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SENT ELECTRONICALLY (*lspencer@westgrey.com*)

August 31, 2020

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

ATTENTION: Lorelie Spencer, Deputy Sec Treasurer

Dear Ms. Spencer;

RE: Applications of Consent: B05/2020 & B06/2020
231764 Concession 2 WGR
Roll No. 420501000607100
Lot 47 & Part Lot 48, Concession 3
Geographic Township of Normanby
Municipality of West Grey

[Shamaddon c/o Ford]

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 applications are to sever a portion of an existing rural lot, retain a rural lot and to provide a right-of-way (ROW) for the newly created parcel. Part 1 will be maintained as rural residential and will provide access to Part 2 through the use of the ROW. Part 2 will be maintained as a campground, which is existing.

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

- 1) Notice of Applications for Consent for B05 & B06/2020 and associated applications.

Recommendation

SVCA staff find the applications acceptable and we offer the following comments for your review.



Watershed Member Municipalities

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

Site Characteristics

The subject property is currently operating as a campground with approximately 140 campsites and features several accessory structures for park operations. The campground is largely located on the southern half of the property and there appears to be two residential structures with accessory structures located on the north half of the property. Environmental features located on the property are woodlands, wetlands, ponds, watercourses and open field.

Delegated Responsibility and Advisory Comment

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:

SVCA hazard mapping indicates the subject property features hazardous lands (flooding and unstable organic soils) associated with the wetlands and watercourses on-site. It is SVCA staff's opinion that the hazard mapping for the property in the Municipality of West Grey's Zoning By-law and the County of Grey's Official Plan (OP, Schedule A) is in conformance with the hazard mapping as originally plotted by SVCA staff. Based on our review of the hazard mapping, it appears all structures are located outside the hazard lands, with exception to one residence which may be partially located within the hazard land limit. There are also a few existing trailer lots located within the hazard lands limit.

Provincial Policy Statement – 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 and sites, which mean property or lands that could be unsafe for development and site alteration due to naturally occurring hazards, including flooding hazards and unstable soils such as organic soils typically associated with wetlands.

County of Grey Official Plan (OP)

It is SVCA staff's interpretation that section 7.2 of the Grey County Official Plan (OP) does not permit new development within natural hazard lands unless the use is for forestry or the conservation of natural resources, agriculture, passive public parks, or public utilities and where the impacts to the hazards are negligible or for other uses such as forestry.

It is SVCA staff's opinion, the applications are in general conformance with the above-noted policies. No new development is proposed at this time. However, there is sufficient room outside the hazard lands on both the retained and severed parcel should future development be proposed.

Safe Access

Portions of the lane to the existing campsites on the west end of the property (proposed severed parcel) traverse hazardous lands. However, it is SVCA staff's opinion the proposed severances would not increase the risk to public safety from exiting the property during a flooding hazard. However, safe access will need to be reviewed/addressed should the campground propose future increase in trailer sites. Both the natural hazard lands policies of the PPS, 2020 (Section 3.1.2) and Grey County OP (section 7.2) do not support development in areas that would be rendered inaccessible to people and vehicles during times of flooding hazards unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard.

Natural Heritage:

In the opinion of SVCA staff, the subject property features Significant Woodlands, Fish Habitat, potentially Significant Wildlife Habitat, Other Wetlands, and potentially Habitat of Endangered and Threatened Species. It is also our opinion the proposed applications should not have an increased impact on Significant Woodlands, Fish Habitat, Significant Wildlife Habitat, and Other Wetlands because no new development is proposed, at this time. Impacts to these features, if any, would have already been experienced because of the existing development.

Habitat of Endangered and Threatened Species

It has come to the attention of SVCA staff that habitat of endangered species and threatened species may be located on and/or adjacent to the property. The SVCA role is to identify habitat through a screening process in consideration of the PPS and local policies, however, it is the responsibility of the applicant to ensure the endangered species and threatened species policy referred to in the PPS and the local OPS have been appropriately addressed. Please contact the Ministry of Environment, Conservation and Parks (MECP) for information on how to address this policy. MECP inquiries can be addressed to SAROntario@ontario.ca.

Provincial Policy Statement – Section 2.1

Section 2.1.7 of the PPS states that development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements; and further that, section 2.1.8 states development and site alteration shall not be permitted on adjacent lands to habitat of endangered and threatened species unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

County of Grey Official Plan (OP)

It is SVCA staff's opinion, section 7.10 of the County's OP does not permit development or site alteration within the Habitat of Threatened / Endangered Species; and that, development and site alteration proposed within adjacent lands is not permitted 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 in Section 9.18 of this Plan and through provincial and federal requirements.

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. VCA 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 rive, 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

Please contact SVCA staff directly to determine if a SVCA permit is required for future development or site alteration proposed within SVCA's "Approximate Screening Area", or if interference with a watercourse or wetland is proposed.

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 applications for consent acceptable, and 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, except for habitat of endangered species and threatened species policies, which the applicant must address.
- 3) Consistency with local planning policies for natural hazards and natural heritage has been demonstrated, except for habitat of endangered species and threatened species policies, which the applicant must address.

Please inform this office of any decision made by the Municipality regarding 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

Sincerely,



Brandi Walter
Environmental Planning Coordinator
Saugeen Conservation

BW/

cc: Greg Ford, Agent (via email)
Christine Robinson, SVCA Member (via email)