

October 22, 2021

GSCA File: P21205

County of Bruce
Planning & Development Department
268 Berford Street, P.O. Box 129
Warton, ON
N0H 2T0

Attn: Eric Steele, Planner
ESteele@brucecounty.on.ca

Re: Application for County Official Plan Amendment C-2021-019 and Local Official Plan Amendment L-2021-009
259 Elsinore Road
Roll No: 41-02-540-006-002-00
Town of South Bruce Peninsula, formerly Township of Amabel
Applicant: Robert Gallie, Steve Gallie and Karen Gallie

Staff has reviewed this 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 151/06. Grey Sauble Conservation Authority (GSCA) has also provided comments as per our Memorandum of Agreement (MOA) with the County of Bruce representing their interests regarding natural heritage and water identified in Sections 2.1 and 2.2, respectively, of the Provincial Policy Statement. Finally, GSCA has provided advisory comments related to policy applicability and to assist with implementation of the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan under the Clean Water Act.

GSCA staff have reviewed the above-noted applications to permit the creation of two 2-hectare, non-farm residential lots on private services. The retained parcel will have an area of approximately 125 hectares and is proposed to continue to be used for agriculture. A County Official Plan Amendment seeks relief from Section 6.5.1.4.4 vii which requires that an initial consent application shall not propose to create more than one lot at a time. An amendment to the South Bruce Peninsula Local Official Plan is also requested to permit the creation of three lots from an original Township lot, included the retained lot, where the Plan limits the number of lots to two. Consent applications are anticipated to be filed pending the outcome of the Official Plan Amendments.

Documents Reviewed

Staff have reviewed the following documents submitted with this application:

Member Municipalities

Municipality of Arran-Elderslie, Town of the Blue Mountains, Township of Chatsworth, Township of Georgian Bluffs,
Municipality of Grey Highlands, Municipality of Meaford, City of Owen Sound, Town of South Bruce Peninsula

- Planning Justification Report, prepared by Ron Davidson Land Use Planning Consulting Inc., dated August 20, 2021

Site Characteristics

Existing mapping indicates that:

- Portions of the property are regulated under Ontario Regulation 151/06;
- The property is designated Rural and Hazard Land in the Bruce County Official Plan;
- The property is zoned General Rural (RU1) and Environmental Hazard (EH) in the Town of South Bruce Peninsula Zoning By-law.
- Located within an area that is not subject to the policies contained in the Source Protection Plan;
- The property features agricultural lands with woodlands and wetlands throughout. The area of the proposed lots is primarily utilized for agricultural purposes.

Delegated Responsibility and Statutory Comments

- 1. GSCA 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. Only the relevant policies are noted in this report.**

The natural hazards identified on the property include the flood and erosion potential associated with the watercourses and wetland features on the property.

3.1.1 Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of:

- b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards.*

The proposed lots are located within the southeast portion of the property. A previously unmapped watercourse traverses through the proposed lots flowing in a southerly direction. The watercourse does not feature much in upstream drainage area. As such, flows are anticipated to be minor in depth and velocity and intermittent in nature. However, a 15-metre hazard allowance is recommended from the watercourse and future development should maintain this setback. With development maintaining a minimum 15-metre setback from the watercourse, it is the opinion of GSCA that this application is consistent with Section 3.1 policies of the PPS.

- 2. GSCA has reviewed the application as per our responsibilities as a regulatory authority under Ontario Regulation 151/06. This regulation, made under Section 28 of the Conservation Authorities Act, enables conservation authorities to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Development taking place on these lands may require permission from the conservation authority to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected.**

GSCA also regulates the alteration to or interference in any way with a watercourse or wetland.

A portion of the subject site is regulated under Ontario Regulation 151/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses administered by the GSCA. The regulated areas are associated with the watercourse and wetland features. As noted, a previously unmapped watercourse traverses the proposed lots. A regulation map has been provided to indicate the revised regulated area. Should any development or site alteration be proposed within the regulated area a permit is required from our office. It is anticipated that crossings may be proposed to access the development site. Crossing designs should be completed by a qualified professional engineer to ensure flows and crossing elevations are adequate to accommodate the proposed access and watercourse flows.

Advisory Comments

- 3. GSCA has reviewed the application through our responsibilities as a service provider to the County of Bruce in that we provide comment on natural heritage features under Section 2.1 of the Provincial Policy Statement and on water under Section 2.2 of the Provincial Policy Statement through a MOA.**

2.1 Natural Heritage

2.1.1 Natural features and areas shall be protected for the long term.

GSCA Comment: Natural heritage features identified include significant woodland and significant wildlife habitat. These features are mainly associated with the wetland and woodlands contained within the larger retained parcel. The proposed lots are within the adjacent lands to these features. Given the proposed lots are primarily utilized as agricultural lands, we are of the opinion that an Environmental Impact Study (EIS) would not benefit the application and that there are no negative impacts anticipated with the proposed development.

We note, the Planning Justification Report notes the Locally Significant Wetland feature and the 60-metre setback required. It also notes the proposed lots are 50 metres from the wetland feature. Given the rear yard setback in the RU1 zone is 10 m for lots smaller or equal to 10 acres, this may be sufficient to recognize the wetland setback without additional planning tools needed. Given the above, GSCA is of the opinion that the application is consistent with the Section 2.1 policies of the PPS.

2.2 Water

We recommend the development of the proposed lot include a grading and drainage plan for submission of the building permit. The primary purpose of this is to ensure that if the future accesses cross the watercourse, elevations and culvert sizes are adequate to accommodate development without negatively impacting drainage. With that, we anticipate the proposal will be consistent with the Section 2.2 policies of the PPS.

- 4. GSCA has reviewed the application in terms of the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan, prepared under the *Clean Water Act, 2006*. The Source Protection Plan came into effect on July 1st, 2016 and contains policies to protect sources of municipal drinking water from existing and future land use activities.**

The subject property is not located within an area that is subject to the local Source Protection Plan.

Summary

Given the above comments, it is the opinion of the GSCA that:

1. Development is to be directed away from the natural hazard area to demonstrate consistency with Section 3.1 of the PPS;
2. Ontario Regulation 151/06 does apply to the subject site. A permit from GSCA is required prior to any development or site alteration taking place within the regulated area;
3. GSCA is of the opinion that consistency with Sections 2.1 and 2.2 of the PPS has been demonstrated;
4. The subject site is not located within an area that is subject to the policies contained in the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan.

Recommendation

GSCA generally has no objection to the proposed Official Plan Amendment and Local Official Plan Amendment.

Please inform this office of any decision made by the County of Bruce 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.

Sincerely,

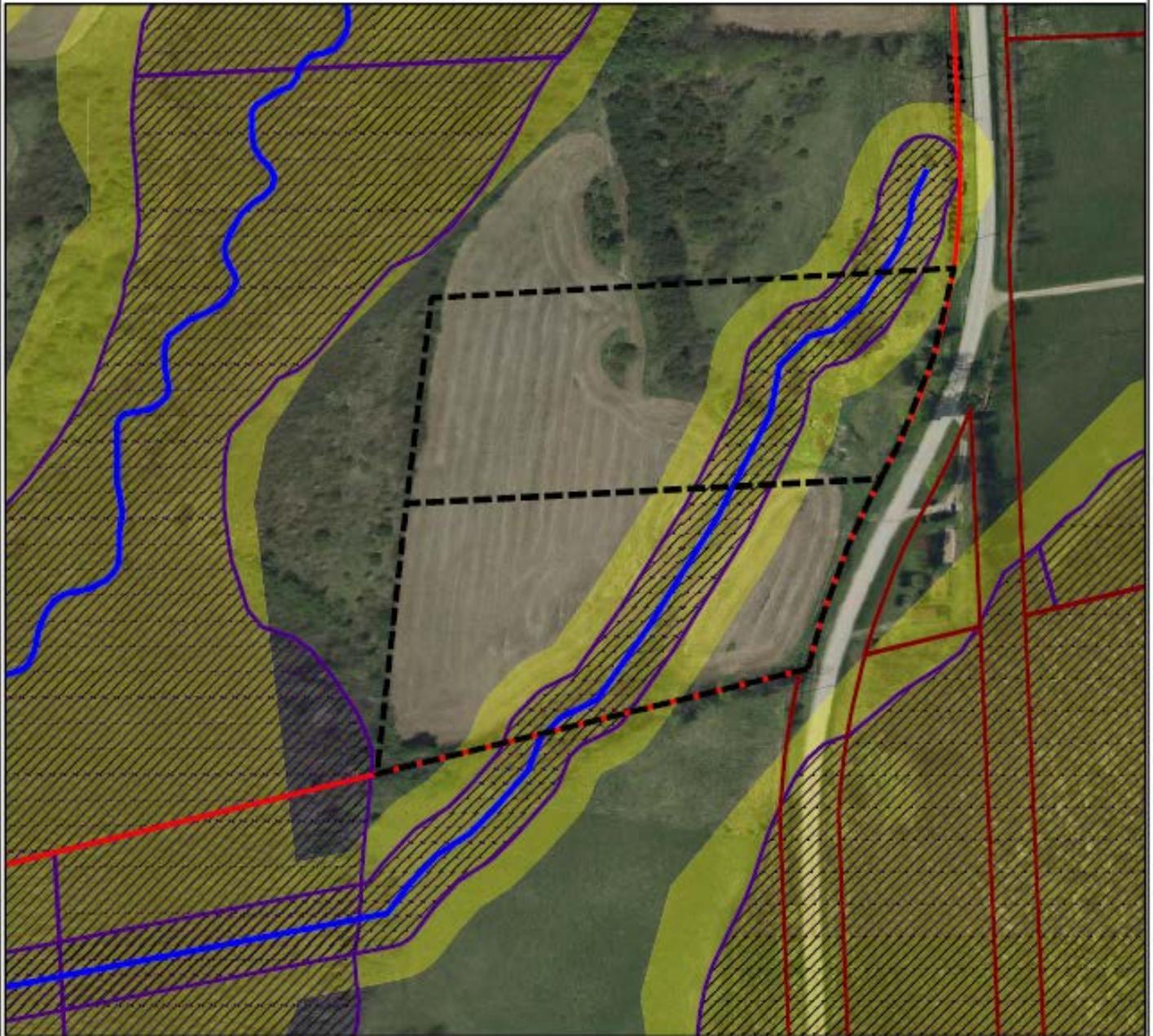


Mac Plewes
Environmental Planner, Environmental Planning & Regulations Department

Encl. GSCA Reg Map

c.c. Paul McKenzie, GSCA Director, Town of South Bruce Peninsula
Planning Department, Town of South Bruce Peninsula
Stu Doyle, Barry's Construction & Insulation

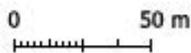
GSCA: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses (Ontario Regulation 151/06)



-  Subject Property (Approx.)
-  Proposed Lots (Approx.)
-  ON Reg 151/06
-  Streams
-  Natural Hazard Area



Scale = 1:2500



259 Elsinore Road
Roll No. 41-02-540-005-002-00
Town of South Bruce Peninsula (Amabel)

Friday, October 22, 2021

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