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SENT ELECTRONICALLY ONLY (lgreen@southgate.ca)

February 14, 2020

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

ATTENTION: Lindsay Green, Secretary-Treasurer

Dear Ms. Green,

RE: Proposed Minor Variance A1-20
126491 Southgate Road 12
South Part Lot 34 Concession 9
Roll No.: 420709000402600
Geographic Township of Proton
Township of Southgate

(Keith Greenwood)

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, 2014) 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 CA Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018.

The purpose of the proposed minor variance is to permit the relocation of a home that results in the existing structure being in the front yard.

Recommendation

The proposed application for minor variance is acceptable to SVCA staff.

Site Characteristics

The property contains mostly woodlands with a homestead located in the southern portion of the property adjacent to Southgate Road 12. Fraser Drainage Works flows through the property.



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

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, 2014). 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, 2014, County Official Plan (OP) and/or local official plans. Comments below only include features/technical requirements affecting the property.

Natural Hazards:

The natural hazard feature affecting the property is a watercourse that flows through the property, namely Fraser Drainage Works, and the floodplain of Fraser Drainage Works. SVCA Hazardous Lands mapping, depicts the northern part of the property to be low in elevation associated with the floodplain of the watercourse. 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 EP Zone as shown in the Township of Southgate Zoning By-law 19-2002, as amended, generally coincides with the Hazardous Lands as originally plotted by SVCA staff for the property.

It is the opinion of SVCA staff that based on the plans submitted with the application, development as proposed, including the location for a new house, will not be located within the EP zone.

Provincial Policy Statement – Section 3.1

Section 3.1.1 of the PPS, 2014 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 Section 3.1.1 of the PPS 2014 has been addressed based the application.

Township of Southgate Official Plan and Grey County Official Plan

It is SVCA staff's interpretation of Section 6.2 of the Southgate OP and Section 7.2.3 of the Grey County OP that buildings and structures are generally not permitted in the Hazard Lands land use type. As mentioned above, it is the opinion of SVCA staff that based on the plans submitted with the application, development as proposed, including the location for a new house, will not be located within the Hazardous Lands. 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 feature affecting the property is fish habitat and its adjacent lands.

Provincial Policy Statement – Section 2.1

Section 2.1 of the PPS, 2014 states in part that development shall not be permitted in fish habitat and its adjacent lands, except in accordance with the specified policies found in Section 2.1.

Township of Southgate Official Plan and Grey County Official Plan Policies

As mentioned above, Fraser Drainage Works flows through the property. The watercourse is considered fish habitat by SVCA staff. Section 7.9 of the Grey County OP 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. It is the opinion of SVCA staff that based on the plans submitted with the application, development as proposed will not be located within fish habitat or its adjacent lands, therefore the preparation of an Environmental Impact Study (EIS) to address fish habitat and its adjacent lands is not warranted for this proposal at this time. Therefore, in the opinion of SVCA staff, fish habitat and its adjacent lands policies have been satisfactorily addressed according to the Grey County OP and the Southgate OP.

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.

The northern portion of the property is within the SVCA Approximate Screening Area associated with Ontario Regulation 169/06. As such, development and/or site alteration within the SVCA Approximate Regulated 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.

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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, and/or interference with a watercourse, and/or within the SVCA Approximate Screening Area may require permission (SVCA Permit) prior to those works commencing. However, based on the plans submitted with the application, development as proposed, including the location of a new house, will not be within the SVCA Approximate Screening Area. Therefore, an SVCA Permit is not required for development as proposed.

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 OP 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: Keith Greenwood, owner (via email)
Barbara Dobreen, Authority Member, SVCA (via email)