

SENT ELECTRONICALLY ONLY: emilne@southgate.ca

April 16, 2024

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

ATTENTION: Elisha Milne, Legislative and Planning Coordinator

Dear Ms. Milne,

RE: A5-24 (T. Frey Manufacturing Limited – Timothy Frey)
772410 Highway 10
Part of Lot 221 and 222, Concession 1 SWTSR
Roll No.: 420709000502800
Geographic Township of Proton
Township of Southgate

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted proposal 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 41/24 (SVCA's Prohibited Activities, Exemptions and Permits Regulation). SVCA staff has also provided comments as per our Memorandum of Agreement (MOA) with the Township of Southgate representing natural hazards. The application has also 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. Finally, we have screened the application 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 this application is to permit construction of a proposed addition to an existing barn with a 10.66-meter side yard to the Southgate Road 22 side lot line. A 20-meter side yard to an improved street is required in the Agricultural-1 zone. A variance is also requested on the location of the Environmental Protection (EP) zone boundary to remove it from the farm cluster so that it corresponds with the Saugeen Valley Conservation Authority Regulated Area.

Background

On January 25, 2024, Mr. Frey contacted the Saugeen Valley Conservation Authority to inquire about proposed tree clearing on the subject property. On February 15, 2024, SVCA staff conducted a site visit to the property. On February 26, 2024, SVCA staff comments and a map of the area approved to clear trees were provided to Mr. Frey. On April 8, 2024, SVCA staff provided comments to the County of Grey for a minor exemption application (T. Frey Manufacturing) that was directly related to the subject property.

Recommendation

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

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, water resources 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

The natural hazard features affecting the property include wetlands/swamps and watercourses and their associated floodplains. SVCA staff recommend an edit to the Environmental Protection (EP) zone to coincide with the hazard lands designation as shown in Schedule A of the Grey County Official Plan and Schedule A of the Southgate Official Plan.

Provincial Policy Statement – Section 3.1

Section 3.1 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 state 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.

Drinking Water Source Protection

The Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan came into effect on July 1st, 2016, and contains policies to protect sources of municipal drinking water from existing and future land use activities. The subject property appears to SVCA staff to not be subject to the local Drinking Water Source Protection Plan.

SVCA Regulation 41/24

SVCA staff has reviewed the proposal as per our responsibilities as a regulatory authority under Ontario Regulation 41/24 (SVCA's Prohibited Activities, Exemptions and Permits 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, or unstable soil or bedrock are not affected. SVCA also regulates the alteration to or interference in any way with a watercourse or wetland.

A large portion of the property associated with the floodplain of watercourses and the wetlands/swamps, are within the SVCA Approximate Screening Area associated with Ontario Regulation 41/24. As such, development and/or site alteration within the SVCA Approximate Screening Area requires permission (permit) from SVCA, prior to carrying out the work.

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.

Permission for Development or Alteration

If development or alteration including construction, reconstruction, conversion, grading, filling or excavation, including agricultural tile drainage, is proposed within the SVCA Approximate Screening Area, associated with our Regulation on the property, the SVCA should be contacted, as permission may be required.

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 for development proposed 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 the SVCA staff that:

- 1) Consistency with Section 3.1, Natural Hazard policies of the PPS, 2020 has been demonstrated;
and
- 2) Consistency with local planning policies for natural hazards has been demonstrated.

Please inform the SVCA 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 notices of any appeals filed. Should you have any questions, please contact this office.

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Sincerely,

A handwritten signature in cursive script that reads "Vivian Vanceeder".

Vivian Vanceeder
Environmental Planning Technician
Saugeen Conservation
VV/

cc: Barbara Dobreen, Authority Member, SVCA (via email)
Tim Frey, Landowner (via email)