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August 05, 2022

Ian Search

Corporation of the Municipality of Lakeshore
Development Services, Planning Division
419 Notre Dame Street
Belle River, ON N0R 1A0

Dear Mr. Ian Search:

RE: Application for Minor Variance A-34-2022
172 Summer Street
ARN 375163000004604; PIN: 750450400
Applicant: Herman Chiu & Yen Mark

The following is provided as a result of our review of the Application for Minor Variance A-34-2022. The applicant is moving the current air conditioning (AC) unit to the interior side yard at 2.83 meters from the lot line. The applicant requests relief from Section 6.42 m) of the Lakeshore Zoning By-law 2-2012, which only permits window or wall-mounted furnaces, heat pumps, and outdoor freestanding air conditioning units in rear yards and exterior side yards.

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 Duck Creek and Lake St. Clair. The property owner will be required to obtain a Permit and/or Clearance from the Essex Region Conservation Authority prior to future any construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*.

Mr. Ian Search
August 05, 2022

The applicant does not require an ERCA Clearance and/or Permit for moving the air conditioning (AC) unit to the interior side yard.

The municipal drain, typically, has an unregistered working space, the municipality has the right to use to maintain or repair the drain. In addition, specific municipal building setbacks from a municipal drain are applicable, which can apply to open and / or covered, municipal drains. In addition, ERCA setbacks may also be applicable from open municipal drains / watercourses. Please contact your local municipality's drainage superintendent for more information.

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

With the review of the background information provided and aerial photograph, the ERCA advises that we have no further concerns with this application for Minor Variance.



Mr. Ian Search
August 05, 2022

The property owner does not require an ERCA Clearance and/or Permit for moving the air conditioning (AC) unit to the interior side yard. However, the property owner will be required to obtain a Permit and/or Clearance from the Essex Region Conservation Authority prior to any **future** construction, site alteration, or other activities affected by Section 28 of the Conservation Authorities Act.

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

Sincerely,



Vitra Chodha, E.P
Resource Planner
/vc

