

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

March 20, 2024

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

ATTENTION: Elisha Milne, Legislative & Planning Coordinator

Dear Ms. Milne,

RE: Proposed Zoning By-law Amendment C7-24 (Ian S. Martin)  
712457 Southgate Sideroad 71  
Lots 218 - 219 Concession 4 SWTSR  
Roll No.: 420709000508700  
Geographic Township of Proton  
Township of Southgate

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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 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. The proposal has also been screened 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 proposal is to rezone a small portion of the property from A1 to A1-xxx to permit a small scale On farm diversified use (OFDU).

### **Recommendation**

The proposal is acceptable to SVCA staff.

### **Background**

SVCA staff provided comments dated November 18, 2021 related to file B12-21 which directly related to the larger property.

### **Delegated Responsibility and Advisory Comments - Natural Hazards**

The natural hazard features affecting the property are wetlands/swamp lands and watercourse and its floodplain. SVCA Hazardous Lands mapping, depicts areas of the property to be low in elevation associated with wetlands/swamp lands and any floodplain. It is SVCA staff's opinion that the Hazard Lands designation as shown in Schedule A of the Grey County OP, generally coincides with the Hazardous Lands as plotted by SVCA staff for the property. SVCA staff note that the EP zone could be revised to coincide with the Grey County Hazard Lands as shown in OP mapping to better reflect site conditions. It is the opinion of SVCA staff that the area to be rezoned will not include any of the recommend EP zoned lands.

### **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, provided the EP zone is revised, the proposal will be 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 provided the EP zone is revised, the proposal will be consistent with the natural hazard policies of the Southgate OP and the Grey County OP.

### **Drinking Water Source Protection**

The subject property appears to SVCA staff to not be located within an area that is subject to the local Drinking Water Source Protection Plan. To confirm, please contact Jim Ellis, Drinking Water Source Protection Risk Management Official at: [jellis@southgate.ca](mailto:jellis@southgate.ca).

### **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.

Areas of the property are within the SVCA Approximate Screening Area associated with Ontario Regulation 169/06. For the property the SVCA Approximate Screening Area includes the larger of any watercourse and its floodplain and 15 metres outwards from the floodplain, and/or any wetlands/swamps plus an area 30 metres outwards from any wetlands/swamps. As such, development and/or site alteration within the Approximate Screening Area 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.

### **SVCA Permission for Development or Alteration**

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

However, based on the plans submitted with the proposal, the development as proposed will be beyond/outside of the SVCA Approximate Screening Area, therefore a SVCA permit will not be required for development as proposed.

### **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 the application is:

- 1) Consistent with Section 3.1, Natural Hazard policies of the PPS has been demonstrated.
- 2) Consistent 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 this 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 Coordinator  
Saugeen Conservation  
MO/

cc: Solomon Martin, agent (via email)  
Barbara Dobreen, SVCA member representing the Township of Southgate (via email)