
August 2, 2022
SBM-18-0530

Central Elgin Planning Office
9 Mondamin Street
St. Thomas, ON N5P 2T9

Attention: Mr. Kevin McClure
Planner

Re: Response to Draft Plan of Subdivision Application Comments for the Kettle Creek Subdivision.
Draft Plan 34T-CE2101
Proposed Subdivision
37719 Lake Line
Port Stanley, Ontario

This response letter has been prepared by Strik, Baldinelli, Moniz Ltd. (SBM) to address the comments dated December 13, 2021 from the Township of Southwold, comments received from the Central Elgin Planning Office dated January 12, 2022, and comments received from the Kettle Creek Conservation Authority dated December 17, 2021 for the proposed Draft Plan of Subdivision Application of the proposed Kettle Creek Subdivision development located at 37719 Lake Line in Port Stanley, Ontario. For clarity, we transfer as follows the whole communication, answering only the items that are within SBM's scope of work or responses provided.

Township of Southwold

1. Street 'A' should connect at 90 degrees to Lake Line and have a straight tangent or horizontal curve prior to intersection. This is to be reviewed based on the proposed design speed for Street 'A'.

Response: Comment acknowledged by SBM. Street 'A' has been designed with a horizontal curve prior to the Lake Line intersection so that it connects to Lake Line at approximately 90 degrees. Increasing the radius of that horizontal curve and/or adding a tangent section would require the Street 'A' and Lake Line intersection to shift farther northwest along Lake Line, which would introduce grading difficulties and reduce the intersection sight distance along Lake Line. The current intersection location is considered optimal given the existing constraints, and the horizontal curve on Street 'A' is sufficient for the low-speed operation that will occur in close proximity to the intersection (i.e. eastbound drivers on Street 'A' will be coming to a stop condition at the end of the curve and westbound drivers will still be travelling at low speed after completing a left or right turn from Lake Line), therefore we believe that the current proposed alignment of Street 'A' should be maintained.

2. Consulting engineer to provide further justification on the 60m offset distance from the intersection of Carlow Road/Union Road/Lake Line. City of London standards for access management recommend 100m access distance from minor intersection when total vehicle volumes per day reach the 100-vehicle threshold. This application is close to that threshold as shown in Traffic Impact Study (TIS).

Response: Comment acknowledged by SBM. As the City of London Standards are not applicable to this site located within the Municipality of Central Elgin, SBM does not feel that a 100m access distance is warranted. SBM's Transportation Engineer does not find any issues with the provided 60m offset distance from the intersection of Carlow Road/Union Road/Lake Line.

3. Consulting engineer to review opportunities for emergency access, as no secondary access is provided. City of London standards recommend two access locations for 80 units. Central Elgin has confirmed their standards reference 100 units for two accesses.

Response: Comment acknowledged by SBM. As the City of London Standards are not applicable to this site located within the Municipality of Central Elgin, SBM does not feel that another emergency access is warranted according to City of London Standards and acknowledges that Central Elgin standards reference that two accesses are required for greater than 100 units. The proposed subdivision contains 97 total units (70 single family residential units, 18 semi-detached units, and 9 townhouse units). SBM also notes that any additional potential accesses to Lake Line are constrained by steep elevation changes from the East to West direction and a proposed access up the hill is not feasible or practical for the proposed Draft Plan.

4. Street lighting photometric will be required at intersection of Lake Line and Street 'A' to meet RP8 Standards.

Response: Comment acknowledged by SBM. SBM will provide with detailed engineering submission for subdivision agreement. A draft plan condition may be appropriate for this item.

5. External works are to include urbanizing and improving road asphalt platform on Lake Line from Street 'A' to Carlow Road. This can include a sidewalk connection on the south side of Lake Line to the dead-end sidewalk on the west side of Carlow Road.

Response: Comment acknowledged by SBM. SBM will include additional external works include urbanizing the road cross section on Lake Line from Street 'A' to Carlow Road according to the Municipality of Central Elgin Infrastructure Design Guidelines and Construction Standards Drawing SCS-1 following acceptance of the Subdivision Draft Plan. SBM proposes inclusion of a pedestrian crossing from the south side of Lake Line to the East side of Carlow Road to allow for pedestrians to access the existing sidewalk on Carlow Road. This design will be included following acceptance of the draft plan as we anticipate this would be a draft plan condition, rather than a requirement for draft plan approval.

6. The applicant is to confirm that the Marr Drain will be constructed to an appropriate standard as it crosses an urban street and that this development will not impact adjacent property owner drainage. The Township is concerned that failure of the Marr Drain will cause a temporary obstruction for access to this development.

Response: Comment acknowledged by SBM. It is acknowledged that the existing Marr Drain crosses Lake Line but based on current assumptions of the location of the tie in point to the Marr Drain, the proposed section of Marr Drain replacement does not cross an Urban Street, however, the location of the manhole to tie into is unconfirmed therefor this is subject to change and shall be confirmed by field investigations prior to the start of construction. Based on information received from the Municipality, the current section of buried Marr Drain pipe between Lake Line and the open portion of the Marr Drain which parallels the Kettle Creek Golf and County Club is filled with sediment and does not function or convey flows properly. As such, SBM is replacing this section of Marr Drain at a "local scale" to address concerns from the Municipality. SBM has sized the replacement pipes based on the capacity of the adjacent 450mm pipe at a slope of 4.7% and a capacity of 618.1 L/s. SBM can confirm that the replacement pipes specified for the Marr Drain are designed based on sound engineering principles, but SBM cannot comment on the overall functionality of the Marr Drain designed by Spriet Associated on a "global scale". It is further noted that Marr Drain improvement works are currently in design by Spriet Associates. The Municipality and Spriet Associates will review the design to ensure its integration in the overall Marr Drain design. As shown on the Major Flows Catchment Areas Plan Sheet 11 and Subdivision Grading Plan Sheets 10A-10C provided separately, the development is proposed to match into existing grades at property lines surrounding the development and will not block or impeded pre-development flow paths.

7. The applicant to include analysis in Environmental Impact Study (EIS) for the Port Stanley Till Earth Science ANSI.

Response: Comment acknowledged by SBM and MTE. Please see MTE's updated EIS provided.

8. The applicant to include analysis in TIS for future development lands in North Port Stanley and how this impacts Lake Line and Carlow Road/Union Road/Lake Line intersection level of service.

Response: Comment acknowledged by SBM. SBM does not feel that the analysis of future development lands in North Port Stanley in the TIS is warranted as a significant amount of background development growth has been included in the TIS and it concludes that there is still considerable capacity available through the year 2040 for the Carlow Road/Union Road and Warren Street/Lake Line intersection, as either an all-way stop or signalized intersection. SBM does not believe the inclusion of the analysis of these future lands falls within the responsibility of our client or the scope of this project.

Central Elgin

ISR/ESI

1. There is an area identified as "Inclusion 1a is a Mineral Cultural Thicket Ecosite (CUT1) which has a dominant canopy species consisting of Ash and Black Walnut and a sub-canopy consisting of Buckthorn, Hawthorn, Sumac and Dogwood" that would need to be removed to accommodate the entry road and Lots 1-3. It is unclear through the report whether this removal is supported.

Response: Comment acknowledged by SBM and MTE. Please see MTE's updated EIS provided.

2. The study reflects 93 single detached residential units. Proposal reflects 79 single detached and 18 semi-detached (97 units). Given the heightened sensitivity by the neighbouring community, the reports should ensure consistency with the proposal.

Response: Comment acknowledged by SBM and MTE. Please see MTE's updated EIS provided.

Slope Assessment and EIS Discrepancy

1. The slope assessment reflects a development setback of 5 metres whereas the EIS recommends a setback of 6 metres. The draft plan shows a 5 metre setback from property lines. Lot creation is development as per the PPS, as such, a 6 metre setback should be reflected in the Plan.

Response: Comment acknowledged by SBM and MTE. A 6m setback from toe of slope to the rear property lines will be used. All reports and plans will be updated to ensure consistency.

2. There are references to a 2 metre walking trail in the EIS report yet there are no references in the Slope Assessment. Would this be supported? Further, the design and layout of the Draft Plan would not have any potential trail exit west of Lot 14 should a trail be extending behind those houses.

Response: Comment acknowledged by SBM and MTE. The development of a trail within the woodland setback/buffer would not have a direct impact on the feature if a trail is proposed/desired, MTE recommends siting the trail outside the dripline of the woodland and as close to the rear lot lines as practical. Trail development within natural heritage buffers is supported in other jurisdictions, including the recently updated Environmental Management Guidelines for the City of London.

3. Slope Assessment report references September 2014 EXP Report but that report was not circulated.

Response: Comment acknowledged by SBM and MTE. The Slope Assessment Report included in the October 26, 2021 ZBA & Draft Plan Submission does not appear to contain any reference to a September 2014 EXP Report. The Supplementary Geotechnical Investigation prepared by EXP dated April 9, 2015 does however reference a Preliminary Geotechnical Investigation "Kettle Creek Golf and Country Club Development dated September 2014" prepared by EXP. This report has been provided by EXP is attached for review by stakeholders.

General Comments/Concerns

4. Concern with landlocked parcel shown as Block 94 in the Draft Plan of subdivision. Would make more sense to have Block 94 and portions of the rear of Lots 28 and 29 to be merged with the adjacent golf course.

Response: Comment acknowledged by SBM and the Owner. The Owner has agreed to merge Block 94 (which is considered a part of the "Open Space/Remnant Lands" land use) with the adjacent golf course.

5. Slope Assessment focused on northern slope. Would erosion access allowance need to be provided along westerly property limits to ensure access?

Response: Comment acknowledged by SBM. As there is an unopened approximate 20m wide road allowance bordering the western side of the site, a 6m setback for erosion access/maintenance should not be required as the road allowance provides more than the 6m required access.

6. Given KCCA's comments in December, are updates required for geotechnical, servicing, etc.?

Response: Comment acknowledged by SBM. After reviewing KCCA's comments in December, geotechnical or servicing updates are not expected at this time. It is expected that additional comments will be received from KCCA in February 2021.

7. Have you given any more thought to the comments that were provided by the Township of Southwold and should the municipality be expecting any revised materials to address those concerns?

Response: Comment acknowledged by SBM. SBM has addressed the comments presented by the Township of Southwold above. Pending responses by stakeholders to the comments presented in this letter by SBM, we do not anticipate any revisions to the draft plan itself. A revised EIS addressing the comments in this report will be provided for draft plan approval.

8. Many of the submitted reports are identified as "Draft". Have the reports been finalized and when will they be submitted?

Response: Comment acknowledged by SBM. The geotechnical reports provided by EXP have been finalized and will be provided for draft plan approval.

Kettle Creek Conservation Authority

Natural Hazards:

1. The subject property is situated upon bottom lands bounded by valleyland slopes to the north and west of the development area that may be susceptible to erosion hazards;

Response: Comment acknowledged by SBM. Erosion hazards will be mitigated through a 6.0m wide Erosion Hazard Allowance development setback in alignment with the EXP Strathroy Turf Farm Ltd. Slope Assessment as mentioned in the documents included in the October 2021 ZBA and Draft Plan Submission.

2. Although the subject lands are currently not identified as being susceptible to flooding hazards during a regulatory storm event (ie. Hurricane Hazel Flood Standard), the current floodplain mapping within Port Stanley (Riggs Engineering, 2005) identifies floodplain hazards immediately abutting the southern property boundary along the Marr Municipal Drain.

In 2021 KCCA initiated a floodplain mapping update for Port Stanley relying upon existing conditions and a more accurate and up-to-date topographic model. The final updated floodplain mapping is anticipated to be completed and considered by the KCCA Board of Directors at their Full Authority meeting of January 19, 2022.

Based on a preliminary review, there is potential for minor increases to existing floodplain mapping that may affect the subject lands and may need to be considered for potential conditions of draft approval.

Response: Comment acknowledged by SBM. SBM has begun discussion/coordination with True Consulting who are undertaking the floodplain mapping update and it is expected that the update will be completed for the January 19, 2022 KCCA Board of Director meeting.

Provincial Policy Statement (PPS):

The Natural Hazard policies which are applicable to the subject lands include:

1. Policy 3.1.1 b) - Development shall generally be directed to areas outside of hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards.
2. Policy 3.1.6 - Where the two-zone concept for flood plains is applied, development and site alteration may be permitted in the flood fringe, subject to appropriate floodproofing to the flooding hazard elevation or another flooding hazard standard approved by the Minister of Natural Resources and Forestry.
3. Policy 3.1.7 – Further to policy 3.1.6, and except as prohibited in policies 3.1.2 and 3.1.5, development and site alteration may be permitted in those portions of hazardous lands and hazardous sites where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:
 - a. Development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;
 - b. Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
 - c. New hazards are not created and existing hazards are not aggravated; and
 - d. No adverse environmental impacts will result.

The PPS defines hazardous sites as property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography)

Response: Comment acknowledged by SBM.

Conservation Authorities Act:

Lands associated with the proposed draft plan of subdivision are affected by regulations of KCCA.

Pursuant to Section 28 of the Conservation Authorities Act, permission of the Conservation Authority is required prior to any development and/or site alteration within the Authority's regulatory jurisdiction. The current

regulation for the Kettle Creek watershed is 'Ontario Regulation 181/06: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses'.

The Authority may grant permission for development in or on the areas of its jurisdiction if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development. (O.Reg. 181/06 S.3.(1))

The general principles of KCCA's Regulation and associated policies is to direct new development and site alteration away from hazard lands and further that, no new hazards are to be created and existing hazards should not be aggravated.

Response: Comment acknowledged by SBM.

Comments:

In consideration of the pending new floodplain mapping for Port Stanley, KCCA staff would respectfully request an extension to the deadline for comment submissions on Draft Plan 34T-CE2101 to allow for an opportunity to review and consider potential impacts of flooding hazards associated with the proposed development.

KCCA may have additional recommendations for conditions of draft approval that may be required to address potential flooding hazards under a Two-Zone Floodplain Management Concept upon review of the new mapping. We have requested additional information from the applicant's consultant to assist in our review and consideration of the pending new floodplain mapping. Specifically, updated geodetic grade elevations using the more current CVGD2013 datum has been requested.

We anticipate that final comments from KCCA can be prepared and submitted prior to February 1, 2022 subject to receipt of the updated elevations requested from the consultant.

In the interim, we can confirm that KCCA staff are satisfied that the proposed draft plan of subdivision in consideration of the Geotechnical Investigation and Slope Assessment satisfactorily address the erosion hazard policies of the PPS.

Further, we can advise that an application and permit will be required from KCCA under O.Reg.181/06 prior to any development and/site alterations upon the property subsequent to granted approvals under the Planning Act.

Response: Comments acknowledged by SBM. SBM has performed a vertical shift to all survey info and grading of according to the NRCAN 973006 Port Stanley Pier Benchmark as requested by True Consulting who are responsible for the 2021 Floodplain mapping update to align with the revised floodplain mapping elevations.

We trust this response letter meets your satisfaction. Should you have any questions or require further information, please do not hesitate to contact the undersigned.

Respectfully submitted,

Strik, Baldinelli, Moniz Ltd.

Planning • Civil • Structural • Mechanical • Electrical



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