

## Member Municipalities

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Township of  
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Municipality of  
Strathroy-Caradoc

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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-MC2003 (Coldstream Woods), OPA 52 and ZBA-17-2020**  
**Ilderton Road, Poplar Hill - Coldstream**  
**Part Lot 8, Concession N 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 to create 13 building lots for single detached dwellings and blocks for stormwater management and open space, on 4.87 hectares of land within the community of Poplar Hill-Coldstream. In order to accommodate the Draft Plan of Subdivision, 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*. The property is zoned as Hamlet Residential First Density, exception 1, holding precondition 4 (HR1-1 (h-4)) and Hamlet Residential First Density, holding precondition 1 (HR1 (h-1)) 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 lots ranging from 0.235 hectares (0.58 acres) to 0.486 hectares (1.2 acres) with individual on-site private wells and septic systems. Block 14 will accommodate the stormwater management dry pond facility and quality control treatment unit. Block 15 to 19 are proposed as open space throughout the subject property to convey stormwater drainage and accommodate landscaping.

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 subject property from HR1-1(h-4) and HR1(h-1) to Hamlet Residential First Density (HR1).

SCRCA previously provided comments, dated November 5, 2012, on a Draft Plan of Condominium and Zoning By-law Amendment for the subject property. At the time, 5 building lots were proposed on the subject property. Our current comments are being submitted due to the change in the number of building lots.

### Recommendations

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

SCRCA has no concerns with the proposed re-zoning and Draft Plan of Subdivision, provided that the following points are addressed through the Draft Plan of Subdivision conditions.

Planning File No: PL#2018-042

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- 1) Post-development stormwater should be managed on site to match pre-development levels, including water quantity and quality;
- 2) The access road to the subdivision and sewer upgrades 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, Part of Lot 8, Concession 8 (LOBO), prepared by MHBC, June 2020
- Septic System Feasibility Report, prepared by EXP Services Inc, May 20, 2020
- Hydrogeological Assessment, prepared by EXP Services Inc, September 5, 2018
- Functional Servicing Report, prepared by AGM, May 26, 2020
- Draft Plan of Subdivision, prepared by AGM, July 13, 2020

SCRCA has reviewed the above noted 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. 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 site plan submitted, none of the proposed building lots are within the regulated area. The proposed access to the subdivision from Ilderton Road and the proposed Storm Water Management Pond outlet are within the regulated area. The design of the 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.

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## **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. As noted in SCRCA previous comments, measurements taken from our mapping indicate that the proposed lots would be approximately 50 metres from the edge of the woodland boundary at its closest location. As the lots will be located at least 50 metres from the woodland a DAR was not required for the proposed development.

### **Provincially Significant Wetland**

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

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). The stormwater pond will service 18.17 hectares encompassing 11 lots and a portion of Street 'A'. The remaining 2.26 hectares, encompassing two new lots, one existing lot and a portion of Street 'A' will not be tributary to the pond. The pond and remaining 2.26 hectares will outlet to an oil grit separator that will provide an "enhanced" level of water quality treatment before reaching the south side of Ilderton road. Improvements to Ilderton Road will be required as the current sewer does not provide sufficient capacity for a 2 year storm under existing conditions.

The stormwater pond stores majority of the stormwater outside of the adjacent lands of the PSW. The pond and the remaining 2.26 ha within the development area will outlet through the lands adjacent to the PSW to Ilderton Road. As per the Functional Servicing Report, post development peak flow rates to Ilderton Road are less than predevelopment levels and stormwater quality controls have been included at the outlet to Ilderton Road which meet the Ministry of Environment's enhanced level of protection.

Since the majority of the development is occurring outside of the adjacent lands of the PSW, and stormwater quality and quantity controls can be addressed, a DAR is not required for the proposed development.

The proposed access and sewer upgrade works within the adjacent lands of the PSW must be designed to minimize impacts to drainage, related to the wetland, which will be reviewed under Ontario Regulation 171/06, as described above.

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### 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 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



