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SENT ELECTRONICALLY ONLY ([bwhite@town.minto.on.ca](mailto:bwhite@town.minto.on.ca))

August 30, 2018

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

ATTENTION: Bill White, CAO/Clerk

Dear Mr. White,

RE: Proposed Minor Variance MV-2018-05  
9585-14<sup>th</sup> Line  
Part Lot 22, Concession 14  
Roll No.: 234100000222000  
Geographic Township of Minto  
Town of Minto

(Weber)

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the proposed minor variance 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 construction of a 394.66 metre square (m2) Home Industry Building attached to an Agricultural Shed with a setback to the Natural Environment (NE) zone boundary of 6 m, whereas the zoning by-law permits a maximum size of 232.25 m2 for a Home Industry use and requires a minimum setback of 30 m to an NE zone Boundary. SVCA staff conducted a site inspection of the property on July 20, 2018. The proposed minor variance is acceptable to SVCA staff and we offer the following comments.

SVCA staff note that the legal description as described in the Notice of Public Hearing of Application for Minor Variance may not be correct. It is the understanding of SVCA staff that the legal description described above may be the correct legal description for the property.

#### **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. In general, no new buildings or structures are permitted within the Core Greenlands or Greenlands designation or the NE zone.

The Greenlands designation and NE zone generally match the hazardous lands as plotted by SVCA staff. However,



#### **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

it is the opinion of SVCA staff the NE zone could be revised slightly in the next update to the Town of Minto Zoning By-law 01-86, to better reflect site conditions in the northern portion of the property for the lands adjacent to Meux Creek. Therefore, please find enclosed SVCA mapping, one map at 1:5000 scale, and one map at 1:2000 scale, both dated August 30, 2018, showing SVCA staff recommended revision to the NE zone, shown on the SVCA map as SVCA Hazardous Lands.

In the opinion of SVCA staff, the location of the proposed Home Industry Building attached to an Agricultural Shed will be adjacent to, but not located in the Core Greenlands or Greenlands designation or in the recommended NE zone.

### **Natural Heritage**

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

#### Fish Habitat

Meux Creek (also known as Minto Municipal Drain No. 23, also known as Meux Creek Drain) flows through the northeast portion of the property. This watercourse 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. According to the plans submitted to the SVCA, the location of the proposed Home Industry Building attached to an Agricultural Shed will be located within the adjacent lands to fish habitat. However, in the opinion of SVCA staff, negative impacts to the adjacent lands to fish habitat are likely to be negligible, and the preparation of an Environmental Impact Study (EIS) to address the adjacent lands to fish habitat is not warranted for this proposal at this time.

#### Provincially Significant Wetlands (PSW)

Clifford Harriston Wetland Complex PSW is located in the southern portion of the property. PSWs are included in the Core Greenlands designation and are shown on Schedule A5 Minto of the Wellington County Official Plan (OP). According to the plans submitted to the SVCA, the location of the proposed Home Industry Building attached to an Agricultural Shed will not be located within the PSW or the adjacent lands to the PSW, therefore, in the opinion of SVCA staff, the preparation of an EIS to address the PSW is not warranted for this proposal at this time.

#### 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 to the SVCA, the location of the proposed Home Industry Building attached to an Agricultural Shed 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.

### 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. According to the plans submitted to the SVCA, it is the opinion of SVCA staff that 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 Regulated 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 Regulated 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.

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Permission for Development or Alteration

According to the plans submitted to the SVCA, the location of the proposed Home Industry Building attached to an Agricultural Shed will be located within the Approximate Regulated Area and will therefore require a Permit from the SVCA. SVCA staff provided comments to the landowner dated August 7, 2018 regarding the SVCA's Regulatory review of the proposal. A Permit can be granted for the proposal, subject to conditions. SVCA staff will continue to work with the landowner as part of the SVCA Permitting Process.

Should any other development or alteration including construction, reconstruction, conversion, grading, filling or excavation, including agricultural tile drainage, be proposed within the Approximate Regulated Area on the property, the SVCA should be contacted, as permission from the SVCA may be required.

**Conclusion**

All of the plan review functions have been assessed with respect to this proposal. The proposed minor variance 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,

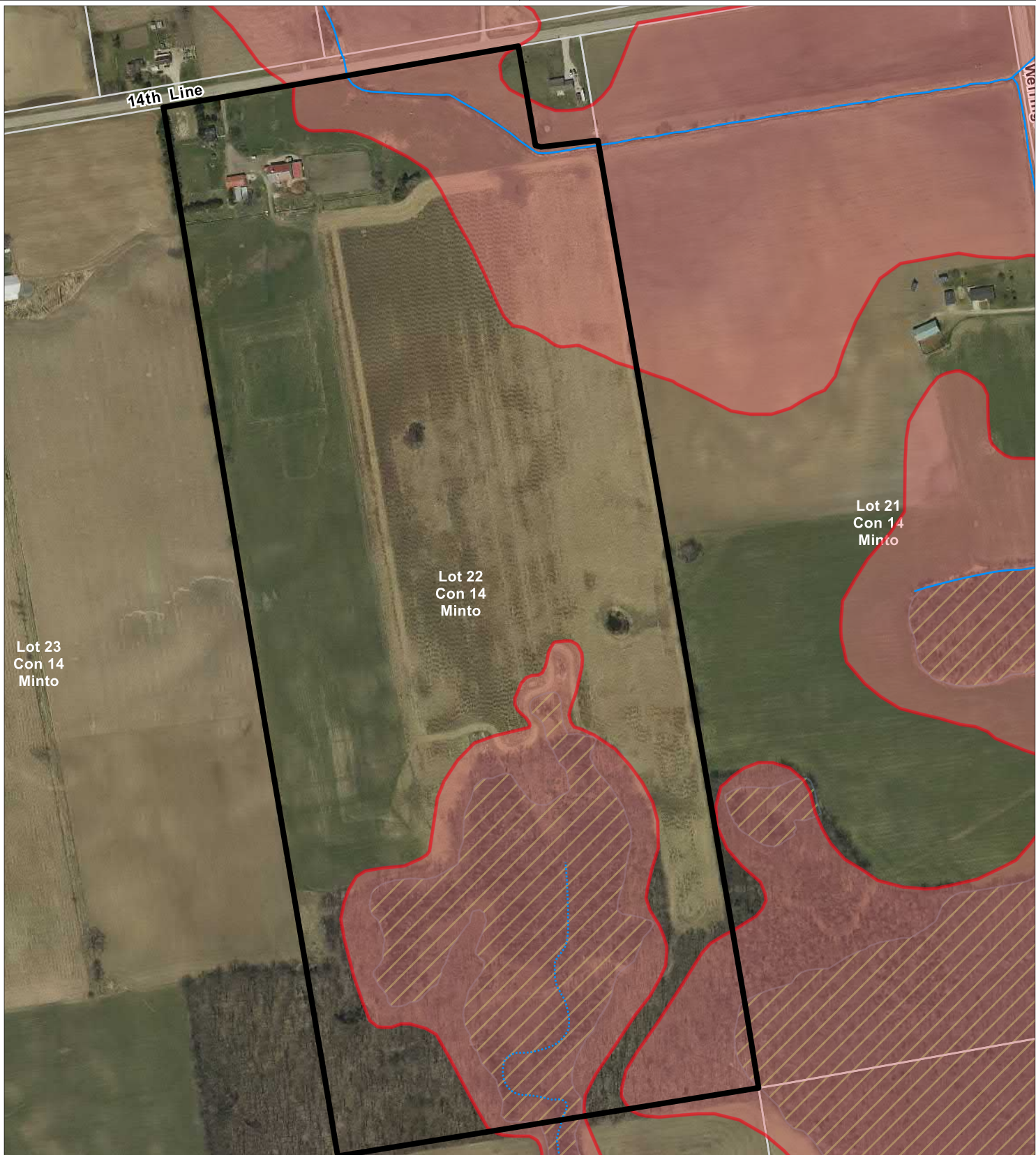


Michael Oberle  
Environmental Planning Technician  
Saugeen Conservation

MO/

Enclosures

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

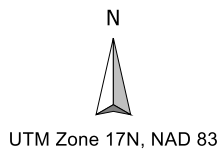


The included mapping has been compiled from various sources and is for information purposes only. Saugeen Valley Conservation Authority (SVCA) is not responsible for, and cannot guarantee, the accuracy of all the information contained within the map.

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
This mapping contains products of the South Western Ontario Orthophotography Project 2015 (SWOOP2015). These images were taken in 2015 at 20cm resolution by Fugro GeoServices. They are the property of Saugeen Valley Conservation Authority ©2018.

August 30, 2018



1:5000

## Legend

-  SVCA Hazardous Lands
-  Clifford-Harriston Provincially Significant Wetland
-  Watercourse
-  Parcel Fabric
-  Approximate Subject Property

Elam Weber  
9585-14th Line  
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Town of Minto  
Roll No.: 23410000222000







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August 30, 2018


N  
UTM Zone 17N, NAD 83  
1:2000


**Legend**

 SVCA Hazardous Lands

 Clifford-Harriston Provincially Significant Wetland

 Watercourse

 Parcel Fabric

 Approximate Subject Property

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