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May 06, 2021

Ms. Kristina Brcic, Town Planner
The Corporation of the Town of Kingsville
2021 Division Road North
Kingsville, Ontario, N9Y 2Y9

Dear Ms. Brcic:

RE: Application for Consent B-10-21 and Zoning By-Law Amendment ZBA-07-21
888 ROAD 3 E, 838 ROAD 3 E
ARN 371136000000101, 371136000000200; PIN: 751690110, 751690106
Applicant: ROCK ISLAND MANAGEMENT INC

The following is provided as a result of our review of Application for Consent B-10-21 and Zoning By-Law Amendment ZBA-07-21. It is proposed that the dwelling at 888 be severed on a 1.299 ha (3.2 ac.) (Part 3) as surplus to the farmer operations of the owners. The remaining farm parcel (Part 4) will be rezoned to prohibit future dwellings and proposing to sever and convey parts of the property directly North of subject site.

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 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 3rd Concession Drain East. 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*.

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.



Ms. Brcic
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SECTION 1.6.6.7 Stormwater Management (PPS, 2020)

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

PLANNING ADVISORY SERVICE TO PLANNING AUTHORITIES - NATURAL HERITAGE POLICIES OF THE PPS, 2020

The following comments are provided from our perspective as an advisory service provider to the Planning Authority on matters related to natural heritage and natural heritage systems as outlined in Section 2.1 of the Provincial Policy Statement of the *Planning Act*. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the Planning Authority.

The subject property is within, and/or is adjacent to (within 120 metres of), a natural heritage feature that is identified as a significant woodland, significant wildlife habitat under the Provincial Policy Statement (PPS).

Section 2.15 of the PPS 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.

We note that the subject property is adjacent to (within 120 m of) a natural heritage feature that may meet the criteria for significance under the PPS. Section 2.1.8 of the PPS, 2020 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.”

Notwithstanding the above noted references to the PPS policies, we note that the purpose of this application for consent is to sever off a surplus dwelling lot only, and that there will be no change in land use. We also acknowledge that the retained lot will be subject to a re-zoning that will prohibit future dwellings on the subject parcel. Based upon this, therefore it is our recommendation to the Municipality that a further demonstration of no negative impact is not required.

Ms. Brcic
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FINAL RECOMMENDATION

With the review of background information and aerial photograph, ERCA strongly advises that the Municipality may consider additional protection when undertaking a Zoning By-Law amendment to ensure ongoing protection of the woodlot.

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

Sincerely,



Vitra Chodha, E.P
Resource Planner
/vc