

SENT ELECTRONICALLY ONLY: emilne@southgate.ca

June 17, 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: Zoning By-Law Amendment C15-24 (Brooklane Industries Inc.)
18552 Grey Road 9
Roll No.: 420709000211600
Part Lot 15, Concession 12
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 the proposed zoning by-law amendment is to permit an on farm diversified use on the subject lands south of the existing farm residence. The proposed workshop, office and detached power room would have a combined area of 750 square meters with 500 square meters of outdoor storage.

Background

On April 16, 2024, SVCA provided comments in relation to proposed development on the subject property. The proposal included placing fill in the floodplain which was not acceptable to SVCA. On June

1, 2024, SVCA received the updated site plan (see attached), that showed no buildings, structures or fill placement would be located in the floodplain. SVCA staff are in process of issuing a SVCA permit for the proposed development.

Recommendation

Based on the site plan that was submitted as part of the C15-24 application, the proposed zoning by-law amendment application is not acceptable to staff as part of the area proposed to be rezoned on farm diversified use includes an area of the property identified as floodplain. SVCA staff would recommend that the Environmental Protection (EP) zone on the property be revised to match the natural hazard features mapped as hazard on the attached SVCA map. It is the opinion of SVCA staff that based on the SVCA site inspection, provided the EP zone is revised to match the SVCA's hazard lands, all buildings and structures (as shown on the May 31, 2024, site plan-attached for reference) will be outside/beyond the SVCA's recommended EP zone. SVCA staff note that the SVCA was provided with May 31, 2024, site plan, however the May 31, 2024 site plan does not include an updated area to be rezoned.

Delegated Responsibility and Advisory Comments

SVCA staff has reviewed the applications 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 applications 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 of concern on the property include wetlands/swamps, tributaries of the South Saugeen River, and any floodplain associated with the wetlands/swamps and the watercourses.

It is SVCA staff's opinion that the Hazard Lands designation as shown in Schedule A of the Grey County Official Plan (OP), and Schedule A of the Southgate OP generally coincides with the SVCA Hazardous Land mapping for the property.

We note that the EP zone as shown in the Township of Southgate Zoning By-law 19-2002, as amended, does not coincide with the SVCA Hazardous Land mapping for the property. As noted above, SVCA staff recommend as part of this application that the Township of Southgate update the EP zone on the property to better reflect site conditions.

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. Based on the site plan submitted with the zoning by-law application, the proposal would not be consistent with Section 3.1.1 of the PPS, 2020. However, based on the site plan dated May 31, 2024 that was submitted to the SVCA with the SVCA permit

application, the proposal would be consistent with Section 3.1.1. of the PPS, 2020, provided the EP zone is updated to match the SVCA's hazard mapping and the Grey County OP.

Township of Southgate Official Plan and Grey County Official Plan

Section 5.5.2 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. Based on the site plan submitted with the zoning by-law application, the proposal would not be consistent with the Township of Southgate OP and Grey County OP. However, based on the site plan dated May 31, 2024, that was submitted to the SVCA with the SVCA permit application, the proposal would be consistent with the Southgate OP and Grey County OP.

Drinking Water Source Protection

The property appears to SVCA staff to not be located within an area that is 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.

Portions of the property are within the Approximate Screening Area associated with the SVCA's Prohibited Activities, Exemptions and Permits Regulation (Ontario Regulation 41/24). 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.

For this property, the SVCA Approximate Screening Area includes wetlands/swamps, tributaries of the South Saugeen River, any floodplain associated with the wetlands/swamps and the watercourses and an offset distance from these features.

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.

As mentioned above, SVCA staff are in process of issuing a SVCA permit for the proposed development based on the site plan dated May 31, 2024.

Summary

SVCA staff has reviewed this proposal 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 has been demonstrated.
- 2) Consistency with Grey County OP and Township of Southgate policies for natural hazards has been demonstrated.

The proposed zoning by-law amendment application is currently not acceptable to SVCA staff. The proposed area to be rezoned for on farm diversified use should be updated so as to exclude areas identified as SVCA Hazard Lands. The hazard lands should remain zoned EP and not be rezoned to a commercial use zone.

Please inform this office of any decision made by the Township of Southgate with regard to the proposal. Should you have any questions, please contact the undersigned.

Sincerely,



Vivian Vanceeder
Environmental Planning Technician
Saugeen Conservation
VV/

Enclosures: SVCA mapping and site plan dated May 31, 2024

cc: Barbara Dobreen, Authority Member, SVCA (via email)
Eli Sherk, Agent (via email)



The included mapping has been compiled from various sources and is for information purposes only. Saugeen Valley Conservation Authority (SVCA) is not responsible for, and cannot guarantee, the accuracy of all the information contained within the map.

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June 17, 2024



UTM Zone 17N, NAD 83

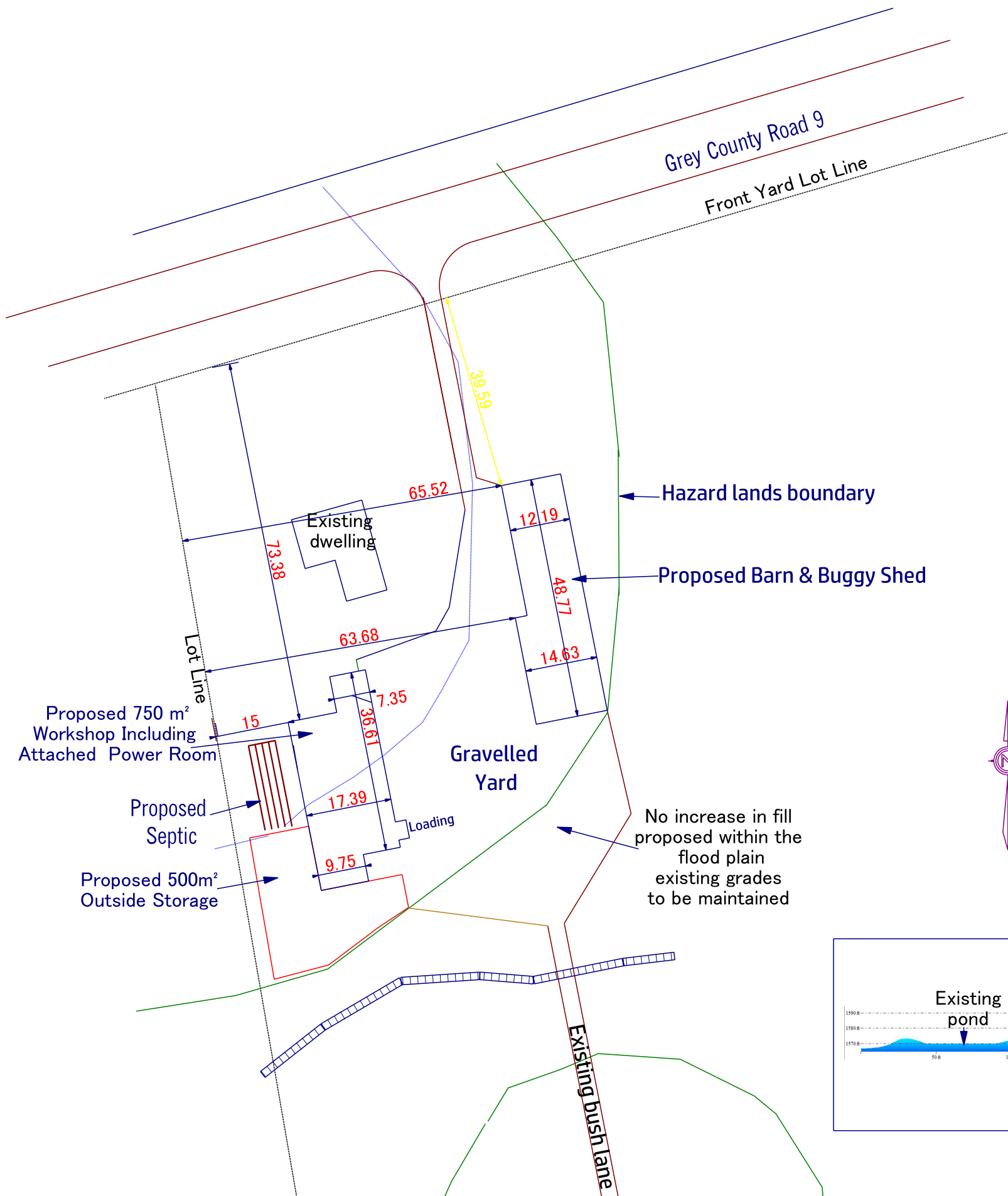
1:2000

Legend

-  Watercourse
-  Subject Property
-  Hazard Lands
-  SVCA Screening Area

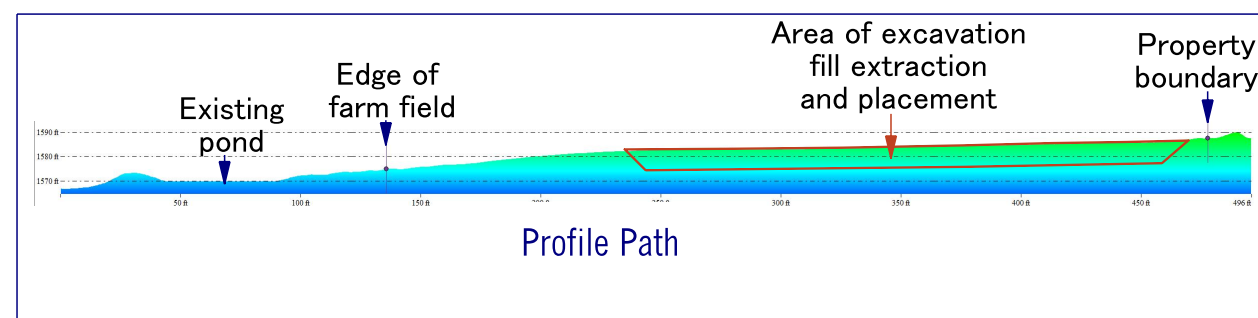
Brooklane Industries Inc.
 185552 Grey Road 9
 Lot 15, Con 12
 Roll No. 420709000211600
 Geographic Township of Proton
 Township of Southgate





Fill Movement Plans:

1. remove topsoil in area B to prep. for extracting existing b-gravel
2. Load b-gravel and haul to building site, then haul back access topsoil and subsoil from area A to replace the extracted b-gravel



< Project Information >	
Proposed Development	
< Drawing Title > Site Plan.	
< Property Owner > Brooklane Industries Inc.	
Phone ; 519-501-3976	
< Project Address > 18552 Grey Road 9 Dundalk Ont.	
Con.12 Lot 15	
< Drawing Scale > 0.013" = 1'-0"	Revision-
Drawn By E.M.S	Page: 1 of 2
Drawing Date	May 31, 2024