

Essex Region Conservation

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October 23, 2019

Mr. David French
Town Planner
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Dear Mr. French:

RE: Consent B-16-19 & Zoning By-Law Amendment ZBA-19-19
570 ROAD 11
ARN 371162000002600; PIN: 751530063
Applicant: Leonard & Anne Parent

The following is provided as a result of our review of Application for Consent B-16-19 and Zoning By-Law Amendment ZBA-19-19. The applicant is proposing to sever a 6.63 ha lot that is surplus to the needs of the farming operation, which contains a dwelling, outbuilding and a woodlot. The retained lands consist of vacant farmland that will be added to the abutting eastern property. We understand that the associated Zoning By-law Amendment will rezone the woodlot/natural heritage feature to an Environmental Protection Zone to protect it in perpetuity.

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 Ruscom River. 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.

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

Mr. French
October 23, 2019

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 contains a natural heritage feature that is identified as a significant woodland, significant valleyland, significant wildlife habitat under the Provincial Policy Statement (PPS, 2014). This property may also support endangered or threatened species and their habitat.

Section 2.1.5 of the PPS, 2014 states - Development and site alterations shall not be permitted in significant woodland... and significant valleyland... 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 2.1.6 of the PPS 2014 – "Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements." Inquiries regarding the applicability of fish habitat to the property should be made to the federal Fisheries and Oceans Canada website: www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html.

Section 2.1.7 of the PPS 2014 states – "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.

Upon our review of the circulated information, we understand that the surplus lot will retain the entirety of the natural heritage feature, and that the rezoning of the feature to Environmental Protection (EP) will protect it in perpetuity. It is our opinion that the rezoning of the woodlot/natural heritage feature to an EP Zone is an adequate demonstration that no negative impacts will result due to this application. It is our opinion that this application complies with the natural heritage policies of the PPS.

FINAL RECOMMENDATION

We have no objections to this application for Consent and Zoning Amendment.

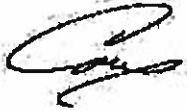


Mr. French

October 23, 2019

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

Sincerely,



Corinne Chiasson
Resource Planner
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