



planning@erca.org

P.519.776.5209

F.519.776.8688

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

June 27, 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-13-19 - 1270 ROAD 3 E
ARN 371134000002500; PIN: 751450141
Applicant: CACILHAS FERNANDO DACOSTA

The following is provided as a result of our review of Application for Site Plan Control SPA-13-19. The purpose of the proposal for Phase 1 of a greenhouse with a service building and support facilities along with associated stormwater management facilities.

DELEGATED RESPONSIBILITY TO REPRESENT 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.

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 northern portion of the parcel falls within the regulated area of the Melville Bruner Drain while the East 3rd Concession Drain runs along the southern extent of the parcel. The property owner will be required to obtain a Permit from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by the regulations. ERCA has advised the applicant to make a permit submission to our office to allow our staff to initiate their review.

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 PPS, 2014 - Stormwater Management

We are concerned with the potential impact of the quality and quantity of runoff in the downstream watercourse due to proposed



Mr. Brown
June 27, 2019

development on this site. We therefore request inclusion of the following conditions in the Site Plan Control agreement:

1. That the developer undertakes an engineering analysis to identify stormwater quality and quantity measures as necessary to control any increases in flows in downstream watercourses, up to and including the 1:100 year design storm, to the satisfaction of the Municipality and the Essex Region Conservation Authority.
2. That the developer installs stormwater management measures identified above, as part of the development of the site, to the satisfaction of the Municipality and the Essex Region Conservation Authority.
3. That the developer obtains the necessary permit or clearance from the Essex Region Conservation Authority prior to undertaking site alterations and/or construction activities.

We have advised the owners to submit an Application for Permit to this office.

SECTION 2.2 WATER PPS, 2014

The subject property is located within a Significant Groundwater Recharge Area (SGRA) and Highly Vulnerable Aquifer (HVA). Section 2.2.1 of the PPS 2014 states that: "Planning authorities shall protect, improve or restore the quality and quantity of water by: d) maintaining linkages and related functions among ground water features, hydrologic functions, natural heritage features and areas and surface water features including shoreline areas" and "e) implementing necessary restrictions on development and site alteration to:

1. protect all municipal drinking water supplies and designated vulnerable areas; and
2. protect, improve or restore vulnerable surface and ground water, sensitive surface water features and sensitive ground water features, and their hydrologic functions".

In addition to the policies of the PPS 2014, the County of Essex Official Plan identifies Significant Groundwater Recharge Areas (SGRA) and Highly Vulnerable Aquifers (HVA) on Schedules C4 and C5. Section 2.5.2 b) of the County of Essex Official Plan states that: "Development and site alteration that may be a significant threat will only be permitted within an HVA or SGRA where it has been demonstrated by way of the preparation of a groundwater impact assessment that there will be no negative impact on the HVA or SGRA. The Essex Chatham Kent Groundwater Study was completed in 2004 by Dillon Consulting Ltd and Golder Associates Ltd, which delineated the highly vulnerable aquifers and significant groundwater recharge areas and provides background information for any further water budget or hydrologic study requirements.

We recommend inclusion of the following condition of approval:



Mr. Brown
June 27, 2019

That the developer undertake a groundwater impact assessment to address the highly vulnerable aquifer and significant ground water recharge area associated with the proposed project to the satisfaction of the Municipality and the Essex Region Conservation Authority.

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.

It is our recommendation to the Municipality that an Environmental Impact Assessment is not required because the location of the current phase of the greenhouse development is located greater than 120 metres from the extent of the unevaluated natural heritage feature along the Highway 3 corridor. Therefore, we can advise the Municipality that this application is consistent with the natural heritage policies of the PPS 2014. Phase 2 of this project will require consultation on natural heritage considerations.

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

Sincerely,



Michael Nelson, BSc, MSc (Planning)
Watershed Planner
/mn

C: Tom Gutzell, ERCA

Enclosure 1: Map showing Significant Groundwater Recharge Area within vicinity of subject site.

Enclosure 2: Map showing Highly Vulnerable Aquifer within vicinity of subject site.

