

SENT ELECTRONICALLY ONLY: emilne@southgate.ca

January 15, 2024

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

ATTENTION: Elisha Milne, Legislative and Planning Coordinator

Dear Ms. Milne,

RE: B17-23 and A5-23 (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

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 B17/23 application is to create a one hectare severed lot (address 260289) containing an existing residence and buildings with 98 meters frontage on Southgate Road 26. The proposed retained lot has a total of 558 meters frontage on Southgate Road 26, 39 hectares of lot area and is irregular in shape. The retained lot is subject to previous severance file B7/23 to convey lands from the abutting farm parcel. The proposed minor variance is to address lot frontage and lot area that results from completing severance files B7/23 and B17/23. B7/23 will transfer about 9 hectares of land from the farm parcel at 260185 Southgate Road 26 to join to the adjacent parcel to the north. B17/23 will sever the existing house and buildings at 260289 Southgate Road 26 from the consolidated farm parcel.

Background

On July 21, 2023, SVCA staff provided comments to the B7-23 file that directly relates to the property.

Recommendation

The applications are 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 application, the parcel to be severed 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 applications are consistent with Section 3.1.1 of the PPS, 2020.

Township of Southgate Official Plan and Grey County Official Plan

Section 5.5.2.2 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 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 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 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, no buildings or structures are proposed on the parcel to be severed. However, for the parcel to be retained (and as mentioned in the B7-23 SVCA comments), it appears that the development 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.

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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 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 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: Loft Planning, agent (via email)
Barbara Dobreen, SVCA member representing the Township of Southgate (via email)