



planning@erca.org

P.519.776.5209

F.519.776.8688

360 Fairview Avenue West  
Suite 311, Essex, ON N8M 1Y6

May 21, 2019

Mr. Robert Brown, Manager of Planning Services  
Planning & Development Services Department  
The Corporation of the Town of Kingsville  
2021 Division Road North  
Kingsville Ontario, N9Y 2Y9

Dear Mr. Brown:

RE: Application for Site Plan Control SPA-08-19  
356 MAIN ST E (410 MAIN ST E)  
ARN 371123000001150; PIN: 751760161  
Applicant: ALIUM INVESTMENTS (KINGSVILLE)

The following is provided as a result of our review of Application for Site Plan Control SPA-08-19. We understand that the applicant wishes to proceed with Phase 3 of the Kingsville Commercial Development located at 410 Main Street. The information circulated to our office identifies that Phase 3 was referenced in the Stormwater Management Report prepared by WMI & Associates Limited dated 2018. At this time, we have not received or reviewed this report. We provide the following information for the Town's consideration of this application.

## **DELEGATED RESPONSIBILITY TO REPRESENT THE PROVINCIAL INTEREST IN NATURAL HAZARDS (PPS, 2014) AND REGULATORY RESPONSIBILITIES OF THE CONSERVATION AUTHORITIES ACT**

The following comments reflect our role as representing the provincial interest in natural hazards encompassed 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.

We have reviewed this application with regards to the natural hazard policies of the PPS and have no objections. We have reviewed our floodline mapping for this area and it has been determined this site is **not** located within a regulated area that is under the jurisdiction of the ERCA (Section 28 of the *Conservation Authorities Act*). As a result, a permit is not required from ERCA for issues related to Section 28 of the *Conservation Authorities Act*, Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the *Conservations Authorities Act*, (Ontario Regulation No. 158/06).

## **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.

Mr. Brown  
May 21, 2019

#### **SECTION 1.6.6.7 PPS, 2014 - Stormwater Management**

This overall commercial plaza is located directly adjacent to the ERCA owned Greenway Trail, which also includes the former Kraus Drain. We will require clarification from the owner's engineering consultant and the Town, whether the stormwater management facilities for this commercial plaza, or the Main Street storm sewer, outlet to the ERCA owned Greenway (Kraus) Drain as depicted on the site plan. Please be advised, that the ERCA is under no obligation to provide drainage access, or services to adjacent landowners for developments. The ERCA however is willing to enter into an easement agreement with the Town of Kingsville to establish a drainage corridor for adjacent properties, provided that an adequate maintenance agreement can be established that will include best management practices and adherence to acceptable runoff release rates. Currently, a drainage easement does not exist between the ERCA and the Municipality for these purposes. We would advise that an easement be established through contact with Mr. Kevin Money, Director of Conservation Services prior to any Site Plan Approvals that propose to utilize the Greenway Trail corridor as a drainage outlet. **We therefore ask that this Site Plan Control application be deferred until the Town of Kingsville can establish a drainage agreement with ERCA for the legal use of this private drain for adjacent property drainage uses.**

After a drainage easement is finalized between the Town of Kingsville and ERCA, we would recommend that the municipality ensure that the release rate for this development be controlled to the capacity available in this private drain in consultation with ERCA. In addition, that stormwater quality and stormwater quantity are addressed up to and including the 1:100 year storm event and be in accordance with the guidance provided by the Stormwater Management Planning and Guidance Manual, prepared by the Ministry of the Environment (MOE, March 2003) and any other Municipal requirements (e.g., Windsor-Essex Region Stormwater Management Standards Manual).

#### **PLANNING ADVISORY SERVICE TO MUNICIPALITIES - NATURAL HERITAGE POLICIES OF THE PPS, 2014**

The following comments are provided from our perspective as a service provider to the Municipality on matters related to natural heritage and natural heritage systems. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the Municipality as the planning authority.

The subject property is not within or adjacent to any natural heritage feature that may meet the criteria for significance under the Provincial Policy Statement (PPS 2014). Based on our review, we have no objection to the application with respect to natural heritage policies.



Mr. Brown  
May 21, 2019

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

Sincerely,



Corinne Chiasson  
*Resource Planner*  
/cor