

SENT ELECTRONICALLY ONLY (*lspencer@westgrey.com*)

May 23, 2023

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

Attention: Lorelie Spencer, Manager of Planning and Development, Municipality of West Grey

Dear Lorelie Spencer:

RE: Application for Consent: B12.2023
373470 Concession 4 NDR
LOTS 1 and 2, CON 4 NDR
Roll No. 420522000502400
Geographic Township of Glenelg
Municipality of West Grey

(Bell)

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 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). Staff has also provided comments as per our Memorandum of Agreement (MOA) with the County of Grey representing natural hazards. The application has also been reviewed through our role as a public body under the Planning Act as per our Conservation Authority (CA) Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018. Finally, we have screened the application to determine the applicability of the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan, prepared under the Clean Water Act, 2006.

Purpose

The purpose of the application is to sever and retain areas of agricultural and treed lands. The effect of which will create a new lot and retain a partially agricultural and treed parcel.

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

- 1) Notice of Hearing dated May 9, 2023.
- 2) Application for Consent dated April 18, 2023.

Recommendation

SVCA staff find the application to be acceptable. We elaborate in the following paragraphs.

Delegated Responsibility and Advisory Comments

Natural Hazards

Portions of the property are affected by flooding and erosion hazards associated with a tributary of the Saugeen River, as well as unstable organic soils associated with other wetlands. These same hazard areas are zoned Natural Environment (NE) in the Municipality of West Grey Zoning By-law No. 37-2006. In general, no new buildings or structures are permitted within the Hazard Lands designation or within the NE zone. In the opinion of SVCA staff, the NE zone as shown on Zoning Schedule 50 of By-law No. 37-2006, does not exactly match the hazardous lands mapping as plotted by SVCA staff.

The following is a summary of Provincial, County and Municipal natural hazard policies that affect the subject property.

Provincial Policy Statement (PPS, 2020) Natural Hazard Policies– Section 3.1

Section 3.1.1 of the PPS, 2020 states, in general, that development shall be directed to areas outside of hazardous lands (flooding hazards, erosion hazards, dynamic beach hazards), and hazardous sites (organic soils, leda clay, unstable bedrock.).

Grey County Official Plan Policies

It is the SVCA's interpretation that organic, or unstable soils and poorly drained areas are considered Hazard Lands and detailed in Section 7.2 of the Grey County Official Plan. It is SVCA staff's interpretation, Section 7.2 dictates that new development should be directed away from Hazard Lands.

As per the site plan provided, there is no building envelope for residential development associated with this application. It is SVCA staff's understanding that the NE zoning will remain unchanged. SVCA staff understand there is sufficient area for residential development outside of the hazard lands. As such, SVCA staff are of the opinion that the application would be consistent with the natural hazard policies of the PPS (2020) and the Grey County Official Plan.

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 Carl Seider or Karen Gillian at rmo@greysauble.on.ca (RMO).

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 may require 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 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 Screening Area' on the property, please refer to SVCAs online mapping tool at Maps and GIS - Saugeen Valley Conservation Authority (saugeenconservation.ca).

SVCA Permission for Development or Alteration

The parcel contains SVCA's Approximate Screening Area. Should future development and alteration as defined above be proposed within SVCA's Approximate Screening Area, please contact this office as permission under Ontario Regulation 169/06 may be required.

Please note, this letter is not permission for development within a SVCA Regulated Area.

Summary

SVCA staff have 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 to be 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 local planning policies for natural hazards has been demonstrated.

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Please inform this office of any decision made by the 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 m.cook@svca.on.ca.

Sincerely,

A handwritten signature in black ink that reads "Michael Cook". The signature is written in a cursive style with a small dot over the 'i' in Michael.

Michael J. Cook
Environmental Planning Technician, Environment Planning and Regulations Department
Saugeen Valley Conservation Authority
MC/

cc: Kevin Eccles, Authority Director, SVCA (via email)
Tom Hutchinson, Authority Director, SVCA (via email)
Karl Schipprack, CBO, Municipality of West Grey (via email)
Lisa Mulligan, Secretary-Treasurer, Municipality of West Grey (via email)