



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

July 21, 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-2021-039, Proposed Consent to Sever Land B-2021-049, and
Bruce County Official Plan Amendment C-2021-009 (Wylids)
41 Egypt Sideroad
South Part Lots 17 & 18 Concession 1SDR
Roll Number: 410431000102900
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 Conservation Authority Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018.

Purpose

The purpose of the applications are to facilitate the severance of a +/- 0.2 hectare (h) surplus farm dwelling lot from a 14.97 ha agricultural parcel. Amendments to the County Official Plan and local Zoning By-law are required to facilitate the consent.

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

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 applications 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 property are the wooded wetlands surrounding 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 and flooding.

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:

Based on SVCA staff's desktop review, it is our opinion that the natural heritage features affecting the property include: provincially significant wetlands (PSW), significant woodlands, an area of natural and scientific interest (ANSI), significant wildlife habitat, and habitat of endangered species and threatened species.

Provincial Policy Statement – Section 2.1

Section 2.1 of the PPS, 2020 states in part that development shall not be permitted in provincially significant wetlands (PSW), significant woodlands, areas of natural and scientific interest (ANSI), significant wildlife habitat, and habitat of endangered species and threatened species, and the adjacent lands to the above referenced features except as in accordance with the specified policies found in Section 2.1.

Bruce County OP Policies

Significant Wetlands

Part of Greenock Swamp PSW is located on lands adjacent to the property. PSWs are shown on Schedule C: Constraints of the County of Bruce OP. Section 4.3.2 of the Bruce County OP states in part that development and site alteration shall not have an impact on wetlands, unless it has been demonstrated through an acceptable Environmental Impact Study (EIS) that there will be no negative impacts to the wetland or its ecological functions. SVCA staff are of the opinion that the negative impacts to the wetlands as a result of the proposal will be negligible, and SVCA staff are not recommending the preparation of an EIS at this time to address the wetlands based on the proposal.

Significant Woodlands

Although there is no County-wide mapping for significant woodlands, SVCA staff is of the opinion that the woodlands located on the lands adjacent to the property are considered significant woodlands. SVCA staff notes that significant woodlands are not determined based on property boundaries, nor are they considered interrupted by standard road allowances or roadways. Furthermore, Ministry of Natural Resources and Forestry (MNRF) mapping shows forest cover of 30-40% for the Geographic Township of Greenock. However, according to Section 4.3.2.6.2ii of the Bruce County OP, there is no requirement for the preparation of an EIS to address the woodlands, based on the proposal.

Significant Wildlife Habitat

While there is no County-wide mapping of significant wildlife habitat, 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 4.3.2.10 of the Bruce County OP states in part that development and site alteration shall not be permitted within significant wildlife habitat, or their adjacent lands, unless it has been demonstrated through an acceptable EIS that there will be no negative impacts to the natural features or their ecological functions. SVCA staff are of the opinion that the negative impacts to significant wildlife habitat as a result of the proposal will be negligible, and SVCA staff are not recommending the preparation of an EIS at this time to address significant wildlife habitat.

Greenock Swamp Life Science ANSI

ANSIs are shown on Schedule C: Constraints of the County of Bruce OP. Section 4.3.2 of the Bruce County OP states in part that, generally, ANSIs are to be protected and that development and site alteration shall not have an impact on ANSIs, unless it has been demonstrated through an acceptable EIS that there will be no negative impacts to the ANSI or its ecological functions. SVCA staff are of the opinion that the negative impacts to the ANSI as a result of the proposal will be negligible, and SVCA staff are not recommending the preparation of an EIS at this time to address the ANSI based on the proposal.

Habitat of Endangered Species and Threatened Species

Although not mapped in the Bruce County OP, it has come to the attention of SVCA staff that habitat of endangered species and threatened species may be located on and/or on lands adjacent to the property. Section 4.3.2.7 of the Bruce County OP states in part that development will not be permitted within habitat of endangered species and threatened species, and their adjacent lands. It is the role of the SVCA to identify habitat of endangered species and threatened species through a screening process in consideration of the PPS, 2020 and local policies, however it is the responsibility of the owner/applicant to ensure the endangered species and threatened species policy referred to in the PPS, 2020 has 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.

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.

The majority of the property, including the entirety of the parcel proposed to be severed are within the SVCA Approximate Screening Area associated with Ontario Regulation 169/06. As such, development and/or site alteration 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 to be retained, please refer to the SVCA's online mapping program, available via the SVCA's website at <http://eprweb.svca.on.ca>. For the property, the SVCA Approximate Screening Area is representing the PSW on the lands adjacent to the property, and any low area adjacent to the wetland, plus an offset distance of 120 metres outwards from the wetlands, as well as any low laying floodplain areas on the property plus an offset distance of 30 metres outwards from the floodplain.

SVCA Permission for Development or Alteration

If future development or alteration including construction, reconstruction, conversion, grading, filling or excavation, including agricultural tile drainage, is proposed within the SVCA Approximate Screening Area on the property, the SVCA should be contacted, as permission may be required.

SVCA would request to be contacted should agriculture tile drainage be proposed on the property to ensure that impacts to any wetlands are addressed.

Summary

SVCA staff has reviewed the applications 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, with the exception of habitat of endangered species and threatened species which must be addressed by the applicant/landowner; and
- 3) Consistency with local planning policies for natural hazards and natural heritage has been demonstrated, with the exception of habitat of endangered species and threatened species which must be addressed by the applicant/landowner.

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)