

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

June 8, 2023

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

ATTENTION: Elisha Milne, Administrative & Legislative Assistant

Dear Ms. Milne,

RE: C6-23 and B4-23, B5-23, B6-23 (David Rogers)  
263597 Southgate Road 26  
Part Lot 4 Concession 22  
Roll No.: 420706000121800  
Geographic Township of Egremont  
Township of Southgate

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Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted applications 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 applications have 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 proposed zoning bylaw amendment application is to allow for the creation of three residential lots within the Inland Land Lake designation. In order to accommodate the EIS recommendations, setbacks have been proposed to be reduced as well as increased as follows: The retained parcel is proposed to have a minimum lot frontage of 177 metres (m) which is to accommodate the frontages from the three proposed lots. The Lot 1 is proposed to have a minimum front yard setback of 4m, a minimum side yard of 1.5m and a minimum rear yard of 56.4m. Lot 2 and lot 3 are proposed to have a minimum front yard setback of 2m, a minimum side yard of 1.5m and a minimum side yard of 76.6m.

## **Background**

As part of the pre-submission consultation process for the proposed development, the SVCA was contacted by Cuesta Planning Consultants Inc., agent for the landowner, on January 25, 2022. SVCA staff provided preliminary comments that the proposal was generally acceptable provided applicable planning policies were addressed.

## **Recommendation**

The proposed zoning by-law amendment application and proposed severance applications are acceptable to SVCA staff.

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

The natural hazard feature affecting the property is wetlands/swamps. SVCA Hazardous Lands mapping, depicts an area of the property to be low in elevation associated with the wetlands/swamps. 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, generally coincide with the Hazardous Lands as plotted by SVCA staff for the property. However, it is the opinion of SVCA staff that it appears that the Environmental Protection (EP) Zone as shown in the Township of Southgate Zoning By-law 19-2002, does not properly depict the natural hazard feature. SVCA staff recommend that the EP zone be revised as part of these applications to mirror the Hazard Lands designation as shown in Schedule A to the Grey County OP. Upon request, SVCA staff can provide a map of the recommended EP zone to the Township of Southgate.

## **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 the applications are 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 the applications are 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 applications 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.

A small area of the property is within the SVCA Approximate Screening Area associated with Ontario Regulation 169/06. For the property the SVCA Approximate Screening Area includes the wetlands/swamps plus an area 30 metres outwards from the 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**

As mentioned above, 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 applications, it appears that development as proposed for the three parcels to be severed will not be within the SVCA Approximate Screening Area, therefore a SVCA permit will not be required for development as proposed for the three parcels to be severed.

### **Summary**

SVCA staff has reviewed the applications 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*.

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Given the above comments, it is the opinion of the SVCA staff that the applications are:

- 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 the applications. 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: Barbara Dobreen, SVCA member representing the Township of Southgate (via email)  
Cuesta Planning Consultants Inc., agent (via email)