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March 22, 2023

Ms. Kristina Brcic

Team Leader - Development Approvals, Community Planning
419 Notre Dame St
Belle River ON
NOR1A0

Dear Ms. Kristina Brcic:

RE: Application for Official Plan Amendment OPA-02-2018, and Zoning By-Law Amendment ZBA-20-2014 MANNING RD
ARN 375122000002640; PIN: 750090011
Applicant: 2438305 ONTARIO LIMITED

The Municipality of Lakeshore has received an Application for Official Plan Amendment and Zoning by-law Amendment for the subject property.

The owner/applicant proposes to allow for the formal operation of a site specific Class 1 soil management facility and non-effluent producing industrial uses that are not rail related to be located at 0 Manning Road. The Site is accessed from Manning Road, using the access driveway directly north of the 2084 Manning Road property. The operation receives and processes dry and wet soil for beneficial reuse at the Site, for site development purposes and sale to market. The excess soils will be managed and placed for regrading/leveling the Site. There is no proposal for the construction of any buildings or structures, therefore site plan control will not apply.

It is proposed to amend the current M1-2 and M1-2(h2) zoning to permit the site specific use of a non-effluent formal operation of a Class 1 soil management facility. The reference to "that have a dependency on the rail line, rail-related storage facilities" shall be removed. It is also proposed to allow other non-effluent producing industrial uses that are not rail related. However, there are no specific other uses being considered at this time. The holding (h) provision can remain but be amended as development will be subject to site plan approval being granted and a site plan control agreement has been entered into. Permitted uses: existing uses until such time as the (h) is removed.

The following is provided as a result of our review of the Application for Official Plan Amendment OPA-02-2018, and Zoning By-Law Amendment ZBA-20-2014.

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



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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 partially falls within the regulated area of the Little Baseline Drain West and Manning Road Drain. 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.

It should be noted that any proposed future development, including the placement and grading of fill on the parcel, would be subject to setback restrictions from top of bank of the Little Baseline Drain West and Manning Road Drain. The setback is determined from a site specific analysis and will be determined at the time when an application for permit is made to our office.

FINAL RECOMMENDATION

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.

ERCA has no objection to the Application for Official Plan Amendment OPA-02-2018, and Zoning By-Law Amendment ZBA-20-2014.

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

Sincerely,



Kathleen Schnekenburger
Resource Planner
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