

APPENDIX 'A'

Essex Region Conservation

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360 Fairview Avenue West
Suite 311, Essex, ON N8M 1Y6

January 24, 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-02-17, Application for Site Plan Control SPA-01-17 COUNTY ROAD 18 (Road 4 E)

ARN 371134000008200; PIN: 751470067

Applicant: M & M Farms Ltd.

The following is provided for your information and consideration as a result of our review of the combined application for Zoning By-Law Amendment ZBA-02-17 and Site Plan Control SPA-01-17. The purpose of the application is for a new 24 acre greenhouse complex and associated support facilities.

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

We are concerned with the potential impact of the quality and quantity of runoff in the downstream watercourse due to future development on this site. We therefore request inclusion of the following conditions in the Development Agreement or Site Plan Agreement between the owner and the Municipality:

1. That the developer undertakes an engineering analysis to identify stormwater quality and quantity measures as necessary to control any increases in flows in downstream watercourses, up to and including the 1:100 year design storm, to the satisfaction of the Municipality and the Essex Region Conservation Authority.
2. That the developer installs stormwater management measures identified above, as part of the development of the site, to the satisfaction of the Municipality and the Essex Region Conservation Authority.



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3. That the developer obtains the necessary permit or clearance from the Essex Region Conservation Authority prior to undertaking site alterations and/or construction activities.

We have had preliminary discussions with the engineering consultant and have conveyed our development requirements for this application. We would advise the owners to submit an Application for Permit to this office along with the associated base cost fee of \$1750.000 (for the first hectare of the development), plus the additional \$400.00 per hectare for the remainder of the development. Submission of the application should be directed to the attention of Ms. Lisa Pavan, Administrative Associate: Watershed Management Services (lpavan@erca.org) or by telephone at 519-776-5209 ext. 346. An Application for Permit and our current fee schedule is available on our website www.erca.org.

NATURAL HERITAGE POLICIES OF THE PPS 2014

The subject property is not within or adjacent to any natural heritage feature that may meet the criteria for significance under the Provincial Policy Statement (PPS 2014). Based on our review, we have no objection to the application with respect to natural heritage policies.

We request to receive a copy of the Notice of Decision on this application.

If you should have any questions or require any additional information, please do not hesitate to contact the ERCA Watershed Planner, Michael Nelson by phone at (519) 776-5209 ext. 347 or by e-mail at mnelson@erca.org.

Thank you.

Sincerely,



Michael Nelson, Watershed Planner
/mn



Appendix 'B'

**Ministry of
Transportation**

Engineering Office

Corridor Management Section

659 Exeter Road
London, Ontario, N6E 1L3
Telephone: (519) 873-4129
Facsimile: (519) 873-4228

**Ministère des
Transports**

Bureau du génie

Section de gestion des couloirs routiers

659 Exeter Road
London (Ontario) N6E 1L3
Téléphone : (519) 873-4129
Télécopieur : (519) 873-4228



September 14, 2016

William LeBel, P.Eng.
N.J. Peralta Engineering Ltd.
45 Division Street North
Kingsville, ON
N9Y 1E1

email: william@peraltaengineering.com

RE: Applicant: M&M Farms Ltd., c/o N.J. Peralta Engineering Ltd.
Submission No.: DRAFT SITE PLAN PROPOSAL - Phase 1 & 2 Greenhouse
Part of Lot 11 Concession 3 Eastern Division, Geographic Township of Gosfield South
County of Essex
Town of Kingsville - Highway 3

The Ministry of Transportation (MTO) has completed its review of the above noted draft greenhouse proposal – Phases 1 & 2. The proposal has been considered in accordance with the requirements of the *Public Transportation and Highway Improvement Act*, MTO's Highway Access Management Guidelines and all related policies. The following outlines our comments.

The subject property is located adjacent to Highway 3, within MTO's Permit Control Area (PCA), and as such, MTO permits are required before any grading, construction or alterations to the site commence. In accordance with the Ontario Building Code, municipal permits may not be issued until such time as all other applicable requirements (ie: MTO permits/approvals) are satisfied.

Highway 3 at this location is classified as a 2A Principal Arterial, and designated as a Controlled Access Highway (CAH). As such, all requirements, guidelines and best practices in accordance with this classification and designation shall apply.

Building and Land Use

An MTO Building and Land Use Permit shall be required for each separate/individual phase of construction. As a condition of MTO permits, the Proponent shall submit an acceptable Site Plan, Grading Plans, Drainage Plan and Site Servicing Plan for MTO review and approval. These plans shall clearly identify the structures/works associated with each phase of development.

Additionally, MTO requires confirmation of location of the existing post and wire fence along the south boundary of the subject lands, and MTO will request that a clause be added to the Site Plan Agreement identifying that the owner shall be responsible to maintain the fencing in condition satisfactory to MTO.

Storm Water Management

It is noted that the draft site plan dated June 2016, identifies a private line ditch/swale running along the westerly limits of the subject lands, directing storm water runoff into the Highway 3 corridor. This swale must be eliminated, and all storm water must be redirected and managed appropriately within the on-site storm water management facilities/pond, and/or directed to a sufficient outlet, excluding the highway corridor, during the initial phase of development (Phase 1). In conjunction with this, to ensure that stormwater runoff from this property does not affect the Highway 3 corridor, MTO requires the submission of a Storm Water Management Report (SWMR) along with the above-noted grading and drainage plans for review and approval. The report must clearly identify and guarantee that there will be no adverse impact to the Highway 3 corridor, must reference appropriate IDF curve data, and should reflect current Ontario Provincial Standards. The consultant should refer to the website at www.mto.gov.on.ca/english/engineering/drainage/index.html for MTO drainage requirements to assist in preparing their report.

Signs

Any/all signage visible from Highway 3, including temporary development signs, must be identified on the plans, must conform to MTO policies and guidelines, and will require a valid MTO Sign Permit *before* installation. You may find information regarding Location Signs, Permit Applications, and application requirements at the following website:

<http://www.mto.gov.on.ca/english/engineering/management/corridor/sign-policy/page8.shtml>

Encroachments

The draft proposal appears to identify that all servicing will occur at the north extent of the subject lands, adjacent to County Road 18. Service connections must be clearly identified on the Site Plan and Site Servicing Plan, prior to municipal Site Plan Approval. Please note that any encroachments and works identified within the Highway 3 property limits are subject to MTO conditions, approval and permits, prior to construction. All provincial highway property encroachments are strictly regulated and must meet all conditions set out by MTO. Additionally, please note that each individual service crossing/connection within MTO property limits would require a separate MTO Encroachment Permit.

For information regarding encroachments, please refer to the following link:

<http://www.mto.gov.on.ca/english/engineering/management/corridor/encroach.shtml>

General Comments

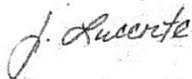
Prior to municipal Site Plan Approval, MTO will request the proposal to be amended to reflect the above-mentioned requirements and re-submitted to MTO for review and approval.

Additionally, prior to municipal Site Plan Approval, MTO will request the inclusion of the following clauses in the Municipal Site Plan Agreement, prior to its execution and registration.

- *The Owners acknowledge Highway 3 is a Controlled Access Highway under the jurisdiction of the Ministry of Transportation. The development comes within the scope of the permit provisions of Sections 38(2) and 38(11) of the Public Transportation and Highway Improvement Act. Ministry issued permits and approval are required in advance of any site work.*
- *The Owner agrees that no work shall commence prior to the issuance of MTO permits.*
- *The Owner agrees that any damage to the Ministry of Transportation property adjacent to the subject lands, that has been deemed to have occurred as a direct result of development activity on the subject lands, either during or after site alternation and construction, will be repaired and/or returned to a condition satisfactory to the Ministry of Transportation, at the sole expense of the Owners, within 30 days of notification of such damage. The Owner further agrees that any MTO permit requirements or associated costs involved in the restoration of MTO property are the sole responsibility of the Owner.*
- *The Owner agrees that no storm water from the site shall be discharged into the provincial storm drainage systems during or after construction, except in accordance with the Storm Water Management Report as approved by the Ministry of Transportation.*
- *The Owner agrees that at no time, either during or after construction, shall any vehicle remain standing, idle, or stationary within MTO property limits for any purpose, including but not limited to the loading or unloading of service, delivery or construction vehicles, equipment, etc..*

MTO appreciates the opportunity to review the proposal and we anticipate receiving additional materials for review as the project advances. Please feel free to contact me directly should you have any questions or concerns.

Regards,



Jodie Lucente
Corridor Management Planner
Corridor Management Section
West Region

- c. Tim Burns, Corridor Management Officer, MTO
Robert Brown, Manager of Planning & Development Services, Kingsville