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October 13, 2021

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

Dear Mr. De Cecco:

RE: Zoning By-Law Amendment ZBA D-19 165
165 CHENE ST
ARN 374410000001600; PIN:
Applicant: Mr. Vincent Bavetta

The following is provided as a result of our review of Zoning By-Law Amendment ZBA D-19 165. : A Zoning By-law amendment application (Application/File: D19 165CHE) has been submitted for a 2054.3 square metre (22,113 square foot) property situated on the west side of Chene Street, approximately 21 metres (68 feet) north of its intersection with Dillon Drive (165 Chene Street) (see Key Map on reverse for location). The purpose of the proposed amendment is to remove the currently permitted use of an automobile body repair garage, establish regulations that would permit up to 46.6 square meters of the existing 230.6 square metre detached structure to be used for a limited range of commercial uses, rezone the southern 868.8 square metre portion of 165 Chene Street from "Residential Zone 3 (R3-3)" to a revised "Residential Zone 3 (R3-3)" in order to remove the currently permitted use of an automobile body repair garage and establish a maximum lot coverage of 40% to facilitate the construction of one single-unit dwelling.

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

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

The above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the *Conservation Authorities Act* (Ontario Regulation No. 158/06). The parcel falls within the regulated area of the Lake St. Clair. The property owner will be required to obtain a Permit and/or Clearance from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*.

3.1.5 Development shall not be permitted to locate in hazardous lands and hazardous sites where the use is:
a) an institutional use, as per Section 3.1.5 of the Provincial Policy Statement.

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RISK MANAGEMENT & SOURCE PROTECTION PLAN

The subject property may lie wholly or partially within the Event Based Area (EBA) of the Essex Region Source Protection Plan, which came into effect October 1, 2015. The Source Protection Plan was developed to provide measures to protect Essex Region's municipal drinking water sources. As a result of these policies, new projects in these areas may require approval by the Essex Region Risk Management Official (RMO) to ensure that appropriate actions are taken to mitigate any potential drinking water threats. Should your proposal require the installation of fuel storage on the site, please contact the RMO to ensure the handling and storage of fuel will not pose a significant risk to local sources of municipal drinking water. The Essex Region's Risk Management Official can be reached by email at riskmanagement@erca.org or 519-776-5209 ext 214. If a Risk Management Plan has previously been negotiated on this property, it will be the responsibility of the new owner to contact the Essex Region Risk Management Official to establish an updated Risk Management Plan. For any questions regarding Source Water Protection and the applicable source protection plan policies that may apply to the site, please contact the Essex Region Risk Management Official.

WATERSHED BASED RESOURCE MANAGEMENT AGENCY

The following comments are provided in an advisory capacity as a public commenting body on matters related to watershed management.

SECTION 1.6.6.7 Stormwater Management (PPS, 2020)

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

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

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

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

FINAL RECOMMENDATION

Upon review of the application and available background information, we note that the low lying nature of the roadway may result in excess water over the road during a 1:100 year flood event. The Municipality



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must confirm, through applicable emergency services (i.e. fire, police, etc.), that they have the ability to safely access this area during a 1:100 year flood event, in order to fulfill the municipality's responsibilities under Section 3.1.7 of the Provincial Policy Statement (2020). Additionally, the applicant must obtain a Section 28 Permit from ERCA prior to undertaking any development on the site.

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

Sincerely,



Vitra Chodha, E.P
Resource Planner
/vc

