

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
MEETING AGENDA OF THE COMMITTEE OF ADJUSTMENT
JANUARY 24, 2022 @ 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/83561731217>

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) or 1 438 809 7799 (long distance charges may apply)

Webinar ID: 835 6173 1217

**PAGE
NUMBER**

CALLING TO ORDER - Chairperson Lennox

DISCLOSURE OF PECUNIARY INTEREST

- A01/22 Anitha Thekkedeth & Sudhir Kurup
- A02/22 Amos & Eileen Martin

MINUTES OF PREVIOUS MEETING(S)

- Committee of Adjustment, December 13, 2021 (A13/21)

4

Recommendation:

THAT the Committee of Adjustment meeting minutes of December 13, 2021 – A13/21 be adopted as presented.

APPLICATION

A01/22 – Anitha Thekkedeth & Sudhir Kurup

THE LOCATION OF THE SUBJECT PROPERTY is described as Concession B, Part Lot 23 and is municipally known as 7644 Highway 6, Arthur. The subject lands are approximately 0.15 ha (0.37 ac) in size. The location of the property is shown on the map attached.

7

THE PURPOSE AND EFFECT of the application is to provide relief from the maximum ground floor area permitted for a home occupation. The applicants are proposing a physiotherapy office with a total ground floor area of 38% within the existing dwelling, where the permitted ground floor area for a home occupation is 25%. 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 January 12, 2022.

PRESENTATIONS

Asavari Jadhav, Junior Planner & Jessica Rahim, Senior Planner; County of Wellington, Township of Wellington North

- Planning Report dated January 18, 2022

8

CORRESPONDENCE FOR COMMITTEE'S REVIEW

Danielle Walker, Source Protection Coordinator, Wellington Source Water Protection

- Email dated Jan. 12, 2022 (No Objection)

Laura Warner, Resource Planner, Grand River Conservation Authority

- Email dated January 13, 2022 (No comments. Does not contain any features that are regulated by the GRCA.)

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 A01/22, for the property described as Concession B, Part Lot 23 with a civic address of 7644 Highway 6, Arthur to provide the following relief;

1. **THAT an increased Ground Floor Area of 38% be permitted, for a proposed home occupation, whereas the By-Law allows 25%.**

APPLICATION

A02/22 – Amos & Eileen Martin

THE LOCATION OF THE SUBJECT PROPERTY is described as GORE Part Lot A WOSR, Part DIV 1, Part Lot 7 WOSR and is municipally known as 7065 Sideroad 3 W, Wellington North. The subject lands are approximately 1.34 ha (3.31 ac) in size. The location of the property is shown on the map attached.

10

THE PURPOSE AND EFFECT of the application is to provide relief from the maximum ground floor area and minimum setback requirements for a hobby barn on a lot equalling 1.34 ha (3.31 ac). The applicant is proposing to construct a 130.8 m² (1,408 ft²) hobby barn with a side yard setback of 9.1m (30ft). 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 January 12, 2022.

PRESENTATIONS

Asavari Jadhav, Junior Planner & Jessica Rahim, Senior Planner; County of Wellington, Township of Wellington North

- Planning Report dated January 17, 2022 11

CORRESPONDENCE FOR COMMITTEE'S REVIEW

Michael Oberle, Environmental Planning Technician, Saugeen Conservation

- Letter dated January 13, 2022 (No Objection) 13

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 A02/22, for the property described as GORE Part Lot A WOSR, Part DIV 1, Part Lot 7 WOSR and is Municipally known as 7065 Sideroad 3 W, Wellington North, to provide the following relief;

1. **THAT a Maximum Ground Floor Area of 130.8 m² (1,408 ft²) be permitted, for a proposed hobby barn, whereas the By-Law allows 37.2 m² (400.4 ft²); and**
2. **THAT a reduced Side Yard Setback of 9.1 m (30 ft) be permitted, for a proposed hobby barn, whereas the By-Law requires 22.8 m (74.8 ft).**

ADJOURNMENT

Recommendation:

THAT the committee of adjustment meeting of January 24, 2022 be adjourned.

THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
MEETING MINUTES OF THE COMMITTEE OF ADJUSTMENT – DECEMBER 13, 2021 @ 2:00 P.M.
VIA WEB CONFERENCING <https://www.youtube.com/watch?v=kuPkCVg66no>

Members Present:

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

Staff Present:

Chief Administrative Officer:	Michael Givens
Director of Legislative Services/Clerk:	Karren Wallace
Deputy Clerk:	Catherine Conrad
Director of Finance:	Adam McNabb
Director of Operations:	Matthew Aston
Manager of Environment and Development Services:	Corey Schmidt
Compliance Analyst:	Sara McDougall
Manager of Transportation Services:	Dale Clark
Community Recreation Coordinator:	Mandy Jones
Manager of Recreation Services:	Tom Bowden
Chief Building Official:	Darren Jones
Economic Development Officer:	Dale Small
Human Resources Manager:	Chanda Riggi
Director of Fire Services:	Chris Harrow
Senior Planner:	Mathieu Daoust

CALLING TO ORDER - Chairperson Lennox

Chairperson Lennox called the meeting to order.

DISCLOSURE OF PECUNIARY INTEREST

No pecuniary interest declared.

MINUTES OF PREVIOUS MEETING(S)

- Committee of Adjustment, October 25, 2021 (A13/21)

RESOLUTION: CoA 2021-021

Moved: Hern

Seconded: Yake

THAT the Committee of Adjustment meeting minutes of October 25, 2021 – A13/21 be adopted as presented.

CARRIED

APPLICATION**A15/21 – 2574574 Ontario Inc.**

THE LOCATION OF THE SUBJECT PROPERTY is described as Plan Mount Forest Pt Park Lot 4 SS Durham St & ES Main St. The subject lands are approximately 2.19 ha (5.41 ac) and the lands subject of the variance is approximately 407 m² (4,381 ft²) in size.

THE PURPOSE AND EFFECT of the application to provide relief from the minimum lot area per dwelling, minimum lot area per dwelling unit on a separate lot and minimum rear yard. The applicant is proposing to construct a semi-detached dwelling with a lot area of 407 m² (4,381 ft²), a lot area of 202 m² (2,174.3 ft²) per dwelling unit, and a rear yard of 5.5 m (18 ft). 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 18, 2021.

PRESENTATIONS

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

- Planning Report dated December 1, 2021

Planning Opinion: The variance requested would provide relief from the minimum lot area per dwelling, the minimum lot area per dwelling unit on a separate lot and the minimum rear yard for a semi-detached dwelling. The applicant is proposing to construct a semi-detached dwelling with a lot area of 407 m² (4,381 ft²) per dwelling unit, a lot area of 202 m² (2,174.3 ft²) per dwelling unit and a rear yard setback of 5.5 m (18 ft).

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 Plan Mount Forest Pt Park Lot 4 SS Durham St & Main St. The subject lands are approximately 2.19 ha (5.41 ac) and the lands subject of the variance are approximately 408 m² (4,391.7 ft²) in size.

PROPOSAL

The purpose of this application is to provide relief from the minimum lot area per dwelling, the minimum lot area per dwelling unit on a separate lot and the minimum rear yard for a semi-detached dwelling. The applicant is proposing to construct a semi-detached dwelling with a lot area of 407 m² (4,381 ft²) per dwelling unit, a lot area of 202 m² (2,174.3 ft²) per dwelling unit and a rear yard setback of 5.5 m (18 ft).

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated RESIDENTIAL. 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 Holding Residential (H)R2. The holding provisions were placed on the subject lands through the subdivision review process. At this time, the 408 m² was deemed too small for development, as a result a holding was placed on the land until such a time that additional lands can be added to said lot. The applicant is proposing to construct a semi-detached dwelling and requires the following variances:

Semi Detached	Permitted	Proposed	Difference
Lot Area, Minimum per dwelling (Section 12.2.2.1)	550 m ² (5,920.3 ft ²)	407 m ² (4,381 ft ²)	143 m ² (1,539 ft ²)
Lot area, Minimum per dwelling unit on a separate lot (Section 12.2.2.3)	275 m ² (2,960.2 ft ²)	202 m ² (2,174.3 ft ²)	73 m ² (785.7 ft ²)
Rear Yard, Minimum (Section 12.2.2.8)	7.6 m (24.9 ft)	5.5 m (18 ft)	2.1 m (6.89 ft)

The variance requested is minor and appropriate for the use of the lot. The variance meets 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.

DRAFT APPROVAL

The Redline Revision of the Draft Plan of Subdivision was approved March 13th, 2020. The Draft Plan has not yet been registered.

CORRESPONDENCE FOR COMMITTEE'S REVIEW

Erik Downing, Saugeen Conservation

- Letter dated November 2, 2021 (No Objection)

Danielle Walker, Wellington Source Water Protection

- Email dated October 29, 2021 (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

Brad Wilson, applicant, and Astrid Clos, Applicant's Agent, were present to answer questions regarding the application.

COMMENTS/QUESTIONS FROM THE COMMITTEE

No comments or questions from the Committee.

DECISION

CALL FOR VOTE: SHOW OF HANDS

THAT the minor variance applied for in Application A15/21, for the property described as Plan Mount Forest Pt Park Lot 4 SS Durham St & ES Main St., geographic Town of Mount Forest, to provide the following relief;

1. ***THAT a reduced Lot Area, Minimum per dwelling, of 407m² (4,381 ft²) be permitted, for a proposed semi-detached dwelling, whereas the By-Law requires 550 m² (5,920.3 ft²);***
2. ***THAT a reduced Lot Area, Minimum per dwelling Unit on a Separate Lot, of 202 m² (2,174.3 ft²) be permitted, for a proposed semi-detached dwelling, whereas the By-Law requires 275 m² (2,960.2 ft²); and***
3. ***THAT a reduced Rear Yard, Minimum of 5.5 m (18 ft) be permitted, for a proposed semi-detached dwelling, whereas the By-Law requires 7.6 m (24.9 ft).***

APPROVED

ADJOURNMENT

RESOLUTION: CoA 2021-022

Moved: McCabe

Seconded: Burke

THAT the Committee of Adjustment meeting of December 13, 2021 be adjourned at 3:42 p.m.
CARRIED

Secretary Treasurer

Chair

ANITHA THEKKEDETH & SUDHIR KURUP





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

January 18th, 2022

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 A01/22**
Concession B, Part Lot 23
7644 Highway 6, Arthur
Anitha Thekkedeth & Sudhir Kurup

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 provide relief from the maximum floor area requirements for a Home Occupation (Physiotherapy Office). The applicants are proposing to construct an addition to the existing dwelling in order to operate the home occupation (Physiotherapy Office), which exceeds the permitted ground floor area of 25% (38 m² (409.0 ft²)).

The Committee should be satisfied that the application maintains the general intent and purpose of the Official Plan and Zoning By-law provided that the home occupation remains small scale and secondary to the main use on the property, and that the proposed home occupation 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 Concession B, Part Lot 23 and is Municipally known as 7644 Highway 6, Geographic Town of Arthur. The property is approximately 0.15 ha (0.37 ac) in size with an existing dwelling, garage and a shed. The location of the property is shown on Figure 1 below.

PROPOSAL

The purpose of this application is to provide relief from the maximum ground floor area permitted for a home occupation (Physiotherapy Office) on the subject property. The proposed variance will permit an increased floor area of 38% for the home occupation, whereas the zoning by-law permits a maximum floor area of 25%.

PROVINCIAL POLICY STATEMENT (PPS)

No concerns.

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is located within the Urban Center of Arthur and designated Highway Commercial.

As per Section 8.3.8 of the Plan, “A single-detached dwelling unit may include a home occupation provided that the home occupation is a business which is clearly secondary to the residential use and does not generate noise, odour, traffic or visual impacts which may have adverse effect on nearby properties”.



Figure 1: 2020 Aerial photo

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 Unserviced Residential (R1A) Zone. The applicants are proposing to construct an addition to the existing dwelling in order to operate the physiotherapy office, which exceeds the permitted ground floor size of 25% for a home occupation within a single detached dwelling. The applicants have indicated that they have three (3) types of treatment beds, which will require three (3) rooms for each bed. Therefore, the additional ground floor area being requested is to accommodate the 3 treatment rooms.

The home occupation is to remain incidental and secondary to the main use of the property. The applicants have indicated that there are currently no employees that reside off the subject property, no outdoor storage will be used for the home occupation and a total of 4 parking spaces will be provided on the subject property.

The variance requested would provide relief from Section 6.15 e) of Zoning By-law 66-01 in order to operate a home occupation (Physiotherapy Office) within the single detached dwelling:

General Provisions	Required	Proposed	Difference
Home Occupation Regulations (6.15 e)	25% 38.0 m ² (409.0 ft ²)	38% 56.67 m ² (610.0 ft ²)	13% 18.67 m ² (201.0 ft ²)

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

Yours truly,

Asavari Jadhav, Junior Planner

Jessica Rahim, Senior Planner

AMOS & EILEEN MARTIN





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

January 17th, 2022

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 A02/22**
7065 Sideroad 3 W
Amos & Eileen Martin

We have reviewed the application for minor variance and provide the following comments.

Planning Opinion: The variance requested would provide relief from the maximum floor area and setback requirements for a hobby barn. The applicants are proposing to construct a new hobby barn with a floor area of 130.8 m² (1,408 ft²) and a side yard setback of 9.1m (30ft).

The proposal is to house their horse and buggy in the hobby barn, which is their method of transportation. The closet dwelling is located approximately 224.33 (736 ft) from the proposed hobby barn and is surrounded by agricultural land. We have no concerns with the requested relief provided the applicable conservation authority is satisfied. 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 GORE Part Lot A WOSR, Part DIV 1, Part Lot 7 WOSR and is municipally known as 7065 Sideroad 3 W, Wellington North. The property is approximately 1.34 ha (3.31 ac) in size. The location is shown on Figure 1.

PROPOSAL

The purpose of this application is to provide relief from the maximum ground floor area and minimum side yard setback requirements for a hobby barn on a lot approximately 1.34 ha (3.31 ac) in size. The applicant is requesting permission to construct a 130.8 m² (1,408 ft²) hobby barn to house their horse and buggy with the side yard setback of 9.1m (30ft).

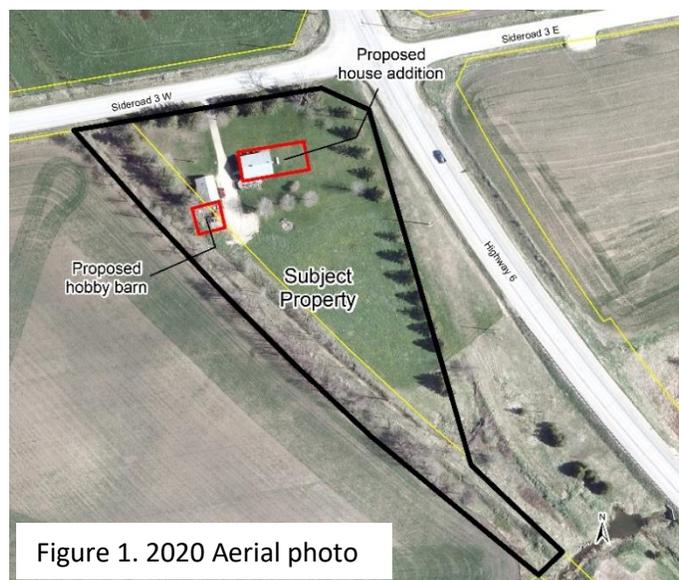


Figure 1. 2020 Aerial photo

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated AGRICULTURAL and a small portion of CORE GREENLANDS. The identified environmental feature is a Saugeen Valley Conservation Authority regulated Hazard Lands. 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 a small portion is zoned Natural Environment (NE). The current provision permits a hobby barn on lots less than 10.1 ha (25 ac). The subject property is 1.34 ha (3.31 ac) in size which allows for a 37.2m² (400.4 ft²) hobby barn that shall not be located closer than 22.8 m (74.8 ft) from any property line. Due to the shape of the lot and lay of the lands, the proposed location is the best option for the hobby barn. The applicant is proposing to construct a 130.8 m² (1,408 ft²) hobby barn with a side yard setback of 9.1 m (30 ft) to house their horse and buggy. With respect to the impact, the property is surrounded by agricultural uses and the closest dwelling is approximately 224.33 (736 ft) away from the proposed hobby barn. There are no rural residential uses in proximity that may be impacted. The following relief is requested:

Hobby Barn	Permitted	Proposed	Difference
Maximum Ground Floor Area (Section 8.3.1)	37.2m ² (400.4 ft ²)	130.8 m ² (1,408 ft ²)	93.6 m ² (1,007.6 ft ²)
Side Yard Setback (Section 8.3.2 a)	22.8 m (74.8 ft)	9.1 m (30 ft)	13.7 m (44.8 ft)

The variance requested is minor and appropriate for the use of the lot. The applicant has indicated the additional space is required to house their horse and buggy, which is their method of transportation. 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.

Yours truly,



Asavari Jadhav
Junior Planner



Jessica Rahim
Senior Planner



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)

January 13, 2022

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

ATTENTION: Tammy Pringle, Development Clerk

Dear Ms. Pringle,

RE: Proposed Minor Variance A02-22 (Amos and Eileen Martin)
7065 Sideroad 3W
Concession WOSR
Roll No.: 234900000907910
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 provided comments as per our Memorandum of Agreement (MOA) with the County of Wellington representing natural hazards, and natural heritage; and the application has been reviewed through our role as a public body under the *Planning Act* as per our CA Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018.

Purpose

The purpose of the application is a reduced yard setback and increased area for a hobby barn to allow the construction of an addition to the existing dwelling and construction of a hobby barn.

Background

The SVCA provided comments to the County of Wellington (with copy to the Township of Wellington North) for the related file: Application for Consent B13-21 (Brubacher c/o Ford), which also affected the subject property.

Recommendation

The application is generally acceptable to 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 A02-22 (Amos and Eileen Martin)
January 13, 2022
Page 2 of 4

Delegated Responsibility and Advisory Comments

SVCA staff has reviewed the application through our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020). We have also reviewed the application through our responsibilities as a service provider to the County of Wellington in that we provide expert advice and technical clearance on *Planning Act* applications with regards to natural hazards, and natural heritage as set out in the PPS, 2020, County Official Plan (OP) and/or local official plans. Comments below only include features/technical requirements affecting the property.

Natural Hazards:

A portion of the property is designated Core Greenlands in the County of Wellington Official Plan (OP), Schedule A6 Wellington North and is zoned Natural Environment (NE) in the Township of Wellington North Zoning By-law, Schedule 'A' Map 1. The Gore Greenlands designation and NE zone identify the natural hazard features affecting the property, namely the unnamed tributary of Bell's (Bethel) Creek that flows through the southern property boundary, as well as any floodplain and/or wetland associated with the watercourse. The Gore Greenlands designation and NE zone generally match the SVCA Hazardous Lands for the property as plotted by SVCA staff.

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. As no new lot is to be created, it is the opinion of SVCA staff that, based on the proposal, the application is consistent with Section 3.1.1 of the PPS, 2020.

Wellington County OP Policies

Section 5.4.3 of the Wellington County OP generally directs development to be located outside of Hazardous Lands. It is the opinion of SVCA staff that, based on the proposal, the application is consistent with Wellington County OP policies.

Natural Heritage:

As part of SVCA staff's desktop review, the following significant natural heritage features were identified as affecting the property: fish habitat.

Provincial Policy Statement – Section 2.1

Section 2.1 of the PPS, 2020 states in part that development shall not be permitted in fish habitat, and the adjacent lands to the above referenced feature, except in accordance with Policies found in Section 2.1.

Wellington County OP Policies

Fish Habitat

As mentioned above, an unnamed tributary of Bell's (Bethel) Creek flows through the southern property boundary. This watercourse is considered fish habitat by SVCA staff, and section 5.4.2 of the Wellington County OP is applicable. However, based on the application, it is the opinion of SVCA staff that impacts to fish habitat will be negligible, therefore the preparation of an EIS to address the fish habitat is not recommended at this time.

Township of Wellington North
Proposed Minor Variance A02-22 (Amos and Eileen Martin)
January 13, 2022
Page 3 of 4

Statutory Comments

SVCA staff has reviewed the application as per our responsibilities as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). This regulation, made under Section 28 of the *Conservation Authorities Act*, enables SVCA to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Subject to the CA Act, development taking place on or adjacent to these lands may require permission from SVCA to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected. SVCA also regulates the alteration to or interference in any way with a watercourse or wetland.

The very southernmost part of the property is within the SVCA 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. For the property, the SVCA Approximate Screening Area is identifying the watercourse, an unnamed tributary of Bell's (Bethel) Creek, as well as any floodplain and/or wetland associated with the watercourse, and an offset distance of the greater of 15 metres outwards from the floodplain edge and/or 30 metres outwards from a wetland edge.

"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.

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 the site plan sketch submitted with the application, all proposed buildings and structure will be located beyond/outside of the SVCA Approximate Screening Area, therefore, permission (SVCA permit) will not be required for development as proposed.

Summary

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

The application is generally acceptable to SVCA staff.

Township of Wellington North
Proposed Minor Variance A02-22 (Amos and Eileen Martin)
January 13, 2022
Page 4 of 4

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

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

Please inform this office of any decision made by the Township of Wellington North with regard to the application. We respectfully request to receive a copy of the decision and notices of any appeals filed. Should you have any questions, please contact the undersigned.

Sincerely,



Michael Oberle
Environmental Planning Technician
Saugeen Conservation
MO/

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