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SENT ELECTRONICALLY ONLY: *ehewgill@southgate.ca*

August 16, 2020

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

ATTENTION: Elisha Hewgill, Administrative and Legislative Coordinator

Dear Ms. Hewgill,

RE: Proposed Zoning By-law Amendment C13-20 (Ian and Kim Francis)
169 McFarlin Drive
Part Lot 28 Concession 1, Division 3, Part 1 Plan 16R8641
Roll No.: 420706000501005
Geographic Township of Egremont
Township of Southgate

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 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 and natural heritage. Furthermore, the application has been reviewed through our role as a public body under the *Planning Act* as per our CA Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018.

The purpose of the proposed zoning bylaw amendment application is to consider a change to allow for a garden suite to be permitted on the property for a period of up to 20 years.

Recommendation

The proposed zoning by-law amendment application is acceptable to SVCA staff.

Delegated Responsibility and Advisory Comments

SVCA staff has reviewed the application through our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020). We have also reviewed the application through our responsibilities as a service provider to the

Township of Southgate in that we provide expert advice and technical clearance on *Planning Act* applications with regards to natural hazards, and natural heritage as set out in the PPS, 2020, County Official Plan (OP) and/or local official plans. Comments below only include features/technical requirements affecting the property.

Natural Hazards:

It is the opinion of SVCA staff that the property is not affected by any natural hazard features.

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 application is 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 application is consistent with the natural hazard policies of the Southgate OP and the Grey County OP.

Natural Heritage:

It is the opinion of SVCA staff that the natural heritage feature affecting the property is fish habitat and its adjacent lands.

Provincial Policy Statement – Section 2.1

Section 2.1 of the PPS, 2020 states in part that development shall not be permitted in fish habitat and its adjacent lands, except in accordance with the specified policies found in Section 2.1.

Township of Southgate Official Plan and Grey County Official Plan Policies

An unnamed tributary of the South Saugeen River flows on lands adjacent to the south of the property. The watercourse is considered fish habitat by SVCA staff. Section 7.9 of the Grey County OP in part that development and site alteration shall not be permitted within fish habitat and 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. Furthermore, Section 6.5.6 of the Southgate OP states in part that new development is not permitted within the adjacent lands to cold and warm water streams. It is the opinion of SVCA staff that based on the application and the plans submitted as part of the application, impacts to fish habitat and its adjacent lands will be negligible. Therefore, the preparation of an EIS may be waived in accordance with Section 7.11.3 of the Grey County OP. In the opinion of SVCA staff, fish habitat and its adjacent lands policies have been satisfactorily addressed according to the Grey County OP and the Southgate OP.

Statutory Comments

SVCA staff has reviewed the application 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 along the southern property boundary is within the SVCA Approximate Screening Area associated with Ontario Regulation 169/06. As such, development and/or site alteration within the SVCA 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 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.

SVCA Permission for Development or Alteration

Development or alteration including construction, reconstruction, conversion, grading, filling or excavation, proposed within the SVCA Approximate Screening Area on the property may require review and permission (SVCA Permit) prior to works commencing on the property. However, based on the application and the plans submitted with the application, development as proposed will not be located within the SVCA Approximate Screening Area. Therefore, a permit from the SVCA will not be required for the construction of a garden suite.

Summary

SVCA staff has reviewed this application 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*.

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

1) Consistency with Section 3.1, Natural Hazard policies of the PPS has been demonstrated.
2) Consistency with Section 2.1, Natural Heritage policies of the PPS has been demonstrated.
3) Consistency with Grey County OP and Township of Southgate OP policies for natural hazards and natural heritage has been demonstrated.

Please inform this office of any decision made by the Township of Southgate with regard to this application. 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 Technician
Saugeen Conservation
MO/
cc: Ian and Kim Francis, applicants (via email)
Barbara Dobreen, Authority Member, SVCA (via email)