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Committee of Adjustment

Monday, February 29, 2016

Municipal Office Council Chambers, Kenilworth

AGENDA

AGENDA ITEM	PAGE NO.
<u>CALLING TO ORDER</u>	
- Chairman Lennox	
<u>DISCLOSURE OF PECUNIARY INTEREST(S) AND THE GENERAL NATURE THEREOF</u>	
<u>MINUTES OF PREVIOUS MEETING(S)</u>	
Committee of Adjustment, October 19, 2015 (A11-15)	1
<u>APPLICATION A01-16</u>	
<u>OWNERS/APPLICANT</u>	
- Maurice and Susannah Martin	
<u>LOCATION OF THE SUBJECT LAND</u>	5
The location of the subject property is described as Part Lot 2, Concession 6, geographic Arthur Township with a civic address of 9571 Concession 6 N. The subject land is approximately 40.46 ha (100 acres). The location of the property is shown on the map attached.	

AGENDA ITEM	PAGE NO.
<u>PURPOSE AND EFFECT OF THE APPLICATION</u>	
<p>The purpose and effect of the application is to provide relief from the Minimum Distance Separation 2 (MDS 2) setback requirements. The applicants are proposing a barn expansion and a hybrid solid / liquid manure disposal system for a dairy operation. The barn would meet the required setback from the nearest neighbour's dwelling. Given the unusual nature of the manure disposal system, a minor variance is required to confirm that it is an acceptable distance to the nearest dwelling. This application will also consider any other deficiencies that may be present.</p>	
<u>SECRETARY TREASURER</u>	
<p>Notices were mailed to property owners within 60 m of the subject property as well as the applicable agencies and posted on the subject property on February 18, 2016.</p>	
<u>PRESENTATIONS</u>	
<p>Mark Van Patter, Senior Planner - See attached comments</p>	6
<u>CORRESPONDENCE FOR COMMITTEE'S REVIEW</u>	
<p>Darren Jones, Chief Building Official, Township of Wellington North - Report of clarify MDS II requirements for A01-16.</p>	9
<p>Candace Hamm, Saugeen Valley Conservation Authority - Proposed Minor Variance is acceptable.</p>	15
<u>REQUEST FOR NOTICE OF DECISION</u>	
<p>Persons wishing to be notified of the decision must submit a written request to the Secretary-Treasurer.</p>	
<u>CHAIRMAN OPENS FLOOR FOR ANY COMMENTS/QUESTIONS</u>	
<p>Are there any persons present who wish to make oral and/or written submissions in support of the proposed minor variance?</p>	
<p>Are there any persons present who wish to make oral and/or written submissions against this application?</p>	
<u>COMMENTS/QUESTIONS FROM THE COMMITTEE</u>	
<u>ADJOURNMENT</u>	

**TOWNSHIP OF WELLINGTON NORTH
COMMITTEE OF ADJUSTMENT
MONDAY, OCTOBER 19, 2015 – 7:00 P.M.
A11/15**

The Committee of Adjustment met at the Kenilworth Municipal Office Council Chambers.

Members Present: Chairman: Andy Lennox
Sherry Burke
Steve McCabe
Dan Yake

Also Present: Secretary-Treasurer/Clerk: Karren Wallace
CAO: Michael Givens
Treasurer: Paul Dowber
Executive Assistant: Cathy Conrad
Chief Building Official: Darren Jones
Director of Public Works: Matthew Aston
Economic Development Officer: Dale Small
Senior Planner: Linda Redmond

THE CHAIRMAN CALLED THE MEETING TO ORDER

DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

No pecuniary interest reported.

RESOLUTION NUMBER CoA 2015-042

Moved by: Member McCabe

Seconded by: Member Yake

THAT the agenda for the October 19, 2015 Committee of Adjustment meeting be accepted and passed.

CARRIED

MINUTES

RESOLUTION NUMBER CoA 2015-043

Moved by: Member Yake

Seconded by: Member McCabe

THAT the Committee of Adjustment meeting minutes of September 14, 2015 be adopted as presented.

CARRIED

The public meeting is held to consider Minor Variance Application A11/15 pursuant to Section 45 of the Planning Act R.S.O. 1990 as amended.

**TOWNSHIP OF WELLINGTON NORTH
COMMITTEE OF ADJUSTMENT
MONDAY, OCTOBER 19, 2015 – 7:00 P.M.
A11/15**

APPLICATION A11/15

Owners/Applicant: 1438352 Ontario Inc.

THE LOCATION OF THE SUBJECT PROPERTY is described as Lot 1, Concession 2, Registered Plan 60R-3126, geographic Township of West Luther, with a civic address of 8035 Line 2. The subject land is approximately 4 ha (10 acres).

THE PURPOSE AND EFFECT of the application is to provide relief from the minimum interior side yard setback for a proposed minor addition. The By-law requires a 6 m (19.7 ft) set back from the interior side lot line whereas the addition is proposed to be 1.48 m (4.8 ft) from the interior lot line. The proposed addition will serve as a connection to move between warehouses. Other variances may be considered where deemed appropriate.

Notice of this meeting was mailed to surrounding property owners and required agencies on October 2, 2015, as well as posted on the property, pursuant to the legislation.

PRESENTATION:

Linda Redmond, Senior Planner for the Township of Wellington North reviewed her comments dated October 14, 2015.

The variance requested is to permit a reduction in the interior side yard setback for a minor addition.

The Planning Department had no concerns with the relief requested at this time provided the variance only applies to the minor addition. This application is considered minor and would maintain the general intent and purpose of the Official Plan and Zoning By-law. It is desirable and appropriate for the development of the subject property.

The property is described as Lot 1, Concession 2, Registered Plan 60R-3126, geographic Township of West Luther, with a civic address of 8035 Line 2. The subject land is approximately 4 ha (10 ac.).

The purpose of this application is to provide relief from the minimum interior side yard regulations of Section 23.2.4 for a proposed minor addition. The By-law requires a 6 m (19.7 ft) set back from the interior side lot line whereas the addition is proposed to be 1.48 m (4.8 ft) from the interior lot line. The proposed addition will serve as a connection to move between warehouses. No other variances are required.

**TOWNSHIP OF WELLINGTON NORTH
COMMITTEE OF ADJUSTMENT
MONDAY, OCTOBER 19, 2015 – 7:00 P.M.
A11/15**

The subject property is designated PRIME AGRICULTURAL in the Wellington County Official Plan. 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.

Under the Township of Wellington North Zoning By-law the subject property is zoned site specific Agricultural Commercial (AC-53) to permit a trucking and warehousing facility (Ivan Armstrong Trucking). The property has recently completed a major addition to the building. The applicants would like to construct a small addition to provide a connection to move between warehouses. In order to facilitate this addition the following variance is required:

1. A minimum interior side yard of 1.48m (4.8ft) for a proposed minor addition, whereas the by-law requires a 6m (19.7ft) set back from the interior side lot line.

CORRESPONDENCE/COMMENTS RECEIVED

Andrew Herreman, Grand River Conservation Authority

- No comment or concerns.

QUESTIONS/COMMENTS

- Persons present who wish to make oral and/or written submissions in support of the proposed minor variance.

The Applicant was present to answer any questions pertaining to the application.

- No one was present to make oral and/or written submissions against the proposed minor variance.
- Those wishing to be notified of the decision were asked leave their name and address with the secretary-treasurer.
- Committee – Comments and Questions

No comments or questions from Committee

**TOWNSHIP OF WELLINGTON NORTH
COMMITTEE OF ADJUSTMENT
MONDAY, OCTOBER 19, 2015 – 7:00 P.M.
A11/15**

RESOLUTION NUMBER CoA 2015-044

Moved by: Member McCabe

Seconded by: Member Yake

THAT the minor variance applied for in Application A11/15 to provide relief from the minimum interior side yard setback for a proposed minor addition for the property described as Lot 1, Concession 2, Registered Plan 60R-3126, geographic Township of West Luther, with a civic address of 8035 Line 2 be authorized.

CARRIED

ADJOURNMENT

RESOLUTION NUMBER CoA 2015-045

Moved by: Member Yake

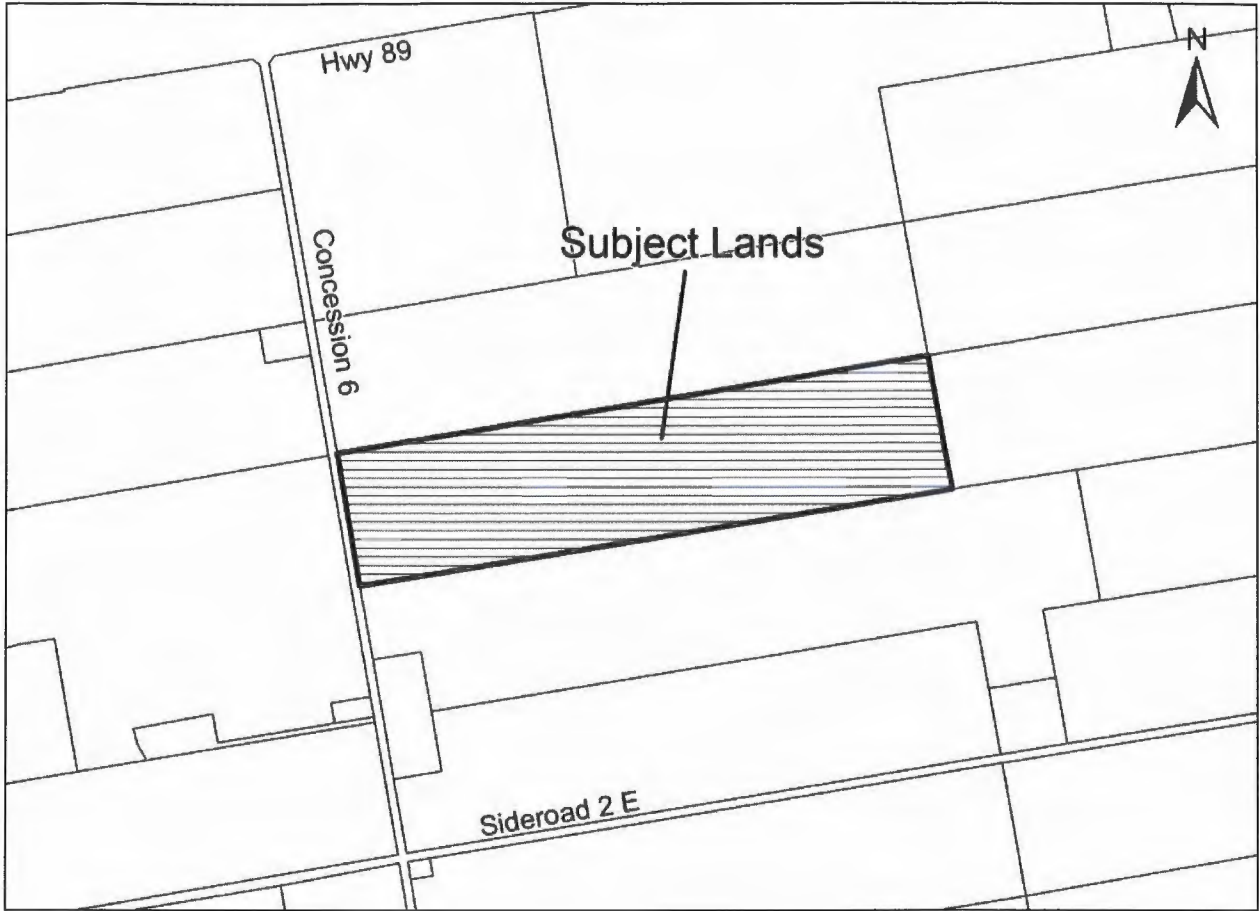
Seconded by: Member McCabe

THAT the Committee of Adjustment meeting of September 14, 2015 be adjourned at 7:06 p.m.

CARRIED

Secretary Treasurer

Chairman



Maurice and Susannah Martin.



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

February 22, 2016

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

Dear Mr. Jones,

Re: **Maurice and Susannah Martin, 9571 Concession 6N
Lot 2, Concession 6, Geographic Township of Arthur
Minor Variance Application A1/16**

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

Planning Comments: A minor variance is being requested for relief from minimum distance separation 2 (MDS 2) for a proposed new liquid manure tank. The nearest neighbouring dwelling will be about 443 feet to the south of the tank. Most of the manure storage will be "solid, outside, with no cover". A smaller portion will be "liquid, outside, no cover, straight-walled storage". Given this breakdown, one would assume that the proper setback would be closer to 444 feet, rather than 705 feet. Mr. Martin notes that the location of the liquid tank was selected, to catch run-off from the solid manure storage.

If the Committee is in support of this variance, I would suggest that the decision be worded similar to the following:

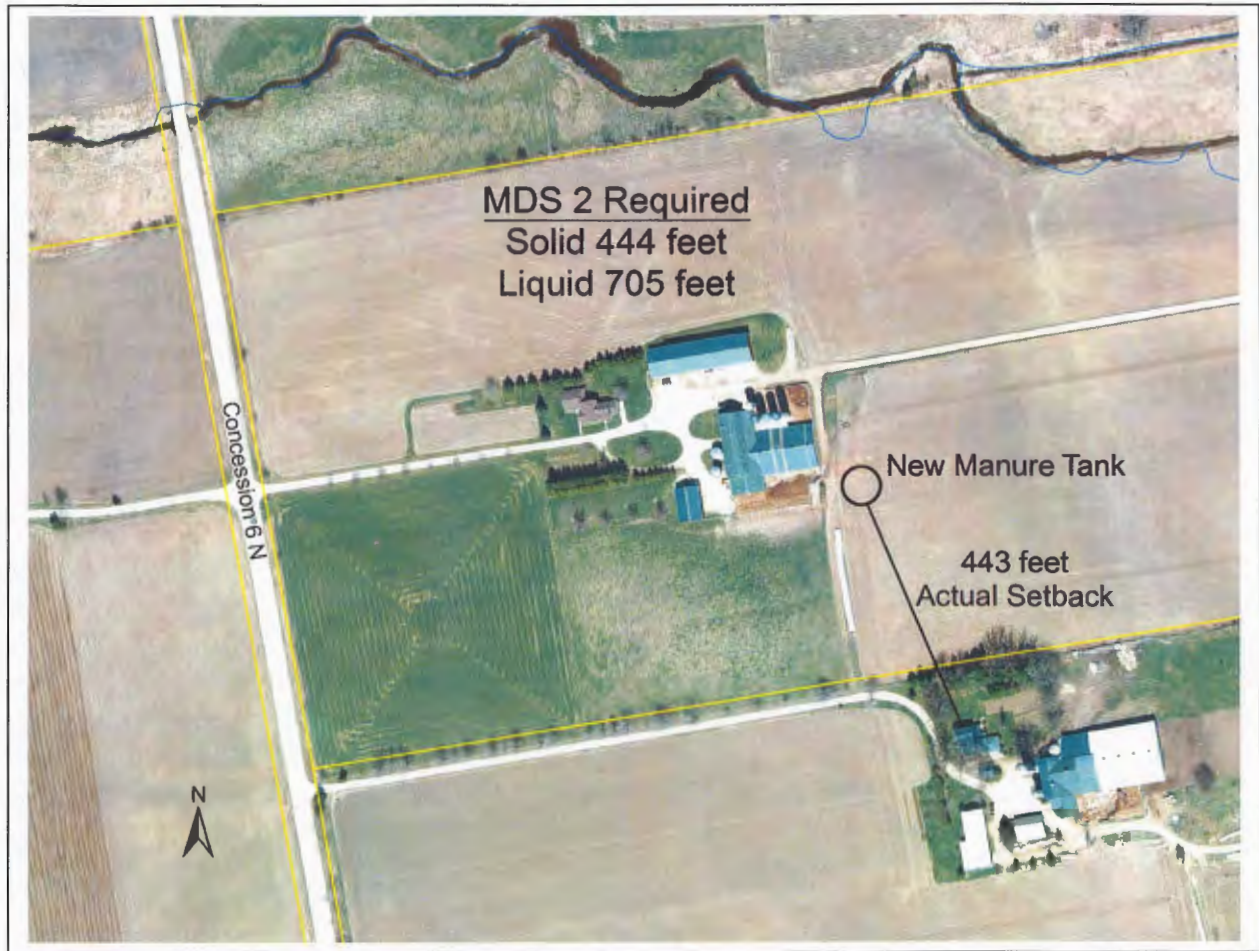
"That the actual setback distance of 135 m. (443 ft.) to the nearest neighbor's dwelling (to the south), shall be deemed to comply with the required MDS 2 for the hybrid solid/liquid manure storage system."

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 46 of the MDS Implementation Guidelines states that "minor variances to MDS 2 distances can be considered based on site specific circumstances. Circumstances that meet the intent, if not the precise distances of MDS 2, or mitigate environmental impacts, may warrant further consideration."

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated PRIME AGRICULTURAL and CORE GREENLAND (along the watercourse). 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.



WELLINGTON NORTH ZONING BY-LAW

The subject property is zoned Agricultural (A) and Natural Environment (NE). The applicants are proposing to construct an addition to the barn and a new liquid manure tank. This application is challenging in that a hybrid manure storage system is being proposed. While most of the manure will be solid, the portion that is liquid is to drain to the new tank. Liquid from the uncovered, solid storage pile as well as rainwater and snow will also go to the manure tank.

CBO Jones has prepared two different setbacks based on solid versus liquid storage.

- An actual MDS II setback of 135 m. (443 ft.) would be present to the nearest neighbor's dwelling (south), whereas 135.3 m. (444 ft.) is required for solid manure and 214.9 m. (705 ft.) is required for liquid manure.

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

Sincerely,

A handwritten signature in black ink that reads "Mark Van Patter". The signature is written in a cursive, flowing style.

Mark Van Patter, RPP, MCIP
Manager of Planning and Environment
markv@wellington.ca
519.837.2800 Ext. 2080



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**TO: COMMITTEE OF ADJUSTMENT
MEETING OF FEBRUARY 29, 2016**

**FROM: DARREN JONES
CHIEF BUILDING OFFICIAL**

**SUBJECT: CBO 2016-03 MINOR VARIANCE APPLICATION A01-16
MAURICE AND SUSANNAH MARTIN**

RECOMMENDATION

THAT the Committee of Adjustment of the Corporation of the Township of Wellington North receive for information report CBO 2016-03 being a report to clarify the Minimum Distance II (MDS II) requirements for Application A01-16

PREVIOUS REPORTS PERTINENT TO THIS MATTER

NONE.

BACKGROUND

Section 6.17.2 of Zoning By-law 66-01 provided the following:

MDS II – New or expanding livestock facilities and manure storage facilities

Notwithstanding any other yard or setback provisions of this By-law to the contrary, no livestock facility or manure storage facility shall be erected or expanded unless it complies with the Minimum Distance Separation (MDS II), as amended from time to time by the Province of Ontario.

The applicant wishes to construct a 100 foot diameter by 12 foot deep liquid manure tank to facilitate their dairy expansion. The location of the proposed liquid manure tank has been proposed by the applicant based on the lay of the land, the existing building layout and a future hay storage building. The location is proposed 443 feet from the neighbours dwelling to the south.

The manure storage will be primarily solid but will be screened as it leaves the barn to separate the liquid that will then be directed to the proposed liquid manure tank. The proposed liquid manure tank will also receive liquid runoff, rain water and snow melt from the outdoor dry manure storage area.

I prepared two MDS II reports. The first was calculated using solid manure stored outside with no cover and with uncovered liquid runoff storage, this resulted in a MDS II setback from the neighbours dwelling of 444 feet this would have permitted me to issue the building permit without the applicant applying to the Committee of Adjustment.

However the applicant is proposing to screen the manure as it leaves the barn and this does not exactly fit within the parameters my first calculation, therefore the second was calculated giving no credit to the solid manure and calculating as if the milking age cows manure is all liquid stored outside with no cover. The result was the extreme case and required a 705 foot setback to the neighbours dwelling whereas 443 feet is proposed.

The request to the Committee of Adjustment is to permit the 705 foot MDS II setback to be reduced to 443 feet. I request that the Committee take into consideration both MDS II Reports (attached) when making their decision on this application.

FINANCIAL CONSIDERATIONS

None.

STRATEGIC PLAN

This report does not directly relate to the implementation of the Township of Wellington North Strategic Plan.

Do the report's recommendations advance the Strategy's implementation?

Yes No N/A

Which pillars does this report support?

- | | |
|---|--|
| <input checked="" type="checkbox"/> Community Growth Plan | <input type="checkbox"/> Community Service Review |
| <input type="checkbox"/> Human Resource Plan | <input type="checkbox"/> Corporate Communication Plan |
| <input type="checkbox"/> Brand and Identity | <input type="checkbox"/> Positive Healthy Work Environment |
| <input type="checkbox"/> Strategic Partnerships | <input type="checkbox"/> None |

PREPARED BY:

RECOMMENDED BY:



Mike Givens

**DARREN JONES
CHIEF BUILDING OFFICIAL**

**MICHAEL GIVENS
CHIEF ADMINISTRATIVE OFFICER**

Minimum Distance Separation II (MDS II) Report

File: 008-14900 Willard Martin.mds

Application Date: 11-Feb-2016

File Number:

Preparer Information

Darren Jones Phone #: (519) 848-3620
Township of Wellington North Fax: (519) 848-1119
7490 Sideroad 7 West Email: djones@wellington-north.com
P.O. Box 125
Kenilworth, ON, Canada N0G 2E0

L1 - STORAGE

Contact Information

Willard Martin Phone #: (519) 323-3753
9571 Concession 6 North
RR 6
Mount Forest, ON, Canada N0G 2L0

Farm Location

County of Wellington
Township of Wellington North
Geotownship: ARTHUR
Concession: 6
Lot: 2
Roll Number: 2349000008149000000

Manure Form	Type of Livestock/Material	Existing Capacity	Existing NU	Total Capacity	Total NU	Estimated Barn Area
Solid	Dairy; Milking-age Cows (dry or milking) Large Frame (545 - 636 kg) (eg. Holsteins); Tie Stall	60	85.7	0	0.0	Unavailable
Solid	Dairy; Milking-age Cows (dry or milking) Large Frame (545 - 636 kg) (eg. Holsteins); Tie Stall	0	0.0	72	102.9	736 m ²
Solid	Dairy; Heifers Large Frame (182 - 545 kg) (eg. Holsteins); Deep Bedded	40	20.0	55	27.5	358 m ²
Solid	Dairy; Calves Large Frame (45 - 182 kg) (eg. Holsteins)	12	2.0	20	3.3	65 m ²
Solid	Horses; Large-framed, mature; > 680 kg (including unweaned offspring)	2	2.9	2	2.9	60 m ²
Solid	Veal; Grain-fed	30	5.0	36	6.0	251 m ²

Manure/Material Storage Type: L1. Solid, outside, no cover, 18-30% DM, with uncovered liquid runoff storage

Building Base Distance 'F' (A x B x C x D): 113 m (371 ft)
Storage Base Distance 'S': 135 m (444 ft)

Factor A (Odour Potential): 0.7
Factor B (Nutrient Units): 357
Factor C (Orderly Expansion): 0.6447
Factor D (Manure/Material Type): 0.7
Total Nutrient Units: 143

Signature of Preparer:


Darren Jones, Township of Wellington North

Date:




NOTE TO THE USER:

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information, mistakes in calculation, errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.



Minimum Distance Separation II (MDS II) Report

File: 008-14900 Willard Martin.mds

Description	Multiplier	Required Barn Setback	Actual Barn Setback	Required Storage Setback	Actual Storage Setback
Nearest neighbour's dwelling	1.0	113 m 371 ft	138 m 453 ft	135 m 444 ft	135 m 443 ft 
Type A land uses	1.0	113 m 371 ft	280 m 919 ft	135 m 444 ft	333 m 1093 ft
Type B land uses	2.0	226 m 742 ft	3900 m 12795 ft	270 m 887 ft	3900 m 12795 ft
Nearest lot line (side or rear)	0.1	11 m 37 ft	77 m 253 ft	14 m 44 ft	97 m 318 ft
Nearest road allowance	0.2	23 m 74 ft	246 m 807 ft	27 m 89 ft	300 m 984 ft

M1 - STORAGE

Contact Information
Unspecified

Farm Location
County of Wellington

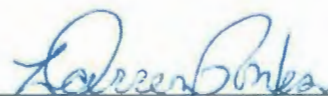
Manure Form	Type of Livestock/Material	Existing Capacity	Existing NU	Total Capacity	Total NU	Estimated Barn Area
Solid	Dairy; Milking-age Cows (dry or milking) Large Frame (545 - 636 kg) (eg. Holsteins); Tie Stall	60	85.7	0	0.0	Unavailable
Liquid	Dairy; Milking-age Cows (dry or milking) Large Frame (545 - 636 kg) (eg. Holsteins); Tie Stall	0	0.0	72	102.9	736 m ²
Solid	Dairy; Heifers Large Frame (182 - 545 kg) (eg. Holsteins); Deep Bedded	40	20.0	55	27.5	358 m ²
Solid	Dairy; Calves Large Frame (45 - 182 kg) (eg. Holsteins)	12	2.0	20	3.3	65 m ²
Solid	Horses; Large-framed, mature; > 680 kg (including unweaned offspring)	2	2.9	2	2.9	60 m ²
Solid	Veal; Grain-fed	30	5.0	36	6.0	251 m ²

Manure/Material Storage Type: M1 Liquid, outside, no cover, straight-walled storage

Building Base Distance 'F' (A x B x C x D): 128 m (419 ft)
Storage Base Distance 'S': 215 m (705 ft)

Factor A (Odour Potential): 0.7
Factor B (Nutrient Units): 357
Factor C (Orderly Expansion): 0.6447
Factor D (Manure/Material Type): 0.79
Total Nutrient Units: 143

Signature of Preparer:


Darren Jones, Township of Wellington North

Date:



NOTE TO THE USER:


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Minimum Distance Separation II (MDS II) Report

MDS 1.0.1
 12-Feb-2016 14:10
 Page 3

File: 008-14900 Willard Martin.mds

Description	Multiplier	Required Barn Setback	Actual Barn Setback	Required Storage Setback	Actual Storage Setback
Nearest neighbour's dwelling	1.0	128 m 419 ft	138 m 453 ft	215 m 705 ft	135 m 443 ft 
Type A land uses	1.0	128 m 419 ft	280 m 919 ft	215 m 705 ft	333 m 1093 ft
Type B land uses	2.0	256 m 839 ft	3900 m 12795 ft	430 m 1411 ft	3900 m 12795 ft
Nearest lot line (side or rear)	0.1	13 m 42 ft	77 m 253 ft	22 m 71 ft	97 m 318 ft
Nearest road allowance	0.2	26 m 84 ft	246 m 807 ft	43 m 141 ft	300 m 984 ft

Signature of Preparer:


 Darren Jones, Township of Wellington North

Date:

Feb 12/16

NOTE TO THE USER:

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Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

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

February 22, 2016

Township of Wellington North
Committee of Adjustment
7490 Sideroad 7, W
Kenilworth, ON
N0G 2E0

ATTENTION: Darren Jones, Building/Zoning Department

Dear Mr. Jones,

RE: Application for Minor Variance A1/16
9571 Concession 6 N
Part Lot 2, Concession 6
Geographic Township of Arthur
Township of Wellington North (Martin)

Saugeen Valley Conservation Authority (SVCA) staff has reviewed this proposal in accordance with the SVCA's mandate and policies and the Memorandum of Agreement between the SVCA and the County of Wellington relating to plan review. The purpose of this application is to provide relief from the Minimum Distance Separation 2 setback requirements. The applicants are proposing a barn expansion and a hybrid solid / liquid manure disposal system for a dairy operation. The proposed minor variance is acceptable to SVCA staff, and the following comments are offered.

Natural Hazard

Portions of the property are designated as Greenlands and Core Greenlands in the Wellington County Official Plan, and portions of the property 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 Greenlands/Core Greenlands designation or the EP zone.

SVCA staff are of the opinion that the Core Greenlands designation and the NE zone generally coincide with the hazardous lands mapping originally plotted by SVCA staff. The location of the proposed barn expansion and manure disposal system as shown on the information submitted as part of the minor variance application are outside of the Core Greenlands designation and NE zone, in the opinion of 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

Natural Heritage Features

The significant natural heritage features affecting the subject property are the fish habitat associated with Bell's Creek (Bethel Creek), and the significant woodlands in the eastern portion of the property.

Fish Habitat

Bell's Creek (Bethel Creek) is 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 functions.

In the opinion of SVCA staff, the proposed barn expansion and manure disposal system will be more than 120 metres from Bell's Creek (Bethel Creek), thereby negating the need for an Environmental Impact Study to address fish habitat.

Significant Woodlands

The woodlands in the eastern portion of the property have been included in the Greenlands designation. As the proposed barn expansion and manure disposal system is not within close proximity to the significant woodlands on the property, and will not be impacted by the proposed development associated with this proposed minor variance application, in the opinion of SVCA staff.

SVCA Regulation

Portions of the property are subject to the SVCA's Development, Interference with Wetlands and Alterations 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. 1990, Chap. C. 27. This Regulation requires that a person obtain the written permission of the SVCA prior to any "development" within 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 or increasing the number of dwelling units in the building or structure.*
- c) *site grading, or*

Township of Wellington North
A1/16 (Martin)
February 22, 2016
Page 3 of 3

- 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 interference in any way with the existing channel of a river, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

To determine where the SVCA's areas of interest are located associated with our Regulation on the subject 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.

Permission for Development

If development or alteration including construction, reconstruction, conversion grading, filling or excavation is proposed within the approximate Regulated Area on the subject property, the SVCA should be contacted, as permission from the SVCA may be required.

An SVCA permit will not be required for the proposed barn expansion or the manure disposal system.

Conclusion

All of the plan review functions listed in the Agreement have been assessed with respect to this proposal. Authority staff are of the opinion that the proposed minor variance appears to conform to the relevant policies of the Wellington County Official Plan and Provincial Policies. The application for minor variance is acceptable to SVCA staff.

We trust you find this information helpful. Should questions arise, please do not hesitate to contact this office.

Sincerely,

Candace Hamm

Candace Hamm
Environmental Planning Coordinator
Saugeen Conservation

cc: Maurice & Susannah Martin, 9571 Concession Road 6, RR # 6 Mount Forest, ON N0G 2L0
Steve McCabe, Authority Member, SVCA (via e-mail)