

SENT ELECTRONICALLY ONLY: emilne@southgate.ca

July 21, 2023

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

ATTENTION: Elisha Milne, Administrative & Legislative Assistant

Dear Ms. Milne,

RE: Pre-consultation for B7-23 (Tubegate Inc. c/o Solomon Martin)
260289 Southgate Road 26
Part Lots 198-200 Concession 2 SWTSR
Roll No.: 420709000804300
Geographic Township of Proton
Township of Southgate

As per your request, as part of the pre-consultation process, Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted file 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 file has 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

According to the application form, the purpose of the file is to make a suitable building site for a new farm. The parcel to be severed would be added to the adjacent property to the east (260289 Southgate Road 26).

Recommendation

The proposal is acceptable to SVCA staff.

Delegated Responsibility and Advisory Comments

Natural Hazards

The natural hazard features affecting the properties are watercourses and their floodplain, any other low laying areas, and any wetlands/swamps. SVCA Hazardous Lands mapping, depicts some areas of the properties to be low in elevation associated with the watercourses, and their floodplain and other low laying areas such as wetlands/swamp lands. 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. Furthermore, based on the plans submitted with the proposal, the area proposed for a future building envelope will not include any of the current 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 proposal 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 proposal is consistent with the natural hazard policies of the Southgate OP and the Grey County OP.

Drinking Water Source Protection

The properties appear 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 proposal 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 their floodplain and an area 15 metres outwards from the floodplain of the watercourses; 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 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, 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.

Based on the plans submitted with the proposal, it appears that the development as proposed may encroach into the SVCA Approximate Screening Area, therefore further review from the SVCA should occur once a more detailed site plan is available. A more detailed site plan should include the extent of grading/site work, as well as sewage system location. Alternatively, if all development is proposed to be located beyond/outside the SVCA Approximate Screening Area, then further review from the SVCA would not be required.

Summary

SVCA staff has reviewed this proposal 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 proposal is:

- 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 decision made by the Township of Southgate with regard to this proposal. 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 member representing the Township of Southgate (via email)