



Appendix C

July 24, 2019

Mr. George Robinson, Town Planner
The Corporation of the Town of Kingsville
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Kingsville, Ontario, N9Y 2Y9

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Dear Mr. Robinson:

RE: Application for Consent B-09-19, & Zoning By-Law Amendment
ZBA-13-19 330 ROAD 8 E
ARN 371147000003000; PIN: 751510059
Applicant: Joseph Palmer

The following is provided as a result of our review of Application for Consent B-09-19, and Zoning By-Law Amendment ZBA-13-19. The applicant wishes to sever a parcel of land containing a dwelling and an accessory structure that is deemed surplus to the farming operation. The severed parcel will have an area of 0.743 ha. We understand that as a result of this application, the retained farmland parcel will be rezoned from A1 Agriculture to A2 Restricted Agriculture to prohibit future dwellings as per Provincial and Town policies.

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 parcel falls within the regulated area of the 8th Concession Road Drain and Jansen 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 the regulations.

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, 2014)



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

NATURAL HERITAGE POLICIES OF THE PPS, 2014

The subject property contains a natural heritage feature that is identified as a significant woodland, significant wildlife habitat under the Provincial Policy Statement (PPS, 2014).

Section 2.1.5 of the PPS, 2014 states - Development and site alterations shall not be permitted in significant woodland... and significant wildlife habitat...unless it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

Section 2.1.8 of the PPS 2014 states – “Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5 and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.” The required demonstration of no negative impact, in accordance with the relevant PPS policies outlined above, is most effectively accomplished through the completion of an Environmental Impact Assessment (EIA). However, other options may exist as an adequate demonstration of no negative impact.

Our information also indicates that the subject property may support habitat of endangered species and threatened species. As per Section 2.1.7 of the PPS 2014 – “Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.” It is the proponent’s responsibility to exercise due diligence in ensuring that all issues related to the provincial Endangered Species Act and its regulations have been addressed.

It is our understanding that the retained lot will be subject to a re-zoning that will prohibit future dwellings on the subject parcel. In our opinion the successful re-zoning of the retained parcel is a satisfactory demonstration of no negative impact on the natural heritage feature. Therefore, no Environmental Impact Assessment is required and we can advise that it is our opinion that there are no outstanding natural heritage concerns associated with this application.

FINAL RECOMMENDATION

We have no objections to these applications for Consent or Zoning By-law Amendment.



Mr. Robinson
July 24, 2019

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

Sincerely,



Corinne Chiasson
Resource Planner
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