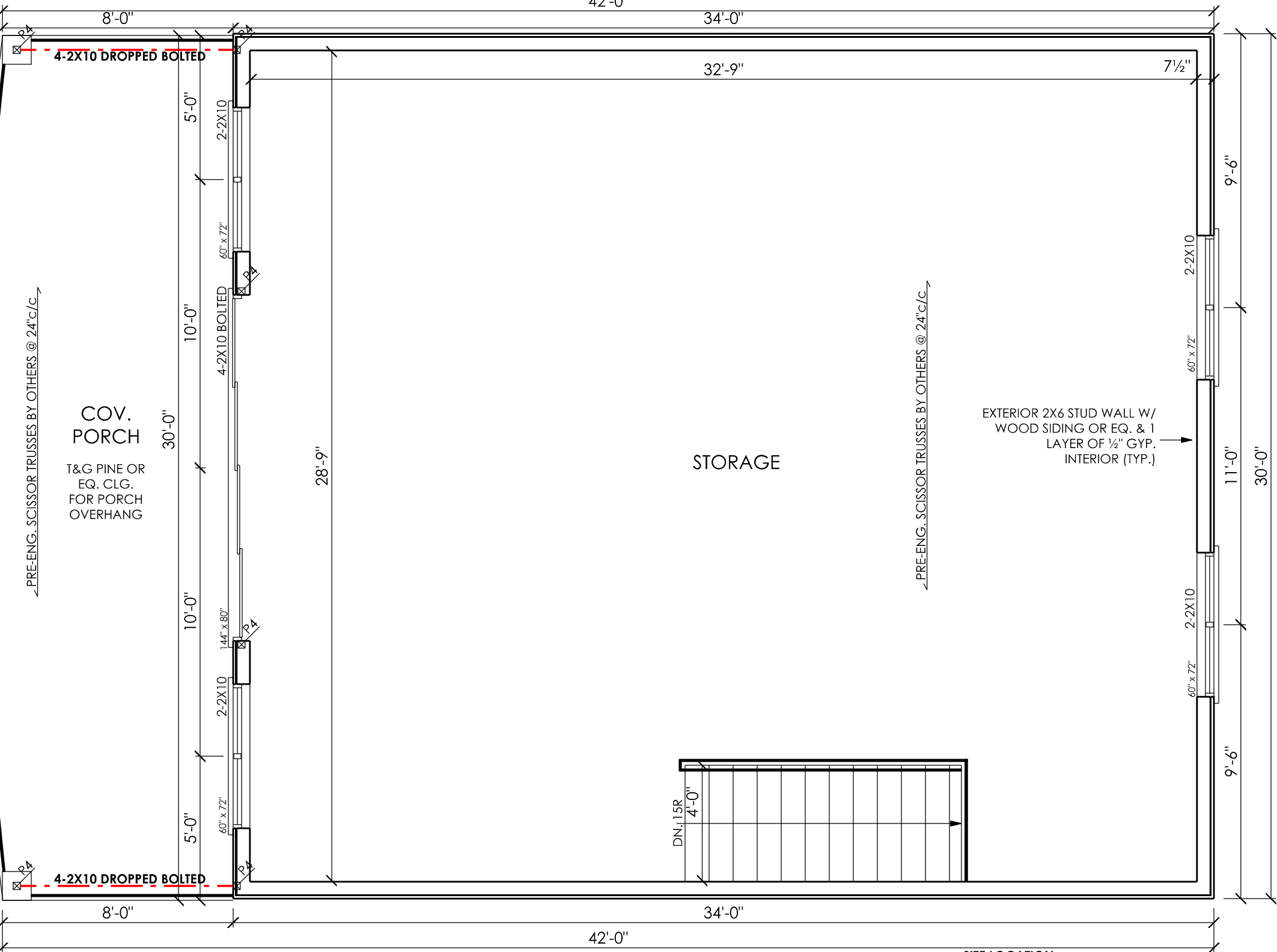
ALL LINTELS SUPPORTING TRUSS SPANS THAT EXCEED 32'-0" OF SUPPORTED TRUSS LENGTH ARE TO BE PRE-ENGINEERED LVL HEADERS PER O.B.C. 9.23.12.

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"



2ND FLOOR PLAN  
SCALE: 1/4" = 1'-0"

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



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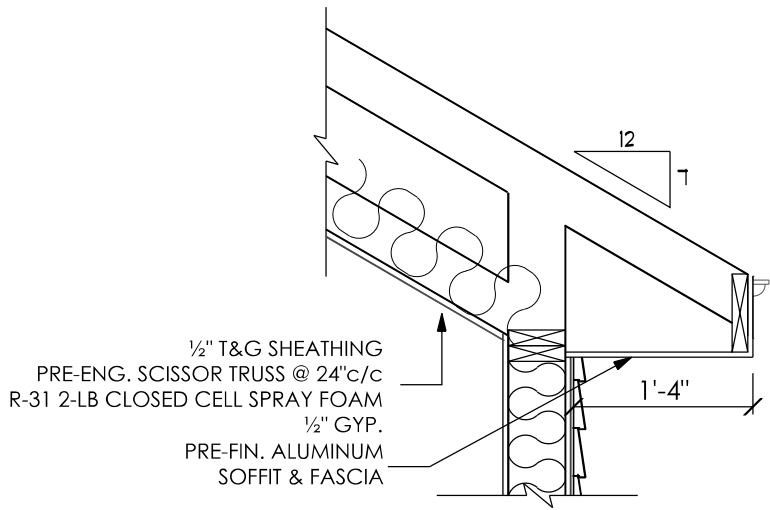
THE BUILDING PERMIT GUY 103362 BCIN

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

DRAWN BY: J. BARNHART

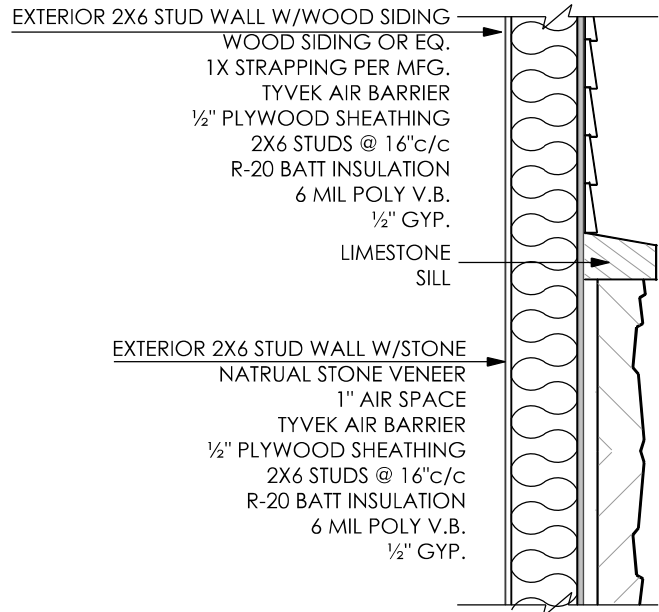
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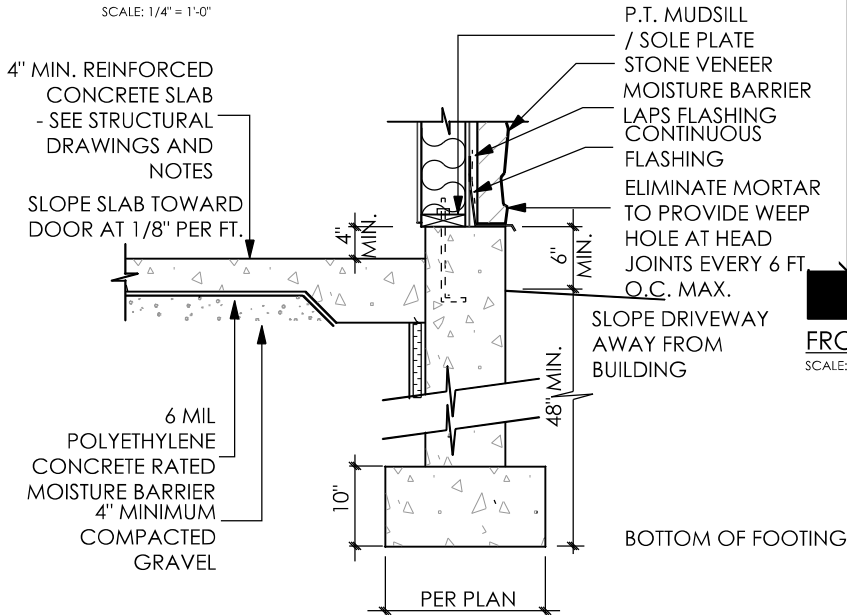
EAVES DETAIL

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



STUD WALL DETAIL

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



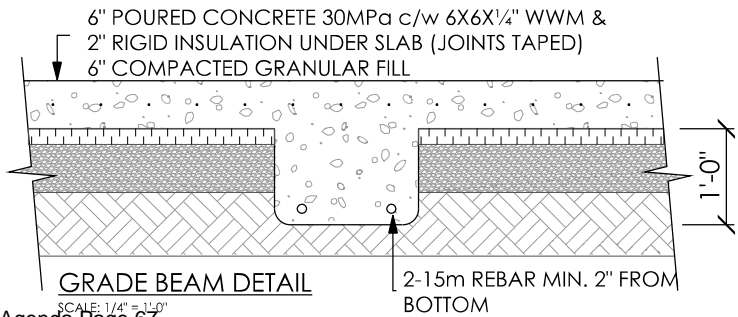
GARAGE FOOTING DETAIL

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



FRONT ELEVATION

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



GRADE BEAM DETAIL

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

Agenda Page 67



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DETACHED GARAGE

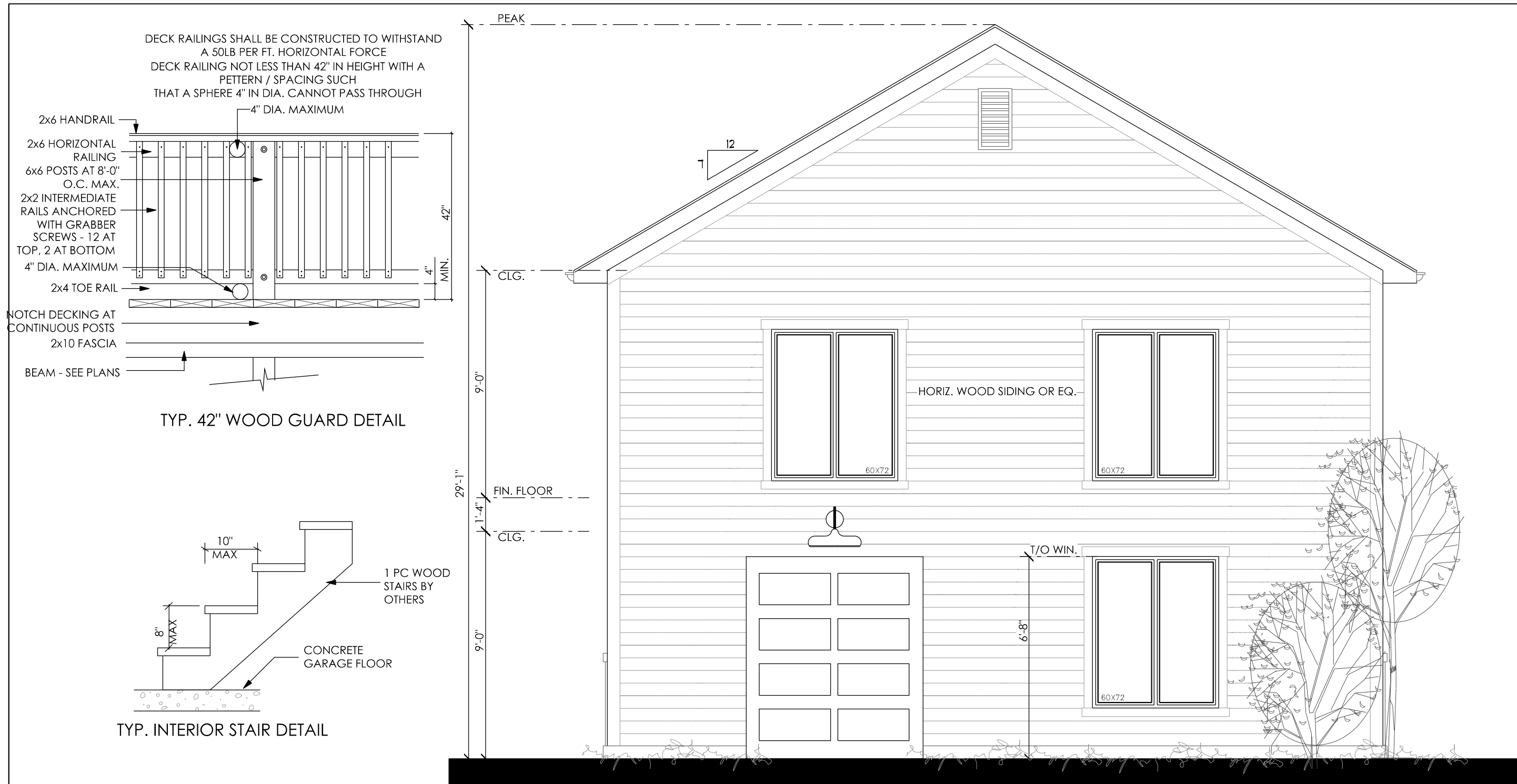
74 OLD CUT BOULEVARD, LONG POINT, ON.

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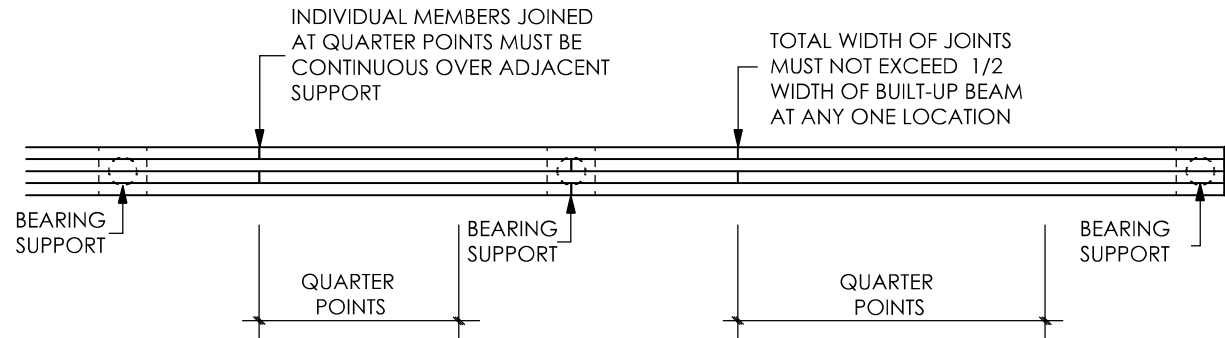
A-4

THE BUILDING PERMIT GUY DRAFTING & DESIGN

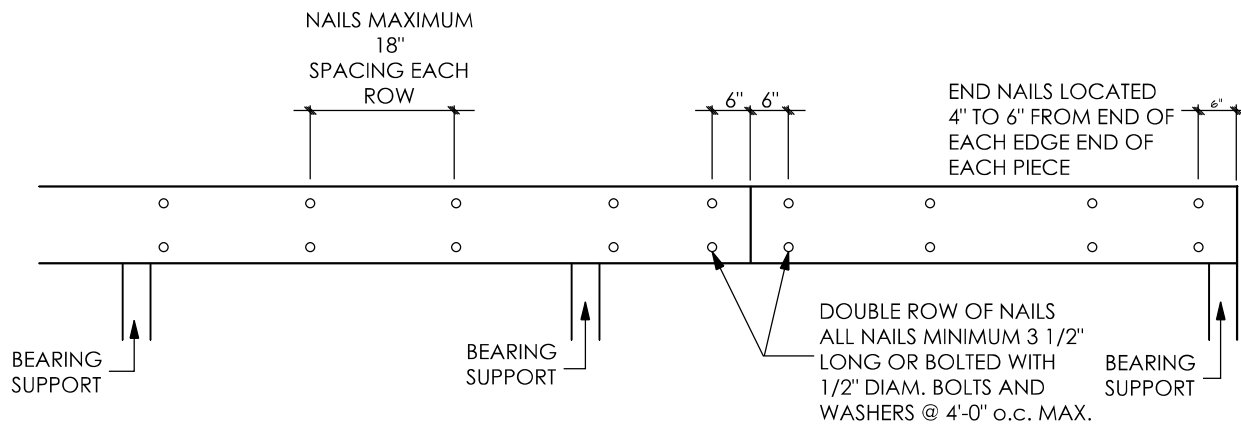




REAR ELEVATION  
SCALE: 1/4" = 1'-0"



BEAM NAILING DETAIL  
PLAN VIEW



ELEVATION VIEW

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FAST-ACCURATE-AND-RELIABLE

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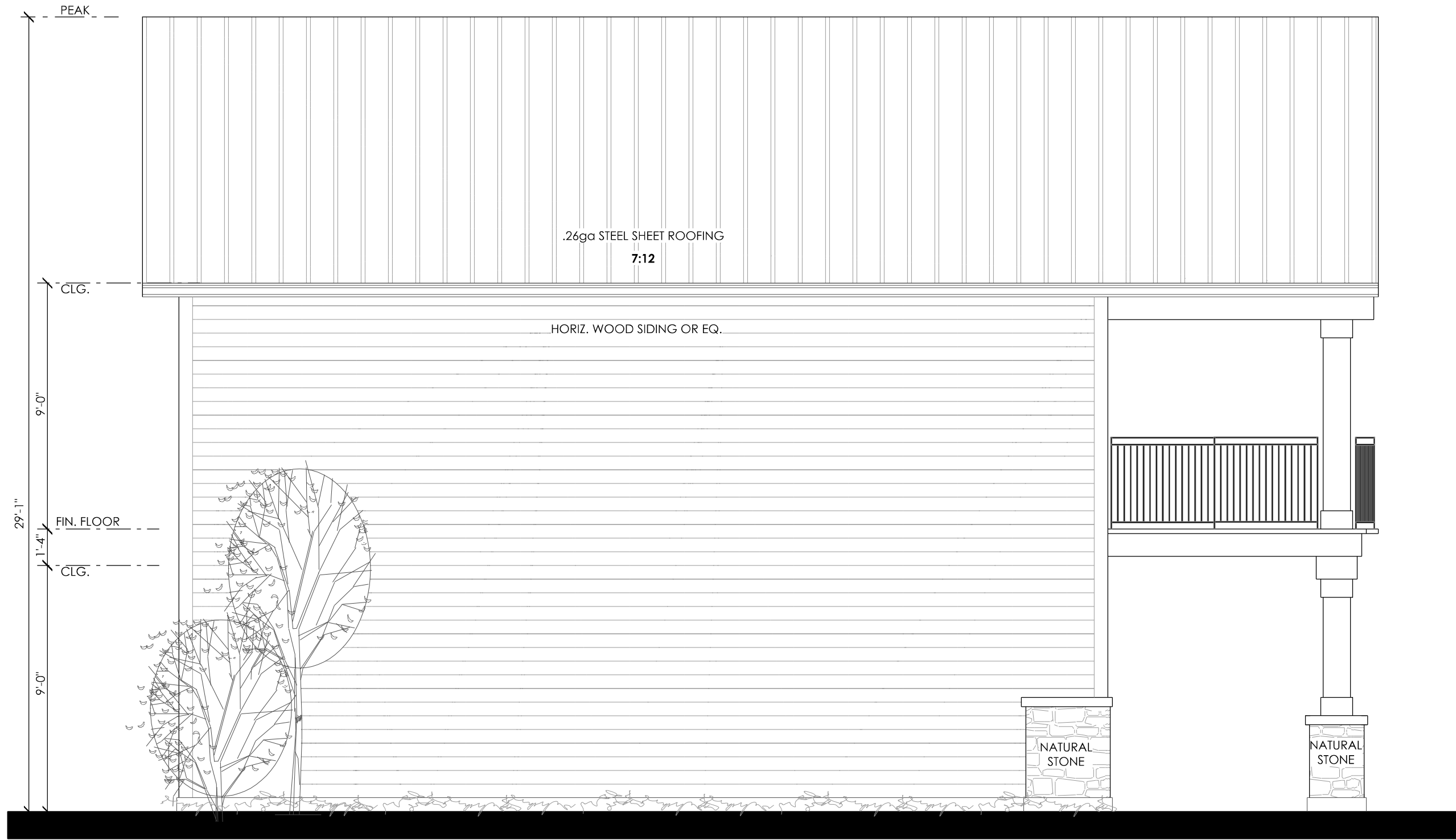
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A-5

THE BUILDING PERMIT GUY DRAFTING & DESIGN

Agenda Page 68



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



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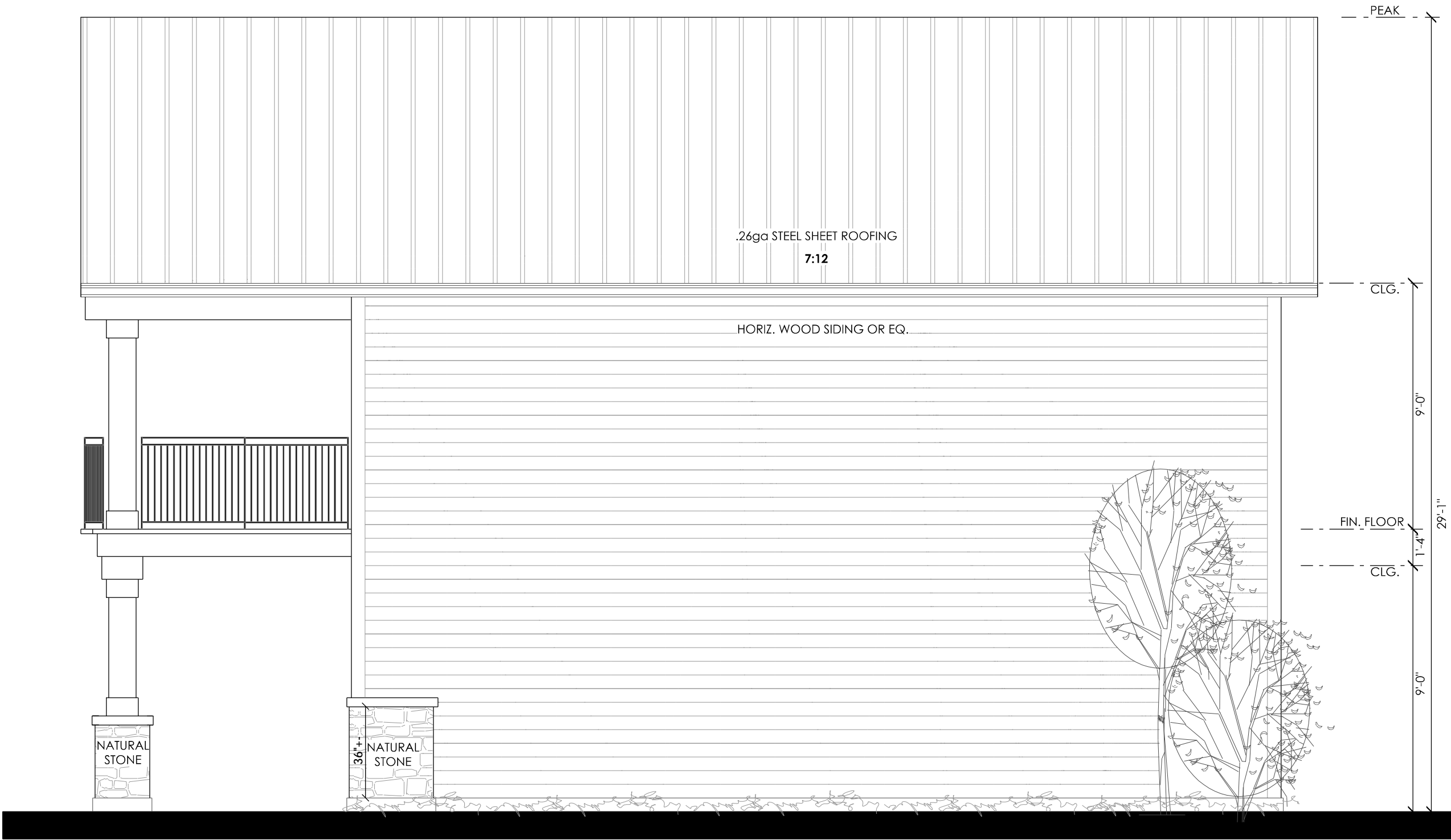
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**A-6**

THE BUILDING PERMIT GUY DRAFTING & DESIGN



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



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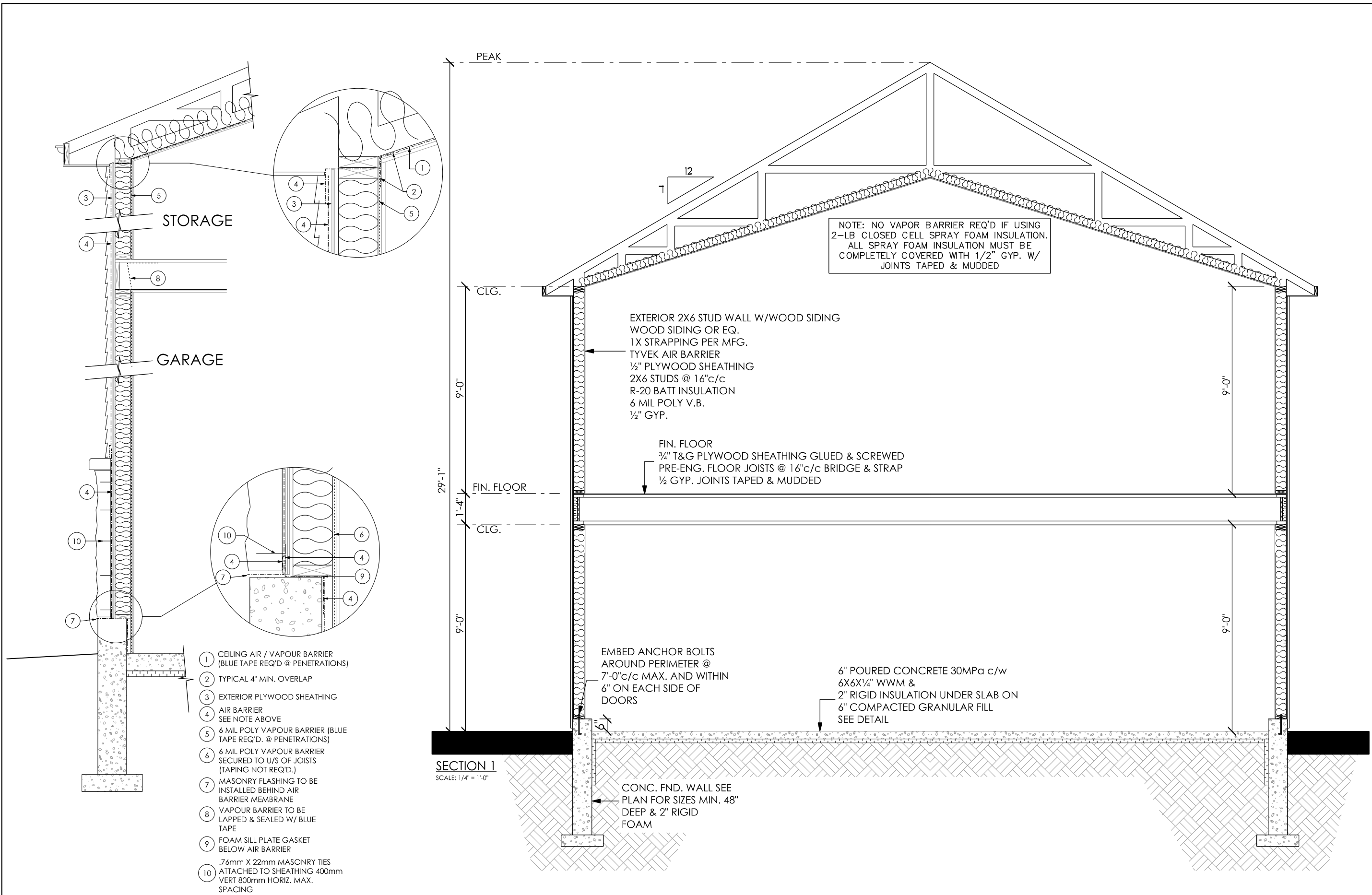
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**A-7**

THE BUILDING PERMIT GUY DRAFTING & DESIGN



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74 OLD CUT BOULEVARD, LONG POINT, ON.

DRAWN BY: J. BARNHART

**A-8**

THE BUILDING PERMIT GUY DRAFTING & DESIGN



# 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

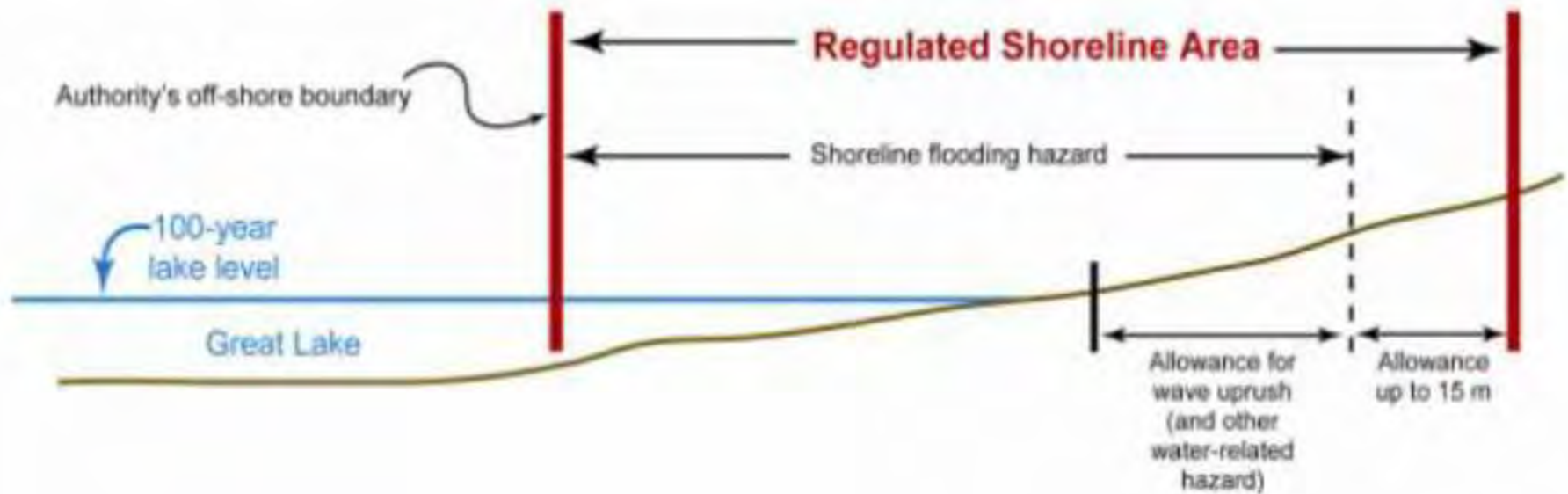


# O.Reg 41/24 Regulated Area



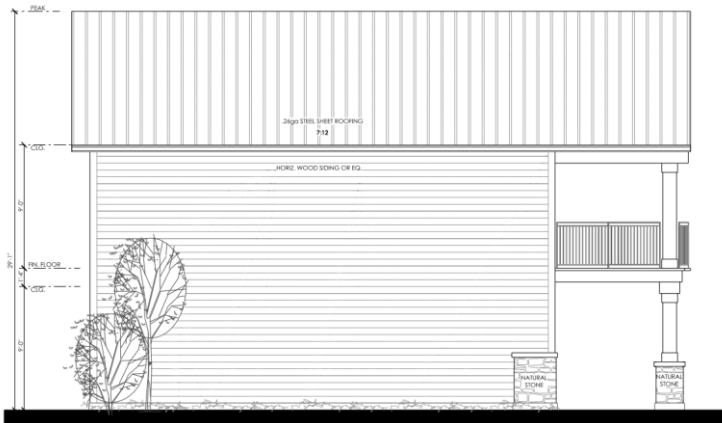


# Shoreline Flooding Hazard





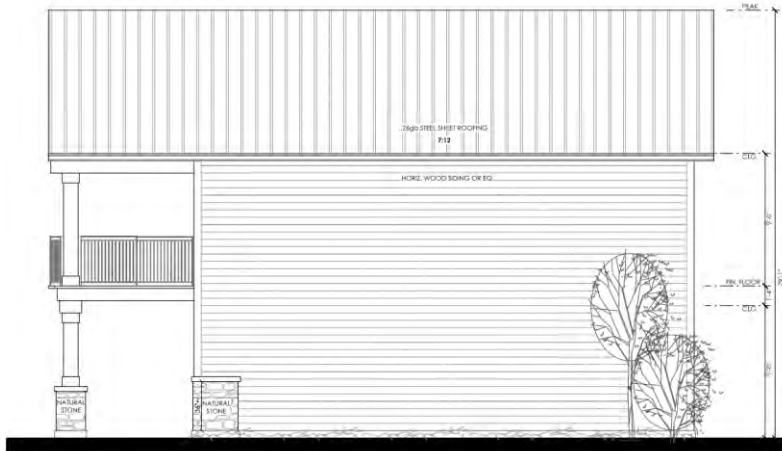
# Proposed Structure



East Side



South Side



West Side



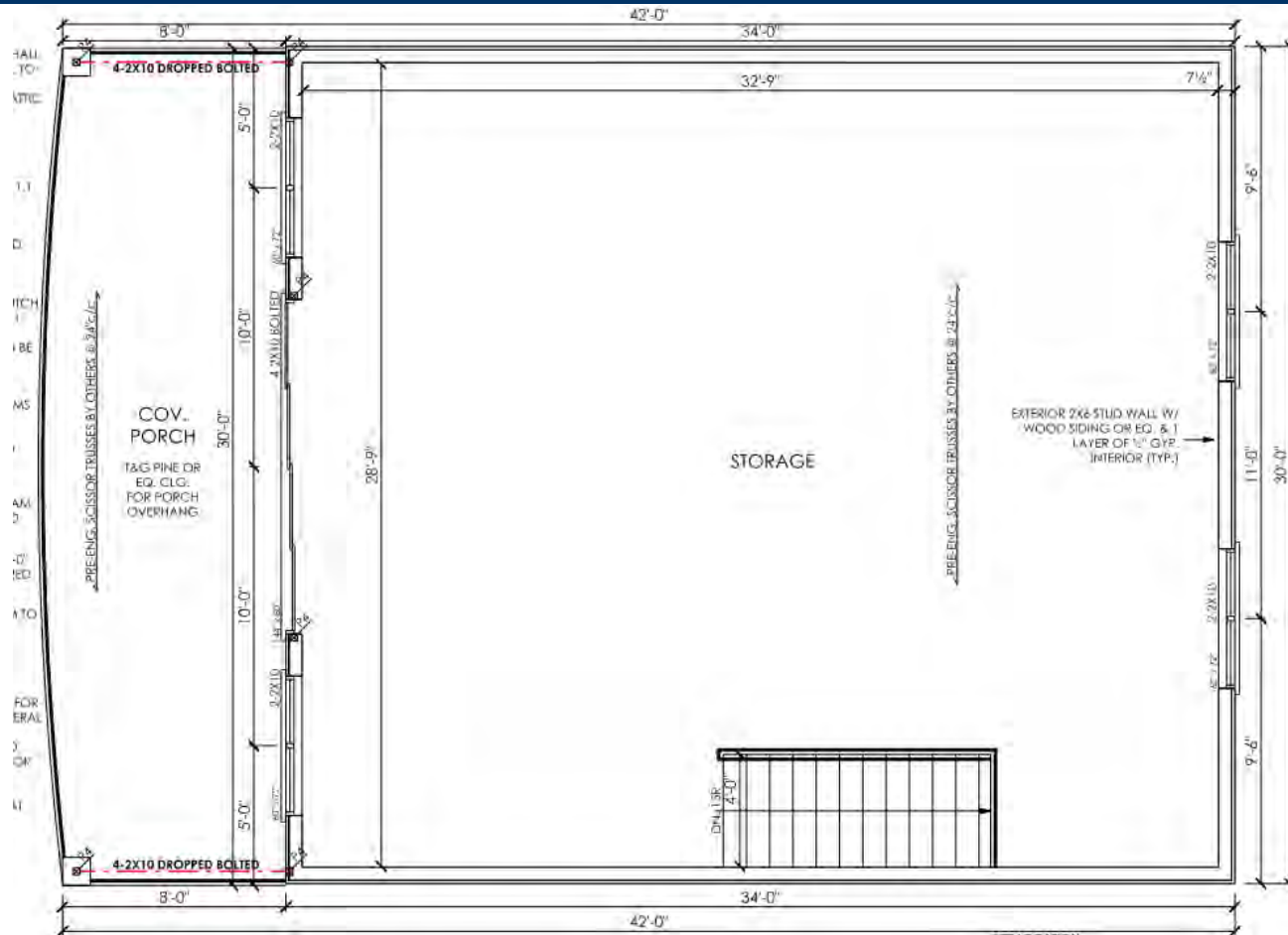
North Side

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## 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"><li>• The size and the design of the structure creates an opportunity for habitable space.</li><li>• 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.</li></ul>	
b) Susceptibility to natural hazards is not increased or new hazards are created	<ul style="list-style-type: none"><li>• The overall size of the structure is increased substantially from the existing.</li></ul>	






# 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"> <li>The entire property is located within an area of risk.</li> </ul>	✓
b) Floodproofing standards, protection works standards and safe access standards as determined by LPRCA are met	<ul style="list-style-type: none"> <li>The structure has not been either dry or wet floodproofed.</li> </ul>	



# 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"><li>No basement or crawl space is proposed</li></ul>	
d) There is no risk of structural failure due to potential hydrostatic/dynamic forces.	<ul style="list-style-type: none"><li>The structure has not been designed to withstand any hydrostatic or dynamic forces.</li></ul>	







# 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"> <li>There is no site on the property outside of the flood hazard</li> </ul>	✓
b) The site is not subject to frequent flooding	<ul style="list-style-type: none"> <li>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.</li> </ul>	✓



# 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 <sup>2</sup> (1,080 ft <sup>2</sup> )	<ul style="list-style-type: none"> <li>The total usable area for this structure is 189 m<sup>2</sup>.</li> <li>The size of the proposed structure is beyond what LPRCA allows for.</li> </ul>	
d) There is no opportunity for conversion into habitable space in the future.	<ul style="list-style-type: none"> <li>Given the size and design, additional uses may be included. The overall risk to natural hazards is greatly increased from existing.</li> </ul>	



# 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.

