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SENT ELECTRONICALLY ONLY: emilne@southgate.ca

April 19, 2021

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

ATTENTION: Elisha Milne, Administrative & Legislative Coordinator

Dear Ms. Milne,

RE: Consent B2-21 (Gerry and Anne McNalty)
146573 Southgate Road 14
Lot 36 Part Lot 37, Concession 11
Roll No.: 420709000406100
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.

The purpose is to sever 1.86ha of land with 91.5m of Frontage on Southgate Road 14, from the existing 78.52ha lot as the residence is surplus to the farming operations' needs. The retained parcel will be 77.52ha and have 775.2m of frontage on Southgate Road 14.

Recommendation

The proposed consent application is acceptable to SVCA staff.

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,



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

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:

SVCA Hazardous Lands mapping shows large areas of the property to be low in elevation associated with part of Ventry Swamp locally significant wetlands and the floodplain of a watercourse, a tributary of Boumeister Drainage Works Municipal Drain, flows through the eastern portion of the property. 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 generally coincide with the Hazardous Lands as plotted by SVCA staff for the property. However, the Environmental Protection (EP) Zone as shown in the Township of Southgate Zoning By-law 19-2002, as amended, could be revised, to better reflect the property. At the next opportunity, it is the opinion of SVCA staff that the EP zone in the by-law could be revised to coincide with the Hazard Lands designation as shown in Schedule A of the Grey County OP.

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. It is the opinion of SVCA staff that the application is 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. It is the opinion of SVCA staff that the application is consistent with the natural hazard policies of the Southgate OP and the Grey County OP.

Natural Heritage:

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

Provincial Policy Statement – Section 2.1

Section 2.1 of the PPS, 2020 states in part that development shall not be permitted in significant wetlands, significant woodlands, and fish habitat and its adjacent lands, 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 on the wooded areas of 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, based on the plan submitted with the application, no new buildings or structures are proposed within

the lands adjacent to significant woodlands. Therefore, the preparation of an EIS to address impacts to significant woodlands or their adjacent lands is not warranted for this proposal at this time.

Wetlands

Section 7.3.2 of the Grey County OP states in part that development and site alteration shall not be permitted within other wetlands and their adjacent lands unless it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. The majority of the wooded area on the property has been mapped by the SVCA as wetlands. The wetlands are part of Ventry Swamp locally significant wetlands. Locally significant wetlands, as well as unevaluated wetlands are mapped, where possible, as Other Identified Wetlands and included in Appendix B Constraint Mapping, of the Grey County OP. However, it appears that the Other Identified Wetland layer could be revised, at the next available opportunity, to better reflect SVCA wetland mapping. However, based on the plan submitted with the application, no new buildings or structures are proposed within the lands adjacent to wetlands. Therefore, the preparation of an EIS to address impacts to wetlands or their adjacent lands is not warranted for this proposal at this time.

Fish Habitat and its Adjacent Lands

As mentioned above, a watercourse, a tributary of Boumeister Drainage Works Municipal Drain, flows through the eastern portion 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. However, based on the plan submitted with the application, no new buildings or structures are proposed within the lands adjacent to fish habitat. Therefore, the preparation of an EIS to address impacts to fish habitat or their adjacent lands is not warranted for this proposal at this time.

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.

While the parcel proposed to be severed is not within the SVCA Approximate Screening Area, large areas of the parcel to be retained, associated with the low laying areas, wetlands and watercourse and its floodplain are within the SVCA Approximate Screening Area associated with Ontario Regulation 169/06. As such, development and/or site alteration within the SVCA Approximate Screening Area may require the permission from SVCA, prior to carrying out the work.

"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.

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.

SVCA Permission for Development or Alteration

Development or alteration including construction, reconstruction, conversion, grading, filling or excavation, including agricultural tile drainage, and interference with a watercourse and/or wetlands, proposed within the SVCA Approximate Screening Area on the parcel to be retained, may require permission (SVCA Permit) prior to those works commencing.

However, based on the application, no new buildings are proposed at this time, and so a permit/permission from the SVCA will not be required as part of this application.

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 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)