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November 20, 2024

Mr. Ian Rawlings

Development Services

Town of Essex

2610 County Road 12

Essex, Ontario

N8M 2X6

Dear Mr. Ian Rawlings:

RE: Zoning By-Law Amendment ZBA-10-24 MAIDSTONE AVE W

ARN 375421000001000; PIN: 752270260

Applicant: ESSEX TOWN CENTRE LTD

The Town of Essex has received Application for Zoning By-law Amendment ZBA-10-24 for the above noted subject property, which proposes to permit the following site-specific uses and regulations:

- A Bakeshop, defined as a retail store for the sale of bakery products.
- A Drive-through Restaurant, defined as a restaurant having a drive-through food outlet.
- A Drive-through Food Outlet, defined as a retail store for the sale of prepared foods to persons remaining in a motor vehicle.
- A Health Studio, defined as a building used for athletic or physical fitness instruction, exercise, or athletic training.
- A Micro-brewery, defined as a facility not exceeding 300 square metres used for the manufacture and retail sale of beer or wine, produced for consumption off-site except when in combination with a restaurant or entertainment lounge.
- A Veterinary Office, defined as the office of a veterinarian and may include the indoor temporary accommodation of animals for observation but does not include any outdoor facilities for accommodation or provisions for boarding.
- A Wholesale Store, defined as a building for the sale of goods exclusively for resale, manufacture or construction but does not include the processing, manufacturing or assembling of those goods.

In addition, the applicant is requesting relief from Subsection 18.1 b) ii) of the Zoning By-law which limits the Maximum Gross Floor Area of a business, financial or medical office, light repair shop, personal service shop, professional studio, retail store, restaurant and takeout food outlet to 250 m² (2,700 ft²).

The following is provided as a result of our review of Zoning By-Law Amendment ZBA-10-24.

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NATURAL HAZARDS AND REGULATORY RESPONSIBILITIES UNDER THE CONSERVATION AUTHORITIES ACT, O. REG 686/21, PPS

The following comments reflect ERCA’s role in protecting people and property from the threats of natural hazards and regulating development hazards lands under 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 (Ontario Regulation 41/24 under 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. However, a Development Review Clearance may be required for future development depending on the scope and scale of the proposed project.

We are concerned with the potential impact of the quality and quantity of runoff in the downstream watercourse due to future development of this site. We recommend that the municipality ensure through the Site Plan Control process that the release rate for any future development is controlled to the capacity available in the existing storm sewers/drains.

If this property is subject to Site Plan Control, we request to be included in the circulation of the Site Plan Control application. We reserve to comment further on storm water management concerns until we have had an opportunity to review the specific details of the proposal through the site plan approval stage.

FINAL RECOMMENDATION

Our office has **no objection** to ZBA-10-24.

Please continue to circulate our office with future Planning Act applications on this site, such as Site Plan Control, as we may have further comments to provide regarding stormwater management.

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

Sincerely,



Alicia Good
Watershed Planner
/ag

