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SENT ELECTRONICALLY ONLY (Igreen@southgate.ca)

January 8, 2020

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

ATTENTION: Lindsey Green, Deputy Clerk

Dear Ms. Green,

RE: Proposed Zoning By-law Amendment C24-19
311796, Grey Road 8
Part Lot 37, Concession 8, Part 1 Plan 16R8745
Roll No.: 420709000401110
Geographic Township of Proton
Township of Southgate

(Trustees of the Old Order Mennonite Church)

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 in use from residential to community facility to allow for a church, meeting house, and cemetery. SVCA staff conducted a site inspection at the property on July 18, 2019 and provided comments to the landowners dated September 20, 2019 as part of the pre-submission consultation process. SVCA staff recommend deferral of the proposed zoning by-law amendment as it is not acceptable to SVCA staff at this time. We offer the following comments.

Natural Hazard

In the opinion of SVCA staff, the southern half of the property (generally the wooded area) is designated Hazard Lands in the Grey County Official Plan (OP), and in 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. For this property the Hazard Lands designation and the EP zone represent the wetlands located along the southern property boundary, as well as the floodplain of the South Saugeen River (for this section of the river, the watercourse is also known as Clarke Drainage Works Municipal Drain).



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

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SVCA staff is of the opinion that the Hazard Lands designations and the EP zone could be revised slightly for the property to better reflect SVCA mapping and site conditions as observed by SVCA staff. Therefore, please find attached SVCA map (scale 1:1000) dated September 17, 2019, showing SVCA recommended revision to the Hazard Lands designations and EP zone, shown on the SVCA map as SVCA Hazardous Lands.

It is the opinion of SVCA staff that based on the site plan submitted with the application, that the proposed meeting house with attached women's washroom, detached men's washroom, a sewage disposal system, cemetery, and bus turn-around area, and existing entrance will not be located within the SVCA recommended EP zone. It is the opinion of SVCA staff that the proposed entrance, as well as area to be cleared for 'horse tie-up' space will be located within the SVCA recommended EP zone.

Furthermore, although the 'horse tie-up' space will be located within the SVCA recommended EP zone, it is the opinion of SVCA staff that this is acceptable and generally in accordance with Section 3.1 of the Provincial Policy Statement (PPS 2014) with respect to impacts on the natural hazard only.

Although the proposed entrance would cross the SVCA recommended EP zone, it is the opinion of SVCA staff that safe access to the property is available in accordance with Section 3.1 of the PPS 2014 provided the existing entrance remains. The site plan submitted with the application shows the existing entrance to be removed. As mentioned in SVCA staff comments dated September 20, 2019, SVCA staff will require the proposed entrance to be shifted north to be located beyond/outside of the SVCA recommended EP zone and/or that the exiting entrance remain available to the property so that safe access to Grey Road 8 is provided to the property.

Natural Heritage

SVCA staff comments dated September 20, 2019, required that that an Environmental Impact Assessment (EIS) be completed to address natural heritage concerns associated with the proposed development, as the proposed 'horse tie-up' area required the clearing of the majority of the wooded area on the property. An EIS to evaluate the property to support the development proposal was prepared by Birks Natural Heritage Consultants Inc., dated November 23, 2019.

The EIS, as prepared, is not acceptable to SVCA staff at this time. Specifically, section 4.1.2 and Table A, both of the EIS state in part that the woodlands have not been mapped as Significant Woodlands by the County of Grey, and no further consideration of woodland impact, as it relates to Significant Woodland function is warranted. It is the opinion of SVCA staff that this is not a satisfactory review of the woodlands as the EIS has not addressed section 7.4 of the Grey County OP and will need to do so. The EIS will need to evaluate the woodlands on the property based on the Significant Woodlands criteria that are found in section 7.4 of the Grey County OP.

The EIS also states that Significant Valleylands are identified, though the EIS does not address the impact of development on this feature. Proposed development would be located within the adjacent lands to significant valleylands and in accordance with section 7.7.1 of the Grey County OP, no development or site alteration may occur within significant valleylands 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.

SVCA staff's site inspection to the property identified wetlands along the southern portion of the property. Wetlands were also confirmed on the property as well as on the adjacent lands to the property as noted in the EIS. It is the opinion of SVCA staff that section 7.3.2 of the Grey County OP has not been adequately addressed

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and will need to be as development as proposed (clearing for ‘horse tie-up space’) would be within the 30 metre adjacent lands from wetlands.

SVCA Regulation

The majority of the property is within the SVCA Approximate Screening Area/Approximate Regulated 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, 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 where the SVCA Approximate Screening Area/Approximate Regulated Area is located associated with our Regulation on the property, please see the attached SVCA map, scale 1:1000, dated September 17, 2019, which delineates, among other things, the SVCA Approximate Screening Area/Approximate Regulated Area for the property.

For this property, the Approximate Screening Area/Approximate Regulated Area includes the watercourse on the lands adjacent to the property, wetlands on and/or adjacent to the property, the floodplain of the watercourse and wetlands, and an offset distance from these features.

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/Approximate Regulated Area on the property, the SVCA should be contacted, as permission (SVCA Permit) will be required.

Based on the plan submitted with the application, permission (an SVCA Permit) will be required prior to construction and site alteration commencing on the property for a meeting house with attached women’s

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washroom, detached men's washroom, area to be cleared for 'horse tie-up' space, bus turn-around area, and a proposed entrance as those works will be within the SVCA Approximate Screening Area/Approximate Regulated Area. An SVCA Permit can be granted for those works, subject to conditions. Conditions of an SVCA Permit will include but may not be limited to all buildings being located beyond/outside of the SVCA Hazardous Lands, minimum lowest exterior opening elevations, and grading limitations. The SVCA will require:

- a) that the lowest exterior opening of the proposed meeting house to be at or above the elevation of the centerline of Grey Road 14 directly east of the northeast corner of the property;
- b) that site alteration in the area to be cleared for 'horse tie-up' space to have proper sediment and erosion control measures installed prior to site alteration commencing;
- c) that no net increase in fill material be placed within the floodplain of the South Saugeen River (within the SVCA Hazardous Lands) which includes no net increase in fill material to the 'horse tie-up' space; and
- d) that a hydrologist/hydrogeologist confirm, that in their opinion, development as proposed will not have a negative impact on the hydrology (both quality and quantity) of the wetland.

It is the opinion of SVCA staff that based on the plan attached to the application, the proposed meeting house and detached buildings will not be located within the SVCA Hazardous Lands.

Please be advised that the location for the cemetery and the location for the sewage disposal system are both not within the SVCA Approximate Screening Area/Approximate Regulated Area and so permission from the SVCA will not be required for the proposed cemetery work or for the proposed sewage disposal system work.

Conclusion

All of the plan review functions listed in the Agreement have been assessed with respect to the application. SVCA staff recommend deferral of the proposed zoning by-law amendment as it is not acceptable to SVCA staff at this time. Should the above noted items be addressed to the satisfaction of SVCA staff, we would be able to revise our comments accordingly to support the proposed development. We trust you find this information helpful. Should questions arise, please do not hesitate to contact this office.

Sincerely,

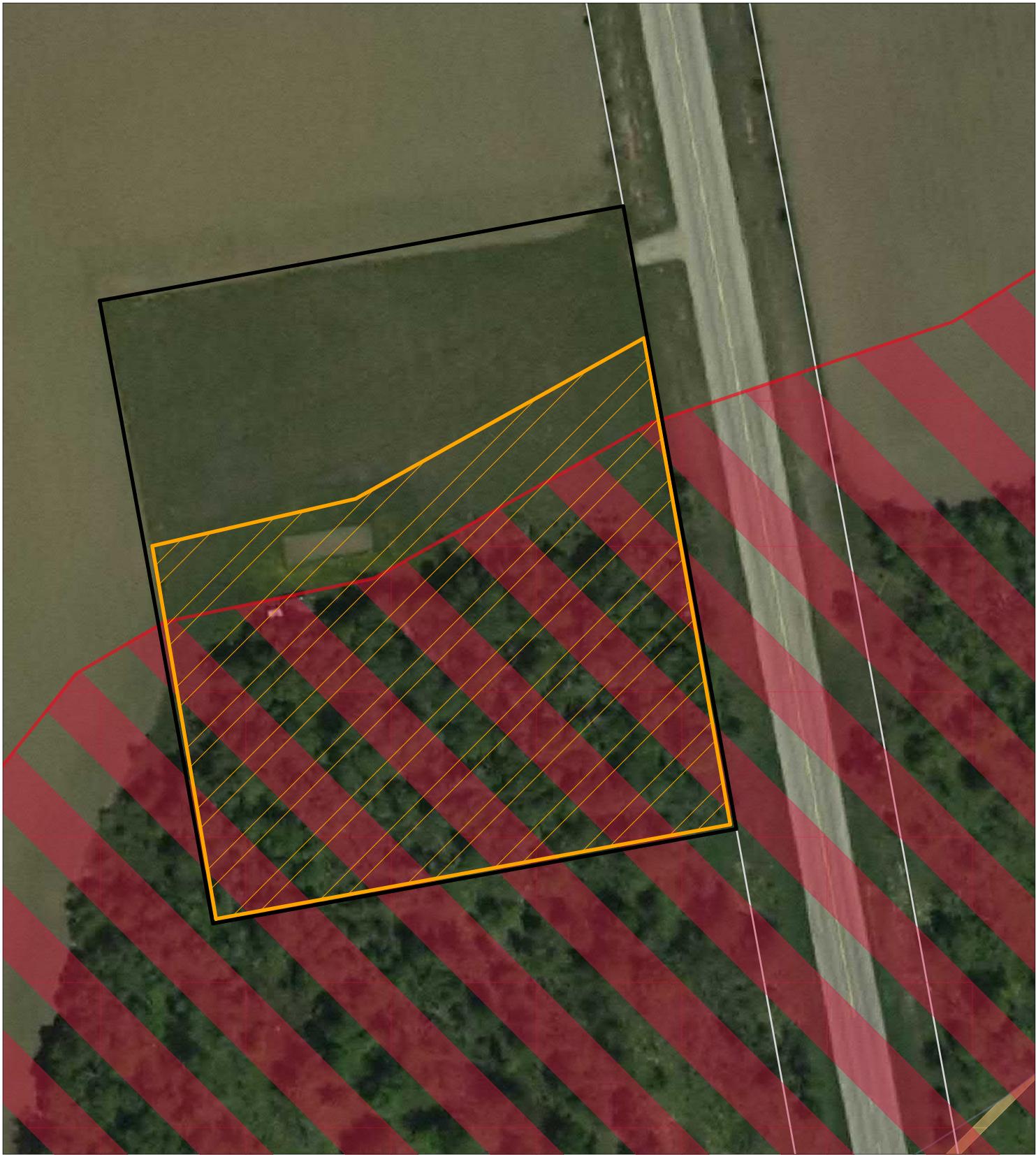


Michael Oberle
Environmental Planning Technician
Saugeen Conservation

MO/

Enclosure

cc: Abraham Martin, agent (via email)
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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September 17, 2019



UTM Zone 17N, NAD 83

1:1000

Legend

- SVCA Hazardous Lands
- SVCA Approximate Screening Area/Approximate Regulated Area
- Watercourse
- Approximate Subject Property
- Parcel Fabric

Allen SM Martin & Eli Sherk proposed zoning by-law amendment
Pt Lt 37, Con 8,
Pt 1 PI 16R8745
Proton, Southgate
Roll No.: 420709000401110

