

SENT ELECTRONICALLY ONLY: emilne@southgate.ca and stephanie.lacey-avon@grey.ca

August 30, 2023

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| Township of Southgate 185667 Grey Road 9, RR 1 Dundalk, Ontario N0C 1B0 Attention: Stephanie Lacey-Avon, Planner | County of Grey 595-9 th Avenue East Owen Sound, Ontario N4K 3E3 Attention: Clint Stredwick, Planner |
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RE: C9-23, and OPA1-23, and 42-07-090-OPA 18 (NB Martin MFG Inc. c/o Loft Planning Inc.)
192748 Southgate Sideroad 19
Part Lot 27 Concession 16
Roll Nos.: 420709000306900
Geographic Township of Proton
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 3.1 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

An amendment to both the County and Local Official Plans is required to permit an on-farm diversified use (OFDU) with a combined area of 2,000 square metres on lands designated 'Agricultural'. The proposed Zoning By-law Amendment will rezone the subject lands from 'Agricultural' (A1) to 'Agricultural with Exception (A1-XXXX) that would have the effect of permitting a 'small-scale industrial use' on site. An exception is also required for the minimum front yard setback for small-scale commercial/industrial buildings from 20m to 15.28m.

Recommendation

The applications are generally acceptable to the SVCA. We elaborate in the following comments.

Delegated Responsibility and Advisory Comments - Natural Hazards

SVCA Hazardous Lands mapping shows the very northwest and very southeast of the property associated with the low areas, floodplain, and/or wetlands/swamps. 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 Environmental Protection (EP) Zone as shown in the Township of Southgate Zoning By-law 19-2002, as amended, generally coincide with the Hazardous Lands as plotted by SVCA staff 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. 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.

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.

Small areas in the very northwest and very southeast of the property associated with the low areas, floodplain, and/or wetlands/swamps, 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 requires the permission (permit) 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 property will require permission (SVCA Permit) prior to those works commencing.

Based on the site plans submitted as part of the applications, and in the planning justification report, it appears that some development will encroach into the SVCA Approximate Screening Area. However, development will still be more than 30 metres from the wetland/swamp edge, and so based on the plans submitted with the application, a permit from the SVCA will not be required as part of the applications. Should the plans change that development encroaches further south, the SVCA should be contacted for further review. All development of buildings and structures will occur within the approved building envelope as noted in the Environmental Impact Study (EIS) prepared by Birks Natural Heritage Consultants dated February 2022. Thereof, provided the EIS section 7: recommendations and mitigation measures are followed, a SVCA permit will not be required for the works within the building envelope.

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 Grey County OP and Township of Southgate policies for natural hazards has been demonstrated.

Please inform this office of any decision made by the Township of Southgate and/or County of Grey with regard to the applications. We respectfully request to receive a copy of the decisions 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: Loft Planning Inc., agent (via email)
Barbara Dobreen, SVCA Authority Member representing the Township of Southgate (via email)