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SENT ELECTRONICALLY ONLY (*lgreen@southgate.ca*)

December 11, 2019

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

ATTENTION: Lindsey Green, Deputy Clerk

Dear Ms. Green,

RE: Proposed Zoning By-law Amendment C18-19  
186525 Grey Road 9  
Roll No.: 420709000409000  
Lot 35, Concession 13  
Geographic Township of Proton  
Township of Southgate

(Ivan S. Martin)

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the proposed zoning by-law amendment in accordance with the SVCA's mandate, the Saugeen Valley Conservation Authority Environmental Planning and Regulations Policies Manual, amended October 16, 2018, and the Memorandum of Agreement between the SVCA and the Township of Southgate relating to plan review. The purpose of the proposed zoning by-law amendment is to consider a change to allow for a small-scale Industrial shop, office and power room on the property. SVCA staff last conducted a site inspection at the property on October 2, 2018. The proposed zoning by-law amendment is acceptable to SVCA staff and the following comments are offered.

#### **Natural Hazard**

In the opinion of SVCA staff, a large portion of the property is designated Hazard Lands in the Grey County Official Plan (OP) and the Township of Southgate OP. This same area is also zoned Environmental Protection (EP) in the Township of Southgate Zoning By-law No. 19-2002, as amended. The Hazard Land designations and the EP zone generally coincide with the Hazardous Lands mapping as originally plotted by SVCA staff for the property. For this property, the Hazard Lands designation and EP zone represent wetlands, watercourses and their associated floodplains.

It is the opinion of SVCA staff that the EP zone could be reduced for the property, specifically removed from the southwestern portion of the property adjacent to Grey Road 9, as part of this amendment, to better reflect site



#### **Watershed Member Municipalities**

Municipality of Arran-Elderslie, Municipality of Brockton, Township of Chatsworth, Municipality of Grey Highlands, Town of Hanover, Township of Howick, Municipality of Morris-Turnberry, Municipality of South Bruce, Township of Huron-Kinloss, Municipality of Kincardine, Town of Minto, Township of Wellington North, Town of Saugeen Shores, Township of Southgate, Municipality of West Grey

conditions. Therefore, please find attached SVCA mapping dated December 11, 2019 which shows SVCA staff's recommended EP zone, shown on the SVCA map as SVCA Hazardous Lands. It is the opinion of SVCA staff that development as proposed, including the area to be rezoned will not be located within SVCA staff's recommended EP zone for the property.

### **Natural Heritage**

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

#### Significant Woodlands

Significant woodlands are identified as per Appendix B Constraint Mapping of the Grey County OP and are shown on the majority of the wooded area on the property, and on lands adjacent to the property. Based on plans submitted as part of the application, development as proposed would encroach into the adjacent lands to significant woodlands. However, it is the opinion of SVCA staff the preparation of an Environmental Impact Study (EIS) to address potential impacts to significant woodlands may be waived in accordance with section 7.11.3c) of the Grey County OP, as proposed development will be located within the existing farmstead area.

#### Adjacent Lands to Fish Habitat

An unnamed tributary of the South Saugeen Rivers flows through the property. This watercourse 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 to 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 functions. Based on the plans submitted as part of the application, proposed development will not be located on the adjacent lands to fish habitat. Therefore, it is the opinion of SVCA staff that the preparation of an EIS to address potential impacts to the adjacent lands to fish habitat is not warranted at this time.

#### Wetlands

Other identified wetlands are shown on the Appendix B Constraint Mapping, of the Grey County OP, and have been identified on the property. However, based on information available to SVCA staff, including a site inspection to the property on October 2, 2018 by SVCA staff, wooded wetlands, specifically Ventry Swamp Locally Significant Wetlands, have been identified on the property and cover almost the entirety of the wooded area of the property. Therefore, the other identified wetlands layer of Appendix B of the Grey County OP could be updated as part of the next update to the Grey County OP. Section 7.3 of the Grey OP states in part that no development or site alteration may occur within other identified wetlands 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 plans submitted as part of the application, proposed development will not be located within wetlands or their adjacent lands. Therefore, in the opinion of SVCA staff, the preparation of an EIS to address potential impacts to the wetlands or their adjacent lands to is not warranted 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. Section 2.1.7 of the Provincial Policy Statement (PPS 2014) indicates that development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements. It is the responsibility of the applicant to ensure the endangered species and threatened species policy referred to in the PPS has 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 sent via email to: SAROntario@ontario.ca.

### **SVCA Regulation**

The majority of the property is within the SVCA Approximate Screening Area associated with the SVCA's Development, Interference with Wetlands and Alterations 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, 1990, Chap. C. 27, and requires that a person obtain the written permission of the SVCA prior to any "development" within 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 where the SVCA Approximate Screening Area is located 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. Alternatively, please see the attached SVCA map, which includes the SVCA Approximate Screening Area.

### Permission for Development or Alteration

If development or alteration including construction, reconstruction, conversion, grading, filling or excavation, including agricultural tile drainage, 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.

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For the property, SVCA staff issued SVCA Permits 18-228, and 19-295 on October 10, 2018, and October 25, 2019 respectively, for the filling of man-made ponds adjacent to wetlands on the property.

Based on the plans submitted as part of the application, the northeastern portion of the development area as proposed as part of this application will encroach slightly into the SVCA Approximate Screening Area. However, an SVCA Permit is not required for development proposed as part of the application including the proposed shop, proposed yard, and proposed barn with manure storage. Should the plans change significantly so that development is located more east (closer to the wetland edge), then further review from the SVCA may be required.

### **Conclusion**

All of the plan review functions listed in the Agreement have been assessed with respect to the application. The proposed zoning by-law amendment is acceptable to SVCA staff. We trust you find this information helpful. Should questions arise, please do not hesitate to contact this office.

Sincerely,

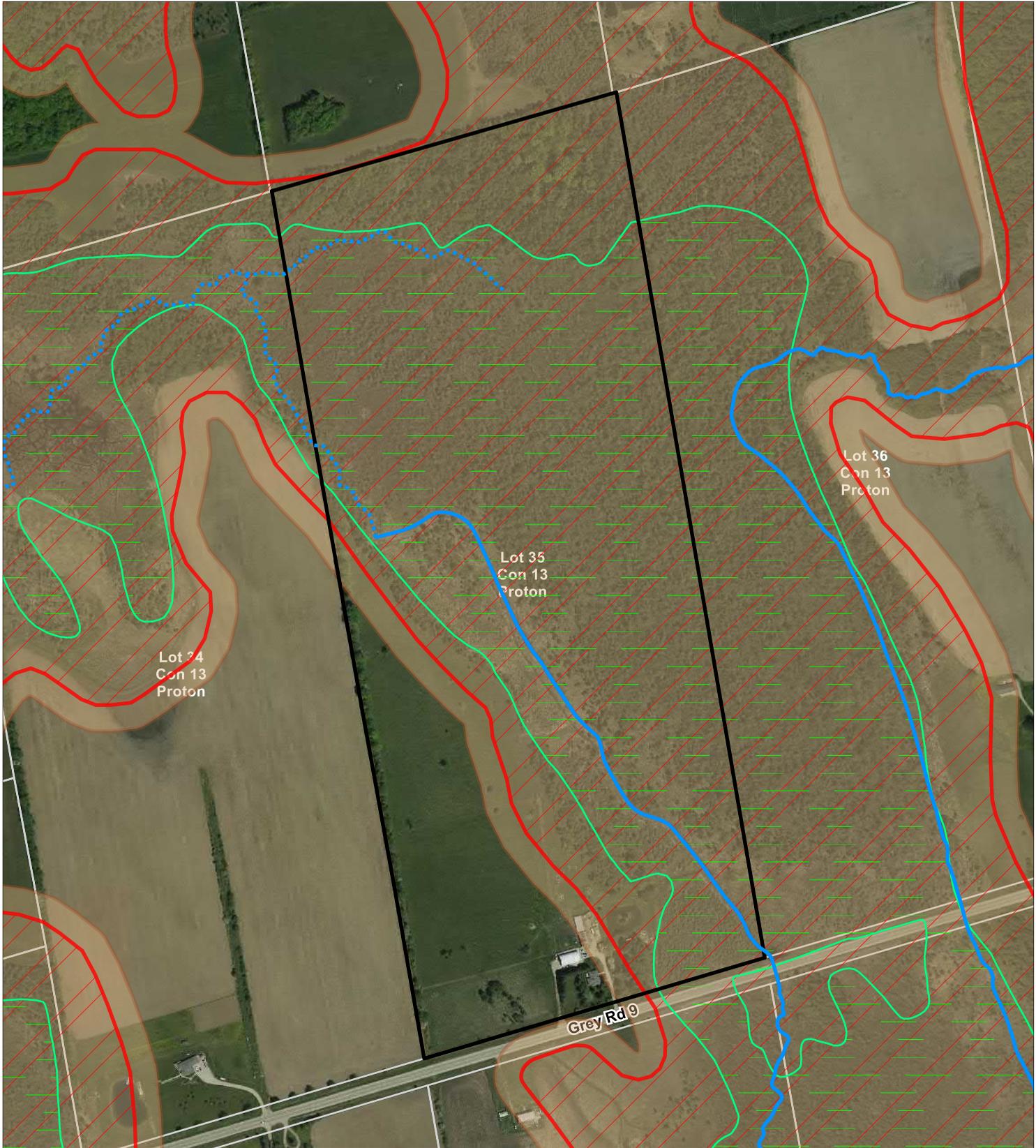


Michael Oberle  
Environmental Planning Technician  
Saugeen Conservation

MO/

Enclosure

cc: Abraham Martin, agent (via email)  
Ivan S. Martin, owner (via email)  
Barbara Dobreen, Authority Member, SVCA (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 2015 (SWOOP2015). These images were taken in 2015 at 20cm resolution by Fugro GeoServices. They are the property of Saugeen Valley Conservation Authority ©2019.

N  
  
 UTM Zone 17N, NAD 83  
 1:6000

Legend	
	SVCA Hazardous Lands
	SVCA Approximate Screening Area
	Ventry Swamp Locally Significant Wetlands
	Watercourse
	Approximate Subject Property
	Parcel Fabric

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