

SENT ELECTRONICALLY ONLY: [hmalynyk@southgate.ca](mailto:hmalynyk@southgate.ca)

September 22, 2022

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

ATTENTION: Holly Malynyk, Legislative and Administrative Assistant

Dear Ms. Malynyk,

RE: C13-22 and OPA2-22 (Hopeville Precast Inc. c/o Bauman)  
186105 Grey Road 9  
Roll No.: 420709000215600  
Part Lot 25 Concession 13  
Geographic Township of Proton  
Township of Southgate

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Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted applications 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 applications have 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 Official Plan Amendment is to permit the proposed precast concrete and welding shop use expansion to 650m<sup>2</sup> and outside storage area of 4000m<sup>2</sup>. The zoning bylaw amendment application is to allow for an Agricultural related use being a small scale Industrial Use shop (precast concrete and welding shop) including office and power room to expand to 650m<sup>2</sup>. The Outside storage area is to be expanded to 4000m<sup>2</sup>. The owners wish to expand the existing use and outside storage as the business is growing. The area zoned Agricultural A1-433 exception will be enlarged to include the expanded area. The shop including office and power room is proposed to be up to 650m<sup>2</sup> with outside storage of approximately 4000m<sup>2</sup>.

### **Recommendation**

The applications are generally acceptable to SVCA staff.

### **Delegated Responsibility and Advisory Comments**

**SVCA staff has reviewed the applications 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 applications 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 wetlands and any low laying flood prone lands. In the opinion of SVCA staff, the majority of the property is designated Hazard Lands in the Grey County Official Plan (OP) and the Township of Southgate OP. This same area is also zoned Environmental Protection (EP) in the Township of Southgate Zoning By-law No. 19-2002, as amended. The Hazard Land designation and EP zone generally coincide with SVCA Hazard Lands mapping for the property. In general, no new buildings or structures are permitted within the Hazard Lands or Wetland designation or the EP. It is the opinion of SVCA staff that development as proposed, including the area to be rezoned will not be located within the Hazard Lands designation or the EP zone.

#### **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 and proposed buildings and structures will be located outside/beyond the hazardous lands. Therefore, it is the opinion of SVCA staff that development 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. Based on the plan submitted with the application, existing buildings and structures and proposed buildings and structures will be located outside/beyond the Hazard Land/EP zone. Therefore, it is the opinion of SVCA staff that development will be consistent with the Southgate OP and Grey County OP.

#### **Natural Heritage:**

Based on SVCA staff desk-top review, it is the opinion of SVCA staff that the natural heritage features affecting the property include significant woodlands, significant wetlands, significant wildlife habitat, 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, significant wetlands, significant wildlife habitat, 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 to cover the entire woodlands area 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 plans submitted as part of the applications, development as proposed will not be located within the significant woodlands or their adjacent lands. Therefore, in the opinion of SVCA staff the preparation of an EIS to address potential impacts to significant woodlands is not warranted at this time.

### Wetlands

Provincially Significant Wetlands (PSW) are identified in the Grey County OP Schedule A Land Use Designations as wetlands, while the Southgate OP Schedule A Land Use Designation identifies PSWs as wetlands, and the Township of Southgate Zoning By-law identifies PSWs in the Wetland Protection (W) zone. Part of Proton Station PSW is located on lands directly adjacent to the west of the property. However, based on the plans submitted as part of the applications, development as proposed will not be located within the significant wetlands or their adjacent lands. Therefore, in the opinion of SVCA staff the preparation of an EIS to address potential impacts to significant wetlands is not warranted at this time.

### Significant Wildlife Habitat

Although not mapped by the Grey County OP or Southgate OP, it has come to the attention of SVCA staff that significant wildlife habitat may be located on and/or on lands adjacent to the property. Section 7.10 of the Grey County OP states in part that development and site alteration shall not be permitted within significant wildlife habitat and its adjacent lands unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the feature or on their ecological functions. However, based on the plans submitted as part of the applications, it is the opinion of SVCA staff that impacts to significant wildlife habitat will be negligible. Therefore, the preparation of an EIS may be waived in accordance with Section 7.11.3 of the Grey County OP.

### 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.

### Statutory Comments

**SVCA staff has reviewed the applications 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.**

The majority of the property, associated with wetlands and low laying areas 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.

For this property the SVCA Approximate Screening Area represents the larger of the PSW wetlands, plus an offset distance of 120 metres outwards from the wetland edge; and any non-PSW wetlands plus an offset distance of 30 metres outwards from the wetlands edge; and any low-laying flood prone areas plus an offset distance of 15 metres outwards from the potential floodplain. 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>.

#### 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 property may require permission (SVCA Permit) prior to those works commencing.

However, based on the plans submitted as part of the applications, development as proposed as part of these applications will not be within the SVCA Approximate Screening Area. An SVCA Permit is not required for development as proposed as part of the applications.

#### Summary

SVCA staff has reviewed the applications 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, with the exception of endangered species and threatened species policy which the applicant must address with the MECP.

- 3) Consistency with Grey County OP and Township of Southgate policies for natural hazards and natural heritage has been demonstrated, with the exception of endangered species and threatened species policy which the applicant must address with the MECP.

Please inform this office of any decision made by the Township of Southgate with regard to this applications. 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 Coordinator  
Saugeen Conservation  
MO/

cc: MHBC Planning, agent (via email: [thawkins@mhbcplan.com](mailto:thawkins@mhbcplan.com) and [aclarke@mhbcplan.com](mailto:aclarke@mhbcplan.com))  
Barbara Dobreen, SVCA Authority Member representing the Township of Southgate (via email)