



20-MM-MV; [PMMM-V-115](#)

August 6, 2020

Maggie Yet
Town of Mississippi Mills
3131 Old Perth Road
R.R. #2 P.O. Box 400
Almonte, ON K0A 1A0

Dear Ms. Yet:

**Re: Minor Variance Application (A-10-20)
Part Lot 2, Concession 9, Town of Mississippi Mills (Ramsay)
237 Borden
RIENDEAU**

Mississippi Valley Conservation Authority (MVCA) has been circulated the above noted application to conduct a review in terms of MVCA Regulations and Provincial Planning Policy for Natural Heritage and Natural Hazard issues. Specifically, the purpose of this review is to assess potential impacts of the proposed development on known natural heritage features on and adjacent to the subject property. These features could include wetlands, wildlife habitat and areas of natural and scientific interest. This review also includes an evaluation of the subject property for natural hazards such as unstable slopes and areas prone to flooding and erosion.

PROPOSAL

According to the information provided, the purpose of the subject application is to obtain *relief from the minimum setback requirement from watercourses from 30m to 24.87m to permit the construction of a proposed dwelling and deck*. The existing dwelling is 198.8 sq.m. (including decking) with a waterbody setback of 18.0 m; it will be demolished. The new dwelling has a proposed area of 213.4 sq.m (including decking), and a waterbody setback of 24.5 m. A relatively new septic system will service the replacement dwelling. We note that a new garage is also proposed, with a minimum setback of 30 m from the river.

PROPERTY CHARACTERISTICS

According to a review of GIS mapping and aerial imagery, the subject property has frontage on the Mississippi River which is a warm water fishery providing habitat for species such as walleye, northern pike and bass as well as a variety of non-sport and forage fish. A

portion of the subject property is within the 1:100 year flood plain; however, the proposed dwelling is outside of this area. In addition, the property consists of a slope that descends to the river. MVCA mapping indicates that this slope is a potential *erosion hazard* due to its height and steepness. The proposed dwelling is partially located within this area of concern.

REVIEW

Natural Heritage Features:

Waterbody

MVCA reviews waterbody setback requirements in accordance with the Provincial Policy Statement (PPS). Guidelines prepared in support of the PPS indicate that development shall not be permitted within 30 m of fish habitat unless it has been determined that there will be no negative impacts to this natural heritage feature. The recommended 30 m setback distance for waterfront development is intended to protect the lake environment from the effects of increased nutrients from overland runoff and allow room for a natural vegetation buffer. The natural vegetation buffer prevents shoreline erosion, excess warming of shallow waters and provides wildlife and aquatic habitat. The Town of Mississippi Mills' Zoning By-law also requires a 30 m setback from water.

In consideration of the PPS, and the necessity to limit the potential cumulative impact of development and pervious (hard) surfaces within the nearshore area, MVCA recommends the following for development within the waterbody setback:

- New development should not result in a further encroachment towards the waterbody compared to the existing;
- any increase in footprint should be limited in size; and
- the waterbody setback should be maximized to the greatest extent feasible towards the minimum requirement i.e. reasonable alternatives should be considered to achieve this.

In reference to the above, the subject proposal results in the following:

- The proposed waterbody setback of 24.5 m is a favorable increase from 18.0 m;
- the proposed increase in footprint is minimal at 7.3%; and
- reasonable alternatives to improve upon the setback do not exist given the location of the recently installed septic system.

Natural Hazards

Flood Plain

A portion of the subject property is within the 1:100 year flood plain; however, the proposed development is located well beyond this regulated area. Therefore, the flood plain is not considered a constraint to the subject application.

Slope

It is provincial policy that: *Development shall generally be directed to areas outside of hazardous lands adjacent to a stream and small inland lake systems which are impacted by flooding and/or erosion hazards* (Provincial Policy Statement, Section 3.1.1.b). *Erosion hazards* include slopes which have the potential for slope instability due to their steepness and height. Slopes that exceed 3 m in height and a 3:1 slope angle fall under the definition of a potential *erosion hazard*.

MVCA mapping indicates that the slope on the subject property falls under the definition of an *erosion hazard*. However, based on a more in-depth analysis of MVCA mapping, and a site visit, we have determined that the slope does not meet the criteria for an erosion hazard, and is therefore, not a constraint.

RECOMMENDATIONS

With all of the above in consideration, MVCA does not have any objection to the subject application provided the following mitigative measures are implemented:

1. There shall be no additional footprint within 30 m of the waterbody, with any hardened structures, including porches and decks.
2. With the exception of the maximum clearing of 8.5 m (25% of water frontage) wide clearing for water access, unvegetated sections of the shoreline shall be planted, to a minimum depth of 3 m, with native shrubs. This effort will help to mitigate the effects of erosion and surface runoff on the river.
3. Sediment control measures shall be implemented throughout the construction process (mainly the placement of a sediment barrier such as staked straw bales between exposed soil and the crest of the slope). The sediment barrier should remain in place until all disturbed areas have been stabilized and re-vegetated.
4. Excavated material shall be disposed of well away from the slope and river.
5. Natural drainage patterns on the site shall not be substantially altered, such that additional run-off is directed down the slope on the subject property, into the river, or onto adjacent properties. In order to help achieve this, eaves troughing shall be installed and outlet to a leach pit or well-vegetated area to allow for maximum infiltration.
6. Pursuant to Pursuant to Ontario Regulation 153/06 - *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*, a permit is required from MVCA for the proposed development.

NOTES

The applicant should be advised that, pursuant to Ontario Regulation 153/06 – *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*”, a permit is required from MVCA for the subject work. Written permission is also required from MVCA prior to the initiation of any potential future

construction or filling activity (which includes excavations, stockpiling and site grading) within the Erosion Hazard, flood plain or Regulation Limit, or for alterations to the shoreline of the river.

We advise consultation with Fisheries and Oceans Canada (DFO) <http://www.dfo-mpo.gc.ca/pnw-ppe/fpp-ppp/review-revue-eng.html> prior to conducting any work within the river, in order to assess potential impacts to fish habitat. Authorization from DFO may be required for such work.

A review for Species at Risk was not conducted. We suggest contacting the Ministry of the Environment, Conservation and Parks should you require a review in this regard.

Should any questions arise please do not hesitate to call. Please advise us of the Committee's decision in this matter.

Yours truly,

A handwritten signature in cursive script that reads "Diane Reid".

Diane Reid
Environmental Planner