

SENT ELECTRONICALLY (lspencer@westgrey.com)

September 19, 2022

Municipality of West Grey  
402813 Grey Road 4  
RR#2  
Durham, ON N0G 1R0

ATTENTION: Lorelie Spencer, Manager of Planning and Development

Dear Ms. Lorelie;

RE:                   Application for Consent: B14.2022  
                        Roll No. 420526000203502  
                        261 and 265 Durham Road East  
                        PT 2 PLAN 16R11654; PLAN 502  
                        LOT 28; W OF ELGIN STREET  
                        Geographic Town of Durham  
                        Municipality of West Grey (Elvidge)

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). SVCA staff has also provided comments as per our Memorandum of Agreement (MOA) with the Municipality of West Grey representing natural hazards, natural heritage, and water resources; and the application has also been reviewed through our role as a public body under the *Planning Act* as per our CA Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018.

The purpose of the application is to sever approximately 0.04 hectares of residential land and retain approximately 0.04 hectares of residential land. The effect of which will create two (2) separate parcels containing a proposed semi-detached dwelling unit.

Staff have received and reviewed the following documents submitted with this application:

- 1) Notice of Public Meeting for application B14.2022 and associated application, dated September 12, 2022.

SVCA provided comments on associated application B04.2021 and we issued a permit for the construction of the semi-detached dwelling in May of this year.

## **Recommendation**

SVCA staff find the application acceptable, and we elaborate in the following comments.

## **Site Characteristics**

The subject property is located within the urban settlement of Durham and is surrounded by residential development along the north, east, and west property limits. South of the property is a vegetated valleyland associated with the Saugeen River.

## **Delegated Responsibility and Advisory Comments**

**SVCA staff has reviewed the application through our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020). We have also reviewed the application through our responsibilities as a service provider to the Municipality of West Grey in that we provide expert advice and technical clearance on *Planning Act* applications with regards to natural hazards, natural heritage, and water resources as set out in the PPS 2020, County Official Plan and/or local official plans. Comments below only include features/technical requirements affecting the property.**

### **Natural Hazards:**

Located south of the subject property is valleyland associated with the Saugeen River. Based on SVCA staff's on-site review, it is our opinion the subject property is not affected by flooding or erosion hazards associated with the valleylands.

### **Natural Heritage:**

Appendix B of the County of Grey OP indicates the subject property is located adjacent to significant woodlands.

The following is a summary of provincial, county/municipal natural heritage policies affecting the property.

#### **Provincial Policy Statement (PPS, 2020)– Section 2.1**

Section 2.1.8 of the PPS states development and site alteration shall not be permitted on adjacent lands to significant woodlands unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

#### **County of Grey Official Plan Policies (OP)**

Section 7.4 of the Grey County OP states that no development or site alteration may occur within Significant Woodlands or their adjacent lands (120 metres) unless it has been demonstrated through an Environmental Impact Study (EIS) that there will be no negative impacts on the natural features or their ecological functions.

### Municipality of West Grey Official Plan (OP) Policies

It is SVCA staff's opinion Section E1.2.6 of the West Grey OP states, in general that, no development or site alteration shall occur within Significant Woodlands or their adjacent lands unless it has been demonstrated through an Environmental Impact Study that there will be no negative impacts on the natural features or their ecological functions. The "adjacent lands" are defined as lands within 120 metres of the Significant Woodland.

Given existing residential development and cultural disturbance on adjacent lands, it SVCA staff's opinion, the proposed would not have an impact on the adjacent significant woodlands. As such we do not recommend an EIS to support this application.

### Drinking Water Source Protection / Water resources:

The subject property appears to SVCA staff to not be located within an area that is subject to the local Drinking Water Source Protection Plan. To confirm, please contact the local Risk Management Official (RMO) at [rmo@greysable.on.ca](mailto:rmo@greysable.on.ca).

### Statutory Comments

**SVCA staff has reviewed the application as per our responsibilities as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). This regulation, made under Section 28 of the *Conservation Authorities Act*, enables SVCA to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Subject to the CA Act, development taking place on or adjacent to these lands may require permission from SVCA to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected. SVCA also regulates the alteration to or interference in any way with a watercourse or wetland.**

Portions of the subject property are within the SVCA 'Approximate Screening Area' associated with Ontario Regulation 169/06. As such, development and/or site alteration within this area requires the permission from SVCA, prior to carrying out the work.

"Development" as defined under the *Conservation Authorities Act* means:

- a) *the construction, reconstruction, erection or placing of a building or structure of any kind;*
- b) *any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;*
- c) *site grading; or,*
- d) *the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.*

And;

“Alteration” as per Section 5 of Ontario Regulation 169/06 generally includes the straightening, diverting or interference in any way with a river, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

To determine the SVCA Approximate Regulated Area on the property, please refer to the SVCA’s online mapping program, available via the SVCA’s website at <http://eprweb.svca.on.ca>. Should you require assistance, please contact our office directly.

#### SVCA Permission for Development or Alteration

Development on the property requires the permission of the SVCA. SVCA issued a permit for the construction of the semi-detached dwelling in May of this year.

#### Summary

SVCA staff has reviewed this application in accordance with our MOA with the Municipality of West Grey and as per our mandated responsibilities for natural hazard management, including our regulatory role under the *Conservation Authorities Act*.

SVCA staff find the application acceptable. Given the above comments, it is the opinion of the SVCA staff that:

- 1) Consistency with Section 3.1, Natural Hazard policies of the PPS has been demonstrated.
- 2) Consistency with Section 2.1, Natural Heritage policies of the PPS has been demonstrated.
- 3) Consistency with local planning policies for natural hazards and natural heritage has been demonstrated.

Please inform this office of any decision made by Municipality with regard to this application. We respectfully request to receive a copy of the decision and notice of any appeals filed.

Should you have any questions, please contact the undersigned at [b.walter@SVCA.on.ca](mailto:b.walter@SVCA.on.ca)

Sincerely,



Brandi Walter  
Environmental Planning Coordinator  
Saugeen Conservation

BW/

cc: Christine Robinson, Authority Member (via email)  
Tom Hutchinson, Authority Member (via email)