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

January 7, 2019

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

ATTENTION: Tracey Dupuis, Secretary-Treasurer Committee of Adjustment

Dear Ms. Dupuis,

RE: Application for Consent B14/18
191603 Southgate Sideroad 19
Lot 28, Concession 6
Roll No.: 420709000706500
Geographic Township of Proton
Township of Southgate

(Blayjoy Holsteins)

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the application for consent 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 application for consent is to create a small residential lot with frontage on Southgate Sideroad 13.

As part of the pre-submission consultation process for the consent to sever land application, SVCA staff conducted a site inspection of the property on August 31, 2018, and provided comments to the landowner dated September 20, 2018. SVCA staff note that the previous inquiry was for a parcel proposed to be severed of approximately 100 square yards (approximately 91 meters frontage on Southgate Sideroad 19), the current parcel proposed to be severed is slightly larger than what was previously proposed. Please note that the attached SVCA maps represent the approximate dimensions of the previously proposed severed lot. Nevertheless, the application for consent is acceptable to SVCA staff and the following comments are offered.

Natural Hazard

In the opinion of SVCA staff, portions of both the parcel to be severed and the parcel to be retained are designated Hazard Lands in the Grey County Official Plan (OP), and in the Township of Southgate OP. These areas are also zoned Environmental Protection (EP) in the Township of Southgate Zoning By-law No. 19-2002, as



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

amended. In general, no new buildings or structures are permitted within the Hazard Lands designations or the EP zone.

SVCA staff is of the opinion that the Hazard Lands designations and the EP zone could be revised for the parcel to be severed, to better reflect site conditions as observed by SVCA staff. The revision to the EP zone could occur in the next update to the comprehensive zoning by-law. Please be advised that SVCA staff are not requiring the revision to the EP zone as a condition of the application for consent. Therefore, for the parcel to be severed, please find attached SVCA map (scale 1:6000) dated September 19, 2018, showing SVCA recommended revision to the Hazard Lands designation and EP zone, shown on the SVCA map as SVCA Hazardous Lands.

Although the entrance to the parcel proposed to be severed will cross the EP zone, it is the opinion of SVCA staff that safe access to the property is available for the area of the property proposed to be severed, and that safe access can be achieved in accordance with Section 3.1 of the Provincial Policy Statement (PPS 2014). It is the opinion of SVCA staff that a building envelope would be available for the parcel proposed to be severed, outside of the Hazard Lands designation and the EP zone. As mentioned above, please see the attached SVCA map (scale 1:1000) with Approximate Building Envelope as delineated by SVCA staff.

Natural Heritage

SVCA staff is of the opinion that the natural heritage features and areas affecting the parcel proposed to be retained and the parcel proposed to be severed include significant woodlands, fish habitat, wetlands, and potentially the habitat of endangered species and threatened species.

Significant Woodlands

Significant woodlands are identified in the northern and eastern portions of the parcel proposed to be retained, and within the adjacent lands to the west of the proposed parcel to be severed, as per Appendix B Constraint Mapping, of the Grey County OP. Furthermore, it is the opinion of SVCA staff that the woodlands in the southern portion of the property, which includes woodlands on the parcel to be severed, and on lands adjacent to the south and east of the parcels proposed to be retained and to be severed, may be considered significant woodlands, though not shown on Appendix B as significant woodlands, but perhaps should be.

Section 2.8.4(1) of the Grey 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 Environmental Impact Study (EIS), that there will be no negative impacts on the natural features or their ecological functions.

It is the opinion of SVCA staff that negative impacts to significant woodlands or their adjacent lands as part of the proposal would be negligible, provided the construction of dwelling and related development remains within the Approximate Building Envelope as delineated by SVCA staff. It is the opinion of SVCA staff that the preparation of an EIS could be waived, in accordance with Section 2.8.7(2)(b) of the Grey County OP.

Fish Habitat

Two watercourses flow through the central and northern portions of the parcel to be retained, namely Municipal Drain (MD) Number 30, and Kielan MD. Furthermore, Ellis Drainage Works MD flows through lands adjacent to the west of the parcel proposed to be severed. These watercourses are tributaries of the South Saugeen River and 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 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 functions. The parcel proposed to be severed is within the adjacent lands to fish habitat, however, in the opinion of SVCA staff, the proposed creation of a new lot is likely to have a negligible negative impact on the adjacent lands to fish habitat. Therefore, in the opinion of SVCA staff, the preparation of an EIS to address the adjacent lands to fish habitat is not required at this time.

Other Identified Wetlands

Other Identified Wetlands are shown on the Appendix B Constraint Mapping, of the Grey County OP, and have been identified on the parcel proposed to be retained. Although not mapped as Other Identified Wetlands, SVCA staff has identified wetlands on a small portion of the property proposed to be severed. In the opinion of SVCA staff, negative impacts to the wetlands on either the parcel proposed to be retained and parcel to severed are likely to be negligible. Therefore, in the opinion of SVCA staff, the preparation of an EIS to address other identified wetlands is not required at this time.

Significant 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 the lands adjacent to the parcels proposed to be retained and/or severed. 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 owner to ensure the endangered species and threatened species policy referred to in the PPS has been appropriately addressed. Please contact the Ministry of Natural Resources and Forestry (MNRF) for information on how to address this policy. MNRF inquires in Grey County can be directed to Jody Scheifley, Management Biologist, phone: 519-371-8471, email: jody.scheifley@ontario.ca.

Please be advised that SVCA staff is not able to speak to provincial and federal requirements as they relate to Section 2.1.7 of the PPS. The above SVCA staff opinion that an EIS is not required for this development proposal does not take into account the habitat of endangered species and threatened species that may be on or near the subject property.

SVCA Regulation

Large portions of the parcel proposed to be retained, and a portion of the parcel proposed to be severed, are within the Approximate Screening Area and/or the 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 Approximate Screening Area and Approximate Regulated Area is located associated with our Regulation on the parcel to be retained, 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. For the parcel proposed to be severed, please see the attached SVCA map (scale 1:1000) dated September 19, 2018, which delineates the Approximate Regulated Area for the parcel proposed to be severed.

For the parcel proposed to be severed, the Approximate Regulated Area includes the wetland, the watercourse on the lands adjacent to the property, the floodplain of the wetland and watercourse, 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 Approximate Regulated Area and/or Approximate Screening Area associated with our Regulation on either the parcel to be retained or the parcel to be severed, the SVCA should be contacted, as permission may be required.

It is the opinion of SVCA staff that a building envelope exists on the parcel proposed to be severed. As mentioned above, please see the attached SVCA map (scale 1:1000) dated September 19, 2018, which also shows the Approximate Building Envelope, as delineated by SVCA staff, for the parcel proposed to be severed. Should development be proposed on the parcel to be severed, permission from the SVCA will be required within the Approximate Regulated Area. From a regulatory perspective, permission can be granted by SVCA staff, subject to conditions, for development on the parcel proposed to be severed. Conditions of an SVCA Permit may include, but may not be limited to, construction of a dwelling, accessory buildings and the installation of a sewage disposal system being located outside of the SVCA Hazardous Lands, and within the Approximate Building Envelope.

Conclusion

All of the plan review functions listed in the Agreement have been assessed with respect to the application. The application for consent is acceptable to SVCA staff.

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We trust you find this information helpful. Should questions arise, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in blue ink that reads "Michael Oberle".

Michael Oberle
Environmental Planning Technician
Saugeen Conservation

MO/

Enclosures

cc: Blayjoy Holsteins, owner (via email)
Barbara Dobreen, Authority Member, SVCA (via email)



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September 19, 2018



UTM Zone 17N, NAO83

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Legend

- 1SSi1** SVCA Hazardous Lands
- Watercourse
- Parcel Fabric
- E:J** Approximate Subject Property
- C:J** Approximate Parcel to be Severed

Bain and Joyce Clarke
 191603 SG St. Road 19
 Lot 28, Concession 6
 Proton
 Township of Southgate
 Roll No.: 420709000708500





Sideroad 19 Southgate

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September 19, 2018



UTM Zone 17N, NAO83

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Legend

-  SVCA Hazardous Lands
-  Watercourse
-  Approximate Building Envelope
-  Approximate Regulated Area
-  Parcel Fabric
-  Approximate Subject Property
-  Approximate Parcel to be Severed

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