

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
MEETING AGENDA OF THE COMMITTEE OF ADJUSTMENT
DECEMBER 14, 2020 @ 7:00 P.M. VIA WEB CONFERENCING**

HOW TO JOIN

Join from a PC, Mac, iPad, iPhone or Android device:
Please click this URL to join. <https://us02web.zoom.us/j/87573136195>
Description: Public Meeting Under the Planning Act

Or join by phone:
Dial (for higher quality, dial a number based on your current location):
855 703 8985 (Toll Free)
Webinar ID: 875 7313 6195

**PAGE
NUMBER**

CALLING TO ORDER - Mayor Lennox

DISCLOSURE OF PECUNIARY INTEREST

MINUTES OF PREVIOUS MEETING(S)

- Committee of Adjustment, October 13, 2020 (A08/20)

3

Recommendation:

THAT the Committee of Adjustment meeting minutes of October 13, 2020 – A08/20 be adopted as presented.

APPLICATION

A09/20 – Amsey Frey

THE LOCATION OF THE SUBJECT PROPERTY is described as Part Lot 12, Concession 2, with a civic address of 7814 Sideroad 6 E. The subject land is approximately 39.6 ha (97.8 ac). The location of the property is shown on the map attached.

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THE PURPOSE AND EFFECT of the application is to provide relief from the Minimum Distance Separation 2 (MDS 2) setback requirements. The applicant is proposing to construct a new livestock barn and cannot meet the minimum distance required to the nearest road allowance. Other variances may be considered where deemed appropriate.

SECRETARY TREASURER

Notices were mailed to property owners within 60 meters of the subject property as well as the applicable agencies and posted on the subject property on November 23, 2020.

PRESENTATIONS

Matthieu Daoust, Planner, County of Wellington, Township of Wellington North

- Planning Report dated December 7, 2020

7

CORRESPONDENCE FOR COMMITTEE'S REVIEW

Dolly Shetty, Hydro One Networks Inc.

- Email dated November 26, 2020 (No Objection)

9

Andrew Herreman, GRCA

- Email dated November 26, 2020 (Re: Proposed Barn in SVCA watershed) 11

Michael Oberle, Saugeen Conservation

- Letter dated December 8, 2020 (No Objection) 12

REQUEST FOR NOTICE OF DECISION

Persons wishing to be notified of the decision must submit a written request to the Secretary-Treasurer.

CHAIRPERSON OPENS FLOOR FOR ANY COMMENTS/QUESTIONS

COMMENTS/QUESTIONS FROM THE COMMITTEE

DECISION

CALL FOR VOTE: SHOW OF HANDS (no mover/seconder required)

THAT the minor variance applied for in Application A09/20, for the property described as Part Lot 12, Concession 2, with a civic address of 7814 Sideroad 6 E., to provide the following relief;

1. **THAT a reduced Minimum Distance Separation II (Closest Road Allowance) of 12m (40 ft) be permitted, for a proposed barn, whereas the By-Law requires 60m (197 ft).**

ADJOURNMENT

Recommendation:

THAT the committee of adjustment meeting of December 14, 2020 be adjourned.

THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
MEETING MINUTES OF THE COMMITTEE OF ADJUSTMENT
TUESDAY, OCTOBER 13, 2020 @ 7:00 P.M.
VIA WEB CONFERENCING <https://www.youtube.com/watch?v=in2GZRHu1YE>

Members Present:

Mayor: Andrew Lennox
Councillors: Sherry Burke
Steve McCabe
Dan Yake

Member Absent:

Councillor: Lisa Hern

Staff Present:

Chief Administrative Officer:	Michael Givens
Director of Legislative Services/Clerk:	Karren Wallace
Deputy Clerk:	Catherine Conrad
Economic Development Officer:	Dale Small
Chief Building Official:	Darren Jones
Director of Operations:	Matthew Aston
Community Recreation Coordinator:	Mandy Jones
Planner:	Matthieu Daoust

CALLING TO ORDER - Chair Lennox

Chair Lennox called the meeting to order.

DISCLOSURE OF PECUNIARY INTEREST

No pecuniary interest disclosed.

APPLICATION

A08/20 – 2738330 Ontario Inc.

THE LOCATION OF THE SUBJECT PROPERTY is described Part Park Lot 1 and is Municipally known as 399 Main St N, Mount Forest. The property is approximately 0.12 ha (0.3 ac) in size.

THE PURPOSE AND EFFECT of the application is to provide relief from the minimum parking requirements. The applicants are proposing to construct a new gas station including a takeout and convenience store and will be providing seven parking spots whereas the by-law requires a minimum of nine parking spots. Other variances may be considered where deemed appropriate.

SECRETARY TREASURER

Notices were mailed to property owners within 60 meters of the subject property as well as the applicable agencies and posted on the subject property on September 18, 2020.

PRESENTATIONS

Matthieu Daoust, Planner, County of Wellington, Township of Wellington North

- Planning Report dated September 18, 2020

Planning Opinion: The variance requested would provide relief from the minimum parking requirements. The applicant is proposing to construct a new gas station with a convenience store and takeout restaurant component. The applicant is proposing to provide seven parking spots whereas the by-law requires a minimum of nine parking spaces.

We have no concerns with the requested relief and are satisfied that the application maintains the general intent and purpose of the Official Plan and Zoning By-law, and would be desirable and appropriate for the development of the subject property.

SUBJECT PROPERTY AND LOCATION

The location of the subject property is described as PT PARK LOT 1 and is Municipally known as 399 Main St N, Mount Forest. The property is approximately 0.12 ha (0.3 ac) in size.

PROPOSAL

The purpose of this application is to provide relief from the minimum parking requirements for a proposed new gas station. The applicant is proposing to include a commercial component inside the gas station including a takeout restaurant and convenience store.

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated RESIDENTIAL TRANSITION. Section 13.7 of the Plan provides consideration for minor variances provided the general intent of the Official Plan and Zoning By-law are maintained and the variance is minor and desirable for the appropriate development of the land. Consideration shall be given as to whether compliance with the by-law would be unreasonable, undesirable or would pose an undue hardship on the applicant.

TOWNSHIP OF WELLINGTON NORTH ZONING BY-LAW

The subject property is zoned Main Street Mixed Use (MU2). The applicants are proposing to construct a new gas station with the following required variance:

Parking Regulations	Permitted	Proposed	Difference
Parking (Section 6.27.8)	9 parking spots	7 parking spots	2 parking spots

The variance requested is minor and appropriate for the use of the lot. The applicants will be providing six parking space in addition to one barrier free parking space. Three of the six parking spaces will be located at each pumping station. Although it is not included in the total parking calculation there is ample space on the opposite side of each pump for informal parking areas. The variances meet the general intent of the Official Plan and Zoning By-law. I trust that this information will be of assistance to the Committee when making their decision on this application.

CORRESPONDENCE FOR COMMITTEE'S REVIEW

Kyle Davis, Risk Management Official, Wellington Source Water Protection

- Restricted Land Use Notice, No Prohibition or Risk Management Plan Required dated October 7, 2020

Michael Oberle, Environmental Planning Technician, Saugeen Conservation

- Letter dated October 7, 2020 (No Objection)

REQUEST FOR NOTICE OF DECISION

Persons wishing to be notified of the decision must submit a written request to the Secretary-Treasurer.

CHAIRPERSON OPENS FLOOR FOR ANY COMMENTS/QUESTIONS

Wajid Mansuri, agent for the applicant, stated that improvements are being made to the corner property, number of fuel positions, improvements to the boulevard, and accessible parking. The building has a residential unit on the second floor that does not meet the zoning that they are willing to remove and convert to storage. They are decreasing the size of the building by about a third for accessibility and barrier free parking. A full traffic study was completed and submitted and approved by the Township consultant.

Norm North, 403 Main Street North, Mount Forest. Mr. North lives opposite the gas station and is concerned with traffic and safety. This is a busy corner and traffic will impede anybody that lives in the vicinity. When it was a restaurant it did not generate the traffic that a gas station will. There are an abundance of gas stations in Mount Forest and he doesn't see the need.

Darren Jones, CBO, confirmed that with the commercial zoning it could go proceed without any notice. The minor variance is for parking space reduction.

COMMENTS/QUESTIONS FROM THE COMMITTEE

Councillor Burke asked if there will be access off both Sligo Road and Main Street. Matthieu Daoust confirmed that there is access from both streets. Mr. Mansuri stated that it is currently the entire property wide open. They worked with the Township engineers and minimized the size of the entrances from both streets.

Councillor Yake stated there is a lot of traffic at that corner, especially on weekends, and questioned if there was any consideration to change the way the lights function regarding delated lighting or turning signals. Matthew Aston, Director of Operations, commented that the Township engineer has looked at this application from a Main Street standpoint because Sligo Road is a County road. There is some risk related to queuing of vehicles on Sligo Road but that is something that the County needs to comment on. We can change the traffic light around to accommodate it as best we can.

Mayor Lennox had concerns with the potential of vehicles queuing on the street as there is no space or accommodation for on street parking anywhere near this for those wanting to go to the restaurant. Mr. Mansuri stated that this is not a sit-down restaurant. People will get their food and leave. It will be a quick in and out.

Mayor Lennox asked how tankers will get in and around for refueling and that how it might interfere with site lines around the corner. Mr. Mansuri commented that they ran "Truck Turn", a soft wear and worked with the Township engineer and the Township. They will come during the night, after hours so traffic will not be blocked.

DECISION

CALL FOR VOTE: SHOW OF HANDS (no mover/seconder required)

THAT the minor variance applied for in Application A08/20, for the property described as Part Park Lot 1 and Municipally known as 399 Main St. N., Mount Forest, to provide the following relief;

1. **THAT a reduced Parking Regulation of 7 parking spots be permitted, for a proposed new gas station with a convenience store and takeout restaurant component, whereas the By-Law requires 9 parking spots.**

APPROVED

ADJOURNMENT

RESOLUTION: CoA 2020-025

Moved: Burke

Seconded: McCabe

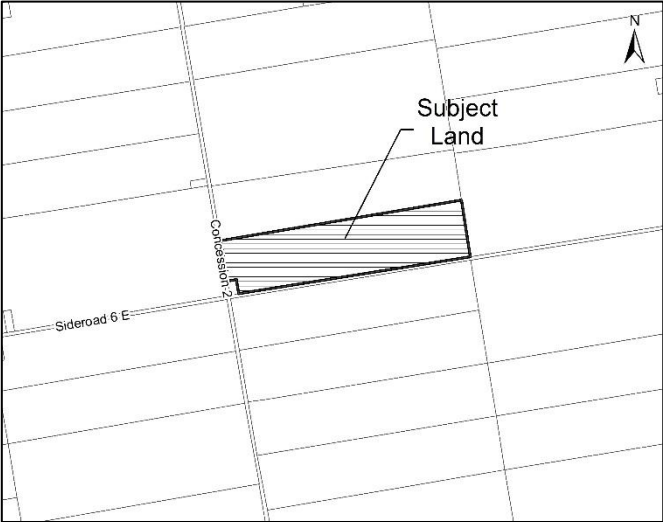
THAT the committee of adjustment meeting of October 13, 2020 be adjourned at 7:36 p.m.

CARRIED

Secretary Treasurer

Chair

AMSEY FREY





COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
ALDO SALIS, M.Sc., B.E.S., MCIP, RPP, DIRECTOR
TEL: (519) 837-2600
FAX: (519) 823-1694
1-800-663-0750

ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

December 7, 2020

Mr. Darren Jones, Chief Building Official
Township of Wellington North Committee of Adjustment
7490 Sideroad 7 West
Kenilworth, ON N0G 2E0

Dear Mr. Jones,

Re: **Minor Variance Application A09/20**
7814 Sideroad 6 E, Part Lot 12 Concession 2
Amsey Frey

We have reviewed the application for minor variance and provide the following comments. Please be advised that these comments were formulated without the benefit of a site visit.

Planning Opinion The variance requested would permit the construction of a new 1,729 m² (18,610 ft²) livestock barn. The location of the proposed barn does not meet the minimum distance separation (MDS II) from the closest road allowance.

The location of the proposed barn provides operational efficiency. Furthermore, based on the provided sketch, the applicant offset the barn further into the subject lands to avoid any additional MDS conflicts with the closest neighboring dwelling and conflict with the wooded area north of the proposed barn. We have no concerns with the relief requested for the proposed barn provided the GRCA have no objections. The application would maintain the general intent and purpose of the Official Plan and Zoning By-law, is minor, desirable and appropriate for the development of the subject property.

SUBJECT PROPERTY AND LOCATION

The location of the subject property is described as Part Lot 12, Concession 2, with a civic address of 7814 Sideroad 6 E. The subject land is approximately 39.6 ha (97.8 acres) and is occupied by a dwelling, barn and shed (Figure 1).

PROPOSAL

The purpose of this application is to provide relief from the minimum distance separation (MDS II) setback requirements. The applicants are proposing to construct a new barn and cannot meet the minimum distance required to the nearest road allowance.

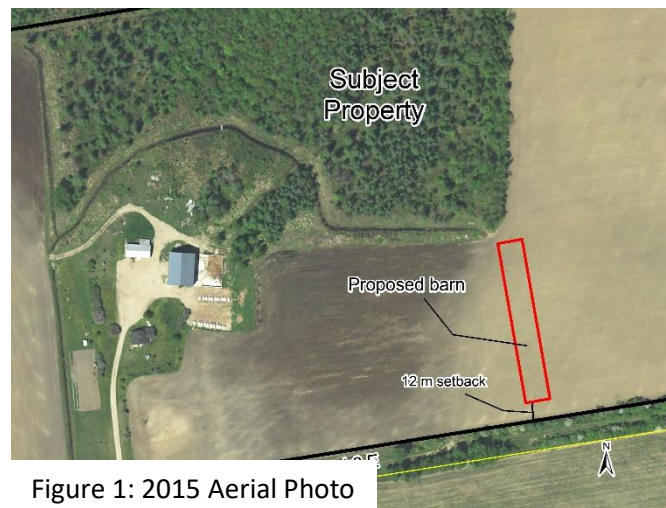


Figure 1: 2015 Aerial Photo

PROVINCIAL POLICY STATEMENT (PPS)

The subject property is within an area of prime agricultural land. New or expanding livestock facilities shall comply with the minimum distance separation formulae. Guideline #43 of the MDS Implementation Guidelines outlines that minor variances to MDS II distances can be considered based on site specific circumstances. Circumstances that meet the intent, if not the precise distances of MDS II, or mitigate environmental impacts, may warrant further consideration.

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated PRIME AGRICULTURAL, GREENLANDS and CORE GREENLANDS. In Prime Agricultural Areas, all types, sizes and intensities of agricultural uses and normal farm practices will be promoted and protected in accordance with provincial standards. Furthermore, Section 13.7 of the Plan provides consideration for minor variances provided the general intent of the Official Plan and Zoning By-law are maintained and the variance is minor and desirable for the appropriate development of the land. Consideration shall be given as to whether compliance with the by-law would be unreasonable, undesirable or would pose an undue hardship on the applicant.

TOWNSHIP OF WELLINGTON NORTH ZONING BY-LAW

The subject property is zoned Agricultural (A) and Natural Environment (NE). The location of the proposed barn does not meet the minimum distance separation (MDS II) to the closest road allowance.

The proposed barn will be located within a portion of the Natural Environment (NE) zone (Figure 2). Per Section 28.2 no new building or new structure shall be constructed. Additionally, Section 6.20.1 states no building or structure shall be constructed closer than 30m (98.4 ft) from the limit of an NE zone. Section 2.6 of the Township of Wellington North Zoning By-law states that the boundaries of the NE zone can be more precisely determined by the applicable Conservation Authority. Upon re-interpretation of the zone boundary, all requirements (including any setbacks) shall be reviewed relative to the revised interpretation.

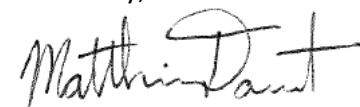
To date, planning staff have not received GRCA comments. Planning staff are satisfied with the application provided GRCA staff have no objection and can reinterpret the NE boundary.

The following relief is required:

Proposed Barn	Required	Proposed	Difference
Minimum Distance Separation II (Closest Road Allowance)	60 m (197 ft)	12 m (40 ft)	48 m (157 ft)

I trust that this information will be of assistance to the Committee when making their decision on this application.

Yours truly,



Matthieu Daoust, RPP MCIP
Planner

From: Dolly.Shetty@HydroOne.com on behalf of
LandUsePlanning@HydroOne.com
Sent: November 26, 2020 10:02 AM
To: Tammy Pringle
Subject: Wellington - Roll 234900000805500 - A09-20

Hello,

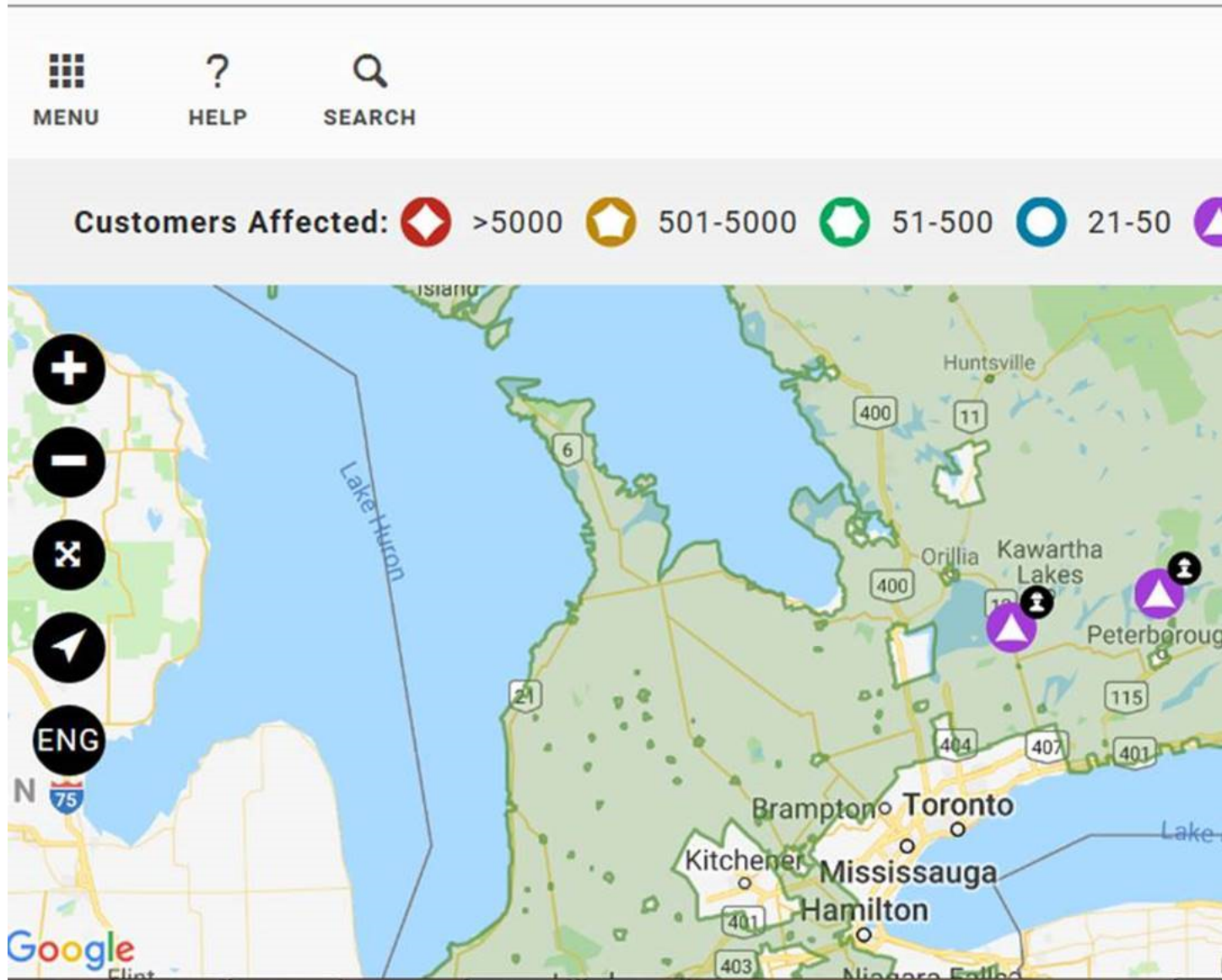
We are in receipt of Application A09/20 dated November 20, 2020. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.

For proposals affecting 'Low Voltage Distribution Facilities' please consult your local area Distribution Supplier.

To confirm if Hydro One is your local distributor please follow the following link:

<http://www.hydroone.com/StormCenter3/>

Please select " Search" and locate address in question by entering the address or by zooming in and out of the map



If Hydro One is your local area Distribution Supplier, please contact Customer Service at 1-888-664-9376 or e-mail CustomerCommunications@HydroOne.com to be connected to your Local Operations Centre

Thank you,

Best Wishes,

Dolly Shetty

Real Estate Assistant | Land Use Planning

Hydro One Networks Inc.

185 Clegg Road (R32)

Markham, ON | L6G 1B7

Email: Dolly.Shetty@HydroOne.com

From: Andrew Herreman <aherreman@grandriver.ca>
Sent: November 26, 2020 9:14 AM
To: Michael Oberle
Cc: Tammy Pringle
Subject: FW: NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE: Amsey Frey
Attachments: NOTICE OF Virtual Meeting - A09-20 Amsey Frey.pdf; Application - MV A09 20 Amsey Frey.pdf

Good morning Michael,

Please see the attached circulation from the Township of Wellington North for A09-20.

While a portion of the property is within the GRCA watershed and contains wetlands, a watercourse and the associated regulated area, the proposed barn is within the SVCA watershed. As such, we will not be providing comments on the application or charging review fees.

Let me know if you have any questions.

Sincerely,

Andrew Herreman, CPT | Resource Planning Technician
Grand River Conservation Authority
400 Clyde Road, PO Box 729, Cambridge, Ontario N1R 5W6
(519) 621-2763 x 2228 | www.grandriver.ca

From: Tammy Pringle <tpringle@wellington-north.com>
Sent: Friday, November 20, 2020 8:35 AM
Subject: NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE: Amsey Frey

TOWNSHIP OF WELLINGTON NORTH COMMITTEE OF ADJUSTMENT

NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE

Planning Act, R.S.O. 1990, Chap.P.13, ss.45 (5)

A09/20

TAKE NOTICE that an application for minor variance, under the above file number has been submitted to the Committee of Adjustment for the Township of Wellington North. The Committee will give consideration to the minor variance application on:

Monday, December 14, 2020 @ 7:00 p.m.
Via Zoom electronic meeting

The public is invited to watch the remote meeting:

HOW TO JOIN



1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada N0G 1W0
Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

SENT ELECTRONICALLY ONLY (tpringle@wellington-north.com)

December 8, 2020

Township of Wellington North
7490 Sideroad 7 West
Kenilworth, Ontario
N0G 2E0

ATTENTION: Tammy Pringle, Development Clerk

Dear Ms. Pringle,

RE: Proposed Minor Variance A09-20 (Amsey Frey)
7814 Sideroad 6 East
South Half Lot 12 Concession 2
Roll No.: 234800000805500
Geographic Township of Arthur
Township of Wellington North

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 reviewed the application as part of 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 and effect of the application is to provide relief from the minimum distance separation requirements to construct a new pig barn.

Recommendation

SVCA staff find the application acceptable.

Background

On your behalf, your agent, Cleon Martin, first contacted the SVCA on July 1, 2020 to inquire about the construction of a proposed barn, and installation of a laneway that would connect the existing farmstead area to the new barn location. A preliminary plan was submitted to the SVCA at that time. On September 28, 2020 you provided the SVCA with an updated sketch showing the location for barn proposal. It was the understanding of SVCA staff that a *Planning Act* application (proposed minor variance) will be required to allow for the barn to be built closer to the municipal road allowance, than what is allowed for in the zoning by-law. SVCA staff



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

Township of Wellington North
Proposed Minor Variance A09-20 (Amsey Frey)
December 8, 2020
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conducted a site inspection to the property on September 28, 2020 and met you at the property on that day. SVCA staff provided you with pre-consultation comments (attached for reference) for the proposed minor variance on September 30, 2020. Furthermore, as part of the SVCA's Regulation, on September 30, 2020, SVCA staff issued SVCA permit 20-276 (attached for reference) for the construction of a 53.5 foot east-west by 356 foot north-south barn, installation of a laneway, and related excavation, filling, and grading, all within 30 metres from the edge of part of Darrynane Swamp Locally Significant Wetland.

Please be advised that the western portion of the property is located within the Grand River Conservation Authority (GRCA) watershed, while the eastern portion of the property, including the location for proposed development, is located within the SVCA watershed. Therefore, these comments only refer to the portion of the property within the SVCA watershed. Please refer to information from GRCA for that part of the property within the GRCA watershed.

DELEGATED RESPONSIBILITY AND ADVISORY COMMENTS

SVCA staff has reviewed the development proposal 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 development proposal 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:

Areas of the property are designated Core Greenlands or Greenlands in the County of Wellington Official Plan (OP), Schedule A6 Wellington North and are zoned Natural Environment (NE) in the Township of Wellington North Zoning By-law No. 66-01. In general, no new buildings or structures are permitted within the Core Greenlands and Greenlands designation or the NE zone. SVCA staff are of the opinion that the Core Greenlands and Greenlands designation and the NE zone for the property generally coincide with the hazardous lands mapping originally plotted by SVCA staff. The Core Greenlands and Greenlands designation is identifying wetlands and woodlands. It is the opinion of SVCA staff that based on the plan submitted, the location of the proposed barn will not be located within the Core Greenlands or Greenlands designation or in the NE zone. Based on the plans submitted, the proposed laneway would be located within the Core Greenlands designation and NE zone, however this would be acceptable to SVCA staff as the laneway location is part of an actively cultivated agricultural field, which has been actively cultivated since at least 2015.

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, based on the plan submitted, the development proposal 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, based on the plan submitted, the development proposal is consistent with Wellington County OP policies.

Township of Wellington North
Proposed Minor Variance A09-20 (Amsey Frey)
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Natural Heritage:

As part of SVCA staff's desktop review, the following significant natural heritage features were identified as affecting the property: Derrynane Locally Significant Wetland, significant woodlands, adjacent lands to fish habitat, and potentially the habitat of endangered species and threatened species.

Provincial Policy Statement – Section 2.1

Section 2.1 of the PPS, 2020 states in part that development shall not be permitted in significant wetlands, significant woodlands, fish habitat, and the habitat of endangered species and threatened species, and the adjacent lands to the above referenced features, except in accordance with Policies found in Section 2.1.

Wellington County OP Policies

Derrynane Swamp Locally Significant Wetland (LSW)

Part of Derrynane Swamp LSW is located on the property. According to section 5.4.1 of the Wellington County OP, all wetlands are included in the Core Greenlands designation and are shown on Schedule A6 Wellington North of the Wellington County OP. Based on the development proposal, the construction of a barn and related site work will not be located within the wetlands, but will be located within the adjacent lands to the wetlands. It is the opinion of SVCA staff that development as proposed conforms to the applicable wetland policies found in section 5 of the Wellington County OP, and that impacts to the wetland are likely to be negligible, therefore the preparation of an environmental impact study (EIS) to address the LSW is not recommended by SVCA staff at this time.

Significant Woodlands

Significant woodlands are included in the Core Greenlands and Greenlands designation and are shown on Schedule A6 Wellington North of the Wellington County OP in accordance with section 5.5.4 of the Wellington County OP. The woodlands on the property are considered significant woodlands. Based on the development proposal, the construction of a barn and related site work will not be located within the woodlands but will be located within the adjacent lands to the woodlands. It is the opinion of SVCA staff that development as proposed conforms to the applicable significant woodland policies found in section 5 of the Wellington County OP, and that impacts to the woodlands are likely to be negligible, therefore the preparation of an environmental impact study (EIS) to address the significant woodlands is not recommended by SVCA staff at this time.

Adjacent Lands to Fish Habitat

According to information available to SVCA staff, an unnamed tributary of Bell's Creek/Bethel Creek is located on the property. The watercourse is considered fish habitat by SVCA staff, and section 5.4.2 of the Wellington County OP is applicable. However, based on the development proposal, development will not be located within fish habitat or its adjacent lands. Therefore, the preparation of an EIS to address fish habitat is not recommended by SVCA staff at this time.

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 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. It is the responsibility of the applicant/landowner to ensure the endangered species and threatened species policy referred to in the PPS has

Township of Wellington North
Proposed Minor Variance A09-20 (Amsey Frey)
December 8, 2020
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been appropriately addressed. Please contact the Ministry of Environment, Conservation and Parks (MECP) for information on how to address this policy. MECP inquiries can be sent via email to: SAROntario@ontario.ca.

STATUTORY COMMENTS

SVCA staff has reviewed the development 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.

Within the SVCA watershed, large portions of the property are located within the SVCA's 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 work commencing.

"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.

For the property, the SVCA Approximate Screening Area is representing parts of Derrynane Locally Significant Wetland (LSW) and an offset distance of 30 metres outwards from the wetland boundary, as well as the low area along the road allowance that may be susceptible to periods of flooding. 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.

Furthermore, on September 30, 2020, SVCA staff issued SVCA permit 20-276 for the construction of a proposed barn, and installation of a laneway that would connect the existing farmstead area to the new barn location. A copy of SVCA permit 20-276 is attached for reference.

Township of Wellington North
Proposed Minor Variance A09-20 (Amsey Frey)
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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 minor variance is 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, with the exception of endangered species and threatened species policy, which must be addressed by the applicant/landowner; and
- 3) Consistency with local planning policies for natural hazards and natural heritage has been demonstrated, with the exception of endangered species and threatened species policy, which must be addressed by the applicant/landowner.

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 the undersigned.

Sincerely,



Michael Oberle
Environmental Planning Technician
Saugeen Conservation
MO/
Enclosures

cc: Cleon Martin, Nutrient Management agent (via email)
Amsey Frey, owner (via regular mail)
Karen Wallace, Clerk, Township of Wellington North (via email)
Steve McCabe, SVCA Member representing the Township of Wellington North (via email)
Laura Warner, Resource Planner, GRCA (via email)
Andrew Herreman, Resource Planning Technician, GRCA (via email)



1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada N0G 1W0
Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

SENT BY REGULAR MAIL

September 30, 2020

Amsey Frey
7814 Sideroad 6 East
RR 1
Kenilworth, Ontario
N0G 2E0

Dear Mr. Amsey Frey,

RE: Proposed Barn Construction and Pre-Submission Consultation for Proposed *Planning Act* Application –
Proposed Minor Variance
7814 Sideroad 6 East
South Half Lot 12 Concession 2
Roll No.: 234800000805500
Geographic Township of Arthur
Township of Wellington North

On your behalf, your agent, Cleon Martin, first contacted the Saugeen Valley Conservation Authority (SVCA) on July 1, 2020 to inquire about the construction of a proposed barn, and installation of a laneway that would connect the existing farmstead area to the new barn location. A preliminary plan was submitted to the SVCA at that time. On September 28, 2020 you provided the SVCA with an updated sketch showing the location for barn proposal. A copy of the updated sketch provided by you to the SVCA is attached for reference. Finally, it is the understanding of SVCA staff that a *Planning Act* application (proposed minor variance) will be required to allow for the barn to be built closer to the municipal road allowance, than what is allowed for in the zoning by-law. SVCA staff conducted a site inspection to the property on September 28, 2020 and met you at the property on that day. The Regulatory comments provided in this correspondence are in accordance with the SVCA's mandate and the SVCA Environmental Planning and Regulations Policies Manual (SVCA Policies Manual), amended October 16, 2018, and the pre-submission consultation comments regarding *Planning Act* matters are in accordance with the SVCA Policies Manual relating to plan review

Please be advised that the western portion of the property is located within the Grand River Conservation Authority (GRCA) watershed, while the eastern portion of the property is located within the SVCA watershed. Therefore, these comments only refer to the portion of the property within the SVCA watershed. Please refer to information from GRCA for that part of the property within the GRCA watershed.

The proposal for construction of a barn, and installation of a laneway that would connect the existing farmstead area to the new barn location would be acceptable to SVCA staff, subject to conditions, and as mentioned below. Furthermore, the passing of a proposed minor variance required to allow for the barn to be built closer to the municipal road allowance, than what is allowed for in the zoning by-law would be acceptable to SVCA staff. We elaborate with the following comments.



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

Amsey Frey
Proposed Barn Construction and Pre-Submission Consultation for Proposed *Planning Act* Application –
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September 30, 2020
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DELEGATED RESPONSIBILITY AND ADVISORY COMMENTS

SVCA staff has reviewed the development proposal 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 development proposal 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.

Please note, SVCA staff provides advice and recommendations to the Township of Wellington North regarding natural hazard and natural heritage matters, but the SVCA is not the Approval Authority for *Planning Act* Applications. Furthermore, the SVCA is not the zoning administrator. We recommend you contact the Township of Wellington North for information on the *Planning Act* process. Should a *Planning Act* Application be circulated to the SVCA for a proposed minor variance to allow for the barn to be built closer to the municipal road allowance, than what is allowed for in the zoning by-law, it would be found acceptable to SVCA staff.

Natural Hazards:

Areas of the property are designated Core Greenlands or Greenlands in the County of Wellington Official Plan (OP), Schedule A6 Wellington North and are zoned Natural Environment (NE) in the Township of Wellington North Zoning By-law No. 66-01. In general, no new buildings or structures are permitted within the Core Greenlands and Greenlands designation or the NE zone. SVCA staff are of the opinion that the Core Greenlands and Greenlands designation and the NE zone for the property generally coincide with the hazardous lands mapping originally plotted by SVCA staff. The Core Greenlands and Greenlands designation is identifying wetlands and woodlands. It is the opinion of SVCA staff that based on the plans submitted, the location of the proposed barn will not be located within the Core Greenlands or Greenlands designation or in the NE zone. Based on the plans submitted, the proposed laneway would be located within the Core Greenlands designation and NE zone, however this would be acceptable to SVCA staff as the laneway location is part of an actively cultivated agricultural field, which has been actively cultivated since at least 2015.

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, based on the plans submitted, the development proposal 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, based on the plans submitted, the development proposal is consistent with Wellington County OP policies.

Amsey Frey
Proposed Barn Construction and Pre-Submission Consultation for Proposed *Planning Act* Application –
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Natural Heritage:

As part of SVCA staff's desktop review, the following significant natural heritage features were identified as affecting the property: Derrynane Locally Significant Wetland, significant woodlands, adjacent lands to fish habitat, and potentially the habitat of endangered species and threatened species.

Provincial Policy Statement – Section 2.1

Section 2.1 of the PPS, 2020 states in part that development shall not be permitted in significant wetlands, significant woodlands, fish habitat, and the habitat of endangered species and threatened species, and the adjacent lands to the above referenced features, except in accordance with Policies found in Section 2.1.

Wellington County OP Policies

Derrynane Swamp Locally Significant Wetland (LSW)

Part of Derrynane Swamp LSW is located on the property. According to section 5.4.1 of the Wellington County OP, all wetlands are included in the Core Greenlands designation and are shown on Schedule A6 Wellington North of the Wellington County OP. Based on the development proposal, the construction of a barn and related site work will not be located within the wetlands, but will be located within the adjacent lands to the wetlands. It is the opinion of SVCA staff that development as proposed conforms to the applicable wetland policies found in section 5 of the Wellington County OP, and that impacts to the wetland are likely to be negligible, therefore the preparation of an environmental impact study (EIS) to address the LSW is not recommended by SVCA staff at this time.

Significant Woodlands

Significant woodlands are included in the Core Greenlands and Greenlands designation and are shown on Schedule A6 Wellington North of the Wellington County OP in accordance with section 5.5.4 of the Wellington County OP. The woodlands on the property are considered significant woodlands. Based on the development proposal, the construction of a barn and related site work will not be located within the woodlands but will be located within the adjacent lands to the woodlands. It is the opinion of SVCA staff that development as proposed conforms to the applicable significant woodland policies found in section 5 of the Wellington County OP, and that impacts to the wetland are likely to be negligible, therefore the preparation of an environmental impact study (EIS) to address the significant woodlands is not recommended by SVCA staff at this time.

Adjacent Lands to Fish Habitat

According to information available to SVCA staff, an unnamed tributary of Bell's Creek/Bethel Creek is located on the property. The watercourse is considered fish habitat by SVCA staff, and section 5.4.2 of the Wellington County OP is applicable. However, based on the development proposal, development will not be located within fish habitat or its adjacent lands. Therefore, the preparation of an EIS to address fish habitat is not recommended by SVCA staff at this time.

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 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. It is the responsibility of the

Amsey Frey
Proposed Barn Construction and Pre-Submission Consultation for Proposed *Planning Act* Application –
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applicant/landowner to ensure the endangered species and threatened species policy referred to in the PPS has been appropriately addressed. Please contact the Ministry of Environment, Conservation and Parks (MECP) for information on how to address this policy. MECP inquiries can be sent via email to: SAROntario@ontario.ca.

STATUTORY COMMENTS

SVCA staff has reviewed the development 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.

Within the SVCA watershed, large portions of the property are located within the SVCA's 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 work commencing.

"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.

For the property, the SVCA Approximate Screening Area is representing parts of Derrynane Locally Significant Wetland (LSW) and an offset distance of 30 metres outwards from the wetland boundary, as well as the low area along the road allowance that may be susceptible to periods of flooding. 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. Based on your plan as submitted to the SVCA, the construction of a proposed barn, and installation of a laneway that would connect the existing farmstead area to the new barn location will be located within the SVCA Approximate Screening Area, and so will require a permit from the SVCA,

Amsey Frey

Proposed Barn Construction and Pre-Submission Consultation for Proposed *Planning Act* Application –

Proposed Minor Variance

September 30, 2020

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prior to those works occurring. Furthermore, SVCA staff has issued SVCA permit 20-276 for the construction of a proposed barn, and installation of a laneway that would connect the existing farmstead area to the new barn location. A copy of SVCA permit 20-276 is attached for reference.

Right to Hearing

Please be advised that the owner(s) of a property may submit an Application for a development or alteration proposal to the SVCA at any time. An Application must be complete as determined by the SVCA for it to be considered. The completeness of an Application is determined by SVCA staff, or an administrative review can be requested by the applicant to the SVCA's General Manager/Secretary Treasurer. In the event that the administrative review by the SVCA's General Manager/Secretary Treasurer determines an Application is not complete, the applicant can request an administrative review by the Authority.

In accordance with Section 28 (12) of the *Conservation Authorities Act*, permission required under Ontario Regulation 169/06, as amended, shall not be refused or granted subject to conditions unless the person requesting the permission has been given the opportunity for a hearing (by request) before the Authority or, in the case of the SVCA, before the Authority's Executive Committee. Should you receive an SVCA permit, approved by staff, with conditions of approval and object to one or more of the conditions, you will have the option to attend a hearing before the SVCA Executive Committee. Should you submit a complete Application for which staff is not prepared to issue a permit, you will have the option to attend a hearing scheduled before the SVCA Executive Committee. After holding a hearing under Section 28 (12), the SVCA Executive Committee shall, (a) refuse the permission; or (b) grant the permission, with or without conditions. After the hearing, if the Executive Committee refuses permission, or grants permission subject to conditions, the person who requested permission shall be given written reasons for the decision. If the person is refused permission or objects to conditions imposed on the permission, the person may appeal to the Mining and Lands Tribunal within 30 days of receiving the reasons for the refusal.

CONCLUSION

The construction of a proposed barn, and installation of a laneway that would connect the existing farmstead area to the new barn location is acceptable to SVCA staff and, as mentioned above, SVCA permit 20-276 has been issued for the work.

If a *Planning Act* Application is circulated to the SVCA for a proposed minor variance to allow for the barn to be built closer to the municipal road allowance, than what is allowed for in the zoning by-law, it would be found acceptable to SVCA staff. Preliminary SVCA staff comments regarding Zoning and Official Plan matters have been included within this correspondence but should not be considered all-encompassing or the formal SVCA staff *Planning Act* Application comments.

Specific development proposals are required to be submitted and reviewed by SVCA staff on an individual basis. SVCA staff has provided comments based on the information that is currently available, and there is no guarantee that these comments will remain unchanged indefinitely.

Amsey Frey
Proposed Barn Construction and Pre-Submission Consultation for Proposed *Planning Act* Application –
Proposed Minor Variance
September 30, 2020
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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/

Enclosures: site plan from Amsey Frey; and
SVCA Permit 20-276;

cc: Cleon Martin, agent (via email)
Darren Jones, CBO, Township of Wellington North (via email)
Steve McCabe, SVCA Authority Member for Wellington North and Minto (via email)
Laura Warner, Resource Planner, GRCA (via email)



1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada N0G 1W0
Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

SENT BY REGULAR MAIL

September 30, 2020

Amsey Frey
7814 Sideroad 6 East
RR 1
Kenilworth, Ontario
N0G 2E0

Dear Mr. Amsey Frey,

RE: Application to Alter a Regulated Area
7814 Sideroad 6 East
South Half Lot 12 Concession 2
Roll No.: 234800000805500
Geographic Township of Arthur
Township of Wellington North
SVCA Permit No. 20-276

The Saugeen Valley Conservation Authority (SVCA) has approved your application for the construction of a 53.5 foot east-west by 356 foot north-south barn, installation of a laneway, and related excavation, filling, and grading, all within 30 metres from the edge of part of Darrynane Swamp Locally Significant Wetland as indicated on the enclosed permit. This approval is subject to conditions, which are stated on the permit.

If you cannot comply with any condition listed as part of this approval, you must not begin your project and must notify the SVCA.

Right to Hearing

Please be advised that the owner(s) of a property may submit an Application for a development or alteration proposal to the SVCA at any time. An Application must be complete as determined by the SVCA for it to be considered. The completeness of an Application is determined by SVCA staff, or an administrative review can be requested by the applicant to the SVCA's General Manager/Secretary Treasurer. In the event that the administrative review by the SVCA's General Manager/Secretary Treasurer determines an Application is not complete, the applicant can request an administrative review by the Authority. In accordance with Section 28 (12) of the *Conservation Authorities Act*, permission required under Ontario Regulation 169/06, as amended, shall not be refused or granted subject to conditions unless the person requesting the permission has been given the opportunity for a hearing (by request) before the Authority or, in the case of the SVCA, before the Authority's Executive Committee. Should you receive an SVCA permit, approved by staff, with conditions of approval and object to one or more of the conditions, you will have the option to attend a hearing before the SVCA Executive



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

Amsey Frey
SVCA Permit No. 20-276
September 30, 2020
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Committee. Should you submit a complete Application for which staff is not prepared to issue a permit, you will have the option to attend a hearing scheduled before the SVCA Executive Committee. After holding a hearing under Section 28 (12), the SVCA Executive Committee shall, (a) refuse the permission; or (b) grant the permission, with or without conditions. After the hearing, if the Executive Committee refuses permission, or grants permission subject to conditions, the person who requested permission shall be given written reasons for the decision. If the person is refused permission or objects to conditions imposed on the permission, the person may appeal to the Mining and Lands Tribunal within 30 days of receiving the reasons for the refusal.

Zoning and Official Plan

Administration and final interpretation of the Zoning By-law and Official Plan are the responsibility of the Municipality and/or County. We recommend you contact the Township of Wellington North and/or County of Wellington to confirm the zoning status and/or designation for the property, and for all other items relating to the Zoning By-law and Official Plan.

As the provincial commenting agency for matters relating to Natural Hazards (Natural Environment/Greenlands/etc. zones and/or designations) in association with applications made under the Planning Act, the SVCA is required to provide comments and assistance to the Municipality and/or County and its residents for zoning and Official Plan matters in this regard. The SVCA also provides recommendations pertaining to Natural Heritage in accordance with the Plan Review Agreements currently in effect with our member municipalities, and as a watershed agency associated with Planning Act applications. Therefore, if a planning application (proposed Zoning By-law amendment, application for minor variance, application for consent, site plan approval, Draft Plan of Subdivision, Draft Plan of Condominium, etc.) is required in association with a proposal for the subject property, the SVCA will be involved in that process as a review agency and the SVCA's comments to that process will be forwarded to the Municipality and/or County at that time. SVCA comments (dated September 30, 2020) regarding Zoning and Official Plan matters have provided to you as part of the pre-consultation process regarding a potential minor variance related to the development proposal. Therefore, please see those comments for further details regarding Zoning and Official Plan matters.

Please note, you should not start construction until you have applied for and received a building permit from the Chief Building Official for the Township of Wellington North.

Should any other work be proposed within the SVCA watershed within the SVCA Approximate Screening Area in the future, the SVCA should be contacted as review and permission from the SVCA may be required. Thank you for your cooperation. Should you have any questions, please do not hesitate to contact Michael Oberle of this office.

Sincerely,



Erik Downing
Manager, Environmental Planning and Regulations
Saugeen Conservation
ED\mo
Enclosure

cc: Darren Jones, CBO, Township of Wellington North (via email)
Cleon Martin, agent (via email)
Steve McCabe, SVCA Authority Member for Wellington North and Minto (via email)
Laura Warner, Resource Planner, GRCA (via email)



1078 Bruce Rd. 12, P.O. Box 150
Formosa ON N0G 1W0

PERMIT NO.

20-276

PERMIT

Conservation Authorities Act, R.S.O., 1990, Chap. C27

SCHEDULE

1

OF

2

THIS PERMIT ISSUED ON

September 30, 2020

AND EXPIRES ON

September 30, 2022

☒

Permit for Major Works



Permit for Minor Works



Permit for Standard/Other Works

PERMIT TO:



Alter a Watercourse

☒

Place Fill or do Grading in a Regulated Area

☒

Construct a Building in a Regulated Area

☒

Construct a Structure in a Regulated Area

In accordance with Regulation 169/06 and amendments thereto, permission is granted to:

Name: Amsey Frey

Mailing Address: 7814 Sideroad 6 East, RR 1

Municipality: Kenilworth, Ontario

Postal Code: N0G 2E0

Phone No.: 519-848-6399

For the following works:

Construction of a 53.5 foot east-west by 356 foot north-south barn, installation of a laneway, and related excavation, filling, and grading, all within 30 metres from the edge of part of Darrynane Swamp Locally Significant Wetland.

at Lot/Concession: South Part Lot 12 Concession 2

Civic No.: 7814 Sideroad 6 East

Roll number: 234980000085500

Municipality: Township of Wellington North
(Geographic Township of Arthur)

for the period of: September 30, 2020 to September 30, 2022

SUBJECT TO THE SPECIFIC CONDITIONS STATED IN SCHEDULE 2 TO THIS PERMIT:

NOTE:

BEGIN YOUR PROJECT ONLY IF YOU, THE APPLICANT, AGREE TO ALL OF THE SPECIFIC AND GENERAL CONDITIONS STATED IN THIS PERMIT. IF YOU DISAGREE WITH ANY CONDITION, YOU MUST NOTIFY THE SVCA AND YOU MUST NOT BEGIN YOUR PROJECT.

GENERAL CONDITIONS: See reverse side of this form.

Signature of Authority Official

Manager, Environmental Planning and Regulations

Title

IMPORTANT! Read the reverse of this form

GENERAL CONDITIONS

The applicant, by acceptance and in consideration of the issuance of this permit, agrees to the following conditions:

1. The applicant shall comply with the Specific Conditions in the attached schedules.
2. This permit is valid only for the time period specified and the applicant agrees to request an extension from the Saugeen Valley Conservation Authority prior to the expiration of this period should an extension be required.
3. This permit does not preclude any other legislation, federal or provincial, or necessary approvals from the local municipality.
4. Authorized representatives of the Saugeen Valley Conservation Authority may, at any time, enter onto the lands which are described herein in order to make surveys, examinations, investigations or inspections which are required for the purpose of ensuring that the work(s) authorized by this permit are being carried out according to the terms of this permit.
5. The applicant agrees
 - (a) to indemnify and save harmless on a solicitor and client basis, the Saugeen Valley Conservation Authority and its officers, employees, or agents, from and against all damage, loss, costs, claims, demands, actions and proceedings, arising out of or resulting from any act or omission of the owner and/or applicant or of any of his/her agents, employees or contractors relating to any of the particulars, terms or conditions of this permit;
 - (b) that this permit shall not release the applicant from any legal liability or obligation and remains in force subject to all limitations, requirements and liabilities imposed by law;
 - (c) that all complaints arising from the execution of the works authorized under this permit shall be reported prior to the expiration of this permit by the applicant to the Saugeen Valley Conservation Authority. The applicant shall indicate any action which has been taken, or is planned to be taken, if any, with regard to each complaint;
 - (d) that the permit issued herein is based upon the plans or sketches submitted to the Saugeen Valley Conservation Authority and the accuracy of the matters contained in the application to the Authority.
6. This permit is not assignable.
7. The applicant acknowledges that should the works be carried out in contrary to the terms of this permit, the permit may be revoked and the applicant may be in violation of the Saugeen Valley Conservation Authority's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 169/06), and subject to the penalties imposed under the Conservation Authorities Act, R.S.O., 1990, Chap. C27, as amended.

**This permit is a public record which is accessible upon request.
This information in this permit is collected under the authority of the
Conservation Authorities Act, R.S.O., 1990, Chap. C27, as amended.**

SCHEDULE

2

OF

2

APPLICANT: Amsey Frey

SPECIFIC CONDITIONS:

1. Construction of a 53.5 foot east-west by 356 foot north-south barn, installation of a laneway, and related excavation, filling, and grading, all within 30 metres from the edge of part of Darrynane Swamp Locally Significant Wetland shall be in accordance with:
 - i) Site plan received by the SVCA from Amsey Frey on September 28, 2020; and
 - ii) SVCA Application to Alter a Regulated Area dated September 28, 2020 and received by the SVCA on September 28, 2020.
2. The northwest corner of the barn shall be no closer than 8 metres from the wetland edge/tree edge.
3. It is the responsibility of the Applicant (Amsey Frey) to ensure that all other agency and municipal approvals are in place.
4. It is the responsibility of the Applicant (Amsey Frey) to ensure that all contractor(s) hired for construction are aware of this permit and conditions.
5. Site grading, excavation or movement of fill shall not occur within the wetland edge/tree edge.