

SENT ELECTRONICALLY ONLY: emilne@southgate.ca

April 19, 2023

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

ATTENTION: Elisha Milne, Administrative & Legislative Assistant

Dear Ms. Milne,

RE: C4-23 and B3-23 (Watra Residents Association)
Unassigned civic address
Lots 20 and 22, and Block 29, Plan 812
Roll Nos.: 420706000210629, 420706000210620, 420706000210621
Geographic Township of Egremont
Township of Southgate

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 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. The applications have also been screened to determine the applicability of the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan, prepared under the Clean Water Act, 2006.

Purpose

The purpose of the B3-23 application is to sever a 0.4ha area lot with 47.3m of frontage on Watra Road. The retained lands that are approximately 6.125ha will be merged with lots 20 and 21 on Plan 812, which are undevelopable within the subdivision.

The Purpose of the proposed zoning bylaw amendment is to sever a 0.4 hectare parcel that is currently zoned Open Space (OS). The proposed Zoning By-law Amendment would change these lands to Residential Type 6 Exception (R6-XXX). The exception provisions would reduce the minimum lot area and frontage requirements from 0.8 hectares and 100 metres to 0.4 hectares and 47.3 meters respectively. The retained parcel is zoned Open Space (OS) and Environmental Protection (EP) and will remain zoned as such. Lots 21 and 22 are currently zoned Environmental Protection (EP), with some Residential Type 6 (R6) zoning along the front portions of these two parcels. The "R6" zoned area will

be changed to Open Space (OS). No development or site alteration will be permitted.

Recommendation

The proposed consent application and proposed zoning by-law amendment application are acceptable to SVCA staff.

Background

In September 1998, SVCA staff reviewed a similar proposal, for the owner at the time, to delete Lots 20 and 21 and have them merge with Block 29. Then, two new lots were proposed opposite Lots 10 and 11. At that time, SVCA staff found the proposal to be acceptable. It is the understanding of SVCA staff that the 1998 proposal did not proceed.

Delegated Responsibility and Advisory Comments

Natural Hazards

The natural hazard features affecting the properties are watercourses, namely: the Beaty Saugeen River, and an unnamed tributary of the Beaty Saugeen River, and their associated valley and floodplain, any other low laying areas, and potentially wetlands/swamps. SVCA Hazardous Lands mapping, depicts areas of the properties to be low in elevation associated with the floodplain of the watercourses and other low laying areas. It is SVCA staff's opinion that the Hazard Lands designation as shown in Schedule A of the Grey County OP, Schedule A of the Southgate OP, and the Environmental Protection (EP) Zone as shown in the Township of Southgate Zoning By-law 19-2002 generally coincide with the Hazardous Lands as plotted by SVCA staff for the properties. The lot to be created will not include any of the EP zoned lands.

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 applications are 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 applications are consistent with the natural hazard policies of the Southgate OP and the Grey County OP.

Drinking Water Source Protection

The subject properties appears to SVCA staff to not be located within an area that is subject to the local Drinking Water Source Protection Plan. To confirm, please contact Jim Ellis, Drinking Water Source Protection Risk Management Official at: jellis@southgate.ca.

SVCA Regulation 169/06

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.

Areas of the properties are within the SVCA Approximate Screening Area associated with Ontario Regulation 169/06. For the properties the SVCA Approximate Screening Area includes the larger of the following: the watercourses and its floodplain and an area 15 metres outwards from the floodplain of the watercourse; and any wetlands/swamps plus an area 30 metres outwards from any wetlands/swamps. As such, development and/or site alteration within the Approximate Screening Area requires 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 the SVCA Approximate Screening Area on the properties, 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, agricultural tile drainage, and/or interference with a watercourse, proposed within the SVCA Approximate Screening Area on the property may require permission (SVCA Permit) prior to those works commencing.

However, based on Figure 01 and 02 of the Planning Justification Report, even though a small portion of the lot to be severed may encroach into the SVCA Approximate Screening Area, a SVCA permit will not be required for development proposed on the lot to be severed, as the lot to be severed will be far enough away from any natural hazard features.

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 the SVCA staff that the applications are:

- 1) Consistent with Section 3.1, Natural Hazard policies of the PPS; and
- 2) Consistent with Grey County OP and Township of Southgate policies for natural hazards.

Please inform this office of any decisions made by the Township of Southgate with regard to the 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: Barbara Dobreen, SVCA member representing the Township of Southgate (via email)
Ron Davidson Land Use Planning Consultant, agent (via email)