

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

August 8, 2023

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

Attention: Karl Schipprack, Director of Infrastructure and Development

Dear Mr. Schipprack,

RE: ZA27.2023 (Khan)
132 Garafraxa Street North
Part Lot 23 Part Lot 14 Plan 500 WGR
Roll No. 420526000301000
Geographic Town of Durham
Municipality of West Grey

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 Municipality of West 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 zoning bylaw amendment is to change the zone symbol on the subject lands from C1 (General Commercial) and FL (Floodway) To C1-XX (General Commercial with Exception) and FL (Floodway). The effect of which will permit the reduced parking for the 6-unit apartment building where 6 parking spots would be required to zero.

Recommendation

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

Delegated Responsibility and Advisory Comments

Natural Hazards

The natural hazard feature affecting the property is the floodplain of the main Saugeen River. The entirety of the property is located within the floodplain hazard of the Main Saugeen River. Engineered floodplain mapping exists for the community of Durham where conditional development is allowed within the floodplain. The property is correctly zoned and designated to recognize the natural hazard feature of the floodplain.

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 of the PPS, 2020 states in part that development shall generally be directed to areas outside of: b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding and erosion hazards; and c) hazardous sites. Section 3.1.6 states in part that where the two zone concept for flood plains is applied, development and site alteration may be permitted in the flood fringe, subject to conditions. It is the opinion of SVCA staff that the application complies with section 3.1. of the PPS, 2020.

Grey County Official Plan and West Grey Official Plan Policies

Section D9.4 of the Municipality of West Grey OP and Section 7.2.3 of the Grey County OP states in part that buildings and structures are generally not permitted in the Hazard Lands land use type. However, replacement of existing or damaged buildings or structures may be permitted if the hazard risk does not increase from the original condition, and the feasibility of relocating the buildings or structures outside of the hazard area has been assessed. It is the opinion of SVCA staff that the application is consistent with the natural hazard policies of the Municipality of West Grey OP and the Grey County OP.

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 rmo@greysauble.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.

The entire property is within the SVCA 'Approximate Regulated 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). For the property, the SVCA Approximate Regulated Area includes the floodplain of the main Saugeen River.

On November 11, 2021, SVCA staff issued SVCA permit 21-310 for development as proposed as part of the current application. A copy of the SVCA permit 21-310 is attached for reference.

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.

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.oberle@svca.on.ca.

Sincerely,

Michael Oberle
Environmental Planning Technician
Saugeen Valley Conservation Authority
MO/

Enclosure: SVCA permit 21-310

CC: Kevin Eccles, Authority Director, SVCA (via email)
Tom Hutchinson, Authority Director, SVCA (via email)
Britney Becker, Plans Examiner and Building Inspector, Municipality of West Grey (via email)
Brad Brown, agent, via email: [REDACTED]
2079777 Ontario Inc. (Mohammad Khan), owner via email: [REDACTED]

Britney Becker

From: building
Sent: Thursday, August 17, 2023 9:29 AM
To: Britney Becker
Subject: Re: ZA27.2023 Khan

The Building Department has reviewed the application and has the following comments .

The application removes the zoning requirement for parking however, does not provide an alternative location or arrangement for the people living in the apartments on the second floor.

Sent from my iPhone

On Aug 16, 2023, at 12:42 PM, Britney Becker <bbecker@westgrey.com> wrote:

Hi all,

Please be reminded of the below request. Please provide your comments as soon as possible.

Thanks.

From: Britney Becker
Sent: Friday, August 4, 2023 3:57 PM
To: Geoff Aitken <publicworks@westgrey.com>; building <building@westgrey.com>; CBO - Karl Schipprack <cbo@westgrey.com>; Phil Schwartz <pschwartz@westgrey.com>; Shawn Edwards <sedwards@westgrey.com>
Subject: ZA27.2023 Khan

Good afternoon,

Please find a notice of Public Meeting for the above noted file attached.

The zoning amendment is scheduled to be heard on September 5th. Your comments would be appreciated by August 14th.

Additional contents of the file can be found in the T-drive – D14 Zoning – 2023 – ZA27.2023 – Khan.

Kind regards,

Britney Becker
Plans Examiner & Building Inspector

Municipality of West Grey
402813 Grey Road 4
RR 2 Durham, ON N0G 1R0
519-369-2200 ext. 248
www.westgrey.com || @OurWestGrey

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<Site Plan - 132 Garafraxa St N.pdf>

<Commissioned application form.pdf>

<Notice of Public Meeting.pdf>

Britney Becker

From: Phil Schwartz
Sent: Wednesday, August 16, 2023 1:42 PM
To: Britney Becker
Subject: RE: ZA27.2023 Khan

No Comment.

Phil Schwartz

Fire Chief / CEMC / Health & Safety

Municipality of West Grey



P/O Box 664 Durham ON

N0G1R0

P.519-369-2505 F.519-369-2121

pschwartz@westgrey.com

www.westgrey.com

Kids Don't Hear Smoke; They Hear Smoke Alarms.

Check Your's Lately!



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Britney Becker

From: COULAS Diana <Diana.Coulas@HydroOne.com> on behalf of SOUTHERN FBC PLANNING <SouthernFBCPlanning@HydroOne.com>
Sent: Tuesday, August 8, 2023 11:30 AM
To: Britney Becker
Subject: RE: ZA27.2023 - Khan 132 Garafraxa St N, Durham 4205.260.003.01000

Good morning,

We have no comments.

Diana Coulas
Senior Distribution Planning Technician
Distribution Lines Work Management, WO2
Hydro One Networks Inc.
763 Athlone Ave., 2nd Floor
Woodstock, ON | N4V 0B6

Tel: 800-957-7756
Fax: 888-281-4589
Email: diana.coulas@HydroOne.com

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From: Britney Becker <bbecker@westgrey.com>
Sent: Friday, August 4, 2023 4:00 PM
To: jayme_bastarache@bwdsb.on.ca; al_hastie@bgcdsb.org; archaeology@saugeenonibwaynation.ca; LANDUSEPLANNING <LandUsePlanning@HydroOne.com>; prhody@wightman.ca; weichenberger@wightman.ca; Union Gas <ontugllandsinq@uniongas.com>; consultations@metisnation.org; MR25Enquiry <mr25enquiry@mpac.ca>; hsmastlrcc@bmts.com; lonnybomberry@sixnations.ca; SOUTHERN FBC PLANNING <SouthernFBCPlanning@HydroOne.com>; newdevelopment@rci.rogers.com; Riel Warrilow <associate.ri@saugeenonibwaynation.ca>; planning@grey.ca; west.grey@svca.on.ca; MunicipalPlanning@enbridge.com; rlinn@sixnations.ca; consultations@metisnation.org; wpeeters@ehtel.ca
Subject: ZA27.2023 - Khan 132 Garafraxa St N, Durham 4205.260.003.01000

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Good afternoon,

Please find a notice of Public Meeting for the above noted file attached.

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Kind regards,

Britney Becker
Plans Examiner & Building Inspector

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Planning and Development

595 9th Avenue East, Owen Sound Ontario N4K 3E3
519-372-0219 / 1-800-567-GREY / Fax: 519-376-7970

August 25th, 2023

Karl Schipprack
Municipality of West Grey
402813 Grey Road 4
RR2 Durham, ON
N0G 1R0

RE: Zoning By-law Amendment ZA27.2023
Plan 500, Part Lot 13, Part Lot 14 WGR (132 Garafraxa Street North)
Municipality of West Grey
Roll: 420526000301000
Owner: 2079777 Ontario Inc (Mohammad Khan)
Applicant: Brad Brown

Dear Mr. Schipprack,

This correspondence is in response to the above noted application. We have had an opportunity to review the application in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP). We offer the following comments.

The purpose and effect of the subject application is to change the zone symbol on the subject lands from C1 (General Commercial) and FL (Floodway) To C1-XX (General Commercial with Exception) and FL (Floodway). The effect of which will permit the reduced parking for the 6-unit apartment building where 6 parking spots would be required to zero.

Schedule A of the County OP designates the subject lands as 'Primary Settlement Area'.

This Official Plan promotes the development of Primary Settlement Area land use types for a full range of residential, commercial, industrial, recreational, and institutional land uses. These areas will be the focus of the majority of growth within the County.

The proposed development would create growth within the Primary Settlement Area as it would create new residential units and a commercial unit on a vacant parcel of land; therefore, County Planning staff have no concerns.

Schedule A of the County OP indicates that the subject lands contain 'Hazard Lands'. The applicant has obtained a permit from the SVCA for the proposed development; therefore, County Planning staff have no concerns.

Appendix B of the County OP indicates that the subject lands are within the adjacent lands of a 'River'. It is anticipated that the proposed development will not negatively impact the River, as the subject lands are disturbed and is in a well developed area. Further, there are existing uses located closer to the River. Therefore, County Planning staff have no concerns.

County Transportation Services has reviewed the subject application and have no concerns.

County Housing Services has reviewed the subject application and have no concerns.

County Planning staff have no concerns with the subject application.

The County requests notice of any decision rendered with respect to this file.

If you wish to discuss this matter further, please contact me.

Yours truly,

A handwritten signature in cursive script that reads "Derek McMurdie".

Derek McMurdie
Planner
(519) 372 0219 ext. 1239
Derek.McMurdie@grey.ca
www.grey.ca