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SENT ELECTRONICALLY ONLY: emilne@southgate.ca

April 17, 2021

Township of Southgate
185667 Grey Road 9
RR 1
Dundalk, Ontario
N0C 1B0

ATTENTION: Elisha Milne, Administrative & Legislative Assistant

Dear Ms. Milne,

RE: Proposed Zoning By-law Amendment C4-21 (Elam and Nancy Martin)
260145 Southgate Road 26
Roll No.: 420709000804250
Part Lots 198-200, Concession 2SWTRS, Part 1 Plan 16R9480
Geographic Township of Proton
Township of Southgate

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). SVCA staff has also provided comments as per our Memorandum of Agreement (MOA) with the Township of Southgate representing natural hazards and natural heritage. Furthermore, the application has been reviewed through our role as a public body under the *Planning Act* as per our Conservation Authority Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018.

Purpose

The purpose of the proposed zoning bylaw amendment application is to allow for the conversion of the existing outside storage to inside storage. The existing shed will be converted to storage for the existing shop. The outside storage area will be reduced so that the total combined storage complies with the Official Plan requirements. The existing shop is 647m² and the outside storage is 549m². It is the understanding of SVCA staff that no new buildings or structures are proposed as part of the application.

Recommendation

The application is generally acceptable to SVCA staff.



Watershed Member Municipalities
Municipality of Arran-Elderslie, Municipality of Brockton, Township of Chatsworth, Municipality of Grey Highlands,
Town of Hanover, Township of Howick, Municipality of Morris-Turnberry, Municipality of South Bruce,
Township of Huron-Kinloss, Municipality of Kincardine, Town of Minto, Township of Wellington North,
Town of Saugeen Shores, Township of Southgate, Municipality of West Grey

Delegated Responsibility and Advisory Comments

SVCA staff has reviewed the application through our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020). We have also reviewed the application through our responsibilities as a service provider to the Township of Southgate in that we provide expert advice and technical clearance on *Planning Act* applications with regards to natural hazards, and natural heritage as set out in the PPS, 2020, County Official Plan (OP) and/or local official plans. Comments below only include features/technical requirements affecting the property.

Natural Hazards:

The natural hazard features affecting the property are floodplain, and unevaluated wetlands. SVCA Hazardous Lands mapping, shows areas of the property to be low in elevation associated with the floodplain of a watercourse that is located on lands to the east of the property, and also areas of the property that are low in elevation associated with wetlands. It is SVCA staff's opinion that the Hazard Lands designation as shown in Schedule A of the Grey County OP, and Schedule A of the Southgate OP, and the EP Zone as shown in the Township of Southgate Zoning By-law 19-2002, as amended, generally coincides with the SVCA Hazardous Lands mapping for the property.

Provincial Policy Statement – Section 3.1

Section 3.1.1 of the PPS, 2020 states in part that development shall generally be directed to areas outside of hazardous lands and hazardous sites. Based on the plan submitted with the application, existing buildings and structures are located outside/beyond the hazardous lands. Therefore, it is the opinion of SVCA staff that development is be consistent with Section 3.1.1 of the PPS, 2020.

Township of Southgate Official Plan and Grey County Official Plan

Section 6.2 of the Southgate OP and Section 7.2.3 of the Grey County OP states in part that buildings and structures are generally not permitted in the Hazard Lands land use type. Based on the plan submitted with the application, existing buildings and structures are located outside/beyond the hazardous lands. Therefore, it is the opinion of SVCA staff that development will be consistent with the Southgate OP and Grey County OP.

Natural Heritage:

It is the opinion of SVCA staff that the natural heritage features affecting the property include significant woodlands, fish habitat and its adjacent lands, wetlands, and potentially habitat of endangered species and threatened species.

Provincial Policy Statement – Section 2.1

Section 2.1 of the PPS, 2020 states in part that development shall not be permitted in significant woodlands, fish habitat, significant wetlands, and habitat of endangered species and threatened species and the adjacent lands to the above referenced features except in accordance with the specified policies found in Section 2.1.

Township of Southgate Official Plan and Grey County Official Plan Policies

Significant Woodlands

Significant woodlands are identified as per Appendix B Constraint Mapping of the Grey County OP and are shown in the wooded area on the lands adjacent to the property. Section 7.4.1 of the Grey County OP states in part that no development or site alteration may occur within significant woodlands or its adjacent lands unless it has been demonstrated by an Environmental Impact Study (EIS) that there will be no impact on the feature or its ecological functions. However, it is the opinion of SVCA staff the preparation of an EIS to address impacts to significant woodlands may be waived in accordance with section 7.11.3 of the Grey County OP, as based on the plan submitted with the application, development will not be located within the significant woodlands, or their adjacent lands.

Fish Habitat

An unnamed tributary of the Main Saugeen River (via Proton Station Drainage Works) flows through lands adjacent to the east of the property. The watercourse is considered fish habitat by SVCA staff. Section 7.9 of the Grey County OP states in part that development and site alteration shall not be permitted within fish habitat and the adjacent lands to fish habitat unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on fish habitat or on their ecological functions. Furthermore, Section 6.5.6 of the Southgate OP states in part that new development is not permitted within the adjacent lands to cold and warm water streams. It is the opinion of SVCA staff that based on the plan submitted with the application, future development will not be located within fish habitat, or their adjacent lands.

Other Identified Wetlands

Other Identified Wetlands are shown on the Appendix B Constraint Mapping, of the Grey County OP. Although not shown on Appendix B, SVCA staff have identified wetlands in the southwestern portion of the property, and perhaps the wetlands should be included as Other Identified Wetlands in the next update to Appendix B of the Grey County OP. Based on the plan submitted with the application, development will not be located within the wetlands, or their adjacent lands, therefore there is no requirement to address impacts to the wetlands at this time.

Threatened and Endangered Species

It has come to the attention of SVCA staff that habitat of endangered species and threatened species may be located on and/or adjacent to the property. The SVCA role is to identify habitat through a screening process in consideration of the PPS and local policies, however, it is the responsibility of the applicant to ensure the endangered species and threatened species policy referred to in the PPS and the local policies have been appropriately addressed. Please contact the Ministry of Environment, Conservation and Parks (MECP) for information on how to address this policy. MECP inquiries can be addressed to SAROntario@ontario.ca. As no new buildings and structures are proposed as part of the application, it is the opinion of SVCA staff that impacts to endangered species and threatened species are likely to be negligible.

Statutory Comments

SVCA staff has reviewed the application as per our responsibilities as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). This regulation, made under Section 28 of the *Conservation Authorities Act*, enables SVCA to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Subject to the CA Act, development taking place on or adjacent to these lands may require permission from SVCA to confirm that the control of flooding, erosion, dynamic

beaches, pollution or the conservation of land are not affected. SVCA also regulates the alteration to or interference in any way with a watercourse or wetland.

Large portions of the property are within the Approximate Screening Area associated with the SVCA's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 169/06, as amended). This Regulation is in accordance with Section 28 of the *Conservation Authorities Act* R.S.O, 1990, Chap. C. 27, and requires that a person obtain the written permission of the SVCA prior to any "development" within a Regulated Area or alteration to a wetland or watercourse.

"Development" as defined under the *Conservation Authorities Act* means:

- a) *the construction, reconstruction, erection or placing of a building or structure of any kind;*
- b) *any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;*
- c) *site grading; or,*
- d) *the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.*

And;

"Alteration" as per Section 5 of Ontario Regulation 169/06 generally includes the straightening, diverting or interference in any way with a river, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

For this property the SVCA Approximate Screening Area includes all wetlands and watercourse on and/or adjacent to the property, any floodplain associated with the wetlands and watercourse, and an offset distance from these features.

To determine where the SVCA Approximate Screening Area is located associated with our Regulation on the property, please refer to the SVCA's online mapping program, available via the SVCA's website at <http://eprweb.svca.on.ca>. Should you require assistance, please contact our office directly.

Permission for Development or Alteration

If development or alteration including construction, reconstruction, conversion, grading, filling or excavation, including agricultural tile drainage, is proposed within the SVCA Approximate Screening Area, associated with our Regulation on the property, the SVCA should be contacted, as permission may be required.

Based on the plans submitted as part of the application, all building and structures are currently located outside of the SVCA Approximate Screening Area and as no new buildings or structures are proposed at this time, permission (an SVCA permit) will not be required from the SVCA.

Summary

SVCA staff has reviewed this application in accordance with our MOA with the Township of Southgate, and as per our mandated responsibilities for natural hazard management, including our regulatory role under the *Conservation Authorities Act*.

Given the above comments, it is the opinion of the SVCA staff that:

- 1) Consistency with Section 3.1, Natural Hazard policies of the PPS has been demonstrated.
- 2) Consistency with Section 2.1, Natural Heritage policies of the PPS has been demonstrated.
- 3) Consistency with Grey County OP and Township of Southgate policies for natural hazards and natural heritage has been demonstrated.

Please inform this office of any decision made by the Township of Southgate with regard to this application. We respectfully request to receive a copy of the decision and notice of any appeals filed. Should you have any questions, please contact the undersigned.

Sincerely,



Michael Oberle
Environmental Planning Technician
Saugeen Conservation
MO/

cc: Barbara Dobreen, SVCA Authority Member representing the Township of Southgate (via email)