

MEMORANDUM

TO: Annilene McRobb, Clerk, Town of Minto, via email
CC: Sama Haghighi, Planning Coordinator, Town of Minto, via email
FROM: Ethan Dykstra, Environmental Planner/Regulations Officer, MVCA
DATE: May 24th, 2024
SUBJECT: Application for Zoning By-Law Amendment: ZBA2024-05
Plan 61M250, Blk 48 & 50, Lts 4-45, Wellington Ward 1, Township of Minto, County of Wellington, known as 1-17 Anne St W, 30-40 Anne St W, 100-102, 104-106, 108-110, 112-114, 116-118, 119-121 Thackeray Way and 101, 105, 109, 113, 117, 121, 122, 125, 126, 129, 130, 134, 140, 141, 144, 145, 148, 149, 152, 153, 156-158, 161, 165, 169, 173, 177, 181, 185, 189, 193 Bean Street, Harriston.

The Maitland Valley Conservation Authority (MVCA) has reviewed the above-noted application with respect to natural hazards in accordance with our Memorandum of Understanding with the County of Wellington; and in accordance with our delegated responsibility for representing the “Provincial Interest” for natural hazards. Based on our review, we offer the following comments.

It is our understanding the purpose of application ZBA2024-05 is to rezone the subject lands from Residential (R2 & R3) Zone to Site Specific Residential Zones (R2-xx & R3-xx) to allow for; 55% lot coverage for residential dwelling types to allow for a covered deck, a rear yard setback of 3.9 m, a reduced exterior side yard setback of 4.5 m, and a reduced day lighting triangle of 4.5 m.

Natural Hazards:

The subject properties are affected by a floodplain where the two-zone concept for floodplain management is employed. Within the two-zone floodplain, the floodplain is managed separately where the floodway and the flood fringe has been delineated. The subject properties are affected exclusively by the flood fringe.

The Provincial Policy Statement (PPS), 2020 addresses this scheme of two zone floodplain management and states in Section 3.1 of the Natural Hazard Policies:

Section 3.1.6: Where the two-zone concept for flood plains is applied, development and site alteration may be permitted in the flood fringe, subject to appropriate floodproofing to the flooding hazard elevation or another flooding hazard standard approved by the Minister of Natural Resources

Section 3.1.7: Further to policy 3.1.6, and except as prohibited in policies 3.1.2 and 3.1.5 development and site alteration may be permitted in those portions of hazardous lands and hazardous sites where the effects and risk to public safety are minor, could

be mitigated in accordance with provincial standards, and where all four of the following are demonstrated and achieved:

- a) development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;
- b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
- c) new hazards are not created and existing hazards are not aggravated; and
- d) no adverse environmental impacts will result

Moreover, the properties are located within a Special Policy Area, known as the as the Harriston Special Policy Area. Within this area, a modified two-zone concept for floodplain planning is employed, reducing the level of flood proofing measures that would otherwise be required for new development and additions in certain portions of the floodplain. In this case, the 100-year flood standard may be utilized as the minimum floodproofing standard.

MVCA Regulated Lands:

As per *Ontario Regulation 41/24*, flood hazards, (encompassing both the flood fringe and the floodway), plus 15 meters from the boundary of the flood hazard, are regulated by the Maitland Valley Conservation Authority (MVCA). Subject to the regulation, any proposed development (construction, reconstruction, filling and/or site grading) interference and/or site alteration within MVCA's regulated area must be reviewed and approved by MVCA prior to any works beginning.

Drinking Water Source Protection:

Please be advised that the subject properties are located within Zone B, C and D of a Wellhead Protection Area. Please contact Stacey Pennington, Town of Minto Risk Management Inspector, at 519-338-2511 ext. 249 or stacey@town.minto.on.ca, or Terry Kuipers, Town of Minto Risk Management Inspector and Chief Building Official at 519-338-2511 ext. 228 or terry@town.minto.on.ca for more information on policies that may apply.

We would also like to advise you that these properties are located within a highly vulnerable aquifer (HVA). HVAs are one of four types of vulnerable areas where local drinking water sources are at risk of contamination from nearby activities, as outlined in the *Ontario Clean Water Act, 2006*.

The drinking water source protection committee for this region has developed source protection plans locally. Those plans have been approved by the Province of Ontario. Plan policies that apply to highly vulnerable aquifers rely on education and outreach to reduce risk to drinking water

sources. The policies in the HVA areas are recommendations only as they do not have legal effect that requires property owners to comply. However, the local source protection committee, through the source protection plan, asks that you have regard for these policies.

When local municipalities draw drinking water from a well, that groundwater is drawn from aquifers. Aquifers are areas of soil or rock under the ground where cracks and spaces allow water to pool. These underground sources of local drinking water are considered highly vulnerable based on a number of factors, including how deep it is underground, what sort of soil or rock is covering it, and the characteristics of the soil or rock surrounding it. A thin layer of permeable soil, such as sand or gravel, over an aquifer, could make that water source particularly vulnerable to the threat of contamination. That's one of the reasons we encourage landowners to pay particular attention to the recommendations in the attached fact sheet. The ways you can reduce risk in these areas:

- Never dump these things on the ground, down the sink, or in the toilet: Paints; thinners; furniture strippers; coolants; cleaners; glues, adhesives; gasoline; oil; diesel; heating fuel; de-greasers; resins; creosote; etc. If it's something you don't want in your water then please don't put it on the ground. Dispose properly on hazardous waste days at approved sites.
- Have septic systems inspected and pumped every three to five years.
- Prevent spills and contain spills.
- Report spills if they happen to the Ontario Spills Action Centre: 1-800-268-6060.
- Visit: <http://www.ontario.ca/environment-and-energy/report-spill>
- Protect and maintain private wells. Wells provide pathways for contaminants to enter groundwater. Ensure wells are sealed properly; and if no longer used, have it properly decommissioned by a licensed well technician.
- Ask the local conservation authority about stewardship guides and best practices for your home, cottage, farm, or business. Technical advice and grant programs may be available to help.
- Take used engine oil to recycling facilities.
- Try to reduce quantities of, or find alternatives to, harmful chemicals.
- Follow best practices when applying pesticides or fertilizers or nutrients.
- Visit abca.on.ca or sourcewaterinfo.on.ca to find out other ways to help.

More information can be found here: www.keepingwaterclean.ca & sourcewaterinfo.on.ca

Discussion

The Town of Minto has made tremendous efforts to mitigate flood damages within their community, especially within Harriston. This includes major investment in pursuing flood mitigation works and additional training for their emergency services staff – including in-water rescue.

The property's current elevation achieves the minimum floodproofing standard of the 100-year flood elevation at existing grade. MVCA recommends a higher floodproofing standard than the 100-year flood be used if feasible.

Background & Recommendation:

The application is in general conformance with Section 3.1, Natural Hazard Policies of the PPS, 2020; and as such MVCA has no objections. A permit will be required for any development within the flood fringe and the 15 m flood hazard buffer (15 m extension of the flood fringe).

MVCA has not received any fees for review of this application, as such we will follow up with the applicant directly. Thank you for the opportunity to comment at this time. Feel free to contact this office if you have any questions.