

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: A7-23 (Grey 9 Enterprise Inc. – Sherk)
186220 Grey Road 9
Part Lots 28 and 29 Concession 12
Roll No.: 420709000407000
Geographic Township of Proton
Township of Southgate

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 of the minor variance is to allow construction of 300 square meters of covered storage over part of the subject lands where outdoor storage and loading was permitted by Zoning Bylaw Amendment 2017-125, which allowed a 704 square meter woodworking shop (including office, lunchroom, and power room) and 320 square meters outside storage.

Background

On September 18, 2023 SVCA staff provided comments to the Township of Southgate for file B9-23 (Grey 9 Enterprise Inc. – Sherk) that was directly related to the subject property.

Recommendation

The application is generally acceptable to the SVCA. We elaborate in the following comments.

Delegated Responsibility and Advisory Comments - Natural Hazards

SVCA Hazardous Lands mapping shows areas of the property to be low laying, floodplain of the watercourse, and wetlands/swamps associated with part of Ventry Swamp locally significant wetland/swamp. 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 application 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 application is consistent with the natural hazard policies of the Southgate OP and the Grey County OP.

SVCA Regulation 169/06

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.

A large part of the property associated with the low areas, floodplain of watercourse and the 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.

However, based on the site plans submitted as part of the application, development will not be located within the SVCA Approximate Screening Area, therefore a permit from the SVCA will not be required as part of the application.

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 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 with regard to the application. 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: Barbara Dobreen, SVCA Authority Member representing the Township of Southgate (via email)