

Sent By E-Mail

April 16, 2024

Urias Martin c/o Eli Sherk  
7158 Blind Line Road  
Elmira, ON  
N3B 2Z3

Email: [eli@emscon.ca](mailto:eli@emscon.ca)

Subject: Proposed Development  
185552 Grey Road 9  
Part Lot 15, Concession 12  
Roll No. 420709000211600  
Geographic Township of Proton  
Township of Southgate

Dear Eli Sherk,

Saugeen Valley Conservation Authority (SVCA) thanks you for the opportunity to work with you and the landowner (Urias Martin) on the plan to construct a new workshop, power room, barn and buggy shed, outside storage area, graveled yard, and driveway expansion including a new culvert. A copy of the site plan provided to the SVCA is attached for reference. SVCA staff visited the property on March 26, 2024. The proposed development and site alterations will need a permit from SVCA. Work should not start until you have a permit from SVCA and all other agency and municipal approvals. Based on our review of the materials you have submitted, SVCA staff find your project to be acceptable subject to additional information being provided.

### **Site Description**

The property is located along the south side of Grey Road 9, east of Grey Road 14. The property is an agricultural parcel with existing farmstead. The natural hazard features affecting the property are wetland/swamp, watercourses, and their floodplain. The watercourses on the property are tributaries of the South Saugeen River.

### **About the project**

The plan is to construct a new workshop, power room, barn and buggy shed, outside storage area, graveled yard and driveway expansion including a new culvert and associated excavation, filling, and grading.

## **SVCA Regulation**

Large areas of the property are in a SVCA regulated area as it is located in the flood hazard and the allowance of the floodplain. This regulation (Ontario Regulation 41/24) means that a permit must be obtained before beginning any work in that area. Examples of work that require a permit:

- Construction, reconstruction or placing a structure of any kind
- Change to a structure that increases size, units, or use
- Site grading
- Temporary or permanent placing, dumping or removal of any material, from the site or elsewhere

A permit is also needed for any work in or around rivers, creeks, streams, watercourses, shorelines, or wetlands.

## **SVCA Policy**

Policy 4.7.1-4 of the *SVCA Environmental Planning and Regulations Policies Manual (2018)* states that development will be permitted within the allowance of a Regulatory floodplain if it has been demonstrated to the satisfaction of the SVCA that the control of flooding, erosion, pollution or the conservation of land will not be negatively affected.

Based on the staff site visit and as per the site plan provided, the proposed shop, power room, and barn and buggy shed are located within the SVCA Regulated Area in the allowance of the floodplain but outside of the floodplain hazard. Therefore, permission from the SVCA (SVCA permit) will be required prior to the construction of the proposed buildings.

A portion of the proposed outdoor storage area and the proposed graveled yard are located within the SVCA Regulated Area and in the floodplain hazard. It is the recommendation of SVCA staff that, if possible, the graveled yard be moved outside of the flood hazard. If you wish to continue with the proposed outdoor storage and graveled yard in its current location, Policy 4.7.1-2 of the *SVCA Environmental Planning and Regulations Policies Manual (2018)* permits an above ground parking lot, however, there must be no net increase in fill material within the floodplain. The site plan must show that there will be no net increase of fill within the floodplain/SVCA hazard lands.

If you choose to propose to place a net increase of fill in the flood hazard, you would be required to retain a qualified engineer to complete one of the following:

- 1) A hydraulic/hydrologic assessment in support of the proposed fill placement demonstrating no negative impact on flood levels upstream and downstream of the fill.
- 2) A formal cut and fill plan. A cut and fill plan involves the removal of a volume of fill from the floodplain that is equal to or greater than the amount needed to create the outdoor

storage and graveled yard. The cut and fill plan would have to meet all SVCA regulation requirements.

Based on the site plan provided and the site inspection, the proposed driveway upgrades including the driveway expansion and the culvert replacement (at the Grey Road 9 entranceway) will be located within the SVCA Approximate Screening Area but are not subject to SVCA regulations and a permit will not be required. It is the understanding of SVCA staff that, at this time, there are no culvert replacements that involve the watercourses.

Furthermore, SVCA staff encourage the landowner to maintain a buffer area of as large as possible around any open water features, including the watercourses and the wetland/swamp area for the protection of these features.

## **Zoning**

SVCA has an agreement with the Township of Southgate where we comment on planning applications that involve natural hazards. These comments go directly to the Township of Southgate. It is the understanding of SVCA that a zoning by-law amendment will be required to support the development proposal. Furthermore, SVCA staff understand that you have been in contact with the Township of Southgate regarding the proposed zoning by-law amendment.

Based on the SVCA site inspection, the SVCA recommends that the Township of Southgate update the Environmental Protection (EP) zone for the property at the earliest opportunity to best reflect the site conditions. The SVCA's recommended EP zone is shown on the attached SVCA mapping as Hazard Lands. It is the opinion of SVCA staff that based on the plans submitted, all buildings and structures proposed will be outside/beyond the SVCA's recommend EP zone. SVCA note that the southeast corner of the area proposed as outdoor storage area would encroach into the SVCA's recommended EP zone. Provided the SVCA's recommend EP zone remains, SVCA would find the yard area to be acceptable. However, the yard area in the EP zone should remain EP zone and not be rezoned to a commercial use zone.

## **Application Requirements**

If you intend to proceed with the proposal, the following items must be submitted by you to SVCA for your permit application to be complete:

1. An updated application (enclosed form referencing Regulation 41/24) please clearly label if any information i.e., amount of fill has changed
2. A final site and grading plan including:
  - a. Property address, date, and name of author, and property lot lines
  - b. Proposed building details, dimensions and distance to lot lines
  - c. Existing and proposed grades
  - d. Amount of fill to be placed in the allowance of the floodplain

- e. Sediment and erosion control measures (silt fence or suitable alternative) between work area and floodplain during construction
3. Floor and elevation plans for the proposed workshop, power room, and barn and buggy shed

## **Other Approvals**

The project is not located within a sensitive area in the Saugeen, Grey Sauble, Northern Bruce Peninsula Drinking Water Source Protection Plan.

## **Limit of Comments**

SVCA staff comments only relate to the project you have planned at this time. Should time pass, or your project change, SVCA may need to update these comments.

## **Choice to Appeal**

If SVCA is unable to issue a permit for the project, or if the permit has terms you disagree with, there are ways you can have the decision reviewed. This includes a review by SVCA's Board of Directors, and an appeal to the Ontario Lands Tribunal.

To learn more about the Regulation, and how to appeal a decision, please visit our website at:

[www.saugeenconservation.ca/appeal](http://www.saugeenconservation.ca/appeal)

## **Conclusion**

Your project is in a SVCA regulated area and will need a permit before you can start work. Please contact me with any questions you may have, so that I can help you through the process.

Thank you for working with Saugeen Conservation,



Vivian Vanceeder  
Regulations Officer  
Saugeen Conservation  
[v.vanceeder@svca.on.ca](mailto:v.vanceeder@svca.on.ca)  
519-364-1255 Ext. 243

VV/

Enclosure: Current site plan, SVCA mapping, SVCA application form

Cc: Barbara Dobreen, Authority Member, SVCA (via email)  
Bev Fisher, CBO, Township of Southgate (via email)  
Stephanie Johnson, Building Department, Township of Southgate (via email)  
Urias Martin, Landowner (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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This mapping contains products of the South Western Ontario Orthophotography Project 2020 (SWOOP2020). These images were taken in 2020 at 16cm resolution by Mapcon Mapping Ltd. They are the property of Saugeen Valley Conservation Authority ©2023.


April 16, 2024



UTM Zone 17N, NAD 83

1:2000

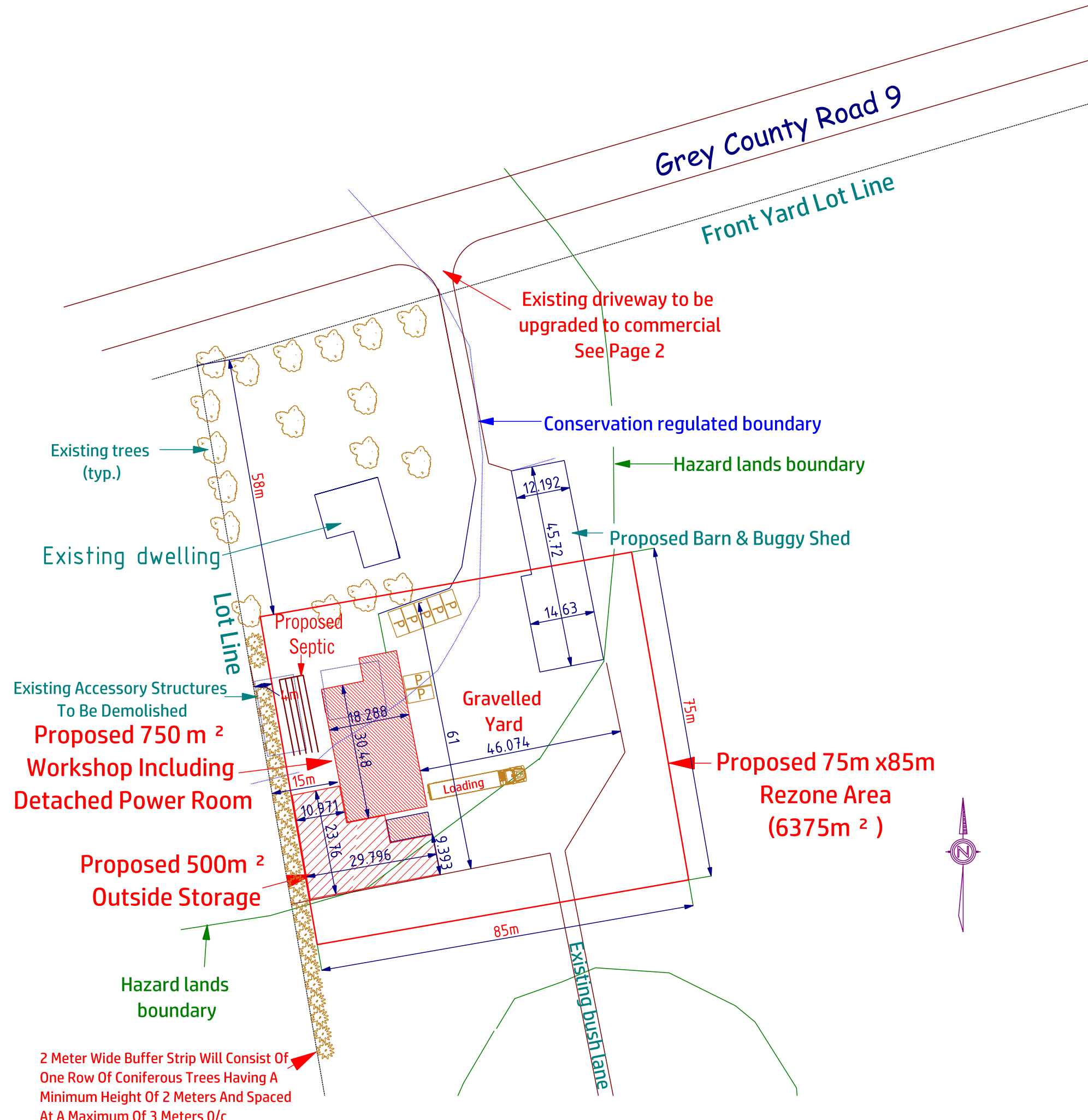
**Legend**

 Hazard Lands

Urias Martin  
 185552 Grey Road 9  
 Pt Lot 15, Con 12  
 Roll No. 420709000211600  
 Geographic Township of Proton  
 Township of Southgate







2 Meter Wide Buffer Strip Will Consist Of One Row Of Coniferous Trees Having A Minimum Height Of 2 Meters And Spaced At A Maximum Of 3 Meters O/c



Project Title ; Development	
Property Owner; Brooklane Industries Inc. Phone; 519-501-3976	
Propert Address; 185552 Grey Road 9 Dundalk Ont. Con.12 Lot 15	
Drawing Title; <b>Close Up</b>	
Drawing Scale; 1:931 Drawn By; E.M.S	Page;