

Sent By E-Mail and Mail

December 19, 2024

Raul and Maria De Lurdes Raposo
211 Bourbon Street
Woodbridge, ON
L4L 6Z1

E-Mail: Lurdes60@yahoo.com

Subject: Unauthorized Development
Unassigned Civic Address, Southgate Road 12
Lot 26, Con 8
Roll No. 420709000400300
Geographic Township of Proton
Township of Southgate

Dear Raul and Maria De Lurdes Raposo,

The majority of your property is in a Saugeen Valley Conservation Authority (SVCA) regulated area. This means that you must get a permit before beginning any work in that area.

On November 15, 2024, SVCA staff visited the property and met with you and the CBO for the Township of Southgate, Phil Schram. It was confirmed that unauthorized changes were made to the property in the form of construction of a single-family residence, placement of a sea-can, filling and grading for a laneway/parking area, and excavation of an isolated pond. The completed work is located partially within identified hazard lands including one-zone floodplain and adjacent to wetlands. Failure to get a permit for this development within the regulated area is a violation of SVCA's regulation.

SVCA Regulation

The *Conservation Authorities Act* and Ontario Regulation 41/24 requires you to get a permit from SVCA before beginning any work in a regulated area. Examples of work that require a permit are:

- Construction, reconstruction or placing a structure of any kind
- Change to a structure that increases size, units, or use
- Site grading
- Temporary or permanent placing, dumping or removal of any material, from the site or elsewhere

A permit is also needed for any change to rivers, creeks, streams, watercourses, shorelines, or wetlands.

The site visit confirmed that the location of the residence and the sea-can are outside of both wetland and flood hazard (floodplain) on the property, but within the SVCA regulated area and therefore would require a permit from the SVCA under Ontario Regulation 41/24.

Policy 4.13-3 of the SVCA Environmental Planning and Regulations Policies Manual (2018) permits development within the flood hazard allowance if it has been demonstrated to the satisfaction of the SVCA that the control of flooding, erosion, unstable soils or bedrock will not be negatively affected.

The sea-can and residence are built at grade and present no flooding or erosion concerns. The fill placement and grading for the laneway is very minor in terms of both extent and depth and would qualify as an exemption from SVCA permitting requirements (i.e. under 23m³). Therefore, it is the opinion of staff that the above-noted policy requirement has been met.

Based on SVCA mapping, site observations, and soil samples taken from the area of the pond, the pond was determined not to be located within wetland, but once again within the SVCA regulated area (30 metres of wetland and within floodplain) and therefore would require a permit from the SVCA under Ontario Regulation 41/24

Policy 4.13-3 of the SVCA Environmental Planning and Regulations Policies Manual (2018) permits pond construction within one-zone floodplain provided it has no negative impact to the floodplain.

Policy 4.13-3 of the SVCA Environmental Planning and Regulations Policies Manual (2018) permits development within 30 metres of a wetland boundary subject to the following:

- a) All development (including grading) is located outside the regulated wetland and maintains as much setback as possible;
- b) Disturbances to natural vegetation communities contributing to the hydrologic function of the wetland are avoided;
- c) Overall drainage patterns for the lot will be maintained.

The pond is located outside of the wetland, is not anticipated to have a negative impact on wetland hydrology, and the exiting grade around the pond has been maintained. Therefore, it is staff opinion that the above-noted policy requirements have been met and that staff could issue compliance approval for the completed development after-the-fact.

Recommendation

SVCA staff are here to work with you to help fix this issue. Based on the above, in order to satisfactorily resolve the outstanding violation for the development and obtain compliance approval, staff will require submission of the following:

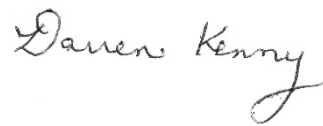
- Site plan including:
 - the location of the sea-can and residence with dimensions and distance to lot lines.
 - Floor/elevation plans for the residence (if available)
 - Limit of fill placement/grading for the laneway/parking area
 - Location and dimensions of pond
 - property address, date, and your name
- Payment of the standard fee of \$850 (x2 for works undertaken without a permit) for a total of \$1,700.

Conclusion

SVCA staff have confirmed that unauthorized changes were made to your property. Failure to obtain a permit for this work has resulted in a violation of the Ontario Regulation 41/24, as amended.

Please contact me no later than **March 1, 2025** to confirm that you intend to proceed to resolve the violation as directed above. I will work with you through the process. Reach out to me with any questions you may have.

Thank you for working with Saugeen Conservation,



Darren Kenny
Regulations Coordinator (Acting)
Saugeen Conservation
d.kenny@svca.on.ca
Cell: 519-369-4462

DK/

Cc: Phil Schram, CBO, Township of Southgate (via e-mail)
Barbara Dobreen, Authority Member, SVCA (via e-mail)