



1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada N0G 1W0
Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

SENT ELECTRONICALLY ONLY: CJSmith@brucecounty.on.ca and bcplwa@brucecounty.on.ca

February 15, 2021

County of Bruce Planning & Development Department
30 Park Street
Walkerton, Ontario
N0G 2V0

ATTENTION: Coreena Smith, Planner

Dear Ms. Smith,

RE: Proposed Zoning By-law Amendment Z-2020-052, Proposed Consent to Sever Land B-2020-071, and
Bruce County Official Plan Amendment C-2020-014 (Young)
1960 Sideroad 5 Greenock
Roll No.: 410431000321300
Part Lot 5 Concession 19
Geographic Township of Greenock
Municipality of Brockton

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted applications 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), dated September 2019, with the County of Bruce 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 Consent application is to facilitate the severance of a +/-1.2 ha surplus farm dwelling lot. An amendment to the Official Plan is required to allow a third parcel to be created from an original Crown surveyed lot; and, to allow the retained +/-34.54 ha parcel to be smaller than 40 ha. An amendment to the Zoning By-law is required to limit the number of nutrient units to 1.25 units per hectare for the severed non-farm lot; to prohibit an accessory detached dwelling on the retained agricultural lot; to allow a minimum lot area of +/-34.54 ha instead of 39 ha on the retained agricultural lot; and, to recognize any existing buildings and structures on both the retained and severed lots which do not comply with the provisions of the By-Law. All future buildings and structures, or additions to existing buildings and structures, will need to comply with the provisions of the By-Law.

Recommendation

The proposed applications are acceptable to SVCA staff.



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

Site Characteristics

The majority of the property is pastured agricultural lands with woodlands in the southern portion of the property. Drainage that is not considered to be a watercourse flows northeasterly through the property and outlets to an open channel watercourse.

Delegated Responsibility and Advisory Comments

SVCA staff has reviewed the applications 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 County of Bruce 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 (OP) and/or local official plans. Comments below only include features/technical requirements affecting the property.

Natural Hazards:

The natural hazard features affecting the properties are any wooded wetlands in the southern portion of the property and low-laying areas throughout the property. It is SVCA staff's opinion that the Hazard Lands designation as shown on Schedule A to the Bruce County OP and the Environmental Protection (EP) Zone as shown in the Municipality of Brockton Zoning By-law 2013-26, generally coincides with SVCA Hazard Lands as mapped by the SVCA. It is the opinion of SVCA staff that the mapping is appropriate to represent the low-laying areas that are subject to overland water flow.

Provincial Policy Statement – 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 the applications comply with Section 3.1. of the PPS, 2020.

County of Bruce OP Policies

Section 5.8 of the County of Bruce OP generally directs development to be located outside of Hazardous Land Area. It is the opinion of SVCA staff that the applications appear to be consistent with the policies of the Bruce County OP.

Natural Heritage:

It is the opinion of SVCA staff that the natural heritage feature affecting the property is fish habitat and its adjacent lands (associated with the open channel watercourse).

Provincial Policy Statement – Section 2.1

Section 2.1 of the PPS, 2020 states in part that development shall not be permitted in fish habitat and its adjacent lands except in accordance with the specified policies found in Section 2.1.

Bruce County OP Policies

Fish Habitat and its Adjacent Lands

As mentioned above, an open channel watercourse (an unnamed tributary of the Teeswater River) appears to headwater at the eastern property boundary and flows east. The watercourse is considered fish habitat by SVCA staff. Section 4.3 of the Bruce County OP generally prohibits development within fish habitat and its adjacent lands, except in accordance with applicable policies. SVCA staff are of the opinion that the negative impacts to fish habitat and its adjacent lands as a result of these applications will be negligible, and SVCA staff are not recommending the preparation of an EIS at this time.

Statutory Comments

SVCA staff has reviewed the applications 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.

None of the parcel proposed to be severed is subject to the SVCA's Ontario Regulation 169/06.

However, any wooded wetlands in the southern portion of the property; the open channel watercourse on lands adjacent to the east of the property; and an offset distance from these features is subject to the SVCA's Ontario Regulation 169/06. As such, development and/or site alteration to the watercourse within the SVCA Approximate Screening Area may require 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 river, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

To determine where the SVCA Approximate Screening Area is located associated with our Regulation on the parcel proposed to be retained, please refer to the SVCA's online mapping program, available via the SVCA's website at <http://eprweb.svca.on.ca>.

SVCA Permission for Development or Alteration

If development or alteration including construction, reconstruction, conversion, grading, filling or excavation, including agricultural tile drainage and/or a watercourse cleanout, is proposed within the SVCA Approximate Screening Area on the parcel proposed to be retained, the SVCA should be contacted, as permission may be required. SVCA staff note that the planning justification letter that accompanies the applications states in part, that the property may be drained in the future. SVCA would request to be contacted should agriculture tile drainage be proposed on the property to ensure that impacts to any wetlands and the watercourse are addressed.

Summary

SVCA staff has reviewed the application in accordance with our MOA with the County of Bruce, and as per our mandated responsibilities for natural hazard management, including our regulatory role under the *Conservation Authorities Act*. Please provide a copy of this letter to the owner/applicant so that he is aware of SVCA's Regulation that is applicable to portions of the property.

The applications are 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, 2020 has been demonstrated;
- 2) Consistency with Section 2.1, Natural Heritage policies of the PPS, 2020 has been demonstrated; and
- 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 Brockton and/or the County of Bruce with regards to the applications. We respectfully request to receive a copy of the decisions and notices of any appeals filed. Should you have any questions, please contact the undersigned.

Sincerely,



Michael Oberle
Environmental Planning Technician
Saugeen Conservation
MO/

cc: Fiona Hamilton, Clerk, Municipality of Brockton (via email)
Dan Gieruszak, Authority Member, SVCA (via email)