



7490 Sideroad 7 W, PO Box 125,
Kenilworth, ON N0G 2E0

www.wellington-north.com

519.848.3620

1.866.848.3620 FAX 519.848.3228

Plan to
Simply Explore.

www.simplyexplore.ca

Public Meeting

Monday, January 23, 2017 at 7:00 PM

Municipal Office Council Chambers, Kenilworth

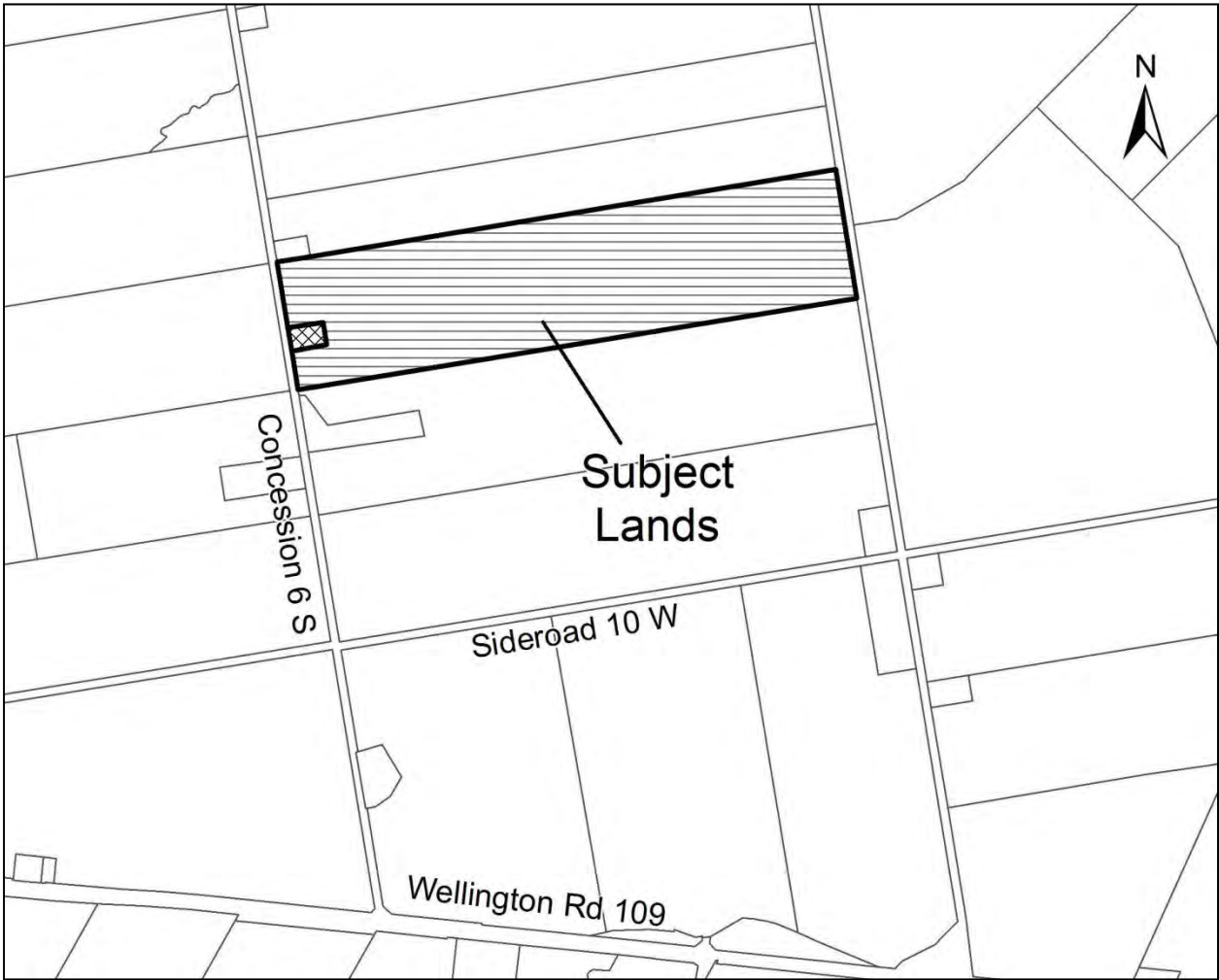
AGENDA

AGENDA ITEM	PAGE NO.
<p><u>CALLING TO ORDER</u></p> <ul style="list-style-type: none">- Mayor Lennox <p><u>DISCLOSURE OF PECUNIARY INTEREST(S) AND THE GENERAL NATURE THEREOF</u></p> <p><u>OWNERS/APPLICANT</u></p> <ul style="list-style-type: none">- 746992 Ontario Ltd. <p><u>LOCATION OF THE SUBJECT LAND</u></p> <p>The property subject to the proposed amendment is described as Part Lot 26, Concession 5, Geographic Township of Arthur, with a civic address of 8627 Concession 6 South. The property is 40.42 hectares (99.87 acres) in size and the location is shown on the map attached.</p> <p><u>PURPOSE AND EFFECT OF THE APPLICATION</u></p> <p>The purpose and effect of the proposed amendment is to rezone the subject lands to restrict any future residential development on the retained agricultural portion of property and to permit an existing drive shed with an area of 230 m² (2475.69 ft²) to remain on the severed residential portion of property. This rezoning is a condition of severance application B52/16, that was granted provisional approval by the Wellington County Land Division</p>	001

AGENDA ITEM	PAGE NO.
<p>Committee. The consent will sever the existing dwelling 0.42 ha (1.03 acres) from the agricultural parcel under the surplus farm dwelling policies.</p> <p><u>NOTICE</u></p> <p>Notices were mailed to property owners within 120 m of the subject property as well as the applicable agencies and posted on the subject property on December 22, 2016.</p> <p><u>PRESENTATIONS</u></p> <p>Linda Redmond, Senior Planner</p> <ul style="list-style-type: none">- See attached report and draft by-law prepared by Elizabeth Martelluzzi, Junior Planner <p><u>CORRESPONDENCE FOR COUNCIL'S REVIEW</u></p> <p>None.</p> <p><u>REQUEST FOR NOTICE OF DECISION</u></p> <p>The by-law will be considered at the regular council meeting following the public meeting. Persons wishing notice of the passing of the by-law must submit a written request.</p> <p><u>MAYOR OPENS FLOOR FOR ANY COMMENTS/QUESTIONS</u></p> <p><u>COMMENTS/QUESTIONS FROM COUNCIL</u></p>	<p>002</p>

AGENDA ITEM	PAGE NO.
<p><u>OWNERS/APPLICANT</u></p> <ul style="list-style-type: none"> - South Saugeen Developments Ltd <p><u>LOCATION OF THE SUBJECT LAND</u></p> <p>The land subject to the proposed amendment is described as Part of Park Lots 10, 11 and 12, s/s Princess Street, Part of Park Lots I, K and L, MacDonald's Survey, Geographic Town of Mount Forest. The property is 0.348 hectares (0.85 acres) in size and is currently vacant. The location is shown on the map attached.</p>	007
<p><u>PURPOSE AND EFFECT OF THE APPLICATION</u></p> <p>The purpose and effect of the proposed amendment is to rezone the subject lands from Future Development FD to Residential R2 to facilitate construction of semi-detached dwellings on four proposed lots (8 units' total). This amendment is required in order to facilitate this proposal.</p> <p><u>NOTICE</u></p> <p>Notices were mailed to property owners within 120 m of the subject property as well as the applicable agencies and posted on the subject property on December 22, 2016.</p> <p><u>PRESENTATIONS</u></p> <p>Linda Redmond, Senior Planner</p> <ul style="list-style-type: none"> - See attached report and draft by-law prepared by Mark Van Patter Manager of Planning and Environment 	008
<p><u>CORRESPONDENCE FOR COUNCIL'S REVIEW</u></p> <p>Jim Klujber, Chief Operating Officer, Wellington North Power Inc.</p> <ul style="list-style-type: none"> - Developer to consult for electrical service layout <p>Emily Bumbaco, Planning Technician, Upper Grand District School Board</p> <ul style="list-style-type: none"> - No objection <p>Michael Obrele, Environmental Planning Technician, Saugeen Valley conservation Authority</p> <ul style="list-style-type: none"> - Application is acceptable to SVCA Staff 	014 015 016

AGENDA ITEM	PAGE NO.
<p>Patrick J. Kraemer, Duncan, Linton LLP, representing the Township of Wellington North</p> <ul style="list-style-type: none">- Recommends that the proponent be required to provide proof of conformity with the <i>Environmental Assessment Act</i> for the proposed undertaking prior to any approval for the zoning by-law amendment that may be granted by the Township. <p><u>REQUEST FOR NOTICE OF DECISION</u></p> <p>The by-law will be considered a future regular council meeting. Persons wishing notice of the passing of the by-law must submit a written request.</p> <p><u>MAYOR OPENS FLOOR FOR ANY COMMENTS/QUESTIONS</u></p> <p><u>COMMENTS/QUESTIONS FROM COUNCIL</u></p> <p><u>ADJOURNMENT</u></p>	<p>020</p>



749662 Ontario Ltd.



**PLANNING REPORT
for the TOWNSHIP OF WELLINGTON NORTH**

Prepared by the County of Wellington Planning and Development Department

DATE: January 17, 2016
TO: Mike Givens, C.A.O.
 Township of Wellington North
FROM: Elizabeth Martelluzzi, Junior Planner
 County of Wellington
SUBJECT: **749662 Ontario LTD. c/o Christopher Checkley**
8627 Concession 6 South
Zoning By-law Amendment

Planning Opinion The zoning amendment is required as a condition of provisional consent (B52/16) by the Wellington County Land Division Committee. The purpose of the application is to rezone the subject lands to restrict future residential development on the retained agricultural lot. We have no objections to implementing this decision. Both the PPS and County Plan provide for surplus farm dwelling severances, provided the agricultural lands are rezoned to prohibit future residential dwellings.

Additional zoning relief is also required for the existing accessory structure on the severed residential parcel. The existing driveshed occupies a total lot coverage of 230m² (2475.69 sq ft), whereas the Zoning By-law permits a maximum lot coverage of 92.9 m² (1000 sq ft). We have no concerns with the relief requested.

INTRODUCTION

The property subject to the proposed amendment is described as Lot 26, Concession 5, Geographic Township of Arthur, with a civic address of 8627 Concession 6 South. The proposal is a condition of a recent severance application on the property, B52/16. The retained portion of the property is 40 hectares (98.8 ac) and the severed portion is 0.42 hectares (1.03 ac) in size.

PROPOSAL

The purpose of the application is to rezone the subject lands to restrict future residential development on the retained agricultural lot and to permit the existing accessory structures totaling 230 m² (2475.69 sq ft) on the severed residential lot. This rezoning is a condition of severance application B52/16, that was granted provisional approval by the Wellington County Land Division Committee on September 14, 2016. The consent will sever the existing dwelling and accessory structure (0.42 hectares) from the agricultural parcel under the surplus farm dwelling policies.



Figure 1 : Severed and retained lands



Figure 2 : Severed parcel detail

PROVINCIAL POLICY STATEMENT (PPS)

The subject property is considered to be within a PRIME AGRICULTURAL area. Section 2.3.4.1(c) of the PPS provides consideration for the severance of a surplus residence, provided that new residential dwellings are prohibited on the remnant parcel of farmland.

WELLINGTON COUNTY OFFICIAL PLAN

The subject lands are designated PRIME AGRICULTURE. This application is required as a result of a severance application. Section 10.3.4 of the Official Plan implements the PPS and requires that the remnant parcel be rezoned to prohibit dwellings. 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.

ZONING BY-LAW

The subject lands are zoned Agricultural (A) and Natural Environment (NE). Section 6.1.4 allows a maximum lot coverage of 92.9 m² (1,000 ft²) for a lot of this size, whereas the existing driveshed has a total lot coverage of 230 m² (2475.69 sq ft).

Two site specific zonings are required in order to facilitate the proposal. The first site specific (A-188) will prohibit a dwelling on the retained agricultural parcel. The second site specific (A-189) zoning will address the floor area of the accessory building (driveshed) with a total lot coverage of 230 m² (2475.69 sq ft) on the severed residential parcel.

Respectfully submitted
County of Wellington Planning and Development Department

E. Martelluzzi

Elizabeth Martelluzzi, Junior Planner

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
BY-LAW NUMBER _____.**

**BEING A BY-LAW TO AMEND ZONING BY-LAW NUMBER 66-01
BEING THE ZONING BY-LAW FOR THE TOWNSHIP OF WELLINGTON NORTH**

WHEREAS, the Council of the Corporation of the Township of Wellington North deems it necessary to amend By-law Number 66-01; as amended pursuant to Section 34 of The Planning Act, R.S.O. 1990, as amended.

NOW THEREFORE the Council of the Corporation of the Township of Wellington North enacts as follows:

1. THAT Schedule "A" Map 1 to By-law 66-01 is amended by changing the zoning on lands described as Part Lot 26, Concession 5 in the Geographic Township of Arthur as shown on Schedule "A" attached to and forming part of this By-law from:
 - **Agricultural (A) to "Agricultural Exception (A-188)**
 - **Agricultural (A) to "Agricultural Exception (A-189)**

2. THAT Section 33, Exception Zone 3 – Rural Areas, is amended by the inclusion of the following new exception:

33.188 Lot 26, Con 5	A-188	Notwithstanding any other section of this by-law to the contrary, a residential dwelling shall be prohibited in this zone. Other agricultural uses that are not accessory to a dwelling are permitted subject to MDS II conformity
--------------------------------	--------------	---

3. THAT Section 33, Exception Zone 3 – Rural Areas, is amended by the inclusion of the following new exception:

33.189 Lot 26, Con 5	A-189	<p>Notwithstanding Section 6.1.4 or any other section of this by-law, the existing driveshed existing on the day of passing of this by-law may have a maximum floor area of 230 m² (2475.69 sq.ft), subject to the following conditions:</p> <ul style="list-style-type: none"> a) enlargement of this shed is not permitted. b) additional accessory structures are not permitted including a hobby barn or building under the home industry provisions. c) removal of the existing shed shall void this provision.
--------------------------------	--------------	--

4. THAT except as amended by this By-law, the land as shown on the attached Schedule 'A' shall be subject to all applicable regulations of Zoning By-law 66-01, as amended.
5. THAT this By-law shall come into effect upon the final passing thereof pursuant to Section 34(21) and Section 34(22) of The Planning Act, R.S.O., 1990, as amended, or where applicable, pursuant to Sections 34 (30) and (31) of the Planning Act, R.S.O., 1990, as amended.

READ A FIRST AND SECOND TIME THIS _____ DAY OF _____, 2017

READ A THIRD TIME AND PASSED THIS _____ DAY OF _____, 2017

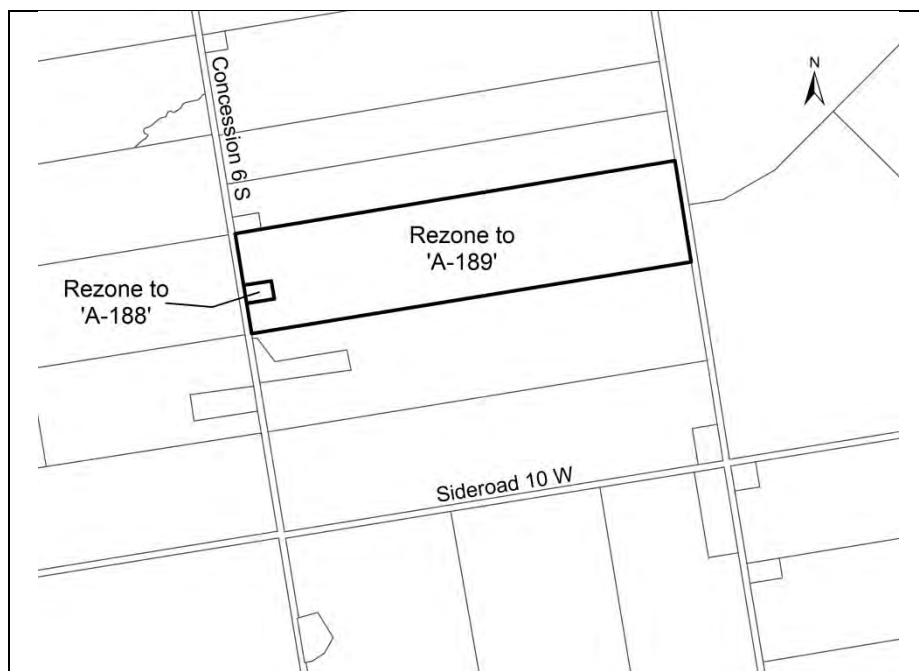
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "A"



Rezone from Agricultural (A) to Agricultural Exceptions (A-188 and A-189)

Passed this ____ day of _____ 2017.

_____.

MAYOR

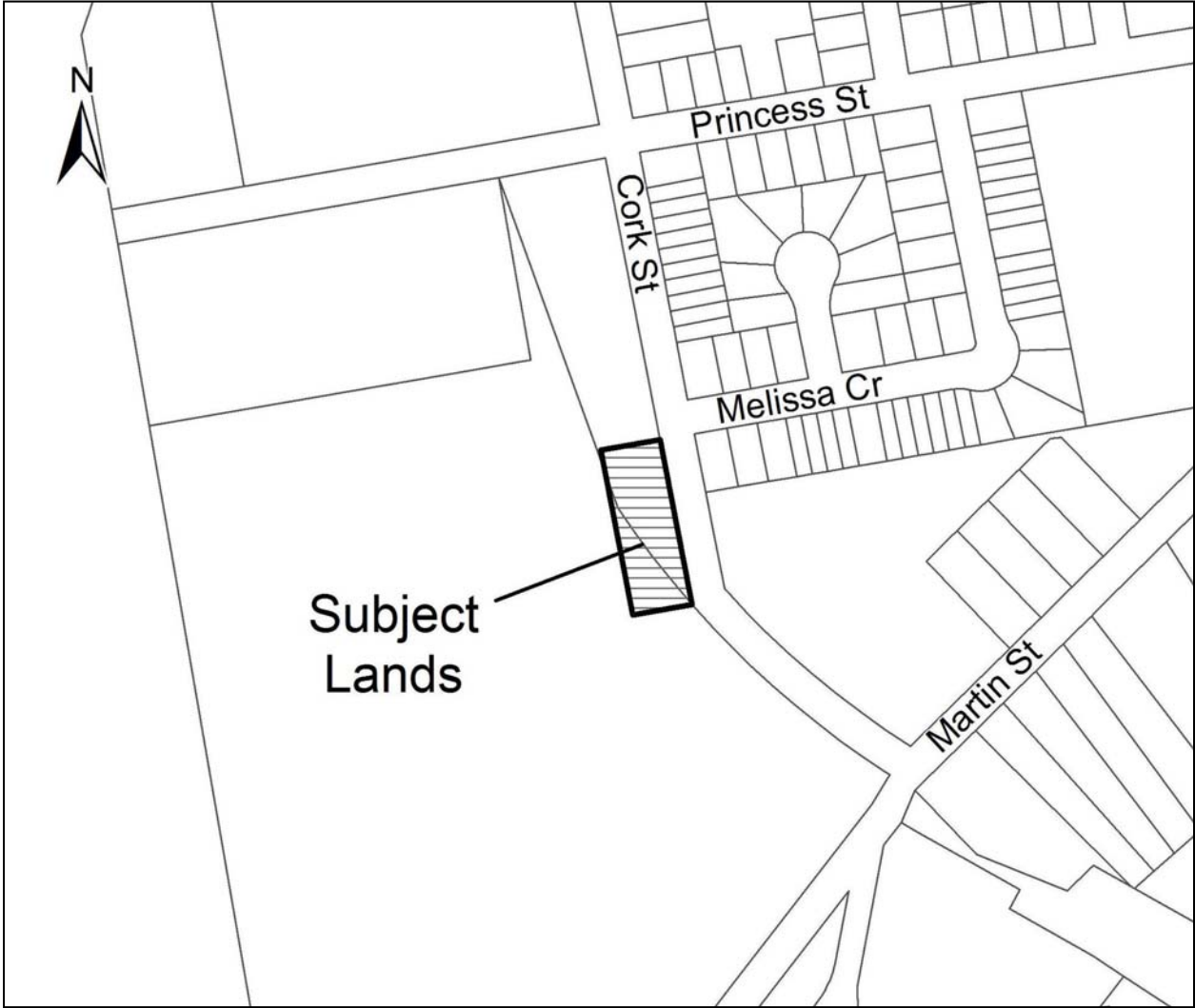
_____.

CLERK

EXPLANATORY NOTE**BY-LAW NUMBER _____.**

THE LOCATION being rezoned is Part Lot 26, Concession 5, Geographic Township of Arthur, with a civic address of 8627 Concession 6 South. The lands subject to the amendment are 40.42 ha (99.87 ac) in size and are currently zoned Agriculture (A) and Natural Environment (NE).

THE PURPOSE AND EFFECT of the amendment is to rezone the subject lands to restrict future residential development and to permit the existing accessory structures totaling 230 m² in size on the severed residential lot. This rezoning is a condition of severance application B52/16, that was granted provisional approval by the Wellington County Land Division Committee. The consent will sever the existing dwelling (1.03 ac) from the agricultural parcel under the surplus farm dwelling policies.



South Saugeen Developments Ltd.



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
 GARY A. COUSINS, M.C.I.P., DIRECTOR
 TEL: (519) 837-2600
 FAX: (519) 823-1694
 1-800-663-0750

ADMINISTRATION CENTRE
 74 WOOLWICH STREET
 GUELPH, ONTARIO
 N1H 3T9

January 16, 2017

Darren Jones, Building Official
 Township of Wellington North
 7490 Sideroad 7 W
 Kenilworth, ON N0G 2E0

Dear Mr. Jones:

**Re: South Saugeen Developments – John Padfield
 Future Development (FD) to Residential (R2) for Semi-Detached Units
Zoning By-law Amendment**

PLANNING OPINION

Provided the 4 lots are approved by the Land Division Committee, we do not have any concerns with the proposed rezoning.

SUBJECT LAND

The land subject to the proposed amendment is described as Part of Park Lots 10, 11 and 12, s/s Princess Street, Part of Park Lots I, K and L, MacDonald's Survey, Geographic Town of Mount Forest. The subject lands are 0.348 hectares (0.85 acres) in size and currently vacant.

PURPOSE

The purpose and effect of the proposed amendment is to rezone the subject lands from Future Development FD to Residential R2 to permit the construction of semi-detached dwellings on four proposed lots (8 units total). A Planning Report by Ron Davidson and a Phase 3 Environmental Site Assessment Report by Tom Haygarth were submitted along with the application.

PROVINCIAL POLICY STATEMENT

Section 1.1.3.3 of the 2014 PPS states that, "*planning authorities shall identify appropriate locations and promote opportunities for intensification*". Section 1.4.3 encourages Planning Authorities to provide an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents.



WELLINGTON COUNTY OFFICIAL PLAN

The property is located within the Mount Forest Urban Centre and is designated Residential. The policies of Section 8.3.2 of the Official Plan set out a number of objectives for residential development including, “g) to encourage intensification, development proposals provided they maintain the stability and character of existing neighbourhoods.”

ZONING BY-LAW

The property is zoned Future Development (FD).

PLANNING CONSIDERATIONS

Development by Severance Versus Plan of Subdivision

Section 10.1.2 (a), Creating New Lots, of the Official Plan indicates that a plan of subdivision will normally be required when “four or more lots, including the retained, are being created”. The County Land Division Committee will be dealing with 8 consent applications related to this development at their February meeting – 4 lot line adjustments and 4 severances (B120/16 thru B127/16). I would recommend that a decision on the rezoning not be made until the consents are granted by the County.

Rezoning from FD to R2

In order to permit the proposed semi-detached lots, the land would have to be rezoned to R2. I have reviewed the R2 zoning regulations and find that the proposed lots would be sufficiently large for minimum lot area and lot frontage requirements to be met.

Residential Density

Section 4.4.4 (b) requires development on Greenfield areas to meet a density of at least 6.5 units per gross acre. The proposal is for 8 semi-detached units on 0.802 acres. Therefore, there is no concern in this regard.

Neighbourhood Compatibility and Intensification

The lands on the west side of Cork Street are currently vacant, except for the arena property, approximately 65 metres northwest of the subject lands. The subject lands are situated so as to allow for the extension of Melissa Crescent westward over the vacant lands. There are no compatibility issues with existing development.

Phase 3 – Environmental Site Assessment

The proposed development area is on and adjacent to a former rail line. As a result of Phase 2 testing, it was found that Arsenic level were significant. This was remediated through the removal of 950 metric tonnes of material trucked to a landfill site. Subsequent testing found Arsenic levels to be insignificant. This issue has been satisfactorily addressed.

Stormwater Management

It's my understanding that one of the conditions of severance will require a development agreement with the Township, that will deal with stormwater management among other things. Council should be satisfied that development of these 4 lots will not compromise the future development of vacant interior lands.

DRAFT BY-LAW

I have attached a draft zoning by-law amendment.

I trust that these comments will be of assistance to Council in their consideration of this matter.

Sincerely,



Mark Van Patter, MCIP, RPP
Manager of Planning and Environment

C: Ron Davidson, Applicant's Planner by email

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
BY-LAW NUMBER _____.**

**BEING A BY-LAW TO AMEND ZONING BY-LAW NUMBER 66-01
BEING THE ZONING BY-LAW FOR THE TOWNSHIP OF WELLINGTON NORTH**

WHEREAS, the Council of the Corporation of the Township of Wellington North deems it necessary to amend By-law Number 66-01;

NOW THEREFORE the Council of the Corporation of the Township of Wellington North enacts as follows:

1. THAT Schedule "A" Map 3 – Mount Forest - to By-law 66-01 is amended by changing the zoning on lands described as Part of Park Lots 10, 11 and 12, s/s Princess Street, Part of Park Lots I, K and L, MacDonald's Survey, Geographic Town of Mount Forest, as illustrated on Schedule "A" attached to and forming part of this By-law, from **Future Development (FD) to Residential (R2)**.
2. That except as amended by this By-law, the subject lands, as shown on Schedule 'A' to this By-law, shall be subject to all other applicable regulations of By-law Number 66-01, as amended.
3. This By-law shall come into effect on the final passing thereof by the Council of Corporation of the Township of Wellington North, subject to compliance with the provisions of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

READ A FIRST AND SECOND TIME THIS _____ DAY OF _____, 2017.

READ A THIRD TIME AND PASSED THIS _____ DAY OF _____, 2017.

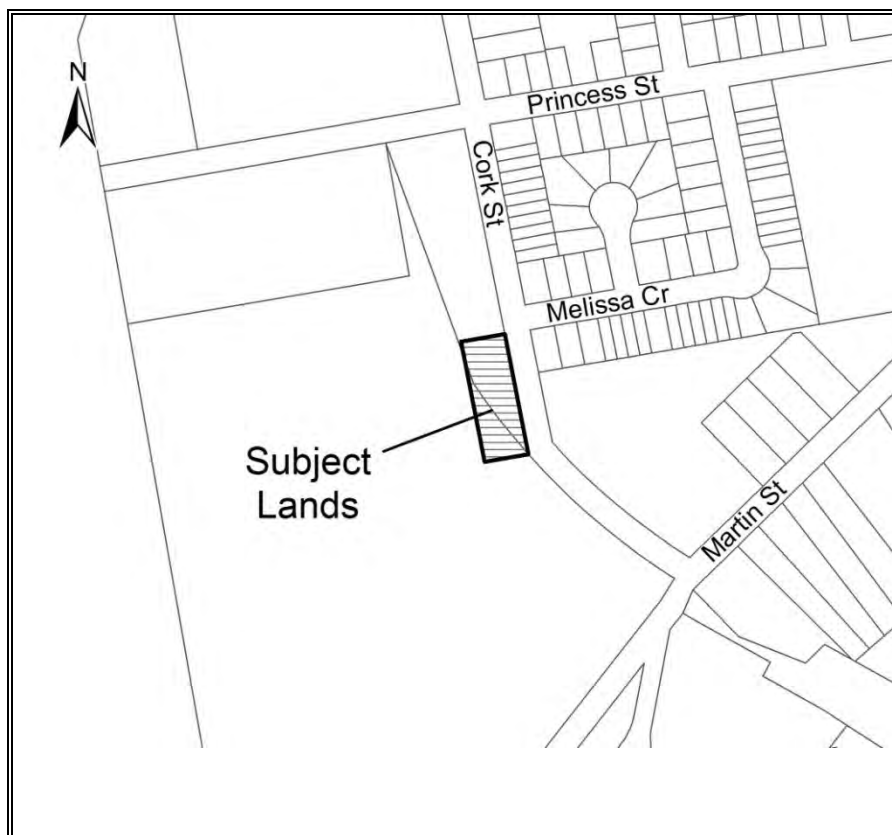
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "A"



Rezone from Future Development (FD) to Residential (R2)

This is Schedule "A" to By-law _____.

Passed this ____ day of _____ 2017.

MAYOR

CLERK

EXPLANATORY NOTE**BY-LAW NUMBER _____.****SUBJECT LAND**

The land subject to the proposed amendment is described as Part of Park Lots 10, 11 and 12, s/s Princess Street, Part of Park Lots I, K and L, MacDonald's Survey, Geographic Town of Mount Forest. The property is 0.348 hectares (0.85 acres) in size and is currently vacant.

PURPOSE

The purpose and effect of the proposed amendment is to rezone the subject lands from Future Development FD to Residential R2 to permit the construction of semi-detached dwellings on four proposed lots (8 units total).



014

Wellington North Power Inc.

290 Queen Street West, PO Box 359, Mount Forest, ON N0G 2L0
Phone: 519.323.1710 Fax: 519.323.2425 E-mail: wnp@wellingtonnorthpower.com

www.wellingtonnorthpower.com

January 3, 2017

Township of Wellington North
Attention: Darren Jones
7490 Sideroad 7, W
Kenilworth, ON N0G 2E0

RECEIVED

JAN - 6 2017

TWP. OF WELLINGTON NORTH

Dear Mr. D Jones

**Re: Public Meeting January 23rd, 2017
Part of Park Lots 10, 11, and 12, s/s Princess Street, Part of Park Lots I, K
and L MacDonald's Survey, Geographic Town of Mount Forest.**

Please notify the applicant to contact Wellington North Power Inc. (WNP) prior to completion of the building plans to request electrical service layout details and requirements.

Sincerely,

WELLINGTON NORTH POWER INC.
Jim Klujber, Chief Operating Officer



UPPER GRAND DISTRICT SCHOOL BOARD
500 Victoria Road North, Guelph, Ontario N1E 6K2
Phone: (519) 822-4420 Fax: (519) 822-2134

Martha C. Rogers
Director of Education

January 11, 2017

PLN: 17-04

File Code: R14

Sent by: mail & email

Darren Jones, CBO
Township of Wellington North
7490 Sideroad 7 W
Kenilworth, Ontario
N0G 2E0
djones@wellington-north.com

Dear Mr. Jones;

Re: Proposed Zoning By-law Amendment
Part of Park Lots 10, 11 and 12, s/s Princess Street, Part of Park Lots I, K and L, MacDonald's Survey,
Geographic Town of Mount Forest

Planning staff at the Upper Grand District School Board has received and reviewed the above noted application for a proposed zoning by-law amendment to permit the development of 8 semi-detached dwelling units.

Please be advised that the Planning Department at the Upper Grand District School Board has **no objection** to the application, subject to the following condition:

- Education Development Charges shall be collected prior to the issuance of a building permit.

Should you require additional information, please feel free to contact me.

Sincerely,

Emily Bumbaco
Planning Technician
emily.bumbaco@ugdsb.on.ca



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 (*debt@wellington.ca*)

January 4, 2017

County of Wellington Planning and Land Division Committee
Wellington County Administration Centre
74 Woolwich Street
Guelph, Ontario
N1H 3T9

ATTENTION: Deborah Turchet, Secretary – Treasurer

AND

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

ATTENTION: Darren Jones, CBO

Dear Ms. Turchet and Mr. Jones:

RE: Applications for Consent B120/16 through to B127/16; and
Proposed Zoning By-law Amendment
Unassigned civic addresses
Roll Nos.: 234900000400175 and 234900000400150
Part of Park Lots 10, 11, 12, s/s of Princess St.; Part of Park Lots I, K, & L, MacDonald's Survey; Part of
Division 1 of Lot 2, WOSR
Geographic Town of Mount Forest
Township of Wellington North (Ron Davidson Land Use Planning Consultant Inc., agent)

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the Applications for Consent in accordance with the SVCA's mandate and policies and the Memorandum of Agreement between the Authority and County of Wellington related to plan review, and SVCA staff has reviewed the proposed By-law Amendment in accordance with the SVCA's mandate and policies. According to the Notice of an Application for Consent for B120/16 through to B127/16, the proposed severances include lot line adjustments of two current parcels of land, as well as the creation of four new lots. According to The Township of Wellington North Notice of a Public Meeting to Consider Amendments to the Comprehensive Zoning By-law 66-01, the purpose and effect of the proposed amendment is to rezone the lands (proposed Parts A, B, C, and D) from Future Development FD to Residential R2 to facilitate construction of semi-detached dwellings on four proposed lots (8 units' total). The Applications for Consent as well as the proposed Zoning By-law Amendment are acceptable to SVCA staff, and the following comments are offered.



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

County of Wellington Planning & Land Division Committee
Applications for Consent B120/16 through to B127/16; and
Proposed Zoning By-law Amendment
(Ron Davidson Land Use Planning Consultant Inc., agent)
January 4, 2017
Page 2 of 4

Natural Hazard

In the opinion of SVCA staff, proposed Part A, B, C and D, as part of these applications are not affected by natural hazard features. Furthermore, the two current parcels of land are not designated as Core Greenlands or Greenlands in the Wellington County Official Plan (OP) and are not zoned Natural Environment (NE) in the Township of Wellington North Zoning By-law 66-01. However, a watercourse appears to be located on the proposed Part 7.

Natural Heritage Features

In the opinion of SVCA staff, the natural heritage features and areas affecting the properties include potentially fish habitat, potentially significant woodlands, potentially significant wildlife habitat, and potentially the significant habitat of endangered or threatened species.

Fish Habitat

Proposed Part 7 as well as Proposed Parts A, B, C, and D may be located within the adjacent land to fish habitat. Fish habitat has an adjacent land width of 120m according to the Wellington County OP. The South Saugeen River and its tributaries are considered fish habitat by SVCA staff. Section 2.1.8 of the Provincial Policy Statement (PPS 2014) indicates that, among other things, development and site alteration shall not be permitted on the adjacent lands of fish habitat unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on fish habitat or on their ecological function. In the opinion of SVCA staff, the potential impacts to fish habitat as a result of this proposal will be negligible, and the completion of an Environmental Impact Study (EIS) is unwarranted as part of these proposals.

Significant Woodlands

SVCA staff are of the opinion that the woodlands on lands adjacent to the west of proposed Part 7 may be considered significant woodlands. Significant woodlands have an adjacent land width of 120m according to the Wellington County OP. In the opinion of SVCA staff, impacts to the significant woodlands as a result of this proposal will be negligible and that the completion of an EIS would serve no useful purpose as no new buildings or structures are proposed in or on the adjacent lands to significant woodlands.

Significant Wildlife Habitat

While there is no County-wide mapping of significant wildlife habitat, it has come to the attention of SVCA staff that significant wildlife habitat may be located on or adjacent to the properties. Section 5.5.1 of the Wellington County OP states in part that development and site alteration shall not be permitted within significant wildlife habitat, unless it has been demonstrated that there will be no negative impacts to the habitat or its ecological functions. However, in the opinion of SVCA staff, an EIS is not necessary to allow development on proposed Part A, B, C, and D as proposed, as SVCA staff does not anticipate any negative impacts to significant wildlife habitat, on those lands as a result of this proposal.

County of Wellington Planning & Land Division Committee
Applications for Consent B120/16 through to B127/16; and
Proposed Zoning By-law Amendment
(Ron Davidson Land Use Planning Consultant Inc., agent)
January 4, 2017
Page 3 of 4

Environmental Impact Study

Please be advised that SVCA staff may recommend that an Environmental Impact Study (EIS) be prepared to address significant natural heritage features prior to future development of the proposed Part 7.

Significant Habitat of Endangered or Threatened Species

It has come to the attention of SVCA staff that habitat of endangered or threatened species may be located on or on the adjacent lands of the properties. Section 2.1.7 of the Provincial Policy Statement (PPS 2014) indicates that development and site alteration shall not be permitted in habitat of endangered species or threatened species, except in accordance with provincial and federal requirements. It is the responsibility of the applicant to ensure the endangered and threatened species policy referred to in the PPS has been appropriately addressed. Please contact the Ministry of Natural Resources and Forestry (MNRF) for information on how to address this policy.

SVCA Regulation

The majority of the land in question as part of these applications is not subject to the SVCA's Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation (Ontario Regulation 169/06, as amended).

However, please be advised that the south eastern portion of proposed Part 7, including the watercourse, is subject to the SVCA's Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation (Ontario Regulation 169/06, as amended). This Regulation is in accordance with Section 28 of the *Conservation Authorities Act*, R.S.O, Chap. C. 27, and requires that a person obtain the written permission of the SVCA prior to any "development" in a Regulated Area or alteration to a wetland or watercourse.

"Development" and Alteration

Subsection 28(25) of the *Conservation Authorities Act* defines "development" as:

- a) *the construction, reconstruction, erection or placing of a building or structure of any kind,*
- b) *any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure increasing the number of dwelling units in the building or structure,*
- c) *site grading, or*
- d) *the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere*

According to Section 5 of Ontario Regulation 169/06, as amended, alteration generally includes the straightening, diverting or interfering in any way the existing channel of a river, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

County of Wellington Planning & Land Division Committee
Applications for Consent B120/16 through to B127/16; and
Proposed Zoning By-law Amendment
(Ron Davidson Land Use Planning Consultant Inc., agent)
January 4, 2017
Page 4 of 4

To determine where the SVCA's areas of interest is located associated with our Regulation on the properties, 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.

Permission for Development or Alteration

If development or alteration including construction, reconstruction, conversion, grading, filling or excavation is proposed within the areas of interest associated with our Regulation, the SVCA should be contacted, as permission may be required. However, please be advised that development, proposed as part of these applications, on proposed Part A, B, C, and D will not require permission from the SVCA.

Conclusion

All of the plan review functions listed in the Agreement have been assessed with respect to the applications. The Applications for Consent B120/16 through to B127/16, and the proposed Zoning By-law Amendment are acceptable to SVCA staff. We trust this information is helpful. Should questions arise, please do not hesitate to contact this office.

The SVCA would appreciate receiving notice of the decisions to the above referenced planning applications.

Sincerely,



Michael Oberle
Environmental Planning Technician
Saugeen Conservation
MO\

cc: Jana Poechman, Wellington County (via email)
Karren Wallace, Clerk, Township of Wellington North (via email)
Ron Davidson Land Use Planning Consultant Inc., agent (via email)
John and Aline Padfield; and South Saugeen Development Ltd. c/o John Padfield (via email)
Steve McCabe, Authority Member, SVCA (via email)

DUNCAN, LINTON LLP

LAWYERS

IRWIN A. DUNCAN+ • J. DAVID LINTON+ • DAVID M. STEELE
 MICHAEL A. VAN BODEGOM • PATRICK J. KRAEMER • DANIEL W. VEINOT
 PETER A. HERTZ • THOMAS E. SANDERSON • JERAMIE J.A. GALLICHAN

(+ Denotes Professional Corporation)

P.O. BOX 457
 45 ERB STREET EAST
 WATERLOO, ONTARIO
 N2J 4B5

TEL: 519-886-3340
 FAX: 519-886-8651
 WEBSITE: www.kwlaw.net
 EMAIL: pkraemer@kwlaw.net

January 17, 2017

File No. 0040568

Darren Jones, CBCO
 THE CORPORATION OF THE
 TOWNSHIP OF WELLINGTON NORTH
 7490 Sideroad 7W
 Kenilworth ON N0G 2E0

VIA EMAIL (djones@wellington-north.com)

Dear Mr. Jones:

Re: South Saugeen Developments Ltd. – Zoning Amendment

Further to your email of January 10, 2017, we have reviewed the Zoning By-law Amendment Application and other related documents. You asked us to review the requirements for environmental remediation as these lands were formerly part of the Canadian Pacific Railroad lands.

We note in the planning report by Ron Davidson, planner for the proponent, that he identifies that a Phase 2 Environmental Site Assessment was conducted on a portion of the lands, that remediation, including the removal of 950 metric tons of contaminated material were removed and a follow up Phase 3 Environmental Site Assessment was conducted on the property. However, Mr. Davidson does not indicate the timing of such steps and we understand that it may have been sometime in 1998.

We agree with the Township Engineer, Frank Vanderloo that the requirements for environmental assessments and remediation under the *Environmental Assessment Act* have changed since 1998. In addition, we are unaware of the intended use of the property when the Phase 2 and Phase 3 Environmental Site Assessments were completed at that time and whether or not they coincided with the proposed 8 semi-detached dwelling units.

We recommend that the proponent be required to provide proof of conformity with the *Environmental Assessment Act* for the proposed undertaking prior to any approval of the zoning by-law amendment that may be granted by the Township.

- 2 -

Please advise if you have any more specific questions or concerns.

Yours very truly,
DUNCAN, LINTON LLP



Patrick J. Kraemer
PJK/lk
Encl.