



## **Wasaga Beach Casino Development: Role of the NVCA**

Prepared by the Nottawasaga Valley Conservation Authority - April 18, 2019

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The Nottawasaga Valley Conservation Authority (NVCA) received messages from several residents concerning the DAS Development Site, located on land south of the Beachwood Road in Wasaga Beach. Gateway Casinos and Entertainment Ltd. is building its new Wasaga Beach facility at this location.

The following provides an overview of NVCA's roles and responsibilities with regards to the site, and provides responses to the specific concerns received to date.

### **What does it mean if land is under the jurisdiction of the NVCA?**

NVCA regulates development activities in or adjacent to river or stream valleys, the Georgian Bay shoreline, watercourses, hazardous lands and wetlands.

If a landowner is planning a project on a property that is located within NVCA's regulated area, they must apply for a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses (Ont. Regulation 172/06) Permit. This permit must be obtained prior to starting any site alteration or development within the regulated area.

Activities and projects that require an NVCA permit if located within the regulated area include, but are not limited to, constructing, reconstructing or placing of a building or structure of any kind; site grading; adding or removing fill; changing the existing channel of a watercourse; or interfering with a wetland.

Note that NVCA's online mapping tool, which shows the regulated area, is based upon estimated data and is intended for informational purposes only. Through the permit pre-consultation process, NVCA staff work with landowners to ensure the necessary site-specific studies are completed. These studies assist in refining the delineated limits of the regulated area on the property.

### **What is NVCA's role in regulating on the site in question (DAS Development Site)?**

As the site falls within NVCA's regulated area, NVCA has two roles.

NVCA staff provided comments in an advisory capacity to the Town of Wasaga Beach through the *Planning Act* application (site plan approval) for the proposed development. Comments were provided on the technical studies submitted in support of the application with regard to stormwater management, natural hazards and natural heritage.

NVCA is the approval agency with regards to wetlands and riverine (flooding/erosion) hazards under the *Conservation Authorities Act*. Through the *Planning Act* process and the review of materials submitted in support of the site plan application, the principle of development was established along with the limits to development for the site. An NVCA permit was issued for works within the regulated area after these limits were set and following a review of the technical documents.

### **What is NVCA's history of providing comment/regulation on this site?**

NVCA received the first site plan application for review in 2007. This was for a commercial retail plaza.

In 2013/14, NVCA reviewed the circulated revised site plan and supporting documents. This supporting documentation addressed natural hazards (like flooding and erosion), stormwater, and natural heritage.

In 2014, NVCA issued a permit to the Town of Wasaga Beach to allow for the installation of services to the site.

In 2019, NVCA issued a permit to the landowner to fulfil conditions of the site plan agreement for construction of commercial structures, stormwater management facilities, and construction and naturalization of a conveyance channel.

In April 2019, NVCA staff received a request for pre-consultation from the Town of Wasaga Beach to amend the executed site plan agreement for the site.

### **Can NVCA limit what kind of commercial property can be developed on the site?**

NVCA cannot limit the type of commercial property that goes onto the site as long as it is not a change of use under the *Conservation Authorities Act*. Zoning decisions are made by the Town of Wasaga Beach.

### **Has NVCA been following the development at this site?**

NVCA has been following development at the site as it pertains to the mandate of the authority. However, NVCA was not involved in the consultation process that determined the short-listed casino sites, nor the site that was ultimately selected.

**Have appropriate studies been complete re: endangered species, nesting birds or other species of potential concern?**

The Ministry of Natural Resources and Forestry (MNRF) has the primary mandate for Species at Risk. Questions about endangered species should be referred to them.

Consultants have completed an environmental impact study assessment in support of the proposed development on the site.

**Does NVCA have any rules about tree clearing?**

NVCA does not regulate tree cutting. The Town of Wasaga Beach and the County of Simcoe have tree cutting/preservation by-laws.

**Did the developer have the required permits from NVCA to “clear cut” this property? Were the permits in place prior to the clearing?**

NVCA does not regulate tree cutting.

**Are there provisions for new trees to be planted?**

NVCA has reviewed and accepted the landscaping plan for the site, which includes naturalization plantings.

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