



Appendix H

August 10, 2023

Rebecca Belanger

Manager, Planning Services

County of Essex

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Dear Ms. Belanger:

**RE: Request for Conditions for Draft Plan of Subdivision
County File 37-T-23007
195 MAIN STREET E, KINGSVILLE (195 Main St Subdivision)
PT LT 2, CON 1 ED (Gosfield South)
ARN 371121000000600; PIN: 751780360
Applicant: 770022 ONTARIO LIMITED**

Our office has reviewed this proposal based on the mandate of the Essex Region Conservation Authority and we provide the following comments.

The draft plan of subdivision proposes to subdivide and create new lots and blocks that would allow the creation of approximately seventy-five (75) lots, for the construction of approximately fifty-nine (59) single detached dwelling units and thirty-two (32) semi-detached dwelling units, one (1) apartment block, one (1) mixed-use block, one (1) block for parkland and one (1) block for a stormwater management pond.

DELEGATED RESPONSIBILITY TO REPRESENT THE PROVINCIAL INTEREST IN NATURAL HAZARDS AND REGULATORY RESPONSIBILITIES ASSOCIATED WITH 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*.

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).

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CONSERVATION AUTHORITIES AS LANDOWNERS

The parcel is adjacent to a property which is owned by the Essex Region Conservation Authority. Prior to any construction or site alteration activities adjacent to this property, or for general information regarding this property, please contact Kevin Money, Director of Conservation Services at (519) 776-5209 ext. 351.

FINAL RECOMMENDATION

We therefore request the following draft conditions for inclusion in the Notice of Decision and implementing Subdivision Agreement:

1. That the subdivision agreement, between the Owner and the Municipality, contain provisions, to the satisfaction of the Municipality and the Essex Region Conservation Authority, that stipulates, that prior to obtaining final approval, for any and all phases of the development, that the Owner will finalize an engineering analysis, to identify stormwater quality and quantity measures, as necessary to control any increase in flows in downstream watercourses, in accordance with the *Windsor-Essex Region Stormwater Management Standards Manual* and any other relevant municipal/provincial, standards or guidelines, in consultation, with the ERCA;
2. That the subdivision agreement between the Owner and the Municipality contain provisions that require that the Owner install the stormwater management measures, for each phase of the development, identified in the final engineering analysis completed, as part of the development for the site and undertake to implement the recommendations contained therein, to the satisfaction of the Municipality and the Essex Region Conservation Authority;
3. That prior to final approval, the Essex Region Conservation Authority shall require a copy of the fully executed subdivision agreement between the Owner and the Municipality, in wording acceptable to the Essex Region Conservation Authority, containing provisions to carry out the recommendations of the final plans, reports and requirements noted above and to obtain a Development Review Clearance for each phase or phases seeking final approval;
4. That prior to undertaking construction or site alteration activities, any necessary permits or clearances be received from the Essex Region Conservation Authority, in accordance with Section 28 of the *Conservation Authorities Act*. If the works are located within an area not regulated by Section 28 of the *Conservation Authorities Act*, then a Development Review Clearance must be obtained from the Essex Region Conservation Authority, prior to undertaking construction or site alteration activities.



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5. That the subdivision agreement between the Owner and the Municipality states the following, that the subdivision's Stormwater Management Facility (SWMF) is proposed to outlet into the existing municipality infrastructure via a 675 mm sewer, which is planned to cross the ERCA owned greenway. As the development is utilizing Town infrastructure for its immediate discharge, the Town has reviewed and approved the development's release rate. ERCA requires the condition that an *Easement* be registered on title in perpetuity, between the Town of Kingsville and the Essex Region Conservation Authority, to address this encroachment.
6. That the subdivision agreement between the Owner and the Municipality states the following, that exclusionary fencing be installed by the developer prior to the transfer of lots, to prevent any future encroachments, dumping of lawn waste, etc., onto ERCA property by neighbouring residents, and that there be no new access points created to the ERCA owned greenway.

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

Sincerely,



Alicia Good

Watershed Planner

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