

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

August 29, 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: B16.2023 (Brenndorfer)
501105 concession 10 NDR
Lot 3 Concession 11
Roll No. 420528000814700
Geographic Township of Bentinck
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 and effect of the application is to sever approximately 3.3 hectares of rural land and retain approximately 37.4 hectares of rural land. The effect of which will create a new residential parcel and retain a rural parcel. The planning justification report notes that a zoning by-law amendment will be a related application.

Recommendation

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

Delegated Responsibility and Advisory Comments

Natural Hazards

Based on SVCA mapping, the natural hazard features affecting the property appear to be: two watercourses that flow through the property, their floodplain, any unstable valley slope of the watercourses, and any wetlands/swamps. The watercourses appear to be tributaries of Deer Creek. The Natural Environment (NE) zone for the property as shown in the Municipality of West Grey Zoning By-law, and the Hazard Lands designation as shown in Schedule A of the Grey County OP generally coincide with the SVCA Hazard Lands mapping for the property, which is appropriate to represent the natural hazard features.

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. It is the opinion of SVCA staff that safe access to both the parcel to be severed and the parcel to be retained will be available. It is the opinion of SVCA staff that the application complies with section 3.1. of the PPS, 2020.

Grey County Official Plan Policies

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. It is the opinion of SVCA staff that the application is consistent with the natural hazard policies of 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 parcel to be severed will not be within the SVCA Approximate Screening Area.

However, areas of the parcel to be retained 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). For the property, the SVCA Approximate Screening Area includes the watercourses their floodplain, any unstable valley slope of the watercourses, and any wetlands/swamps, plus an offset distance of 15 metres outwards from the larger of the following: 15 metres outwards from the top of stable valley slope, 15 metres outwards from the floodplain edge, and/or 30 metres outwards from any wetland/swamp edge.

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/

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)
Ron Davidson Land Use Planning Consultant Inc. , agent (via email)