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SENT ELECTRONICALLY ONLY (bwhite@town.minto.on.ca)

July 30, 2018

Town of Minto
5941 Highway 89
RR # 1
Harriston, Ontario
N0G 1Z0

ATTENTION: Bill White, CAO/Clerk

Dear Mr. White,

RE: Proposed Zoning By-law Amendment
5543 Minto-Normanby Townline
Part Lot 33 & 34, Concession 17, and Part Lot 34, Concession 18
Roll No.: 234100000211100
Geographic Township of Minto
Town of Minto

(Leon Brubacher)

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the proposed zoning by-law amendment in accordance with the SVCA's mandate and the SVCA Environmental Planning and Regulations Policies Manual, Approved May 16, 2017. The purpose and effect of the application is to permit the expansion of a home industry to a size larger than what is permitted in the by-law. The proposed zoning by-law amendment is acceptable to SVCA staff and we offer the following comments.

Natural Hazard

Portions of the property are designated Core Greenlands and Greenlands in the County of Wellington Official Plan, Schedule A5 Minto and are zoned Natural Environment (NE) in the Town of Minto Zoning By-law 01-86, Schedule 'A' Map 1. The Greenlands designation and NE zone generally match the hazardous lands as originally plotted by SVCA staff. In general, no new buildings or structures are permitted within the Core Greenlands or Greenlands designation or the NE zone. In the opinion of SVCA staff, the area proposed to be rezoned to expand the home industry will not be located in the Core Greenlands or Greenlands designation or in the NE zone.

Natural Heritage

The significant natural heritage features and areas affecting the property include significant woodlands, fish habitat, potentially significant wildlife habitat, and potentially the significant habitat of endangered species and threatened species.



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

Significant Woodlands

Significant woodlands are included in the Core Greenlands and Greenlands designation and are shown on Schedule A5 Minto of the Wellington County OP. According to the plans submitted as part of the application, the area proposed to be rezoned to expand the home industry will not be located within the significant woodlands or their adjacent lands, therefore, in the opinion of SVCA staff, the preparation of an EIS to address significant woodlands is not warranted for this proposal at this time.

Fish Habitat

An unnamed tributary of Meux Creek flows through the southeast portion of the property. Furthermore, a closed portion of Municipal Drain 114 appears to be located in the central and southern portions of the property. These watercourses 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 functions. According to the plans submitted as part of the application, the area proposed to be rezoned to expand the home industry will not be located within the adjacent lands to fish habitat, therefore, in the opinion of SVCA staff, the preparation of an EIS to address the adjacent lands to fish habitat is not warranted for this proposal at this time.

Significant Wildlife Habitat

It has come to the attention of SVCA staff that significant wildlife habitat may be located on or adjacent to the property. 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 warranted at this time, as SVCA staff does not anticipate any negative impacts to significant wildlife habitat resulting from this proposal.

Significant Habitat of Endangered Species and Threatened Species

It has come to the attention of SVCA staff that habitat of endangered species and threatened species may be located on or adjacent to the property. Section 2.1.7 of the PPS 2014 indicates that development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements. It is the responsibility of the applicant to ensure the endangered species 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

Portions of the property are within the Approximate Screening Area associated with 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., 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.

To determine the Approximate Screening Area, associated with the SVCA's Regulation on the property, please refer to the SVCA's online mapping program, available via the SVCA's website at <http://eprweb.svca.on.ca>. Should you require assistance, please contact our office directly.

Permission for Development or Alteration

If development or alteration including construction, reconstruction, conversion, grading, filling or excavation, including agricultural tile drainage, is proposed within the Approximate Screening Area on the property, the SVCA should be contacted, as permission from the SVCA may be required. However, based on the plans submitted as part of the application, the area to be rezoned will not be within the Approximate Screening Area and permission from the SVCA will not be required for development within the area to be rezoned.

Conclusion

All of the plan review functions have been assessed with respect to this proposal. The proposed zoning by-law amendment is acceptable to SVCA staff. The SVCA would appreciate receiving notice of the decision to the above referenced planning application.

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

Sincerely,



Michael Oberle
Environmental Planning Technician
Saugeen Conservation
MO/

cc: Michelle Brown, Building Assistant, Town of Minto (via email)
Steve McCabe, Authority Member, SVCA (via email)