

SENT ELECTRONICALLY ONLY: [hmalynyk@southgate.ca](mailto:hmalynyk@southgate.ca)

May 18, 2022

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

ATTENTION: Holly Malynyk, Legislative and Administrative Assistant

Dear Ms. Malynyk,

RE: Consent B1-22 (Acheson)  
752618 Southgate Sideroad 75  
Lot 211 to 213 Concession 3 SWTSR  
Roll No.: 420709000506200  
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**

According to the Notice, the purpose of the application is to sever the 30.8 acre parcel that has been separated from the remaining parcel by the CP Rail Trail from the remaining 143 acres of the farm. The severed lot will be 30.8 acres with frontage on Southgate Sideroad 75 and Southgate Road 24. The retained lot will be 143 acres with frontage on Southgate Road 24. The proposal would create two farm parcels from the existing one farm parcel.

### **Recommendation**

The application is acceptable to SVCA staff.

### **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, and natural heritage 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:**

SVCA Hazardous Lands mapping depicts large areas of the property to be low in elevation associated with wetlands/swamps as well as a watercourse and its floodplain. The watercourse is an unnamed tributary of Proton Station Drainage Works drain. 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 coincides with SVCA Hazard Land mapping for the property. It is the opinion of SVCA staff that the parcel to be severed and the parcel to be retained will each have a suitable buildable/development area.

#### **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 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 application is consistent with the natural hazard policies of the Southgate OP and the Grey County OP.

#### **Natural Heritage:**

Based on SVCA desktop review, it is the opinion of SVCA staff that the significant natural heritage features affecting the property include: significant woodlands, fish habitat and its adjacent lands, and habitat of endangered species and threatened species.

#### **Provincial Policy Statement – Section 2.1**

Section 2.1 of the PPS, 2020 states in part that development shall not be permitted in significant woodlands, fish habitat and its adjacent lands, habitat of endangered species and threatened species, and the adjacent lands to the above referenced features except in accordance with the specified policies found in Section 2.1.

#### **Township of Southgate Official Plan and Grey County Official Plan Policies**

##### **Significant Woodlands**

Significant woodlands are identified as per Appendix B Constraint Mapping of the Grey County OP and are shown to include the woodlands in the southwestern portion of the property. Section 7.4.1 of the Grey County OP states

in part that no development or site alteration may occur within significant woodlands or its adjacent lands unless it has been demonstrated by an EIS that there will be no impact on the feature or its ecological functions. Based on the details of the application, it is the opinion of SVCA staff that development will not be within significant woodlands, or their adjacent lands, therefore the preparation of an EIS is not warranted to address impacts to significant woodlands or their adjacent lands at this time.

#### Fish Habitat and its Adjacent Lands and Significant Valleylands

As mentioned above, an unnamed tributary of Proton Station Drainage Works drain flows through the property and on lands adjacent to the property. The tributary and the drain are considered fish habitat by SVCA staff. Section 7.9 of the Grey County OP state in part that development and site alteration shall not be permitted within fish habitat and the adjacent lands, unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the feature or on their ecological functions. Furthermore, Section 6.5.6 of the Southgate OP states in part that new development is not permitted within the adjacent lands to cold and warm water streams. Based on the details of the application, development will not be located within the adjacent lands to fish habitat, therefore it is the opinion of SVCA staff that the preparation of an EIS is not recommended to address impacts to fish habitat or their adjacent lands at this time.

#### Habitat of Endangered Species and Threatened Species

It has come to the attention of SVCA staff that habitat of endangered species and threatened species may be located on and/or on lands adjacent to the property. The SVCA's role is to identify habitat through a screening process in consideration of the PPS, 2020 and local policies, however, it is the responsibility of the applicant/landowner to ensure the endangered species and threatened species policy referred to in the PPS and the local OPS have been appropriately addressed. Please contact the Ministry of Environment, Conservation and Parks (MECP) for information on how to address this policy. MECP inquiries can be addressed to SAROntario@ontario.ca.

#### Statutory Comments

**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.**

Large areas of the property are within the SVCA Approximate Screening Area associated with Ontario Regulation 169/06. As such, development and/or site alteration within the Approximate Screening Area on the property 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.

The SVCA Approximate Screening Area includes the wetlands/swamps, the drain and its floodplain, as well as an offset distance outwards from these features.

#### SVCA Permission for Development or Alteration

Development or alteration including construction, reconstruction, conversion, grading, filling or excavation, including agricultural tile drainage proposed within the SVCA Approximate Screening Area on the property may require permission (SVCA Permit) prior to those works commencing.

However, based on the details of the application, no development is proposed within the SVCA Approximate Screening Area at this time, and so a permit from the SVCA is not required at this time.

#### 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 Section 2.1, Natural Heritage policies of the PPS has been demonstrated,
- 3) Consistency with Grey County OP and Township of Southgate policies for natural hazards and natural heritage 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 decision 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)