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SENT ELECTRONICALLY: lspencer@westgrey.ca

March 29, 2021

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

ATTENTION: Lorelie Spencer, Planner

Dear Ms. Spencer,

RE: Minor Variance Application A04.2021 (Broderick)  
100 Highland Drive  
Part Block 71 Plan 813, Part 1 Plan 16R10158  
Roll No. 420522000511699  
Geographic Township of Glenelg  
Municipality of West Grey

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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 and natural heritage; and the application has been reviewed through SVCA's 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 vary the provisions of section 6.1.2(b), section 6.1.3, section 6.1.4(ii) to permit an accessory structure 111.48m<sup>2</sup> in size, within the defined front yard, ±10.5m in height with an increase in floor area of the accessory structure whereas a maximum height of 5.0m is permitted and a maximum floor area of 92.9m<sup>2</sup>. The effect of which will permit the construction of an accessory structure.

### **Recommendation**

The application is generally acceptable to SVCA staff. We elaborate in the following paragraphs.

### **Background**

SVCA staff conducted a site inspection to the property on March 1, 2018, and provided comments to the owner dated March 2, 2018 related to the proposed development of the property at that time. It appears that details



Watershed Member Municipalities  
Municipality of Arran-Elderslie, Municipality of Brockton, Township of Chatsworth, Municipality of Grey Highlands,  
Town of Hanover, Township of Howick, Municipality of Morris-Turnberry, Municipality of South Bruce,  
Township of Huron-Kinloss, Municipality of Kincardine, Town of Minto, Township of Wellington North,  
Town of Saugeen Shores, Township of Southgate, Municipality of West Grey

related to the detached accessory building for the current minor variance application remain similar from what SVCA staff reviewed in 2018.

### **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:**

The property is not shown to exhibit any natural hazard features, according to SVCA hazard mapping and SVCA site inspection to the property in 2018. However, there are natural hazard features, namely wetlands that exist on lands adjacent to the southwest of the property. The Grey County Official Plan (OP) Schedule A appears to mirror SVCA mapping in that no Natural hazard Lands are located on the property. However, a small portion of the property is shown to be zoned Natural Environment (NE) in the Municipality of West Grey Zoning By-Law 37-2006. It is the opinion of SVCA staff that the NE zone should be removed from the property at the next update to the Zoning By-law to mirror the Grey County OP mapping.

### **Provincial Policy Statement – Section 3.1**

Section 3.1.1 of the PPS, 2020 states in part that development shall generally be directed to areas outside of hazardous lands and hazardous sites. It is the opinion of SVCA staff that the application conforms to Section 3.1.1 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 designation. It is the opinion of SVCA staff that the application conforms to the natural hazard policies of the Grey County OP.

### **Natural Heritage:**

It is the opinion of SVCA staff that the natural heritage features affecting the property include: significant woodlands, and significant wildlife habitat.

### **Provincial Policy Statement – Section 2.1**

Section 2.1 of the PPS, 2020 states in part that development shall not be permitted in significant woodlands, and significant wildlife habitat and the adjacent lands to the above referenced features except in accordance with the specified policies found in Section 2.1.

## Grey County Official Plan Policies

### Significant Woodlands

Significant woodlands are identified as per Appendix B Constraint Mapping of the Grey County OP and are shown to cover the property. Section 7.4.1 of the Grey County OP states in part that no development or site alteration may occur within significant woodlands or its adjacent lands unless it has been demonstrated by an Environmental Impact Study (EIS) that there will be no impact on the feature or its ecological functions. However, based on SVCA staff site inspection to the property in 2018, the building envelope on the property had been previously cleared. Therefore, the preparation of an EIS to address impacts to significant woodlands or their adjacent lands is not recommended by SVCA staff at this time as the preparation of an EIS would serve no useful purpose to address significant woodlands at this time.

### Significant Wildlife Habitat

While mapping showing significant wildlife habitat is not included in the Grey County OP, it has come to the attention of SVCA staff that significant wildlife habitat may be located on and/or on lands adjacent to the property. Section 7.10 of the Grey County OP states in part that development and site alteration is not permitted within significant wildlife habitat and their adjacent lands unless it has been demonstrated through an EIS that there will be no negative impact on the feature. However, based on SVCA staff site inspection to the property in 2018, the building envelope on the property had been previously cleared. Therefore, the preparation of an EIS to address impacts to significant wildlife habitat or their adjacent lands is not recommended by SVCA staff at this time as the preparation of an EIS would serve no useful purpose to address significant wildlife habitat at this time.

### 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.**

A portion of the property is within the SVCA Approximate Screening Area associated with Ontario Regulation 169/06. As such, development and/or site alteration within the SVCA Approximate Screening may require permission from SVCA.

"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.

For the property, the SVCA Approximate Screening Area includes the 30 metre offset distance from wetlands that are located on lands adjacent to the property. No wetlands were identified on the subject property.

Even though development may be located within the SVCA Approximate Screening Area, based on the plan submitted with the application, review or permit will not be required by the SVCA.

### **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*.

The application is generally acceptable to SVCA staff.

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 the Municipality of West Grey with regard to the application. We respectfully request to receive a copy of the decision and notice of any appeals filed. Should you have any questions, please contact this office.

Sincerely,



Michael Oberle  
Environmental Planning Technician  
Saugeen Conservation  
MO/

cc: Johanna Noble o/a Noblecraft Inc., agent (via email: johanna@noblecraft.ca)  
Daniel Broderick, owner (via email: danstapinganddrywall@gmail.com)  
Christine Robinson, SVCA Authority Member representing the Municipality of West Grey (via email)  
Tom Hutchinson, SVCA Authority Member representing the Municipality of West Grey (via email)