August 21, 2019

Township of Southgate
185667 Grey Road 9
RR 1
Dundalk, Ontario
NOC 180

ATTENTION: Jamie Eckenswiller, Legislative and Communications Coordinator

Dear Mr. Eckenswiller

RE: Proposed Minor Variance A1-19
225404 Southgate Road 22
Part Lot 11, Concession 14, Part 15 Plan 17R184
Roll No.: 420709000300854
Geographic Township of Proton
Township of Southgate (Miroslav and Pavlina Markov)

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the proposed minor variance in accordance with the SVCA’s mandate and policies and the Memorandum of Agreement between the SVCA and the Township of Southgate relating to plan review. The purpose of the proposed minor variance is to provide relief from the by-law to permit the construction of an accessory building with the building being 7 metres closer to the front property line than the house. The proposed minor variance is acceptable to Authority staff, and the following comments are offered.

Natural Hazards

In the opinion of SVCA staff, a small area in the southwestern portion of the property is designated Hazard Lands in the Grey County Official Plan (OP), and is designated Hazard Lands in the Township of Southgate OP, and is zoned Environmental Protection (EP) in the Township of Southgate Zoning By-law No. 19-2002, as amended. The Hazard Lands designation and EP zone generally coincide with the Hazardous lands mapping as plotted by SVCA staff for the property.

Based on the sketch submitted with the application, the proposed accessory building will not be affected by natural hazard features.
Natural Heritage

SVCA staff are of the opinion that the natural heritage features and areas affecting the property include significant woodlands, the adjacent lands to fish habitat, and wetlands.

Significant Woodlands

Significant woodlands are identified on lands adjacent to the west of the property according to Appendix B Constraint Mapping of the Grey County OP. Section 7.4 of the Grey County OP states in part that no development or site alteration may occur within significant woodlands or their adjacent lands unless it has been demonstrated through an EIS that there will be no negative impacts on the natural features or their ecological functions. Based on the sketch submitted with the application, the location of the proposed accessory building will be located within the adjacent lands to the significant woodlands. However, it is the opinion of SVCA staff that the proposal is minor in nature, and as per section 7.11.3 of the Grey County OP, it is the recommendation of SVCA staff that the requirement for the preparation of an EIS may be waived for this proposal.

Adjacent Lands to Fish Habitat

Although there is no county-wide mapping for fish habitat, an unnamed tributary of the Main Saugeen River is located on lands adjacent to the property. The tributary of the Main Saugeen River is considered fish habitat by SVCA staff. Section 2.1.8 of the Provincial Policy Statement (PPS 2014) indicates that, among other things, development and site alteration shall not be permitted on the adjacent lands of fish habitat unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on fish habitat or on their ecological function. In the opinion of SVCA staff the completion of an EIS to address the adjacent lands to fish habitat is not warranted as, based on the sketch submitted with the application, the location for the proposed accessory building will not be located within the adjacent lands to fish habitat.

Wetlands

Other identified wetlands are included on Appendix B Constraint Mapping of the Grey County OP, and are identified on the property. However, in the opinion of SVCA staff, the location for proposed accessory building will not be located within the other identified wetlands or their adjacent lands, therefore, the preparation of an EIS is not warranted to address wetlands at this time.

SVCA Regulation

 Portions of the property are within the SVCA Approximate Screening Area associated with SVCA’s Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation (Ontario Regulation 169/06, as amended). This Regulation is in accordance with Section 28 of the Conservation Authorities Act, R.S.O, Chap. C. 27, and requires that a person obtain the written permission of the SVCA prior to any “development” in a Regulated Area or alteration to a wetland or watercourse.

“Development” and Alteration

Subsection 28(25) of the Conservation Authorities Act defines “development” as:
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 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.

According to Section 5 of Ontario Regulation 169/06, as amended, alteration generally includes the straightening, diverting or interfering in any way the existing channel of a river, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

To determine the SVCA’s Approximate Screening Area, 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, 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.

However, based on the sketch submitted with the application, the location of the proposed accessory building will not be located within the SVCA Approximate Screening Area, and a Permit from the SVCA will not be required for construction of the proposed accessory building.

Conclusion

All of the plan review functions listed in the Agreement have been assessed with respect to the proposal. The proposed minor variance is acceptable to Authority staff. We trust you find this information helpful. Should questions arise, please do not hesitate to contact this office.

Sincerely,

Michael Oberle
Environmental Planning Technician
Saugeen Conservation

cc: Miroslav and Pavlina Markov, owners (via email)
    Barbara Dobrean, Authority Member, SVCA (via email)