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November 6, 2020

GSCA File: P20288

Sent Via Email: cliffmcmillan@royallepage.ca

Attn: Cliff McMillan

Dear Mr. McMillan

**Re: Potential Zoning By-law Amendment and Residential Development
Part of Lot 4, Concession 2; Roll No. 42-03-540-001-133-20
Township of Georgian Bluffs, formerly Derby Township**

Grey Sauble Conservation Authority (GSCA) has reviewed this property 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. 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 property 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 property for identification of a development envelope in which to contain a single-family dwelling on private services. We note, a review of file history indicates the property was create via consent to sever in 1990. The current zoning of the property appears to be 'OS1 – Open Space', which does not permit a residential use. As such, it is anticipated a zoning by-law amendment will be sought to change the zone to 'RU – Rural' to allow for a residential use.

Site Characteristics

Existing mapping indicates that the subject property is:

- Partially regulated under Ontario Regulation 151/06. The regulated areas are associated with the meander belt and floodplain of the Sydenham River, a local wetland feature

1 of 6



Watershed Municipalities

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

known as the Sydenham River Lowlands and the 30-metre area of interference from the wetland feature.

- Designated Rural and Hazard Lands in the County of Grey Official Plan;
- Zoned 'OS1 - Open Space' and 'EP – Environmental Protection' in the Township of Georgian Bluffs Comprehensive Zoning By-law;
- Located within an area that is not subject to the policies contained in the Source Protection Plan;
- Site visit: GSCA completed a site visit on Thursday, September 24, 2020. Given the size of the property, GSCA's site visit was concentrated within the northern portion of the property. The property is highest in the north west corner with grades declining to low-lying areas adjacent to the Sydenham River. The northwest portion of the property features meadow and a coniferous woodlot. The remainder of the property features meadows, woodlands, wetlands and is bound by a meandering section of the Sydenham River to the east.

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 natural hazards identified on the property include flooding and erosion hazards associated with the Sydenham River, wetlands and flood prone areas associated with the low-lying areas. We have provided comments on the policies which apply to the site.

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;*

GSCA Comment: The hazard areas affecting the property encompass the Sydenham River floodplain and low-lying areas. These areas were approximated at the time when the property was created in 1990 and implemented into the site-specific zoning by-law. It appears the hazard area has been carried forward into subsequent iterations of the zoning by-law as 'EP – Environmental Protection' and into the County of Grey Official Plan as Hazard Land. The zoning by-law provisions do not permit development within the EP zone and require a 15 metre setback from the EP zone boundary. As such, development is to be directed to the area of higher elevation in the northwest corner of the property. A development envelope is shown on the enclosed map in which to contain future proposed development outside of the EP zone and required setback. The envelope also includes a 10 metre front yard setback and 10 metre interior side yard setback as required under the anticipated Rural zone provisions for residential use.

We recommend that an engineered grading and drainage plan be completed with the site-specific proposed development. The plan is to demonstrate how development is contained within the development envelope and detail existing and proposed grades and finished floor elevations of the future dwelling.

- 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.**

Portions of the subject site are 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 floodplain and meander belt of the Sydenham River, a local wetland feature known as the Sydenham River Lowlands and the 30-metre area of interference from the wetland.

The regulated areas are generally indicated on the attached map.

Under this regulation, a permit is required from this office prior to construction, reconstruction, erection or placing of a building or structure of any kind; any change to a building or structure that would have an 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; site grading; or the temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere, if occurring within the regulated area. Also, a permit is required for the interference with a wetland, and/or the straightening, changing, diverting or in any way interfering with an existing channel of a river, lake, creek, stream or watercourse.

Based on the mapping, a permit may be required if development and site alteration is proposed within the regulated area.

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

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

GSCA Comment: The natural heritage features identified on the subject property include significant woodland as mapped in the County of Grey Official Plan and fish habitat associated with the Sydenham River. Potential unconfirmed natural heritage features include significant wildlife habitat and habitat of endangered or threatened species. We note, the property is also partially designated within the 'Core Natural Heritage System' as per the County of Grey Official Plan.

2.1.5 Development and site alteration shall not be permitted in:

- b) significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)¹; and*
- 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: The significant woodland feature includes the denser portions of mixed coniferous and deciduous woodland within the central portion of the property. This area is captured within the EP zone, which is prohibitive of development.

The presence or absence of significant wildlife habitat has not been confirmed at this time. A review of Natural Heritage Information Centre (NHIC) records indicates candidate species within the general vicinity of the property. It is anticipated that the potential areas associated with significant wildlife habitat are contained within the EP zone.

2.1.6 Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.

GSCA Comment: The Sydenham River provides direct fish habitat. We recommend contacting the Department of Fisheries and Oceans and the Ministry of Natural Resources and Forestry regarding any fish habitat concerns.

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: The presence or absence of habitat of endangered species and threatened species is unconfirmed at this time. A review of records indicates potential candidate species

within the general vicinity of the property. We recommend contacting the Ministry of Environment, Conservation and Parks regarding any endangered and threatened species concerns.

2.1.8 Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.5, and 2.1.6 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.

GSCA Comment: The County Official Plan and Natural Heritage Reference Manual recommend a 120m adjacent lands width for consideration of negative impacts. Development within the identified envelope is within the adjacent lands allowance. GSCA is of the opinion that in utilizing the recommended envelope to establish a residential use, an Environmental Impact Study is not necessary as we do not anticipate any negative impacts to the natural heritage features with development contained in this area.

2.2 Water

GSCA Comment: The proposed development would increase the imperviousness of the property but given the size of the property and grades, no negative impacts are anticipated in establishing a residential use within the identified development envelope.

- 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. In utilizing the recommended development envelope, the proposal is anticipated to be consistent with the Section 3.1 PPS policies;
2. Ontario Regulation 151/06 does apply to the subject site. A permit from GSCA will be required prior to any development or site alteration taking place within the regulated area;
3. In utilizing the recommended development envelope, the proposal is anticipated to be consistent with the Section 2.1 PPS policies;
4. It is anticipated that in establishing a residential use on the property, the proposal is anticipated to be consistent with the Section 2.2 PPS policies;

5. 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 has identified a development envelope in which to contain development associated with a single-family residence on private services. The envelope factors in setbacks under the anticipated Rural zone and the existing EP zone provisions in the Township of Georgian Bluffs Comprehensive Zoning By-law. We recommend contacting the Township of Georgian Bluffs and Grey County Planning Departments to confirm the setbacks and any other requirements from their perspective in moving forward with a zoning by-law amendment application to establish a residential use.

An engineered grading and drainage plan is recommended to be completed as the site plan for the site-specific proposed development proposal.

Should you have any questions, please contact the undersigned.

Sincerely,

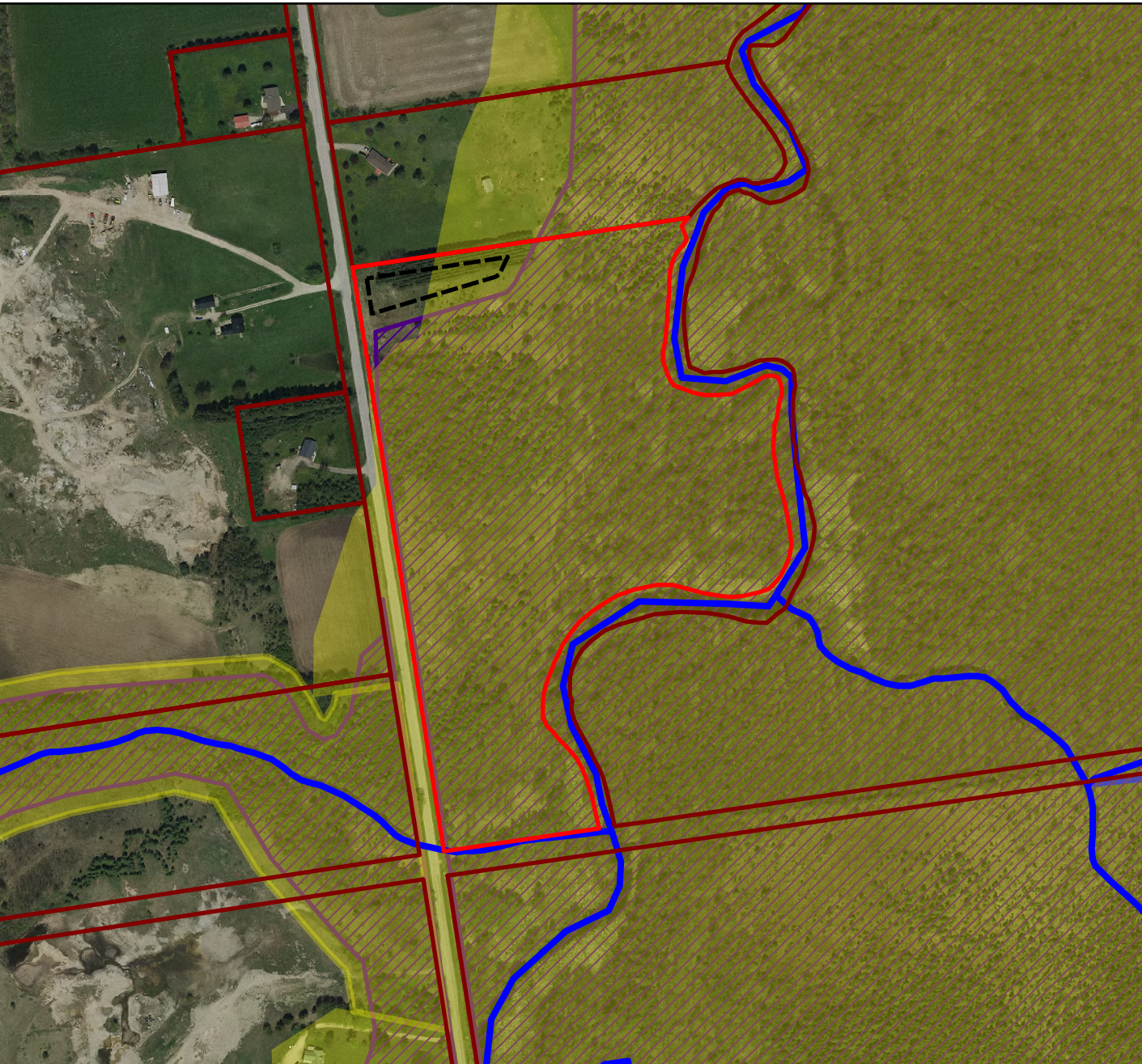


Mac Plewes
Watershed Planner, Environmental Planning & Regulations

Encl(2) Overall Regulation Map and development envelope map

c.c. Dwight Burley & Sue Carleton, GSCA Directors
Planning & Building Departments, Township of Georgian Bluffs
Planning Department, Grey County

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



ON Parcels (Approx.)

Subject Property (Approx.)

ON Regulation 151/06

EP Zone

Development Envelope

Streams

N

Scale = 1:5000

0 125 m

Part of Lot 4, Concession 2
Roll No. 42-03-540-001-133-20
Township of Georgian Bluffs (Derby)

Friday, November 6, 2020

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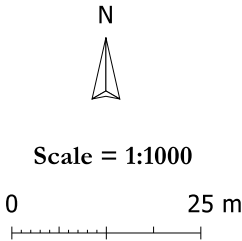
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GSCA: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses (Ontario Regulation 151/06)



- ON Parcels (Approx.)
- Subject Property (Approx.)
- ON Regulation 151/06
- EP Zone
- Development Envelope
- Streams



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