November 27, 2019

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

ATTENTION: Jamie Eckenswiller, Legislative and Communications Coordinator

Dear Mr. Eckenswiller

RE: Proposed Zoning By-law Amendment C22-19
126318 Southgate Road 12
Roll No.: 42070900400600
Lot 30, Concession 8
Geographic Township of Proton
Township of Southgate (2677188 Ontario Inc. c/o Edwin and David Hoover)

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. 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. It is the opinion of SVCA staff that development as proposed, including the area to be rezoned will not be located within the Hazard Lands designations or the EP zone.
Natural Heritage

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

Adjacent Lands to Fish Habitat

The South Saugeen Rivers flows through the central portion of the property, and Fraser Municipal Drain (MD), a tributary of the South Saugeen River, flows along the eastern property line. These watercourses are 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

According to information available to SVCA staff, unevaluated wetlands have been identified on the property. The wetlands are located within the Hazardous Lands designation. However, the wetlands have not been identified as Other Identified Wetlands on Appendix B Constraint Mapping, of the Grey County OP, but perhaps should be in the next update to the Grey County OP. Based on the plans submitted as part of the application, proposed development will not be located within the wetlands or their adjacent lands. Therefore, the preparation of an EIS is not warranted to address potential impacts to the unevaluated wetlands and its adjacent lands at this time.

Significant Valleylands

Significant Valleylands are shown on the Appendix B Constraint Mapping, of the Grey County OP, and have been identified in the central portion of the property associated with the South Saugeen River. Proposed development will not be located within the significant valleylands or its adjacent lands. Therefore, the preparation of an EIS is not warranted to address potential impacts to the significant valleylands and its 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. 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:

1. the construction, reconstruction, erection or placing of a building or structure of any kind,
2. 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,
3. site grading, or
4. 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.

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.

For the property, SVCA staff issued SVCA Permits 19-184 on July 17, 2019, for the replacement of a culvert of the South Saugeen River; SVCA Permit 19-082 on April 25, 2019 for the installation of systematic tile drainage; and SVCA Permit 19-059 on April 3, 2019 for the removal of beaver dams, and watercourse (South Saugeen River) cleanout.

However, based on the plans submitted as part of the application, development as proposed as part of this application will not be within the SVCA Approximate Screening Area. An SVCA Permit is not required for development proposed as part of the application.
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/

cc: Israel Bowman, agent (via email)
    2677188 Ontario Inc. (Edwin and David Hoover), owners (via email)
    Barbara Dobreen, Authority Member, SVCA (via email)