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October 21, 2025
GSCA File: 25327

Town of the Blue Mountains
32 Mill Street, Box 310
Thornbury, ON
N0H 2P0

Sent via email: planning@thebluemountains.ca

Re: Application for Draf Plan of Subdivision
Address: 372 Grey Rd 21, West
Roll No: 424200000302300
Town of the Blue Mountains, Former Collingwood Township
Applicant: Rhemm Properties

Grey Sauble Conservation Authority (GSCA) has reviewed the subject application in accordance with our mandate and policies for Natural Hazards and relative to our policies for the implementation of Ontario Regulation 41/24. We offer the following comments.

Subject Proposal

- Change the Official Plan designation of the subject lands to:
 - revise the boundaries of the current Residential Recreation Area (RRA), Hazard (H) and Wetland (WL) designations;
 - Increase permitted density within the Residential Recreation Area (RRA) from a maximum 10 units/gross hectare to 12.94 units/gross hectare; and
 - designate a portion of the lands as Open Space.
- Rezone the lands from Development (D) and Wetland (WL) to:
 - Introduce Residential One (R1-3-H), Residential 2 (R2-H) Open Space (OS), and Hazard (H) zones;
 - Revise the boundaries of Wetland (WL) zone; and
 - Remove the Holding (H1) provision that currently applies to Wetland portions of the property.
- Subdivide the land to create:
 - 53 residential lots (47 single detached, 6 semi-detached);
 - Two roads – Streets A&B;
 - Open Space, Hazard and Wetland Blocks; and
 - Reserve lands.

Site Description

The site is a vacant site with wetlands on the east side and the Georgian Trail bordering to the north along with a watercourse(#6).

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

Conservation Authority Regulations

The subject property is located within a regulated area under Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits regulation.

Under this regulation a permit is required from this office prior to the construction, reconstruction, erection or placing of a building or structure of any kind; any change to a building or structure that would have the effect of altering the use or potential use of the building or structures, 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 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.

A portion of the proposed work is within the regulated area and therefore a permit is required from our office prior to development occurring. The amounts of fill within the regulated area should be provided along with a detailed grading and drainage plan for the areas that are regulated.

Provincial Planning Statement 2024

“5.1 General Policies for Natural and Human-Made Hazards

1. Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.

5.2 Natural Hazards

1. Planning authorities shall, in collaboration with conservation authorities where they exist, identify hazardous lands and hazardous sites and manage development in these areas, in accordance with provincial guidance.

2. Development shall generally be directed to areas outside of:

a) hazardous lands adjacent to the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes which are impacted by flooding hazards, erosion hazards and/or dynamic beach hazards;

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

c) hazardous sites.

3. Development and site alteration shall not be permitted within:

a) the dynamic beach hazard;

b) defined portions of the flooding hazard along connecting channels (the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers);

c) areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard; and

d) a floodway regardless of whether the area of inundation contains high points of land not subject to flooding.”

Comments:

The Provincial Planning Statement(PPS) is issued under the authority of section 3 of the Planning Act RSO 1990.

The Planning Act requires that all planning matters be consistent with the Provincial Policy Statement.

It is important to refer to the full definition of terms in the PPS, specifically the definition of development, site alteration, and flood way when assessing the policy applicability.

The PPS definition of development means *“the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the Planning Act, but does not include:*

a) activities that create or maintain infrastructure authorized under an environmental assessment process or identified in provincial standards;

b) works subject to the Drainage Act; or

c) for the purposes of policy 4.1.4(a), underground or surface mining of minerals or advanced exploration on mining lands in significant areas of mineral potential in Ecoregion 5E, where advanced exploration has the same meaning as under the Mining Act. Instead, those matters shall be subject to policy 4.1.5(a).”

“Site alteration: means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

For the purposes of policy 4.1.4(a), site alteration does not include underground or surface mining of minerals or advanced exploration on mining lands in significant areas of mineral potential in Ecoregion 5E, where advanced exploration has the same meaning as in the Mining Act. Instead, those matters shall be subject to policy 4.1.5(a).”

The creation of lots, as well as requiring an approval for a change in land use (ie. An Official Plan Amendment and zoning by-law amendment) meets the definition of development under the Provincial Planning Statement. The application therefore must be consistent with the policies of the PPS.

The applicants have provided a Flood Assessment Brief which identifies the regional flood plain. It is proposed that a cut and fill approach be used that has the effect of altering the flood plain to increase the developable area to accommodate the proposed lots.

Section 5.2(3) of the PPS is not discretionary, it is mandatory with the use of the word shall. With this interpretation, development or site alteration is not permitted within a floodway. We do however recognise that there is a difference between spill area and floodplain. This has not however been defined or delineated in the Flood Assessment.

The Flood Assessment Brief provided has delineated the boundary of that flood plain, which is a one zone floodway and therefore the proposal is not permitted within that area.

The PPS defines a Floodway for river, stream and small inland lake systems, it *“means the portion of the flood plain where development and site alteration would cause a danger to public health and safety or property damage.*

Where the one zone concept is applied, the floodway is the entire contiguous flood plain.

Where the two zone concept is applied, the floodway is the contiguous inner portion of the flood plain, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the two zone concept applies, the outer portion of the flood plain is called the flood fringe.”

The flood plains in most of GSCA’s jurisdiction, and in this area in particular, are one zone flood plains and therefore based on the PPS definition the entire flood plain is considered the floodway.

Based on the above definitions and the mandatory wording of the PPS, the proposal is not consistent with Provincial Policy at this time and can not be supported to proceed as is.

As noted above the GSCA recognises that some areas are spill areas and not true floodplain other areas are isolated and not contiguous. It is recommended that the applicant define those areas of the site that are not spill areas or contiguous with the flood plain to ensure that the design remains outside of the flood plain. In particular Lots 46 to 52 need to be looked at for compliance with the PPS.

As we have demonstrated above, the current plan is not consistent with the PPS and requires some additional justification and or modification.

Below are the technical comments provided by our engineering services.

Technical Comments

- The Flood Assessment Brief – East Parcel provides the existing flood inundation on the subject property during a Regional Storm event. It indicates that the northerly portion of the property would be flooded by Watercourse 6 and is proposed to remain untouched. However, a decent portion of the southerly portion of the property is inundated from flows spilling from Watercourse 6 or from the tributary of Watercourse 6. It is proposed to raise the portion of the property so that it is no longer inundated. We have the following questions regarding this approach;
 - o GSCA Policy does not allow for filling land to create Developable area, which seems to be the proposed approach to allow for Development. However, we acknowledge spills are treated differently. How does the model differentiate between inundation on the property that is from the spill flows versus from Watercourse 6?
 - o At minimum, the proposed raising of the grades along rear of Lots 46-52 appears to be in conflict with GSCA Policy regarding raising the grade to allow for Development as it is based on the water level from Watercourse 6, despite only being 8 m3 of fill. Please provide comment on why the filling should be allowed.
 - o The Brief indicates that proposed swales on the south and west sides will be proposed to redirect flow around the subject property, once the property is raised. Swales are proposed 0.5m from the property line on the subject property. Please comment on whether a drainage easement will be provided to ensure that the flows can be maintained in the future, and how the Town can ensure the swales will not be blocked by landowners.
- The Functional Servicing Report indicates that minor and major flows are to be directed to the Eden Oak SWM Facility. Written permission should be provided to confirm acceptance of the flows by the Eden Oak property owner.

The Eden Oak SWM Design includes for flows from the subject property to drain to the SWM Pond. It also includes for drainage flows from the neighbouring property to the west (Crozier Catchment 6064) as draining to the SWM Pond. Please comment on the reason that it is proposed for runoff from along the east side of the development to bypass the Eden Oak SWM Pond and to drain directly to Watercourse 6 instead of being directed to the SWM Pond. Further, please comment on the design capacity of the twin 600 mm culverts and the storm event they can convey. It is expected that any spill over the roadway would be directed to the SWM Pond, given the overland drainage from the subject property.

Recommendations

Based on the above, the plan requires further refinement to be compliant with PPS. The below recommendations will assist in bringing the Subdivision plan into conformity with the PPS.

1. Revise the plan for lots 46-52 to remove them from the flood plain area to comply with PPS or justify how these lots meet Provincial Policy which prohibits development within a Flood plain.
2. Define the areas of the site that are spill areas and those that are genuinely flood plain.

3. Obtain written permission for acceptance of flows to the Eden Oak swim facility.
4. Clarify why some flows are directed to Watercourse 6 instead of the swm pond.
5. Payment of all outstanding GSCA Fees

Respectfully,



Clinton Stredwick
Environmental Planner

Enclosure.
Attachments

Cc via email Alex Maxwell, GSCA Director, Town of the Blue Mountains