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September 18, 2017

Mr. Robert Brown, Manager of Planning & Development Services  
The Corporation of the Town of Kingsville  
2021 Division Road North  
Kingsville ON N9Y 2Y9

Dear Mr. Brown:

RE: Zoning By-Law Amendment ZBA-17-17 ROAD 3 E (just W of Cty Rd 31)  
ARN 371129000026600; PIN: 751460095  
Applicant: 971174 ONTARIO LIMITED

The following is provided for your information and consideration as a result of our review of Zoning By-Law Amendment ZBA-17-17. The purpose of the re-zoning application is to add an additional permitted use for a waste transfer station. It is also understood that the application will be subject to site plan control. Staff from our office have met with the applicants on this application and provide pre-consultation comments on ERCA requirements.

#### **NATURAL HAZARD POLICIES OF THE PPS, 2014**

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 Regulations under the *Conservations Authorities Act*, (Ontario Regulation No. 158/06).

#### **WATER RESOURCES MANAGEMENT**

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

#### **NATURAL HERITAGE POLICIES OF THE PPS, 2014**

The subject property is within, and/or is adjacent to (within 120 metres of), a natural heritage feature that is identified as a significant wildlife habitat under the Provincial Policy Statement (PPS, 2014).

Section 2.15 of the PPS, 2014 states - Development and site alterations shall not be permitted in 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

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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).

### **FINAL RECOMMENDATION**

Through discussions with the applicant and the agent we have advised that this application would not require an Environmental Impact Assessment. Further we understand that the applicant has obtained direction from the Ministry of Natural Resources and Forestry that would satisfy PPS 2.1.7 related to the potential for habitat of threatened species and endangered species.

Our office requests a copy of the decision on this file. If you have any questions or require any additional information, please contact the undersigned.

Sincerely,

