March 16, 2020
GSCA File: P19404

Ms. Stephanie Lacey-Avon
County of Grey
595 9th Avenue East
Owen Sound, ON N4K 3E3

Ms. Jenn Burnett
Township of Georgian Bluffs
177964 Grey Road 18
Owen Sound, ON N4K 5N5

Attn: Ms. Stephanie Lacey-Avon
Planner
Stephanie.Lacey-Avon@grey.ca

And

Ms. Jenn Burnett
Planner
jburnett@georgianbluffs.ca

Dear Ms. Lacey-Avon and Ms. Burnett,

Re: Proposed Official Plan Amendment and Zoning By-law Amendment
Part Lot 36, Concession 2;
Township of Georgian Bluffs, formerly Sarawak Township
Applicant: Harold Sutherland Construction

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, 2014) 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 Township of Georgian Bluffs representing their interests regarding natural heritage and water identified in Sections 2.1 and 2.2, respectively, of the Provincial Policy Statement. The application has also been reviewed through our role as a public body under the
Planning Act as per our CA Board approved policies. 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 application for the proposed expansion to the existing Sarawak Quarry.

GSCA had previously provided comments, dated November 12, 2020, in response to an Aggregate Resources Act Application. GSCA staff reviewed the application with regard for the anticipated future applications for amendments to the Grey County Official Plan, and the Township of Georgian Bluffs Zoning By-law. A copy of these comments is attached. GSCA generally had no objection to the Aggregate Resources Act application, and our comments reflect this opinion. The following review for the subject applications takes into consideration our previous comments while addressing any additional information that has been made available since the issuance of our previous comments.

**Documents Reviewed**

Staff have reviewed the following documents submitted with this application:

- Revised Planning Report, prepared by Ron Davidson Land Use Planning Consultant Inc., prepared on January 9, 2020, received by GSCA January 21, 2020;
- Natural Environment Technical Report (NETR) – Supplement, prepared by AWS Environmental Consulting Inc., prepared on November 22, 2019, received by GSCA January 21, 2020; and,
- Revised Site Plan Drawings 1-4, prepared by Harold Sutherland Construction Ltd., dated January 10, 2020, received by GSCA January 21, 2020.

**Site Characteristics**

Existing mapping indicates that the subject property:

- Contains agricultural lands, with a forested area to the south. The surrounding land uses appear to be mainly agricultural and rural, with the adjacent lot to the north containing the existing Sarawak Quarry;
- The property is not regulated under Ontario Regulation 151/06;
- The property appears to be designated as Agricultural and Rural in the Grey County Official Plan and as AG – Agricultural and RU- rural in the Township of Georgian Bluffs Comprehensive Zoning By-law;
- Is not located in an area that is subject to the policies contained in the Source Protection Plan.
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.

The subject property does not contain any natural hazards as identified in Section 3.1 of the Provincial Policy Statement. As such, it is the opinion of the GSCA that the 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.

The subject site is not regulated under Ontario Regulation 151/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses administered by the GSCA.

Advisory Comments

3. GSCA has reviewed the application through our responsibilities as a service provider to the Township of Georgian Bluffs 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

The natural heritage features identified on and/or adjacent to the subject lands include significant wildlife habitat, and habitat of endangered species and threatened species. Comments on these features and the applicable policies under section 2.1 of the PPS were addressed through our review of the Aggregate Resources Act application. We are of the opinion that these comments, as attached and dated November 12, 2019, remain valid for the current OPA and ZBA applications, with the following additional note:
In our review of the addendum provided for the existing Natural Environment Technical Report submitted by AWS Environmental Consulting Limited, we are agreeable with the conclusion reached through the update that appropriate mitigation measures were incorporated in the original proposal to ensure no negative impacts on the significant woodland feature identified through the County of Grey Official Plan.

Overall, GSCA is of the opinion that consistency with Section 2.1 of the PPS has been demonstrated through the current proposal.

2.2 Water

GSCA notes that there appears to be no changes from the original Aggregate Resources Application with regards to this section of the PPS, as such we are of the opinion that our previous comments, as attached and dated November 12, 2019, remain valid for these subject applications.

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

Additional Advisory Comments

We note that in our previous comments, as attached and dated November 12, 2019, we recommended that note 10 of the proposed rehabilitation drawing be updated to outline that the “random plantings” should be of native species. This recommendation was implemented in the updated plans submitted with these current applications.

Summary

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

1. Consistency with Section 3.1 of the PPS has been demonstrated.
2. Ontario Regulation 151/06 does not apply to the subject site. A permit from GSCA will not be required prior to any development or site alteration taking place.
3. We advise that the mitigation measures as outlined in the NETR and the Hydrogeological Assessment appear to have been implemented through the current proposal, as such we are 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

The GSCA has no objection to the subject proposal.

Please inform this office of any decision made by Grey County and the Township of Georgian Bluffs 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,

[Signature]

Justine Lunt
Environmental Planner, Environmental Planning and Regulations Department

c.c. Mr. Ron Davidson
 Mr. Dave Munro
 Planning Department, Township of Georgian Bluffs
 Planning Department, County of Grey
 Mr. Dwight Burley, GSCA Director
 Ms. Sue Carleton, GSCA Director
November 12, 2019
GSCA File: P19404

Ministry of Natural Resources and Forestry
Regional Operations Division
Southern Region
Owen Sound Area Office
1450 7th Ave East
Owen Sound ON
N4K 2Z1

Attn: Jason McLay
Aggregate Technical Specialist
jason.mclay2@ontario.ca

Dear Mr. McLay,

Re: Aggregate Resources Act Application – Sarawak Quarry Expansion
   Part Lots 37, Concession 2;
   Township of Georgian Bluffs, formerly Sarawak Township
   Applicant: Harold Sutherland Construction

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, 2014) and as a regulatory authority under Ontario Regulation 151/06. The application has also been reviewed through our role as a public body under the Planning Act as per our CA Board approved policies. 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 (SPP) under the Clean Water Act.

GSCA staff has reviewed the above-noted application for the proposed expansion to the existing Sarawak Quarry.

It is anticipated that there will be two associated applications, one being an amendment to the County of Grey Official Plan, and the second being an amendment to the Township of Georgian Bluffs Zoning By-law.

Watershed Municipalities
Arran-Elderslie, Chatsworth, Georgian Bluffs, Grey Highlands
Meaford, Owen Sound, South Bruce Peninsula, Blue Mountains
Documents Reviewed

Staff have reviewed the following documents submitted with this application:

- Application for a License under the Aggregate Resources Act, prepared by Harold Sutherland Construction Ltd., prepared on May 21, 2019, received by GSCA September 18, 2019;
- Summary Statement, prepared by Dave Munro, dated June 2019, received by GSCA September 18, 2019;
- Karst Hazard Assessment, prepared by Daryl W. Cowell and Associates Inc., dated July 17th, 2017, received by GSCA September 18, 2019;
- Combined Level 1 and 2 Hydrogeological Assessment, prepared by Whitewater Hydrogeology Ltd., dated December 2017, received by GSCA September 18, 2019;
- Natural Environment Technical Report: Level 1 and 2, prepared by AWS Environmental Consulting Ltd., dated December 2017, received by GSCA September 18, 2019;
- Planning Report, prepared by Ron Davidson Land Use Planning Consultant Inc., dated December 1, 2018, received by GSCA September 18, 2019; and
- Site Plan Drawings 1-4, prepared by Harold Sutherland Construction Ltd., dated November 3, 2018, received by GSCA September 18, 2019.

Site Characteristics

Existing mapping indicates that the subject property:

- contains agricultural lands, with a forested area to the south. The surrounding land uses appear to be mainly agricultural and rural, with the adjacent lot to the north containing the existing Sarawak Quarry;
- is not regulated under Ontario Regulation 151/06;
- appears to be designated as Agricultural in the Grey County Official Plan and as A1-General Rural in the Township of Georgian Bluffs Comprehensive Zoning By-law;
- is not located in an area that is subject to the policies contained in the SPP.

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.

The subject property does not contain any natural hazards as identified in Section 3.1 of the Provincial Policy Statement. As such, it is the opinion of the GSCA that the 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.

The property is not subject to Ontario Regulation 151/06, or the policies of the GSCA at this time, as such, a permission from the GSCA is not required.

Advisory Comments

3. GSCA has reviewed the application through our role as a public body, pursuant to the Planning Act.

2.1 Natural Heritage

The natural heritage features identified on and/or adjacent to the subject lands include significant wildlife habitat, and habitat of endangered species and threatened species. The following applicable policies under section 2.1 of the PPS have been reviewed:

- 2.1.5 Development and site alteration shall not be permitted in:
  
  d) significant wildlife habitat;
  
  unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

GSCA Comment: Significant wildlife habitat was identified on the site as per the Natural Environment Technical Report (NETR) submitted by AWS Environmental Consulting Limited. The habitat is associated with Eastern Wood-pewee confirmed on and adjacent to the subject site. The NETR has confirmed that if a buffer of 20-metres is maintained from the southern woodlot, there would be no negative impacts on this natural heritage feature or its ecological function. GSCA is generally in agreement with this conclusion, and we note that the recommended mitigation measure has been adequately incorporated into the current proposal.

- 2.1.7 Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.
GSCA Comment: Federal and provincial agencies have responsibility to administer activities associated with threatened and endangered species.

The presence of Butternut trees adjacent to the site was confirmed through the NETR. The status of these trees was determined in a Butternut Health Assessment Report, submitted as Appendix 4 of the NETR. The trees were all categorized as Category 1 trees and have thus been deemed non-retainable. As such, the report concluded that this ARA application is in compliance with the Endangered Species Act for Butternut, and no mitigation measures were deemed to be required.

The presence of Barn Swallow was confirmed on site, however the NETR assessed that the habitat for this species was not found on site, but rather approximately 800 metres away. As such, the report concluded that this ARA application is in compliance with the Endangered Species Act for Barn Swallows and no mitigation measures were deemed to be required.

The GSCA agrees with the conclusions reached through the NETR regarding the habitat of endangered/threatened species.

2.2 Water

The Combined Level 1 and 2 Hydrogeological Assessment completed by Whitewater Hydrogeology Ltd. concluded that the subject lands are geological, hydrogeologically and hydrologically suited for the proposed aggregate operations. We agree with this conclusion based on the relatively small estimated area of influence, the limited groundwater flow and the existing process for dewatering. The stormwater runoff will be directed to the northwest corner of the subject lands and into the existing quarry’s sump pond and ultimately pumped onto the adjacent farm fields; GSCA is generally accepting of this approach. We note that mitigation measures were included in the report to ensure best management practices in protecting groundwater sources, and these measures were adequately incorporated into the proposal.

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.

Upon review of the hydrogeological assessment we noted some information was referenced incorrectly with regards to the local source protection plan. Under Section “6.0 Source Water Protection”, in the second paragraph the report states that, “the closest municipal water supply/Wellhead Protection Area (WHPA) is in the City of Owen Sound...”. This is not correct. The closest
municipal water supply is the East Linton surface water intake, the area identified under the source protection plan is the East Linton Intake Protection Zone (IPZ) and this is located in the Township of Georgian Bluffs. The proposed expansion is approximately 2.8 km from this Intake Protection Zone. We note that the closest Wellhead Protection Area would be the Shallow Lake WHPA, the proposed expansion is approximately 15 km away from this municipal groundwater supply, and it is located in the Township of Georgian Bluffs.

**Additional Advisory Comments**

The GSCA reviewed the proposed rehabilitation plan, and generally has no objection to the proposal. We recommend that note 10 of the rehabilitation drawing submitted with this proposal is updated to outline that the "random plantings" should be of native species.

**Summary**

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

1. Consistency with Section 3.1 of the PPS has been demonstrated;
2. Ontario Regulation 151/06 does not apply to the subject site. A permit from GSCA will not be required prior to any development or site alteration taking place;
3. The mitigation measures as outlined in the NETR and Hydrogeological Assessment have been implemented through the current proposal; and
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**

The GSCA has no objection to the subject proposal.

Please inform this office of any decision made by the Ministry of Natural Resources and Forestry 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,

[Signature]

Justine Lunt
Environmental Planner
Environmental Planning and Regulations Department
c.c. Mr. Ken Lucyshyn, Applicant
      Mr. Dave Munro, Applicant
      Planning Department, Township of Georgian Bluffs
      Planning Department, County of Grey
      Mr. Rick Winter, CAO, Township of Georgian Bluffs
      Dwight Burley, Authority Director
      Sue Carlton, Authority Director