



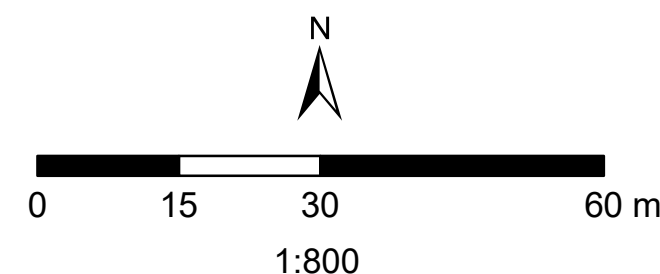
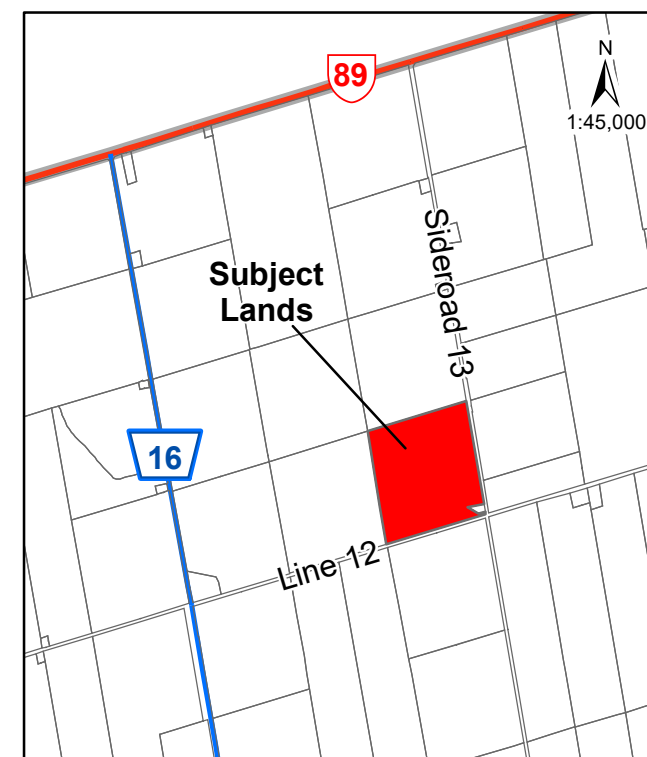
COUNTY OF WELLINGTON LAND DIVISION

B148-22

Applicant:
Larry Schill

Township of Wellington North

9496 Sideroad 13
(West Luther)



Date: January 2023

Produced by: County of Wellington Planning & Development Department

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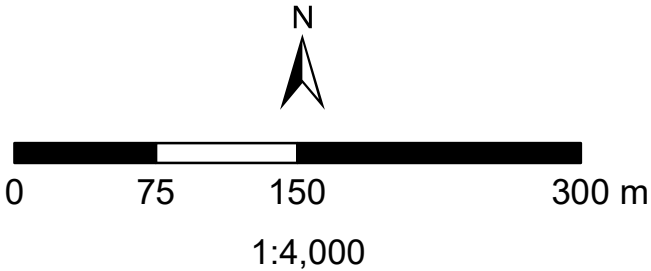
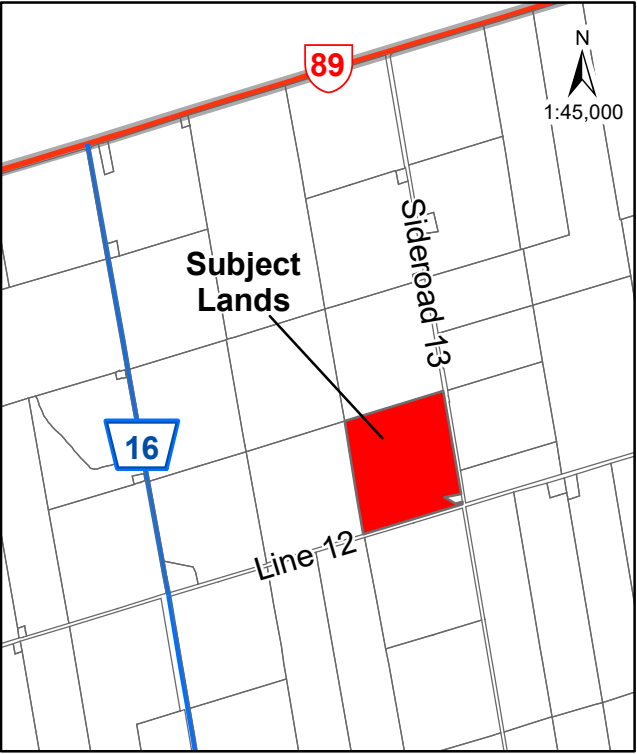
COUNTY OF WELLINGTON
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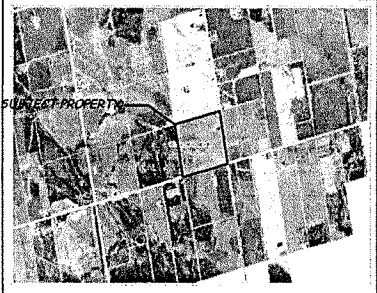


SKETCH FOR SEVERANCE APPLICATION
TOWNSHIP OF WEST LUTHER)
OWNSHIP OF WELLINGTON NORTH
COUNTY OF WELLINGTON

Scale 1 : 3000
0 90 60 30 0 60 120 Metres

WILSON-FORD

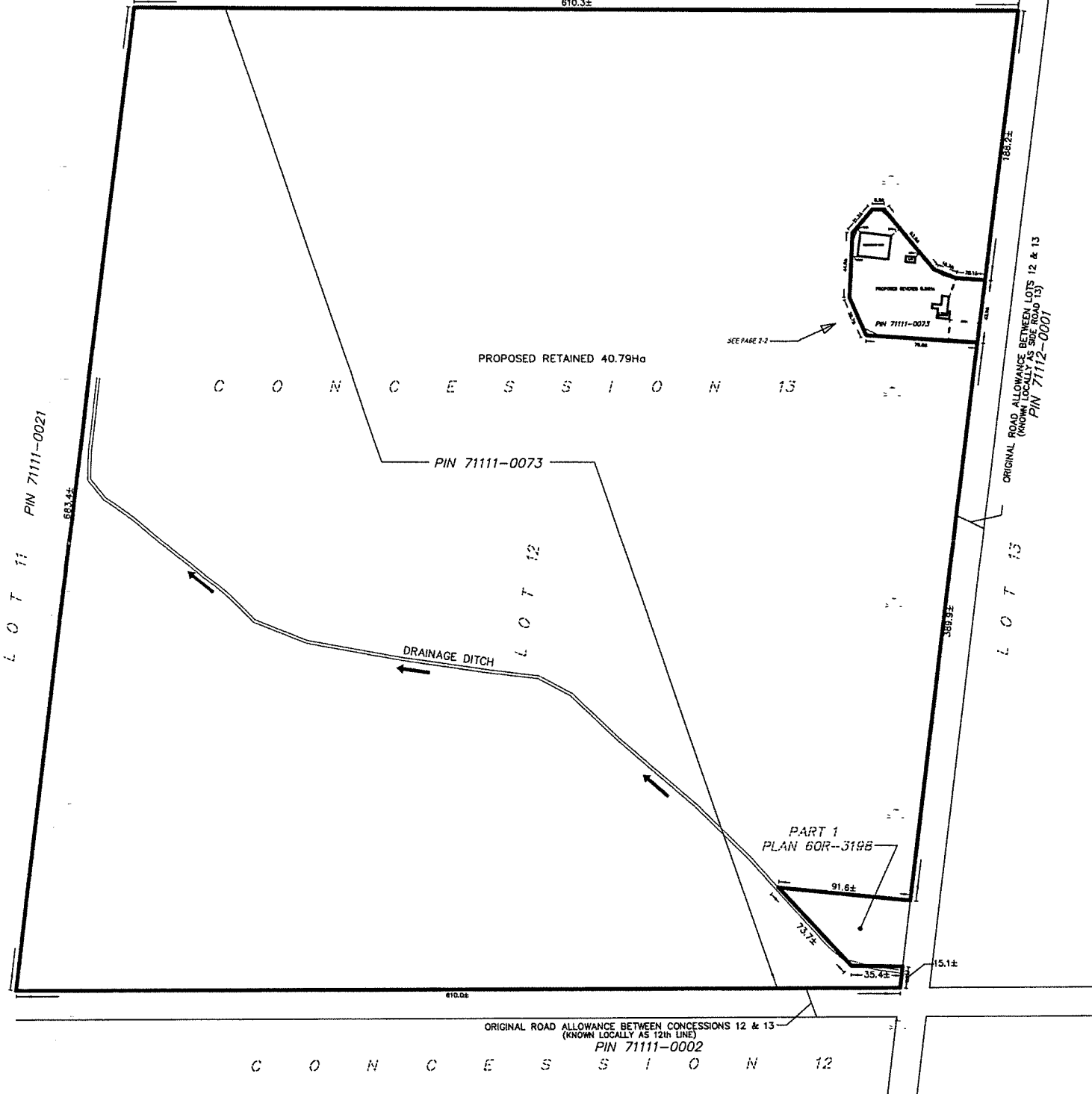
KEY MAP:
PAGE 1-2



NOTES:
VIC ADDRESS: 9466 SIDE ROAD 13
ZONING: A

C O N C E S S I O N 14

PIN 71111-0018
610.3±



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NOTES:
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DIMENSIONS SHOWN HEREON REPRESENT A COMPILATION OF VARIOUS PLANS AND DEEDS AND DO NOT REFLECT THE RESULTS OF AN ACTUAL CURRENT FIELD SURVEY.

25 NOVEMBER, 2022

GREG FORD, P.Eng(CIVIL)
ONTARIO LAND SURVEYOR

WILSON - FORD
Surveying & Engineering
120 KING ST. E., Box 294,
MOUNT FOREST ON. N0G 2L0
PHONE (519)323-2451

PROJECT No.: 22-9745 LARRY SCHILL

3148-22-Schill

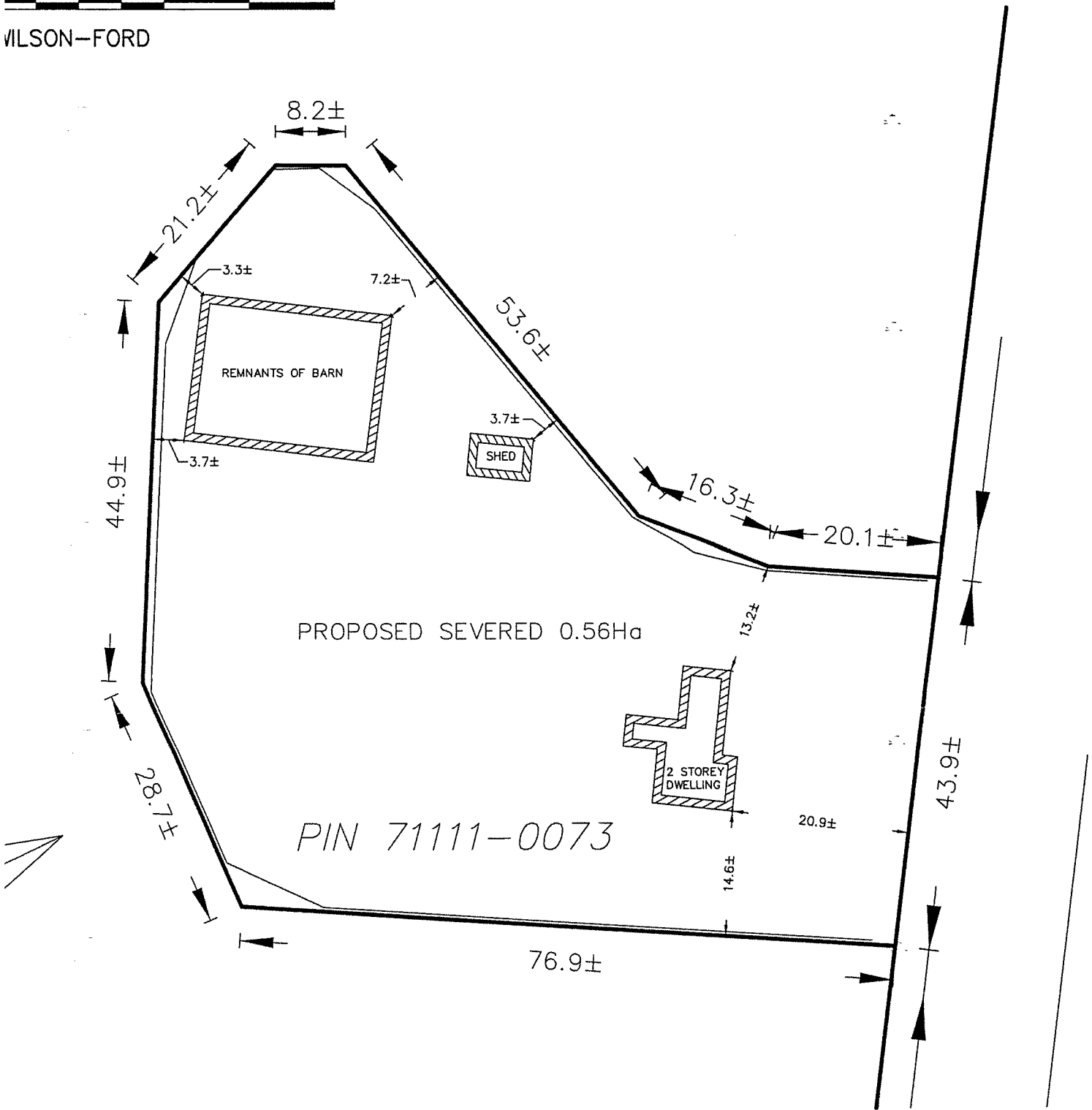
TOWNSHIP OF WEST LUTHER)
TOWNSHIP OF WELLINGTON NORTH

COUNTY OF WELLINGTON

Scale 1 : 500



WILSON-FORD



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			NOTES: CIVIC ADDRESS: 9466 SIDE ROAD 13 ZONING: A
NOTES: ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES AND ARE GEODETIC HAVING BEEN DERIVED FROM GNSS OBSERVATIONS (NAD83 CSRS). DIMENSIONS SHOWN HEREON REPRESENT A COMPILATION OF VARIOUS PLANS AND DEEDS AND DO NOT REFLECT THE RESULTS OF AN ACTUAL CURRENT FIELD SURVEY.	25 NOVEMBER, 2022 GREG FORD, P.Eng(CIVIL) ONTARIO LAND SURVEYOR	WILSON - FORD Surveying & Engineering 120 KING ST. E., Box 294, MOUNT FOREST ON. N0G 2L0 PHONE (519)323-2451	PROJECT No.: 22-9745 LARRY SCHILL

REPORT SUMMARY

OWNER, APPLICANT or AGENT SHOULD ATTEND THE CONSIDERATION OF THIS APPLICATION
NOTE: IF EXPEDITED ATTENDANCE NOT REQUIRED BEFORE THE LAND DIVISION COMMITTEE.
SIGN AND RETURN 'AGREEMENT TO CONDITIONS' LETTER IMMEDIATELY.

Date of Consideration: 02/09/2023 EXPEDITED
File Number: B148-22
Applicant: Larry Schill
Subject Lands: Township of Wellington North (West Luther) - Part Lot 12, Concession 13

Proposal is a request for consent to convey fee simple for a proposed Surplus Farm Dwelling rural residential lot 0.56 ha, existing buildings; retained agricultural parcel being 40.79 ha

ISSUES: none

SUMMARY of FILED REPORTS and COMMENTS:

Planning Review notice cards were posted at time of site visit; application is consistent with Provincial Policy and conforms to Official Plan - Prime Agricultural - Surplus Farm Dwelling policies; staff have been provided with farm information form which demonstrates that this application would constitute a farm consolidation; no concerns

Township of Wellington North in support of application; severed and retained comply with Section 8 of Zoning By-law 66-01; conditions to address

Saugeen Valley CA proposed application is generally acceptable to SVCA staff

PROPOSED CONDITIONS of APPROVAL

- 1) THAT the Owner's solicitor, in preparation for the issuance of the Certificate of Consent, provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee a printed copy of the "completed electronic transfer document in preparation".
- 2) THAT the Solicitor for the Owner give a signed undertaking in writing to provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee within 30 days of the date of registration in the Land Registry/Land Titles Office for Wellington (No. 61) a copy of the receipted and registered electronic transfer document including the Form 2 Certificate for Consent
- 3) THAT the Owner, as provided for under Section 69 of the Planning Act, R.S.O. 1990, shall pay to the Treasurer of the County of Wellington the administrative fee which is in effect at the time of the payment of the fee for the review and issuance of the Certificate of Consent for the severed parcel.
- 4) THAT the transfer for registration with respect to description complies with Ontario Regulation 43-96; and if that description contains a reference to a Reference Plan(s), the Owner's solicitor shall provide a full print of that deposited reference plan(s) as well as a digital PDF copy to the secretary-treasurer of the Planning and Land Division Committee.
- 5) THAT the Owner satisfy all the requirements of the local municipality, financial and otherwise (included but not limited to Taxes paid in Full; a Fee of \$130.00 for Township Clearance Letter of conditions – or whatever fee is applicable at the time of clearance under the municipal Fees and Charges by-law) which the Township of Wellington North may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands; and further that the Township of Wellington North file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 6) THAT the Owner satisfy the requirements of the Township of Wellington North in reference to parkland dedication consistent with By-Law 011-22; and that the Township of Wellington North file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 7) THAT the Owner enter into an agreement apportioning any future maintenance costs on any municipal drain impacted by the application, and the owner shall provide a \$500.00 deposit to cover the cost of the reapportionment if it is determined there are municipal drains impacted by the application and a \$250.00 fee for the Drainage Superintendent's review of the application to determine status of any drain; and further that the Township of Wellington North file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 8) THAT driveway access can be provided to the retained lands to the satisfaction of the Township of Wellington North; and further that the Township of Wellington North file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 9) THAT the barn foundation labeled as "Remnants of Barn" in the application be demolished and the site left in a graded level condition to the satisfaction of the Township; and further that the Township of Wellington North file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 10) THAT zoning compliance be achieved for the structure located on the severed lands to the satisfaction of the Township; and further that the Township of Wellington North file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 11) THAT the Owner receive zoning compliance and classification from the Township of Wellington North and the County of Wellington Planning Department to prohibit a new residential dwelling on the retained parcel in a manner deemed acceptable; and that the Township of Wellington North and the County of

Wellington Planning Department file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

- 12) **THAT** servicing on the severed lands can be accommodated to the satisfaction of the Township; and further that the Township of Wellington North file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

*****Conditions may be deleted, added to, or changed at meeting*****

County of Wellington Planning and Land Division Committee
Deborah Turchet, Secretary-Treasurer
Wellington County Administration Centre
74 Woolwich Street, Guelph, ON N1H 3T9

January 26, 2023

NOTICE OF CONSIDERATION IN PUBLIC FORUM

Pursuant to SECTION 53 of the ONTARIO PLANNING ACT and applicable Regulations

with respect to Application for consent,

File B148-22

APPLICANT

Larry Schill
7850 Wellington Rd 8
Alma N0B 1A0

LOCATION OF SUBJECT LANDS

Township of Wellington North (West Luther)
Part Lot 12
Concession 13

Proposed severance is 0.56 hectares with 43.9m frontage, existing and proposed rural residential use with existing dwelling and shed.

Retained parcel is 40.79 hectares with 637.1m frontage, existing and proposed agricultural use.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, FEBRUARY 09, 2023** for the purpose of considering this **EXPEDITED APPLICATION**.

CONSIDERATION WILL BE HELD IN THE: 3A (Keith Room)
County of Wellington Administration Centre
74 Woolwich Street
Guelph, Ontario N1H 3T9

NOTICE is being sent to you for your information. **THE OWNER, APPLICANT OR AUTHORIZED AGENT, OR AUTHORIZED SOLICITOR IS NOT REQUIRED TO ATTEND.** MAKE SURE THAT THE AGREEMENT LETTER IS SIGNED AND RETURNED TO THE PLANNING AND LAND DIVISION COMMITTEE OFFICE.

Please also be advised that if a person or public body that filed an appeal of a decision of the County of Wellington Planning and Land Division Committee in respect of the proposed consent has not made written submission to the County of Wellington Planning and Land Division Committee before it gives or refuses to give a provisional consent, then the Ontario Land Tribunal may dismiss the appeal.

A Copy of the **DECISION** of the Committee will be sent **to the applicant, and to each person or agency who filed with the Secretary-Treasurer a written request for Notice of Decision.**

Additional Information regarding the application is available to the public during regular business hours, Monday to Friday at the County of Wellington Planning and Land Division Office, 74 Woolwich St. Guelph ON N1H 3T9
Phone - (519) 837-2600 x2170 Fax - (519) 837-3875

To view comments for this application on our website www.wellington.ca follow these steps:

- ⇒ **Government**
- ⇒ **Council and Standing Committees**
- ⇒ **Agenda & Minutes**
- ⇒ **Select Land Division Committee**
- ⇒ **choose month & year in drop down menus**
- ⇒ **open appropriate agenda**

To: Larry Schill
Wilson-Ford Surveying & Engineering - c/o Greg Ford



RECEIVED

JAN 17 2023

Application	B148-22	SECRETARY TREASURER
Location	Part Lot 12 Concession 13	WELLINGTON COUNTY
Applicant/Owner	TOWNSHIP OF WELLINGTON NORTH (WEST LUTHER)	LAND DIVISION COMMITTEE
	Larry Schill	

PLANNING OPINION: This application would sever a 0.56 ha (1.38 ac) rural residential parcel with existing dwelling, remnants of a barn, and two sheds. A vacant 40.79 ha (100.8 ac) agricultural parcel would be retained. This application is being submitted under the surplus farm dwelling policies.

This application is consistent with Provincial Policy and would generally conform to the Official Plan. We have no concerns provided the following matters are addressed as conditions of approval:

- a) That servicing on the severed lands can be accommodated to the satisfaction of the Township;
- b) That driveway access can be provided to the retained lands to the satisfaction of the appropriate road authority;
- c) That the retained lands be rezoned to restrict residential development to the satisfaction of the County of Wellington;
- d) That zoning compliance be achieved for the structures located on the severed lands to the satisfaction of the Township; and,
- e) That the barn foundation labeled as "Remnants of Barn" in the application be demolished to the satisfaction of the Township.

PLACES TO GROW: No concerns.

PROVINCIAL POLICY STATEMENT (PPS): Section 2.3.4.1 states "Lot creation in prime agricultural areas is discouraged and may only be permitted for:

- a) Agricultural uses, provided lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
- b) Agricultural-related uses, provided that any new lots will be limited to a minimum size needed to accommodate the use an appropriate sewage and water services;
- c) a residence surplus to a farming operation as a result of farm consolidation, provided that
 - a. the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and
 - b. the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective; and
- d) Infrastructure, where the facility or corridor cannot be accommodated through the use of easements or right-of-ways."

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated PRIME AGRICULTURAL, CORE GREENLANDS and GREENLANDS. The features present on the site are provincially significant wetlands, hazard lands, and significant woodlands. None of these features are contained within the proposed severed lot. According to Section 10.3.4, a severance may be considered for an existing residence that is surplus to a farming operation as a result of farm consolidation, provided that:

- "a) the remaining vacant farmland is large enough to function as a significant part of the overall farm unit; and
- b) the result of removing the surplus dwelling from the farm does not render the remaining farmlands difficult or inefficient to farm; and
- c) the amount of good farmland retained with the surplus house is kept to a minimum size needed for residential purposes, taking into consideration environmental and topographic features; and
- d) the surplus residence is habitable and is not expected to be demolished by a future owner; and
- e) the Minimum Distance Separation formula will be met; and
- f) the vacant parcel of farmland is rezoned to prohibit a residential use.

The intention of this policy is to allow farmers to reduce their costs of acquiring additional farm parcels, where the impact on existing and future farm operations can be kept to a minimum."



With respect to the above criteria, we are satisfied that this application conforms to criteria a), b), d) and e). In regards to item c), if the barn remnants are removed there is an opportunity to modify the lot line to regularize the lot lines. Item f) can be addressed as a condition of approval.

In terms of the overall farm operation, we have been provided with a farm information form including a list of other farm holdings owned by Larry Schill who operates Lardeb Farms Ltd, which demonstrates that this application would constitute a farm consolidation.

WELL HEAD PROTECTION AREA: The subject property is not located within a Well Head Protection Area.

LOCAL ZONING BY-LAW: The subject property is currently zoned Agricultural (A) zone and Natural Environment (NE) zone. The proposed severed parcel is fully within the A Zone. Both the severed and retained lands meet the minimum lot area and frontage requirements of the Agricultural zone.

The proposed severed parcel includes a shed with an approximate area of 55.7 m² (600 ft²). Further, upon a site visit, it was noted that there is another shed located on the property, but not shown on the survey sketch. Formal confirmation of setbacks and height for these structures is recommended. Staff propose a zoning relief condition, to the satisfaction of the Township, to confirm that zoning provisions for the accessory buildings are met.

SITE VISIT INFORMATION: The subject property was visited and photographed on January 6th, 2023. Notice Cards were posted, and the survey sketch appears to meet the application requirements.

A handwritten signature in black ink, appearing to read "Joanna Salsberg".

Joanna Salsberg, Planner
January 17th, 2023

MUNICIPALITY COMMENTING FORM

The Planning and Land Division Committee, in considering the following application, respectfully requests input from the municipality. The Application and Sketch are enclosed for your information.

FILE NO: B148-22

APPLICANT

Larry Schill
7850 Wellington Rd 8
Alma N0B 1A0

LOCATION OF SUBJECT LANDS

Township of Wellington North (West Luther)
Part Lot 12
Concession 13

Proposed severance is 0.56 hectares with 43.9m frontage, existing and proposed rural residential use with existing dwelling and shed.

Retained parcel is 40.79 hectares with 637.1m frontage, existing and proposed agricultural use.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 23-49-000-016-07400-0000


Does this description reasonably describe the parcel holdings?		YES:	X	NO:		BUILDING & PLANNING DEPARTMENTS	
If answer is no, please provide new information:							
Do you consider this proposal to conform to your Official Plan?		YES:		NO:			
What Section(s) does it conform to or contravene? (Please specify)							
Will the Severed Parcel comply with all requirements of the Zoning By-law?		YES:	X	NO:			
(Please Specify)		Section 8 of Zoning By-law 66-01					
Will the Retained Parcel comply with all requirements of the Zoning By-law?		YES:	X	NO:			
(Please Specify)		Section 8 of Zoning By-law 66-01					
If Necessary, would the Municipality be prepared to consider an Amendment to the Zoning By-Law to permit the proposal to conform?		YES:		NO:		NA:	X
Or Minor Variance		YES:		NO:		NA:	X
Is proposal on an opened maintained year-round public road?		YES:	X	NO:		ROADS	
If answer is NO, is municipality willing to enter into an agreement regarding use of the seasonal road, or opening up the road?							
(Please Specify)							
Is the Proposed Lot(s) serviced now by Municipal Water?		YES:		NO:	X	WATER	
Is the Retained Lot serviced now by Municipal Water?		YES:		NO:	X		
Is the Proposed Lot(s) serviced now by Municipal Sewers?		YES:		NO:	X		
Is the Retained Lot serviced now by Municipal Sewers?		YES:		NO:	X		
Is there a Capital Works Project underway to service these lots in the near future?		YES:		NO:	X		
Approximate Time of Servicing Availability:							
Are there any other servicing arrangements, Municipal easements or Municipal Drains on the subject lands?							
Municipal Drain – Drain No. 28							

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JAN 17 2023
Continue to Page 2
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

MUNICIPALITY COMMENTING FORM

FILE NO: B148-22

Is the Municipality's Building Official satisfied that there is a sufficient site on the severed parcel for individual well and septic services?	YES:	X	NO:		BUILDING
Is there any further information that may assist the Planning and Land Division Committee? [A letter may be attached if there is insufficient space to explain.]					
Is the Municipality in support of this application?	YES:	✓	NO:		COUNCIL
What Conditions, if any, are requested by the Municipality if the Consent is granted?					Initial
THAT the Owner satisfy all the requirements of the local municipality, financial and otherwise (included but not limited to Taxes paid in Full; a Fee of \$130.00 for Township Clearance Letter of conditions — or whatever fee is applicable at the time of clearance under the municipal Fees and Charges by-law) which the Township of Wellington North may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands;					TP
THAT the Owner satisfy the requirements of the Township of Wellington North in reference to parkland dedication consistent with By-Law 011-22;					TP
THAT the Owner enter into an agreement apportioning any future maintenance costs on any municipal drain impacted by the application, and the owner shall provide a \$500.00 deposit to cover the cost of the re-apportionment if it is determined there are municipal drains impacted by the application and a \$250.00 fee for the Drainage Superintendent's review of the application to determine status of any drain;					TP
THAT driveway access can be provided to the retained lands to the satisfaction of the Township of Wellington North;					TS
THAT the barn foundation labeled as "Remnants of Barn" in the application be demolished and the site left in a graded level condition to the satisfaction of the Township.					BC
THAT the retained lands be rezoned to restrict residential development to the satisfaction of the County of Wellington;					PLNR
THAT zoning compliance be achieved for the structure located on the severed lands to the satisfaction of the Township;					PLNR
Does the Municipality request a Notice of the Decision?	YES:	X	NO:		

SIGNATURE: 

TITLE: DEVELOPMENT CLERK

ADDRESS: P.O. BOX 125, 7490 SIDEROAD 7 W., KENILWORTH, ON, N0G 2E0

DATE: _____

SENT ELECTRONICALLY ONLY (debt@wellington.ca)

January 18, 2023

County of Wellington Planning and Land Division Committee
Wellington County Administration Centre
74 Woolwich Street
Guelph, Ontario N1H 3T9ATTENTION: Deborah Turchet, Secretary-Treasurer

Dear Ms. Turchet,

RE: Application for Consent B-2022-148 (Schill c/o Wilson Ford Surveying)
9496 Sideroad 13
Part Lot 12, Concession 13
Roll No. 234900001607400
Geographic Township of Luther
Township of Wellington North

RECEIVED
JAN 19 2023SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

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 County of Wellington representing natural hazards, and natural heritage; and 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.

In accordance with the *More Homes Built Faster Act, 2022*, which was passed last fall, amendments were made to the *Conservation Authorities Act* in support of Ontario's Housing Supply Action Plan, which came into effect January 1, 2023. Following the passing of these legislative amendments, a new Ontario Regulation 596/22 was made under the *Conservation Authorities Act* which also became effective January 1, 2023. Under this new regulation, conservation authorities are no longer able to review and provide commenting services on natural heritage for proposals under the *Planning Act*. However, as an interim measure for the benefit of the County/Municipality, we provide a summary of natural heritage interests for applications received by this office before January 1, 2023.

Purpose

Proposed severance is 0.56 hectares with 43.9m frontage, existing and proposed rural residential use with existing dwelling and shed.

Retained parcel is 40.79 hectares with 637.1m frontage, existing and proposed agricultural use.

Recommendation

The proposed application is generally 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 County of Wellington 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

Large portions of the property are designated as Core Greenlands and Greenlands in the Wellington County Official Plan (OP) Schedule A6 Wellington North. The Core Greenlands designation is identifying the Provincially Significant Wetland (PSW) and the watercourse and its floodplain on the property. These areas are also zoned Natural Environment Zone (NE) in the Township of Wellington North Zoning By-law 66-01, Schedule 'A' Map 1. The Core Greenlands designation and NE zone generally match the SVCA Hazardous Lands for the property as plotted by SVCA staff. In general, no new buildings or structures are permitted in the Core Greenlands or Greenlands designation or in the NE zone.

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.

Wellington County OP Policies

Section 5.4.3 of the Wellington County OP generally directs development to be located outside of Hazardous Lands. It is the opinion of SVCA staff that the application appears to be consistent with the natural hazard/Greenland policies of the Wellington County OP.

Natural Heritage

As part of SVCA staff's desktop review, the following significant natural heritage features were identified as affecting the property: provincially significant wetlands (PSWs), significant woodlands, areas of natural and scientific interest (ANSI), fish habitat and its adjacent lands, significant wildlife habitat, and habitat of endangered species and threatened species.

Provincial Policy Statement – Section 2.1

Section 2.1 of PPS states in part that development shall not be permitted in PSWs, significant woodlands, ANSIs, fish habitat and its adjacent lands, significant wildlife habitat, and habitat of endangered species

and threatened species, and the adjacent lands to be above referenced features, except in accordance with the specific policies found in Section 2.1.

Wellington County OP Policies

Provincially Significant Wetlands (PSW)

Portions of the Luther Marsh PSW are located on the property and on the lands adjacent to the property. According to Section 5.4.1 of the Wellington County OP, PSWs are included in the Core Greenlands designation and are also shown on Schedule A6 Wellington North of the Wellington County OP. In general, development and site alteration are not permitted in wetlands which are considered provincially significant. In the opinion of SVCA staff, impacts to the PSW or its adjacent lands will be negligible as a result of this proposal, as the parcel to be severed will not include any PSW. As such, SVCA staff do not recommend the preparation of an Environmental Impact Study (EIS) to address the PSW or the adjacent lands at this time.

Significant Woodlands

Significant woodlands are included in the Core Greenlands and Greenlands designation and shown on Schedule A6-Wellington North of the Wellington County OP. Significant woodlands are located on the property and on the lands adjacent to the property. In the opinion of SVCA staff, impacts to significant woodlands or their adjacent lands will be negligible as part of this proposal. As such, SVCA staff do not recommend the preparation of an EIS to address the significant woodlands or their adjacent lands at this time.

Life Science Area of Natural and Scientific Interest (ANSI)

The property is within the adjacent lands to the Luther Marsh Life Science ANSI. ANSIs are included in the Greenlands designation as shown on Schedule A6 Wellington North of the Wellington County OP. Section 5.5.2 of the Wellington County OP states, in part, that provincially and regionally significant ANSIs will be protected from development or site alteration which would have a negative impact on the natural features or its ecological function. In the opinion of SVCA staff, the preparation of an EIS to address potential impacts to the Life Science ANSI or its ecological function is not recommended for this proposal at this time.

Fish Habitat and its Adjacent Lands

The West Luther Municipal Drain #26 flows through the property and the adjacent lands to the property. This watercourse is considered fish habitat by SVCA staff. Our review of fish habitat is provided in consideration of the PPS and local policies but does not provide clearance on the required status or legislation from either the Ministry of Natural Resources and Forestry (MNRF) or the Department of Fisheries and Oceans (DFO). Section 5.4.2 of the Wellington County OP states, in part, that development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements. It is the opinion of SVCA staff that the negative impacts to fish habitat and its adjacent lands as a result of this proposal will be negligible. As such, SVCA staff do not recommend the preparation of an EIS to address the potential impacts to fish habitat or their adjacent lands at this time.

Significant Wildlife Habitat

It has come to the attention of SVCA staff that significant wildlife habitat may be located on and/or on lands adjacent to the property. Section 5.5.1 of the Welling County OP states, in part, that development and site alteration shall not be allowed within significant wildlife habitat, unless it has been demonstrated

that there will be no negative impacts to the habitat or its ecological functions. In the opinion of SVCA staff, an EIS is not recommended to address significant wildlife habitat as SVCA staff does not anticipate any negative impacts to significant wildlife habitat resulting from this proposal.

Significant Habitat of Endangered Species or 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 5.4.2 of the Wellington County OP states, in part, 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. SVCA's role is to identify endangered and threatened species habitat via screening process in consideration of the PPS and local policies but we must direct applicants to the Ministry of the Environment, Conservation and Parks (MECP) for follow-up. It is the responsibility of the applicant/agent to ensure the endangered species and threatened species policy referred to in the PPS has been appropriately addressed. Please contact the MECP at SAROntario@ontario.ca for information on how to address this policy.

Drinking Water Source Protection Plan

The subject property appears to SVCA staff to not be located within an area that is subject to the local Drinking Water Source Protection Plan. To confirm, please contact the Risk Management Official (RMO) Kyle Davis (kdavis@centrewellington.ca).

STATUTORY COMMENTS

SVCA staff has reviewed the proposal 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.

The parcel to be severed is not subject to the SVCA's Regulation, however the southern portion of the parcel to be retained is within the SVCA Approximate Screening Area associated with Ontario Regulation 169/06, as amended. As such, development and/or site alteration within the SVCA Approximate Screening Area may require permission from SVCA, prior to work commencing.

For the parcel to be retained, the SVCA Approximate Screening Area represents the watercourse/drain and its related floodplain as well as the provincially significant wetlands that are located on the property and adjacent lands, plus an offset distance outwards from these features.

"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 the SVCA Approximate Screening Area 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, including agricultural tile drainage, within the SVCA Approximate Screening Area may require permission (SVCA Permit) prior to those works commencing.

Summary

SVCA staff has reviewed the application in accordance with our mandated responsibilities for natural hazard management, including our regulatory role under the *Conservation Authorities Act*.

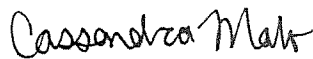
The proposed application is generally acceptable to SVCA staff.

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

- 1) Consistency with Section 3.1, Natural Hazard policies of the PPS, 2020 has been demonstrated;
- 2) Consistency with Section 2.1, Natural Heritage policies of the PPS, 2020 has been demonstrated; and
- 3) Consistency with local planning policies for natural hazards and natural heritage has been demonstrated.

Please inform this office of any decision made by the planning approval authority with regards 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 this office.

Sincerely,



Cassandra Malo
Environmental Planning Technician
Saugeen Conservation
CM\

cc: Karen Wallace, Clerk, Township of Wellington North (via email)
Darren Jones, CBO, Township of Wellington North (via email)
Steve McCabe, SVCA Member representing the Township of Wellington North (via email)