

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

August 17, 2022

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

ATTENTION: Holly Malynyk, Administrative and Legislative Assistant

Dear Ms. Malynyk,

RE: Proposed Consent B4-22 (Enos and Louisa Martin)  
146397 Southgate Road 14  
Lot 32 Concession 11, Lot 32 Concession 12  
Roll No.: 420709000405700  
Geographic Township of Proton  
Township of Southgate

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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, 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 application has 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 is to sever the two original Township lots being Con 11, Pt lot 32 and Con 12 Pt lot 32 which have inadvertently merged, back into to their original lots dimensions. Both lots will have approximately 318m of opened and maintained road frontage and be about 40ha in area.

### **Recommendation**

The application is acceptable to SVCA staff.

### **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, 2020). 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, 2020, County Official Plan (OP) and/or local official plans. Comments below only include features/technical requirements affecting the property.**

**Natural Hazards:**

Areas of the property are designated Hazard Lands in the Grey County Official Plan (OP) and the Township of Southgate OP. These same areas are also zoned Environmental Protection (EP) in the Township of Southgate Zoning By-law No. 19-2002, as amended. SVCA staff is of the opinion that the Hazard Lands designation and the EP zone generally coincides with the Hazardous Lands mapping as plotted by SVCA staff for the property. In general, no new buildings or structures are permitted within the Hazard Lands designation or the EP zone. Based on the plan submitted with the application, no new buildings or structures are proposed for the property at this time. Furthermore, safe access and a building envelope exists for each newly created parcel, therefore the development proposal is acceptable to SVCA staff.

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 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. Based on the plan submitted with the application, no new buildings or structures are proposed for the property at this time. 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.

**Natural Heritage:**

Based on SVCA desktop review, it is the opinion of SVCA staff that the significant natural heritage features affecting the property include significant woodlands, fish habitat and its adjacent lands, wetlands, and significant wildlife habitat.

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, fish habitat and its adjacent lands, significant wetlands, and significant wildlife habitat, 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 include the woodlands on the property, and the woodlands on lands adjacent to 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.

Based on the plan submitted with the application, it is the opinion of SVCA staff that the preparation of an EIS to address impacts to the woodlands, is not necessary at this time, as no new development is proposed therefore, impacts to the woodlands would be negligible.

#### Fish Habitat

Bouwmeister Drainage Works Municipal Drain (MD) flows through the property. The watercourse is considered fish habitat by SVCA staff. Section 7.9 of the Grey County OP state 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 the feature 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. Based on the plan submitted with the application, it is the opinion of SVCA staff that the preparation of an EIS to address impacts to fish habitat, is not necessary at this time, as no new development is proposed therefore, impacts to fish habitat would be negligible.

#### Wetlands

SVCA mapping shows that part of Ventry Swamp Locally Significant Wetlands (LSW) are located on the property. We note that the Other Identified Wetlands as shown on the Appendix B Constraint Mapping, of the Grey County OP, should be updated at the next available opportunity to include the wetlands in the natural heritage mapping. Section 2.8.6 (6) and (7) of the Grey OP states in part that no development or site alteration may occur within other identified wetlands or their adjacent lands unless it has been demonstrated through an EIS, that there will be no negative impacts on the natural features or their ecological functions. Based on the plan submitted with the application, it is the opinion of SVCA staff that the preparation of an EIS to address impacts to wetlands is not necessary at this time, as no new development is proposed therefore, impacts to wetlands would be negligible.

#### Significant Wildlife Habitat

Although not mapped by the Grey 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. Based on the plan submitted with the application, it is the opinion of SVCA staff that the preparation of an EIS to address impacts to wetlands is not necessary at this time, as no new development is proposed. Therefore, impacts to significant wildlife habitat would be negligible. Therefore, the preparation of an EIS may be waived in accordance with Section 7.11.3 of the Grey County 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.**

Areas of the property are within the Approximate Screening Area associated with the SVCA's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 169/06, as amended). This Regulation is in accordance with Section 28 of the *Conservation Authorities Act* R.S.O., 1990, Chap. C. 27, and requires that a person obtain the written permission of the SVCA prior to any "development" within a Regulated Area or alteration to a wetland or watercourse.

"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. For the property the SVCA Approximate Screening Area includes the larger of: any unevaluated wetlands located on the property as well as a 30 metre offset distance outwards from the unevaluated wetland edge; and the watercourse, namely Bouwmeister Drainage Works MD and its related flood hazard, and 15 metres outwards from the floodplain of the watercourse.

#### SVCA Permission for Development or Alteration

Development or alteration including construction, reconstruction, conversion, grading, filling or excavation, including agricultural tile drainage, proposed within the SVCA Approximate Screening Area on the property may require permission (SVCA Permit) prior to those works commencing.

Based on the plan submitted with the application, no new buildings or structures are proposed at this time. Furthermore, (SVCA permit) will not be required for development property.

#### Summary

SVCA staff has reviewed the 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 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 the 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.

Township of Southgate  
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Sincerely,



Michael Oberle  
Environmental Planning Technician  
Saugeen Conservation  
MO/

cc: Solomon Martin, agent (via email: [kingwoodplating@live.ca](mailto:kingwoodplating@live.ca))  
Barbara Dobreen, SVCA Authority Member representing the Township of Southgate (via email)