

Member Municipalities

Township of
Adelaide-Metcalf

Municipality of
Brooke-Alvinston

Municipality of
Chatham-Kent

Township of
Dawn-Euphemia

Township of
Enniskillen

Municipality of
Lambton Shores

Municipality of
Middlesex Centre

Village of
Newbury

Village of
Oil Springs

Town of
Petrolia

Town of
Plympton-Wyoming

Village of
Point Edward

City of
Sarnia

Municipality of
Southwest Middlesex

Township of
St. Clair

Municipality of
Strathroy-Caradoc

Township of
Warwick

November 13, 2020

County of Middlesex
399 Ridout Street North
London, ON N6A 2P1

Attention: Durk Vanderwerff, Director of Planning

Dear Mr Vanderwerff:

Re: Proposed Plan of Subdivision – 39T-MC2002 (Valleyview Estates), OPA 51, and ZBA-16-2020
10283 Ilderton Road, Poplar Hill-Coldstream
Part Lot 7, Concession 8, Geographic Township of Lobo, Municipality of Middlesex Centre
Applicant: Valleyview Developments Inc. (c/o Rob Sanderson)

St. Clair Region Conservation Authority (SCRCA) staff reviewed the above noted Plan of Subdivision application for the 3.57 hectare (8.82 acre) subject lands within the community of Poplar Hill-Coldstream. The application proposes the creation of 13 lots for single detached dwellings; Lot 1 to 12 are proposed building lots, lot 13 contains an existing dwelling. In addition to the lots, blocks are proposed for stormwater management and open space. In order to accommodate the Draft Plan layout, an Official Plan Amendment (OPA) and a Zoning By-law Amendment (ZBA) have also been submitted.

Site Characteristics

The subject property is designated as Hamlet on *Schedule A-8* of the *Municipality of Middlesex Centre Official Plan* and zoned as 'Hamlet Residential First Density, Exception 1 (HR1-1)' along Ilderton Road and 'Existing Use (EU)' at the rear of the property on *Schedule A Key Map: U-12* of the *Municipality of Middlesex Centre Zoning By-law 2005-005*. The subject property is located in proximity to the Sydenham River Provincially Significant Wetland (PSW) Complex to the west, and a significant woodland to the south.

The proposed low density residential subdivision will have 13 lots ranging from 0.200 hectares (0.49 acres) to 0.227 hectares (0.56 acres) with individual on-site private wells and septic systems. A stormwater management block will accommodate a dry pond facility and quality control treatment unit.

An OPA is required to create a Special Policy Area to permit the development of 13 lots through a plan of subdivision on the subject land utilizing private on-site services. Additionally, a ZBA is required to rezone the southern portion of the subject property from Existing Use (EU) to Hamlet Residential First Density (HR1).

Recommendations

SCRCA is deferring review of the OPA to the Municipality since it pertains to a question of available servicing for the proposed lots.

Planning File No: PL#2019-080

Member Municipalities

Township of
Adelaide-Metcalf

Municipality of
Brooke-Alvinston

Municipality of
Chatham-Kent

Township of
Dawn-Euphemia

Township of
Enniskillen

Municipality of
Lambton Shores

Municipality of
Middlesex Centre

Village of
Newbury

Village of
Oil Springs

Town of
Petrolia

Town of
Plympton-Wyoming

Village of
Point Edward

City of
Sarnia

Municipality of
Southwest Middlesex

Township of
St. Clair

Municipality of
Strathroy-Caradoc

Township of
Warwick

SCRCA has no concerns with the proposed re-zoning and proposed plan of subdivision, provided that the following points are addressed through the draft plan of subdivision conditions.

- 1) Post-development stormwater should be managed on site to match pre-development levels, including water quantity and quality, and all stormwater should be directed away from the PSW and the 120 metre adjacent lands;
- 2) The access road to the subdivision should be reviewed under Ontario Regulation 171/06, and should be designed to minimize impacts to drainage to the Provincially Significant Wetland; and
- 3) All proposed new private on-site servicing should be located outside of the regulated area of the Conservation Authority.

Documents Received and Reviewed by Staff

Staff have received the following documents:

- Planning Justification Report, 10283 Ilderton Road, Prepared by MHBC, June 2020
- Subsurface Assessment, Prepared by EXP Services Inc, March 23 2020
- Functional Servicing Report, Prepared by AGM, May 26, 2020
- Soils and Wastewater Report, Prepared by BOS Engineering & Environmental Services Inc., October 1 2019
- Draft Plan of Subdivision, Prepared by AGM, July 2020

We have reviewed the above reports as it pertains to the natural hazard and natural heritage features, as follows.

DELEGATED RESPONSIBILITY AND STATUTORY COMMENTS

Provincial Policy Statement Section 3.1 - Natural Hazards

SCRCA staff provide the following comments as part of SCRCA's delegated responsibility of representing the provincial interest on natural hazards encompassed by Section 3.1 of the Provincial Policy Statement (PPS), 2020.

The subject property is outside of the natural hazard lands associated with the Sydenham River to the north of the property. Therefore, SCRCA has no concerns with the proposed development from a natural hazard perspective.

St. Clair Region Conservation Authority - Ontario Regulation 171/06

SCRCA staff provide the following comments as part of SCRCA's Regulatory Authority under Ontario Regulation 171/06 "*Development, Interference with Wetlands and Alterations to Shoreline and Watercourses*" made under Section 28 of the *Conservation Authorities Act*.

The subject property has been identified as being regulated under Ontario Regulation 171/06, since it is within 120 metres of a Provincially Significant Wetland. The policies of the Authority regulate development including: construction/reconstruction of a structure; placement or removal of fill; regrading; altering a watercourse; altering/developing a shoreline; or interfering with the function of a wetland. Written approval from this Authority will be required in order to undertake any of these activities within the regulated area. Please be aware that the extent of the Regulation Limit as shown on the attached map is an approximation based on the available information. Please refer to Ontario Regulation 171/06 for a full description of the Regulation Limit.

Based on the submitted site plan, the existing dwelling located along Ilderton Road, and the proposed access to the subdivision are within the regulated area of the subject property. The Storm Water Management Pond outlet is directed towards a regulated drain on the neighbouring property. Provided the access is designed to minimize impacts to drainage to the Provincially Significant Wetland, SCRCA has no concerns with access through the regulated area. The design of the

Member Municipalities

Township of
Adelaide-MetcalfMunicipality of
Brooke-AlvinstonMunicipality of
Chatham-KentTownship of
Dawn-EuphemiaTownship of
EnniskillenMunicipality of
Lambton ShoresMunicipality of
Middlesex CentreVillage of
NewburyVillage of
Oil SpringsTown of
PetroliaTown of
Plympton-WyomingVillage of
Point EdwardCity of
SarniaMunicipality of
Southwest MiddlesexTownship of
St. ClairMunicipality of
Strathroy-CaradocTownship of
Warwick

proposed access, and stormwater outlet, including grading plans, must be reviewed under Ontario Regulation 171/06.

It is our understanding that the proposed development will occur on private servicing. SCRCA recommends all proposed new private servicing be located outside of the regulated area. This is consistent with what has been proposed with the current site plan.

ADVISORY COMMENTS

Provincial Policy Statement Section 2.1 - Natural Heritage

In accordance with Planning Act section 3(5), municipal decisions on planning matters shall be consistent with the Provincial Policy Statement, 2020 (PPS). Municipalities are responsible for the implementation of Section 2.1 of the PPS, pertaining to Natural Heritage. SCRCA provides natural heritage technical review and commenting services on behalf of our member municipalities, as per our understanding.

The subject property is located in proximity to natural heritage features identified as significant under the Middlesex Natural Heritage System Study, 2014. These features include the Sydenham River Provincially Significant Wetland (PSW) Complex to the west, and a significant woodland to the south of the subject property. The PPS and Official Plan require the completion of a Development Assessment Report (DAR) for any development or site alterations within or on lands adjacent to the environmental features, included in Section 3.5 of the Official Plan. Development and site alteration may be permitted if the DAR demonstrates that there will be minimal or no impacts on the form or function of such features.

Significant Woodland

The Official Plan requires a DAR for development within 50 metres of a woodland. Through the pre-application consultation process SCRCA has determined that the development has a low likelihood of negative impacts on the significant woodland due to the distance of the proposed development from the woodland. Therefore, a DAR was not required for the proposed development as it pertains to the woodland.

Provincially Significant Wetland

SCRCA requires that post-development, stormwater within the adjacent lands of the Provincially Significant Wetland be managed on site to match pre-development levels, including water quantity and quality, in order to prevent negative impacts to the wetland.

The proposed stormwater management plan directs and stores stormwater away from the PSW and the adjacent lands. As outlined in the Functional Servicing Report, stormwater management quantity controls will be provided by a SWM facility (dry pond), in conjunction with lot level controls (exfiltration trenches) and enhanced quality controls (an oil grit separator). A diversion channel will convey drainage from external lands, and backyards on the east side of Street 'A' through the development area, bypassing the pond. The report states that sufficient storage is provided within the dry pond, and exfiltration trenches on each lot, such that total post development peak flow rates from the site are less than pre-development levels. Stormwater quality controls have been included to meet the Ministry of Environment's enhanced level of protection. SCRCA is satisfied that the proposed stormwater system will prevent negative impact to the PSW, therefore a DAR is not required as it pertains to the wetland.

The proposed access to the property through the adjacent lands of the PSW must be designed to minimize impacts to drainage to the wetland, which will be reviewed under Ontario Regulation 171/06.

Member Municipalities

Township of
Adelaide-Metcalfe

Municipality of
Brooke-Alvinston

Municipality of
Chatham-Kent

Township of
Dawn-Euphemia

Township of
Enniskillen

Municipality of
Lambton Shores

Municipality of
Middlesex Centre

Village of
Newbury

Village of
Oil Springs

Town of
Petrolia

Town of
Plympton-Wyoming

Village of
Point Edward

City of
Sarnia

Municipality of
Southwest Middlesex

Township of
St. Clair

Municipality of
Strathroy-Caradoc

Township of
Warwick

Thames-Sydenham and Region Source Protection Plan

As per Authority Board direction, we also provide the following information as part of our “disclosure service”. The Thames-Sydenham and Region Source Protection Plan has been approved and is designed to identify and help address drinking water source protection concerns. The Approved Plan, supporting documents and relevant maps are available at:

<http://www.sourcewaterprotection.on.ca>. Portions of the subject property have been identified as being within a vulnerable area or an area where drinking water threat policies apply. These policies have been developed with the intent to reduce risks posed by identified water quality and quantity threats. These approved policies are also available on the website.

SUMMARY

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

1. Consistency with Section 3.1 of the PPS has been demonstrated;
2. Ontario Regulation 171/06 does apply to the subject site. A permit from SCRCA will be required prior to any site alteration or development taking place within the regulated area;
3. Consistency with Section 2.1 of the PPS has been demonstrated provided that stormwater management and access through the adjacent lands of the PSW are addressed through draft plan of subdivision conditions; and
4. The subject site is located within an area that is subject to the policies contained in the Source Protection Plan.

Thank you for the opportunity to comment. We respectfully request to receive a copy of the decision and notice of any appeals filed.

If you have further questions, please do not hesitate to contact the undersigned.

Sincerely,



Laura Biancolin
Planner



Sarah Hodgkiss
Planning Ecologist

Encl. Map

cc: Marion Cabral, Planner, County of Middlesex
Jake DeRidder, Development Review Coordinator, Middlesex Centre
Robert Cascaden, Director of Public Works and Engineering, Middlesex Centre

