



**TOWNSHIP OF MELANCTHON**

**COMMITTEE OF ADJUSTMENT**

**THURSDAY, FEBRUARY 16, 2017 - 6:00 P.M.**

- 1. APPROVAL OF MINUTES - January 12, 2016**
- 2. BUSINESS ARISING FROM MINUTES**
- 3. APPLICATION FOR CONSENT**
  1. B1/17 - Dave Metz - Part Lot 14, Concession 2 O.S. Church Street
    1. Comments from Nottawasaga Valley Conservation Authority
    2. Comments from Niagara Escarpment Commission
    3. Memo from Chris D. Jones, MCIP, RPP
  2. B2/17 - Wayne Squirrell & Betty Ann Wilson - East Part Lot 30, Concession 3 O.S.
    1. Memo from Chris D. Jones, MCIP, RPP
- 4. APPLICATION FOR MINOR VARIANCE**
- 5. APPLICATIONS ON FILE**
  1. B12/14 - Julian McDowell - West Part Lot 13, Concession 1 O.S.
  2. B1/16 - Wayne Nicholson - Applicant / Bonnefield Canadian Farmland LP III - Owner East Part Lot 18, Concession 3 O.S.
- 6. DELEGATES**
- 7. CORRESPONDENCE**
- 8. ADJOURNMENT**

Ph: (519) 925-5525  
Fax: (519) 925-1110

**TOWNSHIP OF MELANCTHON**  
**Committee of Adjustment**

157101 Highway 10  
Melancthon, Ontario  
L9V 2E6

**NOTICE OF PUBLIC MEETING**  
**Application for Consent**

File No. **B1/17**

Date of Meeting: **February 16, 2017**

Time: **6:00 p.m.**

Name of Owner/Applicant: **David Metz**

Location of Public Meeting: **Council Chambers, 157101 Highway 10, Melancthon, ON, L9V 2E6**

**PROPOSED SEVERANCE: Part Lot 14, Concession 2 O.S., Church Street**

Existing Use: **Vacant**

Proposed Use: **Residential**

Road Frontage: **56.2 m.**

Depth: **73.42 m.**

Area: **0.41 ha.**

**RETAINED PORTION: Part Lot 14, Concession 2 O.S., Church Street**

Existing Use: **Vacant**

Proposed Use: **Residential**

Road Frontage: **56.2 m.**

Depth: **152.42 m.**

Area: **0.78 ha.**

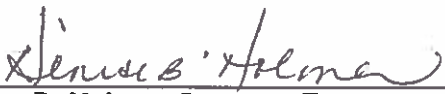
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The land is not the subject of an application under the Act for an Official Plan Amendment, Zoning By-law Amendment, or Minor Variance application.

If you require additional information on this application, it may be obtained by contacting the Secretary-Treasurer at the above address during regular office hours.

If a person or public body that files an appeal of a decision of the Melancthon Township Committee of Adjustment in respect of the proposed consent does not make a written submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Municipal Board may dismiss the appeal.

If you wish to be notified of the decision of the Committee of Adjustment in respect of the proposed consent, you must make a written request to the Committee of Adjustment, Township of Melancthon, 157101 Highway 10, Melancthon, Ontario, L9V 2E6.

  
Denise B. Holmes, Secretary-Treasurer




**CONCEPTUAL SITE PLAN ON  
PART OF LOT 14  
CONCESSION 2, OLD SURVEY  
TOWNSHIP OF MELANCTHON  
COUNTY OF DUFFERIN**

SCALE 1:500  
VAN HARTEN SURVEYING INC.

**NOTE:**  
THIS IS NOT A PLAN OF SURVEY

BOUNDARY INFORMATION SHOWN HEREON IS BASED ON RECORDS  
FOUND AT THE LAND REGISTRY OFFICE, PLANS 79-4756, 79-3747 AND  
REGISTERED PLAN NO. 344.

**METRIC:**  
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND  
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

1	ED.	AUG 11/16	FIRST SUBMISSION TO CLIENT		
No	BY	DATE	REVISION		
 <b>Van Harten</b> SURVEYING INC. (LAND SURVEYORS AND ENGINEERS)					
Simcoe Ph: 519-468-5070		Guelph Ph: 519-821-2765		Orangeville Ph: 519-940-4110	
www.vanharten.com			info@vanharten.com		
DRAWN BY: ELL      CHECKED BY: A.M.      PROJECT NO: 16095.10					
Sep 30, 2016-11:49 am					
C:\Melancthon\Con2-OSVACAD\SP-PF-14 (Metric) 19695.10 UTM 2010.dwg					

**TOWNSHIP OF MELANCTHON - COMMITTEE OF ADJUSTMENT  
APPLICATION FOR CONSENT**

**NOTE TO APPLICANTS**

*One copy of this application form must be completed and filed for each parcel to be severed together with the sketch as required by the Schedule to Ontario Regulation 547/06, with the Secretary/Treasurer and be accompanied by a fee of \$800.00 + \$1000.00 deposit. Cheques made payable to the Township of Melancthon.*

**Completeness of the Application**

The information that must be provided by the applicant is prescribed in the Schedule to Ontario Regulation 547/06 made under the Planning Act. If the mandatory information and fee are not provided, the Committee of Adjustment will return the application or refuse to further consider the application until the information and fee have been provided.

The application form also sets out other information that will assist the Committee of Adjustment and others in their planning evaluation of the Consent Application. To ensure the quickest and most complete review, this information should be submitted at the time of the application. In the absence of this information, it may not be possible to do a complete review within the legislated time frame for making a decision. As a result, the application may be refused.

1. Registered Owner's Name : 1392119 ONTARIO LTD  
Address: PO BOX 33, SHELBURNE L9V 3L8  
E-mail Address: metz.homes@rogers.com  
Telephone Number: (Home) 519-925-1904 (Work) 519-288-6039 (Fax) 519-925-6691

Applicant's Name : DAVID METZ  
Address: 129 BIRCH GROVE, SHELBURNE L9V 2W3  
E-mail Address: metz.homes@rogers.com  
Telephone Number: (Home) 519-925-1904 (Work) 519-288-6039 (Fax) 519-925-6691

Agent's Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_  
Telephone Number: (Home) \_\_\_\_\_ (Work) \_\_\_\_\_ (Fax) \_\_\_\_\_

Send Correspondence to? Owner ( ) Applicant (✓) Agent ( )

2. Date of Application: JAN 6-2017

3. Type of Transaction: (e.g. a transfer for the creation of a new lot, a lot addition, an easement, a charge, a lease or a correction of title)

SEVERANCE, TO CREATE A NEW LOT

4. Name of person(s) to whom the land or interest in land is to be transferred, charged or leased:

1392119 ONTARIO LTD.

5. Legal Description of Property:

Municipality MELANCTHON  
 Lot (s) PART LOT 14 Concession CON 2 OS  
 Lot (s) \_\_\_\_\_ Registered Plan \_\_\_\_\_  
 Part (s) \_\_\_\_\_ Reference Plan RP 7R 3747 PART 1  
RP 7R 4758 PART 1  
 Street Address CHURCH ST.  
 Roll Number 2219 000 001 12500 0000 Survey Attached - Yes (✓) No ( )

6. Are there any easements or restrictive covenants affecting the subject property? Yes \_\_\_\_\_ No (✓)

7. If the answer to Section 6 is yes, a description of each easement or covenant and its effect.

8. (a) Description of lands to be **SEVERED** or **EASEMENT/RIGHT-OF-WAY**: (in metric units)

Frontage: 368.75' (112.4m) Area: 1.19 ha

Depth: 152.42 m

Existing Use: VACANT

Proposed Use: SINGLE FAMILY HOME

Existing and proposed buildings and structures on land to be severed:

Existing: NONE

Proposed: SINGLE FAMILY HOME ON EACH LOT

What type of access do the lands intended to be **SEVERED** have?

Provincial Highway \_\_\_\_\_

County Road \_\_\_\_\_

Year Round Municipal Road ✓

Seasonal Municipal Road \_\_\_\_\_

Unopen Road Allowance \_\_\_\_\_

Private Right-of-way \_\_\_\_\_

Other, please specify \_\_\_\_\_

Services currently available, or to be available for the **SEVERED** parcel:

	Municipal Water	Communal Water	Private Water	Municipal Sewers	Communal Sewers	Private Sewers
Existing	( )	( )	( )	( )	( )	( )
Proposed	( )	( )	(✓)	( )	( )	(✓)



(b) Description of lands to be **RETAINED**:

(in metric units)

Frontage: 56.2 m

Area: 0.78 ha

Depth: 152.42 m

Existing Use: VACANT

Proposed Use: SINGLE FAMILY HOME

Existing and proposed buildings and structures on land to be retained:

Existing: NONE

Proposed: HOUSE w ATTACHED GARAGE

What type of access do the lands intended to be **RETAINED** have?

Provincial Highway                     

County Road                     

Year Round Municipal Road ✓

Seasonal Municipal Road                     

Unopen Road Allowance                     

Private Right-of-way                     

Other, please specify                     

Services currently available, or to be available for the **RETAINED** parcel:

	Municipal Water	Communal Water	Private Water	Municipal Sewers	Communal Sewers	Private Sewers
Existing	( )	( )	( )	( )	( )	( )
Proposed	( )	( )	(✓)	( )	( )	(✓)

9. (a) Present Official Plan designation of the land :                     

(b) Present Zoning of the land:                     

10. Has the subject land ever been the subject of an application for approval of a plan of subdivision under Section 53 of the Planning Act? Yes                      No ✓

If the answer is yes, the file number of the application and the status of the application.

11. Has any land been severed from the parcel originally acquired by the owner of the subject land?                     

12. If the answer to Section 11 is "Yes", please indicate previous severance on the required sketch and supply the following information for each lot severed:

Grantee's Name:                     

Relationship (if any) to owner:                     

Date of Parcel Created:                     

Use of Parcel:                     

File Number :

13. Is the subject land the subject of any other application under the Act, such as an application for an amendment to an official plan, a zoning by-law or a Minister's zoning order, an application for a minor variance or an approval of a plan of subdivision or a consent; **NO**

If the answer is yes, the file number of the application and the status of the application: \_\_\_\_\_

14. This application must be accompanied by a sketch showing the following, with any measurements shown in **metric units**:

- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;
- (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- (e) the approximate location of all natural and artificial features (*for example, buildings, railways, roads, watercourses, drainage ditches, bank of rivers or streams, wetlands, wooded areas, wells and septic tanks*) that,
  - (i) are located on the subject land and on land that is adjacent to it, and
  - (ii) in the applicant's opinion, may affect the application;
- (f) the current uses of land that is adjacent to the subject land ( for example, residential, agricultural or commercial);
- (g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;
- (h) if access to the subject land will be by water only, the location of the parking and boat docking facilities to be used; and
- (i) the location and nature of any easement affecting the subject land.

15. Is the application consistent with policy statements issued under subsection 3(1) of the Act? \_\_\_\_\_

16. Is the subject land within an area of land designated under any provincial plan or plans? \_\_\_\_\_

17. If the answer to question 16 is yes, briefly explain how this application either conforms with or does not conflict with any applicable provincial plan or plans:  
\_\_\_\_\_  
\_\_\_\_\_

18. If this application involves the creation of a non-farm lot within approximately 500 metres of livestock facilities and/or permanent manure storage facilities, a completed MDS I calculation form must be submitted with this application. If this application involves a new or expanded livestock facility and/or permanent manure storage facility, a completed MDS II calculation form must be submitted with this consent application.

**UPON SUBMISSION OF THIS APPLICATION THE APPLICANT AGREES:**

1. That the fee submitted with this application covers only routine processing costs (i.e. review by municipality). It is further understood and agreed that any additional costs or requirements with this application, including any additional information and processing requirements, or as may otherwise be required or incurred and charged to or by the municipality (i.e. planning, legal or engineering fees, OMB Hearing costs, agreements, special studies, other approvals or applications and any other related matters) will be my responsibility to provide to and/or reimburse the municipality for same. Failure to pay all associated costs may result in refusal of this application and/or collection by the municipality in like manner as municipal taxes, or any other means legally available to the municipality.
2. To pay the application fee in full prior to the processing of this application.
3. To allow the Committee of Adjustment to site inspect the property in consideration for this application.

**Affidavit or Sworn Declaration**

I, DAVID METZ of the TOWN of SHELBURNE

in the \_\_\_\_\_ of \_\_\_\_\_ solemnly declare that all the statements contained in this application and all the information provided is true, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the CANADA EVIDENCE ACT.

Declared before me

Date: JAN 6-2017

at the Town of Shelburne

in the County of Dufferin

this 6th day of January

2017

C. Taylor  
A Commissioner, etc.

Cynthia Noreen Taylor, a Commissioner, etc.,  
Province of Ontario, for Shepherd, Osyany, & King,  
Barristers and Solicitors.  
Expires July 30, 2017.

Signature of Applicant: BW/B





**Environmental Impact Study  
Church Street, Horning's Mills  
Township of Melancthon  
County of Dufferin**

Prepared for:  
Metz Homes Ltd.

Prepared by:  
Azimuth Environmental  
Consulting, Inc.

November 2016

AEC 16-116



Environmental Assessments & Approvals

November 30, 2016

AEC 16-116

Metz Homes Ltd.  
117 Birch Grove SS1  
Shelburne, Ontario  
L0N 1S1

Attention: David Metz

Re: **Environmental Impact Study, Proposed Lot Severance, Church Street,  
Horning's Mills.**

Dear Mr. Metz:

As requested, we have completed an Environmental Impact Study related to the proposed severance of your property in Horning's Mills.

The proposed lot severance and subsequent development of the resulting residential lots can be achieved with no negative impact to significant natural heritage features or functions including Species at Risk.

If you require additional information please do not hesitate to contact us.

Yours truly,  
AZIMUTH ENVIRONMENTAL CONSULTING, INC.

Jim Broadfoot, H. B.Sc.  
Terrestrial Ecologist

Attach:

cc: Adrian Maes, Van Harten Surveying



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Photograph 2	Central Low Point (looking west)

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Appendix B	Correspondence Re: Terms of Reference
Appendix C	Species at Risk Information
Appendix D	NVCA Regulated Areas & Contour Mapping



## 1.0 INTRODUCTION

Azimuth Environmental Consulting, Inc. (Azimuth) was retained by Metz Homes Ltd. to complete a scoped Environmental Impact Study (EIS) related to a proposal to sever an approximately 1.2ha property located on the south side of Church Street in Horning's Mills (Part of Lot 14 Concession 2, Old Survey – Township Of Melancthon) (Figure 1) to establish two residential building lots as per the conceptual site plan prepared by Van Harten Surveying Inc. (Appendix A).

## 2.0 STUDY APPROACH

A terms of reference/scope of work for the EIS was established in consultation with the Township of Melancthon (Township), Niagara Escarpment Commission (NEC) and Nottawasawga Valley Conservation Authority (NVCA) (Appendix B). In keeping with agency requirements the following work was completed:

- Submit an Information Request to the Ministry of Natural Resources & Forestry (MNR) Midhurst District to identify Species at Risk (SAR) of concern in the area and establish if significant natural heritage features or functions have been identified on or adjacent to the property (Appendix C);
- Complete a SAR assessment based on data provided by the MNR and available in other background data for the area and as identified through field studies;
- Map vegetation communities of the property using the protocols of the Ecological Land Classification (ELC) for southern Ontario (Lee *et al.*, 1998);
- Describe the composition and structure of tree and other vegetation cover of the property to assess woodlot values/habitat functions according to the Significant Wildlife Habitat Ecoregion 6E Criteria of the MNR (2015);
- Search specifically for Butternut trees (SAR – Endangered [END]) located on the property and near the property boundary;
- Map vegetation communities and other environmental features (*e.g.*, drainage features, slopes, areas of ground water discharge, *etc.*) on an air photo base;
- Assess the potential direct and indirect impacts of developing the proposed new lots with single-family dwellings on sensitive or significant environmental features identified in background and site-specific data;
- Compile a list of recommendations to avoid and/or mitigate the potential for negative environmental impacts, particularly as it relates to tree removal;
- Provide an assessment of loss of tree cover to future development of proposed lots and identify opportunities for restoration; and,
- Provide comment of site topography as it relates to areas of slope.





Field studies were completed on April 20, 2016 under the following conditions: Temperature +10°C, Cloud Cover <5%, Wind Beaufort Scale 0, Precipitation Nil, Start Time 1130hr, End Time 1430hr, Observer J. Broadfoot).

### **3.0 EXISTING CONDITIONS**

#### **3.1 Land Use**

The property is irregularly shaped and fronts onto Church Street as shown on Figure 2.

The lands are vacant and vegetated with tree cover throughout.

Adjacent lands to the north of Church Street contain residential lots developed with a mix of old and new single-family dwellings. Adjacent lands to the east contain a mix of residential, commercial and institutional development (church) aligned along Main Street. Adjacent lands to the west have been developed as a relatively large residential estate lot. Lands to the south are primarily tree covered.

#### **3.2 Topography**

The northern portion of the property fronting onto Church Street has elevation approximately 470m Above Sea Level (mASL). Topography dips to approximately 465mASL in the central section of the property rising again to the south to a maximum elevation of approximately 475mASL. Elevations on adjacent lands to the east and west of the central low point on the property are approximately 460mASL (Note: elevations based on 5m contours presented on base mapping of the area - <https://maps.simcoe.ca/public/?mode=advanced>).

The northern portion of the irregularly shaped property varies in elevation by approximately 5m over a distance of approximately 65m (7% slope). No areas of exposed or eroded soils were noted. According to the slope gradient classification of Agriculture and AgriFood Canada (AgCAN 2013) this classifies as a Gentle slope (*i.e.*, 4-9% gradient).

The southern section of the irregularly shaped property varies in elevation by approximately 10m over a distance of approximately 80m (12.5% slope). No areas of exposed or eroded soils were noted. According to the slope gradient classification of AgCAN(2013) this classifies as a Moderate slope (*i.e.*, 10-15% gradient).

The central low point of the property (see Figure 1) grades onto adjacent lands to the east and west dropping in elevation approximately 5m over 80m onto adjacent lands (6.25% slope). No areas of exposed or eroded soils or obvious areas of surface drainage were



observed in the central low point (Photos 1 & 2). According to the slope gradient classification of AgCAN (2013) this classifies as a Gentle slope (*i.e.*, 4-9% gradient).

### 3.3 Vegetation

The property contains three vegetation communities as shown on Figure 2. Table 1 provides a list of vascular plants observed by community.

The northern portion and central low point of the property contain a White Spruce Coniferous Plantation (CUP3-8). White Spruce was dominant (73% of treed having diameter at breast height [DBH] > 10cm). The plantation also contained Jack Pine (26%) and small quantities of Box Elder, Sugar Maple and White Ash. Average DBH was approximately 15cm with maximum DBH of 25cm. Basal Area (BA) was estimated at approximately 43m<sup>2</sup>/ha (2 factor metric wedge prism, 5 prism plots). The shrub layer was very sparsely populated with sapling Box Elder. Ground cover was virtually non-existent.

The southern section of the property contains a successional Dry-Fresh White Cedar Coniferous Forest (FOC2-2). Eastern White Cedar was dominant (77% of trees having DBH > 10cm). The forest also contained Scotch Pine (15%), White Spruce (5%) and small amounts of American Larch, Box Elder, Red Oak, Black Cherry, White Ash and Black Walnut. Average DBH was approximately 15cm with maximum DBH of 45cm (Scotch Pine). Basal Area (BA) was estimated at approximately 45m<sup>2</sup>/ha based on 5 prism plots. The shrub layer was very dense and heavily stocked with sapling sized Eastern White Cedar. Ground cover was sparse.

There is a small area of Cultural Woodland (CUW) located in the northeast corner of the property adjacent to Church Street. Tree cover is sparse resulting in a relatively open canopy. Box Elder is the dominant tree species and many of the Box Elder in this area had been recently damaged by ice. Other tree species in this area included White Spruce, and Black Walnut. The shrub layer contained Black Raspberry and ornamental Honeysuckle.

Adjacent lands to the south contained Cultural Meadow (CUM)/old-field habitat with successional woodland growth progressing along the edges. Woodland cover of the field edges contained Box Elder, Staghorn Sumac, Apple, Scotch Pine, Eastern White Cedar, Black Cherry, ornamental Cherry, Red Oak and White Ash.

Two sapling sized Butternut trees (END) were observed on the property as shown on Figure 2. None of the other plant species observed is a SAR in Ontario or species



considered rare provincially (*i.e.*, Sub-national “S” Rank not 1, 2 or 3). All plant species observed are relatively common locally.

### **3.4 Wildlife**

Table 2 provides a list of wildlife observed on and adjacent to the property. None of the species observed is a SAR in Ontario and all are relatively common locally.

## **4.0 NATURAL HERITAGE FEATURES & FUNCTIONS**

There are no delineated/designated natural heritage features and functions on the property (*i.e.*, no watercourses, wetlands, Areas of Natural & Scientific Interest [ANSI], significant woodlands, significant wildlife habitats, etc.). Background data indicate that adjacent lands to the east contain wetland units mapped as part of the Terra Nova Wetland Complex (Provincially Significant Wetland) and that the Niagara Escarpment Biosphere Reserve is identified locally. A portion of the eastern side of the property is mapped as “Regulated” by the NVCA (Appendix D) apparently owing to slopes (Appendix B).

The results of site assessment confirmed no watercourses or wetlands on or immediately adjacent to the property and that slopes on the property are for the most part gentle (*i.e.*, < 9% gradient based on 5m contour mapping) with moderate slopes (*i.e.*, in range of 10% - 15%) on the south end of the irregularly shaped property.

The following sections provide an assessment of SAR and considerations of woodlot value/significance as per the terms of reference of the EIS.

### **4.1 Species at Risk**

Table 3 provides a habitat based assessment of the potential of the property and adjacent lands to function as habitat for SAR identified locally in background data (Appendix C) and through site assessment.

The results of the SAR assessment indicate that two sapling sized (both having base stem diameter <5cm DBH) Butternut (END) occur on the property in locations shown on Figure 2.

### **4.2 Woodland Characteristics & Functions**

Woodland cover of the property is relatively young containing mainly polewood (*i.e.*, DBH 10cm to 25cm) and sapling (*i.e.*, DBH < 10cm) sized trees (average DBH approximately 15cm). The northern half of the property contains a very densely stocked



stand of planted White Spruce and Jack Pine. Based on average tree size and basal area, this Coniferous Plantation contains approximately 2,430 trees > 10cm DBH/ha. None of the trees have value as sawlogs or fuelwood. The southern half of the property contains a densely stocked stand of successional Dry-Fresh White Cedar Coniferous Forest. Based on average tree size and basal area this Coniferous Forest contains approximately 2,500 trees > 10cm DBH/ha. None of the trees have value as sawlogs or fuelwood.

We could attribute none of the Significant Wildlife Habitat functions identified by the province within Ecoregion 6E to the property or adjacent lands.

As early successional forest lands within an urban area, with roughly half of the forest cover representing Coniferous Plantation and having no discernable Significant Wildlife Habitat functions, these woodlands are not candidates for consideration as Significant Woodland based on the multi-factor evaluation criteria identified by the province in the Natural Heritage Reference Manual, 2<sup>nd</sup> Edition (OMNR 2010).

## **5.0 PROPOSED DEVELOPMENT**

The conceptual Site Plan for the property indicates that the existing lot will be severed to create two lots – a 0.78ha Retained Lot on the west side of the site which includes the coniferous forest habitat of the southern section of the property, and a 0.41ha Severed Lot on the east side of the property (Appendix A).

The site plan identifies proposed locations for a single-family dwelling, garage, well, septic bed and driveway on each lot. The proposed building layout positions built features at the north end of the property. Building envelopes measuring approximately 45m X 40m (1800m<sup>2</sup>) are shown on Figure 2 for each proposed lot within which it is assumed all trees would be cleared to provide space for dwellings, septic beds, lawns/amenity space, *etc.*

## **6.0 IMPACT ASSESSMENT**

### **6.1 Butternut (SAR)**

As shown on Figure 2, the two sapling sized Butternut (Bn) identified on the property are located outside of areas required to be cleared to install built features. Given their sizes (both having base stem diameter < 5cm) their calculated critical root zone only extends outward approximately 1m from the base of each tree. Proposed development (septic bed) is located more than 25m from Bn #1 and 8m from Bn #2 and hence beyond the critical root zone of both Butternuts. Ontario's *Endangered Species Act*, 2007 (ESA) protects Butternut from Kill, Take or Harm. The proposed development requires no



removal of either Butternut (*i.e.*, no Kill, Take) and is located well away from each tree – hence no Harm. Butternut is a “pioneering species” regenerating under open canopy conditions. The lands proposed for development contain closed canopied coniferous plantation not amenable to Butternut regeneration and hence do not function as habitat for Butternut. Therefore, there is no need to assess the health of either Butternut to establish their retention status under the ESA as no authorizations issued under Ontario’s ESA would be required to permit the proposed development as the trees will not be killed or harmed and lands proposed for development do constitute habitat for Butternut. Recommendations are provided to prevent inadvertent harm to Butternut.

## **6.2 Woodlot Values**

The proposed development would result in a combined loss of 3600m<sup>2</sup> of Conifer Plantation and Cultural Woodland assuming all tree cover located with the areas identified on Figure 2 as “Building Envelope” are completely cleared to facilitate development. Based on tree size and density/basal area, this loss amounts to approximately 875 polewood sized trees (640 White Spruce, 225 Jack Pine and small amounts of polewood sized Sugar Maple, Box Elder and White Ash). Areas of tree cover potentially retained outside of building envelopes shown on the conceptual site plan sketch contain an estimated 2100 trees. Therefore, there is potential to retain approximately 70% of the existing trees on the property. Though the woodlands of the property and adjacent lands do not provide Significant Wildlife Habitat functions, recommendations are provided to mitigate potential impacts to wildlife potentially utilizing areas of tree cover to be cleared.

## **6.3 Topography**

Slopes in the area of proposed development are gentle (*i.e.*, < 9%). The central low part of the property is aligned in an east-west direction south of areas proposed for development (Figure 2). Therefore, slopes do not seem to present impediments to developing the property as proposed. Recommendations are provided for placement of sediment control fencing to mitigate potential downslope erosion and sedimentation.

## **7.0 RECOMMENDATIONS**

The following recommendations are provided as mitigation for the potential for negative environmental impacts arising during and following development:

- Do not cut trees between April 1 and August 31 to avoid impacts to bird nests containing eggs and/or chicks;
- In advance of tree clearing, install hoarding fence around Bn # 2 to protect it from harm during tree clearing operations and subsequent stages of development.





- Construct hoarding fence using “Orange Safety Barrier Fence” or equivalent installed 2m from base of tree. Inform tree clearing and other contractors of the location of this tree and that it is a protected species;
- Minimize the amount of tree clearing on each lot to that required for construction of dwellings, garages, septic beds, lawns/amenity spaces, *etc*;
  - Install sediment control fencing on down gradient sections of cleared portions of the lots as shown conceptually on Figure 2 according to Ontario Provincial Standard Drawing (OPSD) – 219.130 *Heavy Duty Silt Fence Barrier* or equivalent as recommended by the building contractor;
  - Restore areas of disturbed/exposed soil as soon as possible stabilizing the areas with grass or other suitable vegetation; and,
  - Utilize native, non-invasive species in the landscaping.

## 8.0 CONCLUSIONS

The proposed lot severance and subsequent development of the resulting residential lots can be achieved with no negative impact to significant natural heritage features or functions including Species at Risk.

## 9.0 REFERENCES

AgCAN. 2013. Slope Gradient. Agriculture and Agri-Food Canada, Date Modified 2013-06-25 (<http://sis.agr.gc.ca/cansis/nsdb/slc/v3.2/cmp/slope.html>).

Lee, H., W. Bakowsky, J. Riley, J. Bowles, M. Puddister, P. Uhlig, and S. McMurray. 1998. Ecological Land Classification for Southern Ontario.: First Approximation and its Application. Ontario Ministry of Natural Resource. Southcentral Science Section, Science Development and Transfer Branch. SCSS Field Guide FG-02. 225pp.

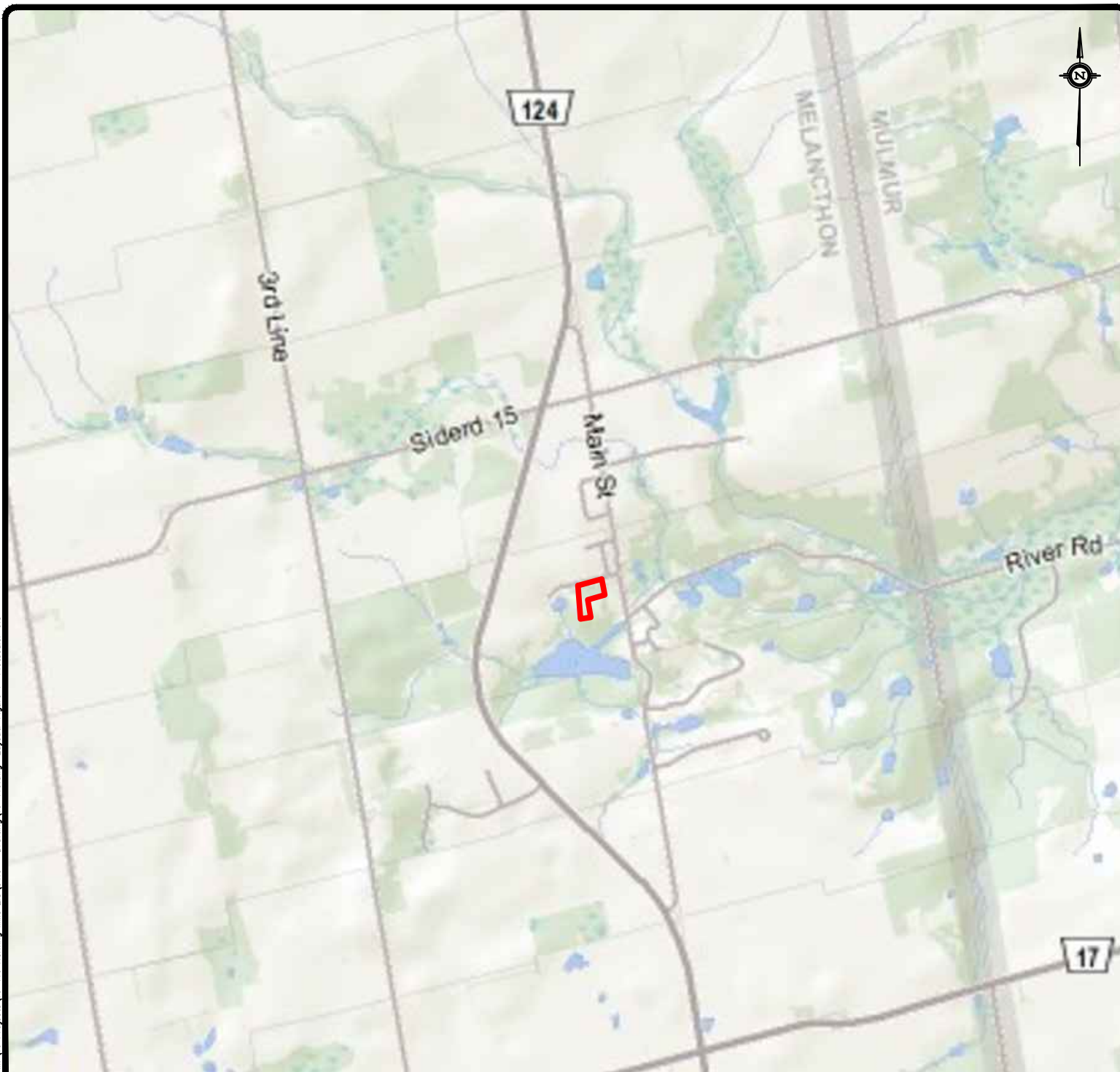
MMAH. 2014. 2014 Provincial Policy Statement under the Planning Act. Ministry of Municipal Affairs and Housing. Queen’s Printer for Ontario. Toronto, ON. 50pp.

MNRF. 2015. Significant Wildlife Habitat Criteria Schedules For Ecoregion 6E. Ontario Ministry of Natural Resources and Forestry, Regional Operations Division: Southern Region Resources Section, 300 Water Street, 4th Floor South, Peterborough, Ontario, Canada, K9J 8M5.

OMNR. 2010. Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement, 2005 (Second Edition). Ontario Ministry of Natural Resources. Queen’s Printer for Ontario. Toronto, ON. 248pp.

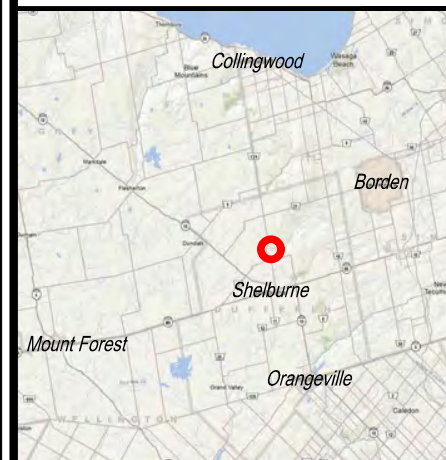


OMNR. 2000. Significant Wildlife Habitat Technical Guide. Ontario Ministry of Natural Resources. Queen's Printer for Ontario. Toronto, ON. 139pp + appendices.



**LEGEND:**

— *Approx. Property Boundary*



REG MAP

250m 0 750m  
 HORIZONTAL SCALE 1: 25,000



Study Area Location

Church St.,  
 Horning Mills, ON

DATE ISSUED: November 2016

CREATED BY: JLM

PROJECT NO.: 16-116

REFERENCE: MNR

Figure No.

1





**LEGEND:**

- Approx. Property Boundary
- Photo Stations and Direction (white)
- Butternut Sapling Locations
- Butternut Hoarding Fence
- Sediment Control Fence
- Building Envelope
- Bottom of Bank
- Vegetation Communities
- CUP3-8 White Spruce Coniferous Plantation
- COW Cultural Woodland
- FOC2-2 Dry-Fresh White Cedar Coniferous Forest

5m 0 15m

HORIZONTAL SCALE 1:500

**Environmental Features**

Church St. EIS,  
Horning Mills, ON

DATE ISSUED:	November 2016	Figure No.
CREATED BY:	JLM	2
PROJECT NO.:	16-116	
REFERENCE:	First Base Solutions	

Plotted by: JMCARTNEY on November 28, 2016 at 3:35pm  
File: M:\16 Projects\16-116 Horning Mills EIS\04.0 - Drafting\16-116.dwg Layout: EIS2 Protocol: 0.5

DAYSTAMP: M:\16 Projects\16-116 Horning Mills EIS\04.0 - Drafting\16-116.dwg



**Table 1. Vascular Plant Observations, Horning's Mills, 2016.**

FAMILY	SCIENTIFIC NAME	COMMON NAME	VEGETATION COMMUNITY <sup>1</sup>			CONSERVATION RANK <sup>2</sup>		
			CUP3-8	FOC2-2	CUW	S RANK	G RANK	SARO STATUS
Aceraceae	<i>Acer negundo</i>	Manitoba Maple	X	X	X	S5	G5	
Aceraceae	<i>Acer saccharum</i>	Sugar Maple		X	X	S5	G5	
Anacardiaceae	<i>Rhus typhina</i>	Staghorn Sumac			X	S5	G5	
Apiaceae	<i>Daucus carota</i>	Wild Carrot	X			SNA	GNR	
Caprifoliaceae	<i>Lonicera japonica</i>	Japanese Honeysuckle			X	SNA	GNR	
Caprifoliaceae	<i>Lonicera tatarica</i>	Tartarian Honeysuckle			X	SNA	GNR	
Cornaceae	<i>Cornus alternifolia</i>	Alternate-leaved Dogwood			X	S5	G5	
Cornaceae	<i>Cornus stolonifera</i>	Red-osier Dogwood		X		S5	G5	
Fagaceae	<i>Quercus rubra</i>	Northern Red Oak		X		S5	G5	
Juglandaceae	<i>Juglans cinerea</i>	Butternut	X	X		S3?	G4	END
Juglandaceae	<i>Juglans nigra</i>	Black Walnut		X	X	S4	G5	
Oleaceae	<i>Fraxinus americana</i>	White Ash		X	X	S4	G5	
Oleaceae	<i>Syringa vulgaris</i>	Common Lilac			X	SNA	GNR	
Pinaceae	<i>Larix laricina</i>	American Larch		X		S5	G5	
Pinaceae	<i>Picea glauca</i>	White Spruce	X	X	X	S5	G5	
Pinaceae	<i>Picea rubens</i>	Red Spruce	X			S3	G5	
Pinaceae	<i>Pinus sylvestris</i>	Scotch Pine		X	X	SNA	GNR	
Rosaceae	<i>Rubus idaeus</i>	Wild Red Raspberry			X	S5	G5	
Rosaceae	<i>Rubus occidentalis</i>	Black Raspberry			X	S5	G5	
Salicaceae	<i>Populus tremuloides</i>	Trembling Aspen	X	X		S5	G5	
Vitaceae	<i>Vitis riparia</i>	Riverbank Grape		X	X	S5	G5	

<sup>1</sup>See Figure 1 for location

<sup>2</sup>Conservation Rank Information from Ministry of Natural Resources & Forestry, Natural Heritage Information Centre

Observation Date - April 20, 2016; Observer - J. Broadfoot



**Table 2. Wildlife Observations, Horning's Mills, 2016.**

TAXA	FAMILY	SCIENTIFIC NAME	COMMON NAME	CONSERVATION RANK <sup>1</sup>		
				S RANK	G RANK	SARO STATUS
Bird	Picidae	<i>Colaptes auratus</i>	Northern Flicker	S4B	G5	
Bird	Sturnidae	<i>Sturnus vulgaris</i>	European Starling	SNA	G5	
Bird	Corvidae	<i>Corvus brachyrhynchos</i>	American Crow	S5B	G5	
Bird	Emberizidae	<i>Spizella passerina</i>	Chipping Sparrow	S5B	G5	
Bird	Corvidae	<i>Cyanocitta cristata</i>	Blue Jay	S5	G5	
Bird	Columbidae	<i>Zenaida macroura</i>	Mourning Dove	S5	G5	
Bird	Turdidae	<i>Turdus migratorius</i>	American Robin	S5B	G5	
Bird	Icteridae	<i>Agelaius phoeniceus</i>	Red-winged Blackbird	S4	G5	
Bird	Sittidae	<i>Sitta canadensis</i>	Red-breasted Nuthatch	S5	G5	
Bird	Cardinalidae	<i>Cardinalis cardinalis</i>	Northern Cardinal	S5	G5	
Bird	Paridae	<i>Poecile atricapillus</i>	Black-capped Chickadee	S5	G5	
Mammal	Cervidae	<i>Odocoileus virginianus</i>	White-tailed Deer	S5	G5	
Mammal	Procyonidae	<i>Procyon lotor</i>	Northern Raccoon	S5	G5	
Mammal	Sciuridae	<i>Tamiasciurus hudsonicus</i>	Red Squirrel	S5	G5	
Mammal	Sciuridae	<i>Sciurus carolinensis</i>	Eastern Gray Squirrel	S5	G5	

<sup>1</sup>Conservation Rank Information from Ministry of Natural Resources & Forestry, Natural Heritage Information Centre

Observation Date - April 20, 2016; Conditions - Temperature +10°C, Cloud Cover <5%, Wind Beaufort Scale 0, Precipitation Nil, Start Time 1130hr, End Time 1430hr, Observer J. Broadfoot

Table 3. Species at Risk Assessment, Horning's Mills, 2016.

TAXA	COMMON NAME	SCIENTIFIC NAME	SARO Status	GENERAL HABITAT REQUIREMENTS	HABITAT ON PROPERTY?	ISSUE AFFECTING PROPOSED DEVELOPMENT?
Bird	Grasshopper Sparrow	<i>Ammodramus savannarum</i>	SC	Large grasslands	No	No
Bird	Chimney Swift	<i>Chaetura pelagica</i>	THR	Nest and roost in chimneys. Aerial forager often concentrating near water where insects are abundant.	No	No
Bird	Common Nighthawk	<i>Chordeiles minor</i>	SC	Open woodlands (scattered tree cover), rock barrens and similar habitats providing mix of open land and shrub/tree cover.	No	No
Bird	Eastern Wood-pewee	<i>Contopus virens</i>	SC	Mid-canopy layer of forest clearings and edges of deciduous and mixed forests. Most abundant in forest stands of intermediate age and in mature stands with little understory vegetation.	No	No
Bird	Bobolink	<i>Dolichonyx oryzivorus</i>	THR	Large grasslands/pastures	No	No
Bird	Barn Swallow	<i>Hirundo rustica</i>	THR	Nests in barns, large culverts and other similar man made structures. Forages in grasslands, pastures, graminoid and other open wetlands.	No	No
Bird	Wood Thrush	<i>Hylocichla mustelina</i>	SC	Nests mainly in second-growth and mature deciduous and mixed forests, with saplings and well-developed understory layers. This species prefers large forest mosaics, but may also nest in small forest fragments.	No	No
Bird	Red-headed Woodpecker	<i>Melanerpes erythrocephalus</i>	SC	Variety of habitats including oak and beech forests, grasslands, forest edges, orchards, pastures, riparian forests, roadsides, urban parks, golf courses, cemeteries, beaver ponds and burns.	No	No
Bird	Bank Swallow	<i>Riparian riparian</i>	THR	Riparian habitat with sand banks for nesting.	No	No
Bird	Eastern Meadowlark	<i>Sturnella magna</i>	THR	Large grasslands/pastures	No	No

TAXA	COMMON NAME	SCIENTIFIC NAME	SARO Status	GENERAL HABITAT REQUIREMENTS	HABITAT ON PROPERTY?	ISSUE AFFECTING PROPOSED DEVELOPMENT?
Bird	Canada Warbler	<i>Wilsonia canadensis</i>	SC	Deciduous, coniferous and mixed forests, with a well-developed shrub layer and a structurally complex forest floor. It is most abundant in moist, mixed forests.	No	No
Plant	Butternut	<i>Juglans cinerea</i>	END	Forests, fencerows	Yes	<b>Yes - 2 saplings observed (see Figure 2 for locations)</b>
Reptile	Snapping Turtle	<i>Chelydra serpentina</i>	SC	Lakes, ponds, marshes and slow moving rivers, various wetlands with open water	No	No
Mammal	Little Brown Bat	<i>Myotis lucifugus</i>	EN	Winter hibernation - caves, abandoned mines, etc. Summer maternity colony - typically buildings (attics, etc.) but occasionally in tree cavities within deciduous or mixed forests having large diameter (i.e., > 25cm DBH) wildlife cavity trees.	No winter hibernation habitat. Forests are coniferous and contain young/small diameter trees.	No
Mammal	Northern Long-eared Bat	<i>Myotis septentrionalis</i>	EN	Winter hibernation - caves, abandoned mines, etc. Summer maternity colony - associated with wildlife cavity trees within deciduous or mixed forests having an abundance of large diameter (i.e., > 25cm DBH) trees with cavities or loose bark.	No winter hibernation habitat. Forests are coniferous and contain young/small diameter trees.	No
Mammal	Eastern Small-fotted Bat	<i>Myotis leibii</i>	EN	Winter hibernation - caves, abandoned mines, etc. Summer maternity roost - talis slopes, rock outcrops.	No winter hibernation habitat. No rock outcrops or talis providing summer habitat conditions.	No
Mammal	Tri-colored Bat	<i>Perimyotis subflavus</i>	EN	Winter hibernation - caves, abandoned mines, etc.. Summer - day roosts and maternity colonies in older forest and occasionally in barns or other structures.	No winter hibernation habitat. Forests are coniferous and contain young/small diameter trees.	No

Note: List of SAR of concern in area compiled based on background data (Ontario Breeding Bird Atlas, Natural Heritage Information Centre, Ontario Mammal Atlas, Ontario Reptile & Amphibian Atlas) and SAR Information request to the MNRF, Midhurst District



**PHOTOGRAPH 1. View of Central Low Point – looking east (April 20, 2016).**



**PHOTOGRAPH 2. View of Central Low Point – looking west (April 20, 2016).**



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## **APPENDICES**

Appendix A	Conceptual Site Plan
Appendix B	Correspondence Re: Terms of Reference
Appendix C	Species at Risk Information
Appendix D	NVCA Regulated Areas & Contour Mapping

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## **APPENDIX A**

### **Conceptual Site Plan**

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CONCEPTUAL SITE PLAN ON  
PART OF LOT 14  
CONCESSION 2, OLD SURVEY  
TOWNSHIP OF MELANCTHON  
COUNTY OF DUFFERIN

SCALE 1 : 500  
0 10 20 30 metres  
VAN HARTEN SURVEYING INC.

NOTE:  
THIS IS NOT A PLAN OF SURVEY

BOUNDARY INFORMATION SHOWN HEREON IS BASED ON RECORDS  
FOUND AT THE LAND REGISTRY OFFICE, PLANS 7R-4758, 7R-3747 AND  
REGISTERED PLAN No. 34A

METRIC:  
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND  
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

1	EEL	AUG 11/16	FIRST SUBMISSION TO CLIENT
No.	BY	DATE	REVISION
<div><div><div>Van Harten</div><div>SURVEYING INC.</div><div>LAND SURVEYORS and ENGINEERS</div></div></div>			
Elmira Ph: 519-669-5070		Guelph Ph: 519-821-2763	Orangeville Ph: 519-940-4110
www.vanharten.com		info@vanharten.com	
DRAWN BY: EEL		CHECKED BY: AJM	PROJECT No. 19695-10
Sep 30, 2016-11:49am L:\Melancthon\Con2-OS\ACAD\SP-PT-LT-14 (Metz) 19695-10 UTM 2010.dwg			





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## **APPENDIX B**

Correspondence Re: Terms of Reference

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## Jim Broadfoot

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**From:** DAVID METZ <metz.homes@rogers.com>  
**Sent:** March-02-16 2:55 PM  
**To:** Jim Broadfoot  
**Cc:** Ted Metz; David Metz  
**Subject:** Hornings Mills lot

Hi Jim,

I arranged a meeting with Chris Jones today. I want to proceed towards getting a consent to sever my property. The EIS will be a component of my proposal.

We will wait to get a response from NVCA planner - Tim Salkeld. However, My understanding is that my property is not a wetland as defined by NVCA, and that they do not require an EIS for that element of the property.

Chris Jones suggested that EIS needs to cover the following:

- woodlot value
- habitat value of woodlot
- species at risk
- probably a slope analysis study (this was mentioned by NVCA)

Municipality

I will forward you NVCA information when I receive it.

Would you then be in a position to update your proposal?.

Thanks, Dave

## Jim Broadfoot

---

**From:** DAVID METZ <metz.homes@rogers.com>  
**Sent:** March-14-16 4:34 PM  
**To:** Jim Broadfoot; chris\_mplanningservices@rogers.com  
**Subject:** Fw: NVCA - Property Severance - Church Street, Melancthon

Hello Guys,

Please see attached from NVCA Planner.

Jim: Could you clean up your proposal based on input from township, NVCA, and NEC about what should be included in EIS.

Thanks, Dave Metz

----- Forwarded Message -----

**From:** Jennifer Muldoon <jmuldoon@nvca.on.ca>  
**To:** DAVID METZ <METZ.HOMES@ROGERS.COM>  
**Sent:** Monday, March 14, 2016 1:23 PM  
**Subject:** FW: NVCA - Property Severance - Church Street, Melancthon

Hi David,

Below is an email that I sent on March 3<sup>rd</sup> with Tim's response.

Please let us know if you have any additional questions

With thanks

Jennifer

**Jennifer Muldoon | Planning Administrative Assistant**

Nottawasaga Valley Conservation Authority  
8195 8<sup>th</sup> Line, Utopia, ON L0M 1T0  
T 705-424-1479, ext. 272 | F 705-424-2115  
jmuldoon@nvca.on.ca | nvca.on.ca

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---

**From:** Jennifer Muldoon  
**Sent:** Thursday, March 03, 2016 8:40 AM  
**To:** 'DAVID METZ'  
**Subject:** RE: NVCA - Property Severance - Church Street, Melancthon

Hi David,

Tim has reviewed your property and severance information and provided the following comments:

NVCA

Based upon the written description, it appears there is potential to create an additional lot at this location. From a regulatory perspective, development envelopes outside of our regulated would exist on both parcels. The extent of the area captured in our slope layer appears to be over-estimated. If future development is proposed within our

regulated area, we would have an opportunity to comment through the NEC process and the NVCA permit process.

NVCA does have an interest in the review of the EIS and the report may provide recommendations on the location of lot lines to avoid environmental features. As a general principle, the NVCA tries to keep natural heritage features (e.g. woodland) on one property as much as possible to avoid the potential impacts on the woodland from multiple property owners. Again, the EIS would provide additional insight into the significance of the woodland and how to protect it.

Please note these comments are preliminary in nature and all applications are subject to review and due process.

Hope this helps in the severance process and please let NVCA know if you need additional information moving forward.  
With thanks,  
Jennifer

**Jennifer Muldoon | Planning Administrative Assistant**

Nottawasaga Valley Conservation Authority  
8195 8<sup>th</sup> Line, Utopia, ON L0M 1T0  
T 705-424-1479, ext. 272 | F 705-424-2115  
jmuldoon@nvca.on.ca | nvca.on.ca

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---

**From:** DAVID METZ [<mailto:metz.homes@rogers.com>]  
**Sent:** Wednesday, March 02, 2016 2:30 PM  
**To:** Jennifer Muldoon  
**Subject:** Re: NVCA - Property Severance - Church Street, Melancthon

Hi Jennifer,

I would propose a severance that gave each severed property an equal frontage on the street. The property line between properties would run parallel to the existing east and west property lines.

Is this clear enough , or do you need a sketch?

I met with Chris Jones (planner for Melancthon) to move process to the next step. We agreed getting a response from Tim would be a logical next step.

Thanks, Dave

---

**From:** Jennifer Muldoon <[jmuldoon@nvca.on.ca](mailto:jmuldoon@nvca.on.ca)>  
**To:** DAVID METZ <[METZ.HOMES@ROGERS.COM](mailto:METZ.HOMES@ROGERS.COM)>  
**Sent:** Wednesday, March 2, 2016 10:32 AM  
**Subject:** NVCA - Property Severance - Church Street, Melancthon

Hi David,

Just to clarify – What is the proposed severance? Would you be able to provide a rough severance map or describe how the property is going to be divided?

With thanks,  
Jennifer

**Jennifer Muldoon | Planning Administrative Assistant**

Nottawasaga Valley Conservation Authority  
8195 8<sup>th</sup> Line, Utopia, ON L0M 1T0  
T 705-424-1479, ext. 272 | F 705-424-2115  
jmuldoon@nvca.on.ca | nvca.on.ca

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---

**From:** DAVID METZ [<mailto:metz.homes@rogers.com>]  
**Sent:** Tuesday, March 01, 2016 12:11 PM  
**To:** Jennifer Muldoon  
**Subject:** Fw: 29 church

----- Forwarded Message -----

**From:** DAVID METZ <[metz.homes@rogers.com](mailto:metz.homes@rogers.com)>  
**To:** "jmuldoon@nvca.ca" <[jmuldoon@nvca.ca](mailto:jmuldoon@nvca.ca)>  
**Sent:** Tuesday, March 1, 2016 9:03 AM  
**Subject:** Fw: 29 church

Response from NEC.

Thanks, Dave

----- Forwarded Message -----

**From:** "Stewart, Sean D. (MNRF)" <[Sean.D.Stewart@ontario.ca](mailto:Sean.D.Stewart@ontario.ca)>  
**To:** David Metz <[metz.homes@rogers.com](mailto:metz.homes@rogers.com)>  
**Sent:** Wednesday, February 24, 2016 3:13 PM  
**Subject:** RE: 29 church

Hi David,

I think that it is plausible to sever the lot. Based on my desktop analysis the far eastern portion of the property is located in the NVCA's regulated area so you should speak to them before making an official application to us. It would also be a good idea to talk to the Town (I think you mentioned that you did) to see if this would be something they'd support. I think the property is within their settlement area as per their Official Plan so it may be possible.

NEC

I would want to see an EIS completed for the property as it is quite naturalized (heavily treed). That EIS should include information on the types and amounts of tree removal and any mitigation (replanting, sediment control measures, tree protection measures, comments on potential for species at risk etc). If there is any opportunity for you to approach the immediate neighbouring properties to gauge any objections that would be good.

The site plan should include information on any grading and fill importation and have the location of wells and septic systems and the limit of disturbance (include the location of silt fencing and tree protection).

I think that is about it... If you have any further questions please ask.



Thanks,

Sean Stewart, MES (Pl.)  
Planner  
Niagara Escarpment Commission  
232 Guelph Street  
Georgetown, ON  
(905) 877-8581  
<http://www.escarpment.org/>

"To enable us to serve you better, please call ahead to make an appointment."

-----Original Message-----

From: David Metz [mailto:[metz.homes@rogers.com](mailto:metz.homes@rogers.com)]  
Sent: February-12-16 7:56 AM  
To: Stewart, Sean D. (MNRFB)  
Subject: 29 church

I hope this copy easier to read?

Dave



---

---

## **APPENDIX C**

### **Species at Risk Information**

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---

## Jim Broadfoot

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**From:** Benvenuti, Jodi (MNRF) <jodi.benvenuti@ontario.ca>  
**Sent:** August-24-16 4:06 PM  
**To:** Jim Broadfoot  
**Subject:** FW: SAR INfo Request - Church Street Horning Milld, Dufferin  
**Attachments:** SAR Info Request\_Church Street Horning Mills\_Azimuth July 12, 2016.pdf

Hi Jim,

We have no further SAR information to add.

Jodi Benvenuti  
Management Biologist  
Ministry of Natural Resources and Forestry  
Midhurst District  
Phone: (705) 725-7513

---

**From:** Haelzle, Jeff (MNRF)  
**Sent:** July-15-16 8:56 AM  
**To:** Benvenuti, Jodi (MNRF)  
**Subject:** FW: SAR INfo Request - Church Street Horning Milld, Dufferin

Jodi,

See attached request below.

Thanks,

*Jeff Haelzle*  
Partnership Specialist  
Midhurst District – Huronia Area  
Ministry of Natural Resources & Forestry  
2284 Nursery Rd  
Midhurst ON L0L 1X0  
Tel: 705-725-7566  
Fax: 705-725-7584  
[jeff.haelzle@ontario.ca](mailto:jeff.haelzle@ontario.ca)

 Please consider the environment before printing this email.

---

**From:** Jim Broadfoot [<mailto:Jim@Azimuthenvironmental.Com>]  
**Sent:** July-14-16 10:44 AM  
**To:** MIDHURSTSAR (MNRF)  
**Subject:** SAR INfo Request - Church Street Horning Milld, Dufferin

To Whom it May Concern:

Attached please find a SAR Information Request filed in regard to a proposed residential lot severance in Horning Mills – Sent Via EMAIL ONLY.

Please do not hesitate to call to discuss.

Thank you,

Jim Broadfoot, Terrestrial Ecologist

Please note we have moved office, e-mail and phone numbers remain the same

Azimuth Environmental

**642 Welham Road**

Barrie, ON

L4N 9A1

(705) 721-8451 x 206

Mobile (705) 427-3422

*Providing services in hydrogeology, terrestrial and aquatic ecology & environmental engineering*



---

Environmental Assessments & Approvals

July 12, 2016

AEC 16-116

VIA E-MAIL ONLY

Ministry of Natural Resources & Forestry  
Midhurst District  
2284 Nursery Road  
Midhurst, Ontario  
L0L 1X0

Attention: Midhurst SAR Team

**RE: Species at Risk Information Request Related to a Proposed Lot Severance,  
Church Street – Horning Mills, Dufferin**

To Whom it May Concern:

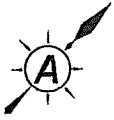
Azimuth Environmental Consulting (Azimuth) has been retained to prepare a scoped Environmental Impact Study (EIS) for a proposed lot severance within the settlement area of Horning Mills. We are sending this letter as a component of the Species at Risk (SAR) assessment for this property.

**EXISTING CONDITIONS**

The property covers approximately 1ha and is located on the south side of Church Street in the settlement area of Horning Mills (see attached Figure).

Site investigations completed in April 2016 revealed the following:

- The property is forest covered throughout containing coniferous plantation and mixed forest. Coniferous plantation habitat dominated with sapling and polewood sized White Spruce fronts onto Church Street. Mixedwood communities occur in rear portions of the property and are dominated by Scotch Pine and Trembling Aspen.
- There are no wetlands on or adjacent to the property.



- The property is vacant but abuts residential development to the north and east associated with Church Street and Main Street, respectively.
- There are no watercourses on the property.

### **PROPOSED DEVELOPMENT**

The property is proposed to be severed to create residential lots that front onto Church Street.

The future single-family dwellings would be privately serviced (individual well and septic).

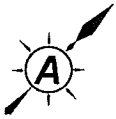
### **BACKGROUND SAR DATA**

On-line data from the NHIC database and Ontario Breeding Bird Atlas indicate that the following Species at Risk in Ontario have the potential to occur in the area: Common Nighthawk; Chimney Swift; Red-headed Woodpecker; Eastern Wood-pewee; Bank Swallow; Barn Swallow; Wood Thrush; Canada Warbler; Bobolink; Eastern Meadowlark; Grasshopper Sparrow; Snapping Turtle. There appear to be no Restricted Species record for the area on file with the NHIC.

Given our understanding of the habitat requirements of the above noted species as per Provincial Recovery Strategies and Species Specific Habitat Regulations under the *Endangered Species Act*, 2007 (Ontario Regulation 242/08) and other sources, the following Species at Risk species will be addressed in our EIS: Red-headed Woodpecker; Eastern Wood-pewee; Wood Thrush; and Butternut.

There is currently no indication that potential habitat for Common Nighthawk; Chimney Swift; Bank Swallow; Barn Swallow; Bobolink; Eastern Meadowlark; or Grasshopper Sparrow is associated with the property. The property and adjacent lands do not provide ponded/long duration surface water accumulation suitable to turtle species. Azimuth is aware that these species have been identified in the area historically, and will continue to be mindful of the species during the site assessment. We propose however, that the species will not be considered in our EIS unless our onsite evaluation, or MNR response provide information which indicate potential habitat for the species. If the District's files contain additional or contradictory information, we would appreciate your input at this time.

Azimuth generally appends agency correspondence to its EIS reports. If the MNR has records of a RESTRICTED SPECIES in the area, we request that the MNR provides two copies of the response - one with the species name replaced with (Restricted Species)



for inclusion in the appendices of our EIS, the other retaining the identity of the species for Azimuth's internal use only.

Thank you very much for your assistance in this matter.

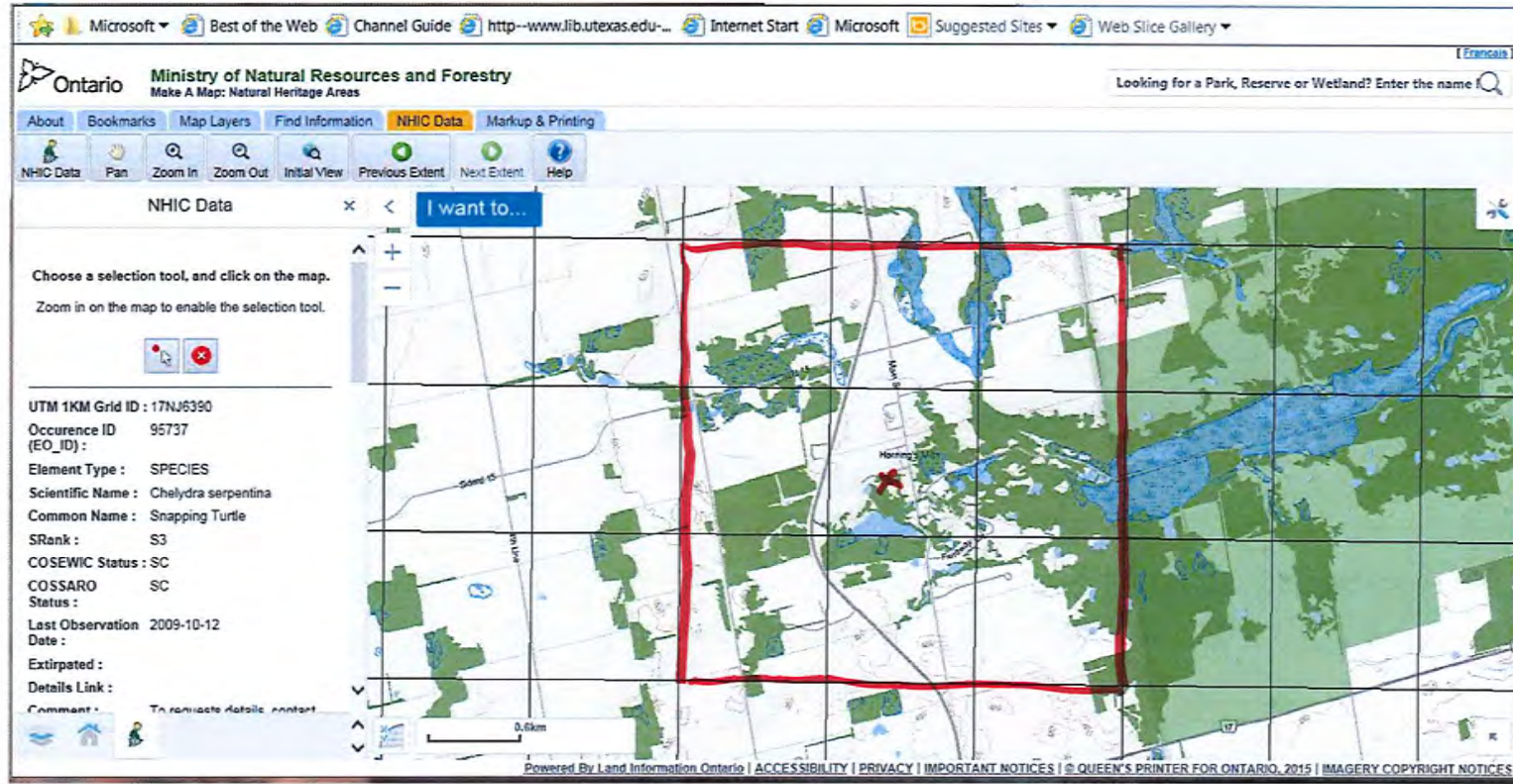
If you have any questions regarding this project please do not hesitate to contact us.

Yours truly,  
AZIMUTH ENVIRONMENTAL CONSULTING, INC.

Jim Broadfoot, H.B.Sc.  
Terrestrial Ecologist

Attach: Site Location/NHIC Map  
NHIC & OBBA SAR Info





AEC 16-116 Horning Mills

✗ PROPERTY



utm 1km grid squares included  
in Records Search

## Species at Risk & Species of Conservation Concern Background Information - Horning Mills, Dufferin

MNRF, NHIC (17NJ6389, 17NJ6390, 17NJ6490, 17NJ6389, 17NJ6488, 17NJ6388, 17NJ6288, 17NJ6289, 17NJ6290) - accessed on-line July 12, 2016

EO_ID	Common Name	Scientific Name	S-rank	SARO Status	Date
41039	Riffle Snaketail	<i>Omphiogomphus carolus</i>	S2S3		1931
95737	Snapping Turtle	<i>Chelydra serpentina</i>	S3	SC	2009
35687	Onley's Grinnia	<i>Grimmis onleyi</i>	S2		1985
100399	Bobolink	<i>Dolichonyx oryzivorus</i>	S4B	THR	2005

MNRF, NHIC (17NJ6389, 17NJ6390, 17NJ6490, 17NJ6389, 17NJ6488, 17NJ6388, 17NJ6288, 17NJ6289, 17NJ6290) - accessed on-line July 12, 2016

EO_ID	Common Name	Comment	Element Type
7893	Terra Nova Wetland Complex	Evaluated Wetland, Provincial	Natural Areas
18988	Niagara Escarpment Biosphere Reserve		Natural Areas

OBBA (17NJ68, 17NJ69) - accessed on-line July 12, 2016

Common Name	Scientific Name	SARO Status
Common Nighthawk	<i>Chordeiles minor</i>	SC
Chimney Swift	<i>Chaetura pelagica</i>	THR
Red-headed Woodpecker	<i>Melanerpes erythrocephalus</i>	SC
Eastern Wood-pewee	<i>Contopus virens</i>	SC
Bank Swallow	<i>Riparia riparia</i>	THR
Barn Swallow	<i>Hirundo rustica</i>	THR
Wood Thrush	<i>Hylocichla mustelina</i>	SC
Canada Warbler	<i>Wilsonia canadensis</i>	SC
Bobolink	<i>Dolichonyx oryzivorus</i>	THR
Eastern Meadowlark	<i>Strunella magna</i>	THR
Grasshopper Sparrow	<i>Ammodramus savannarum</i>	SC



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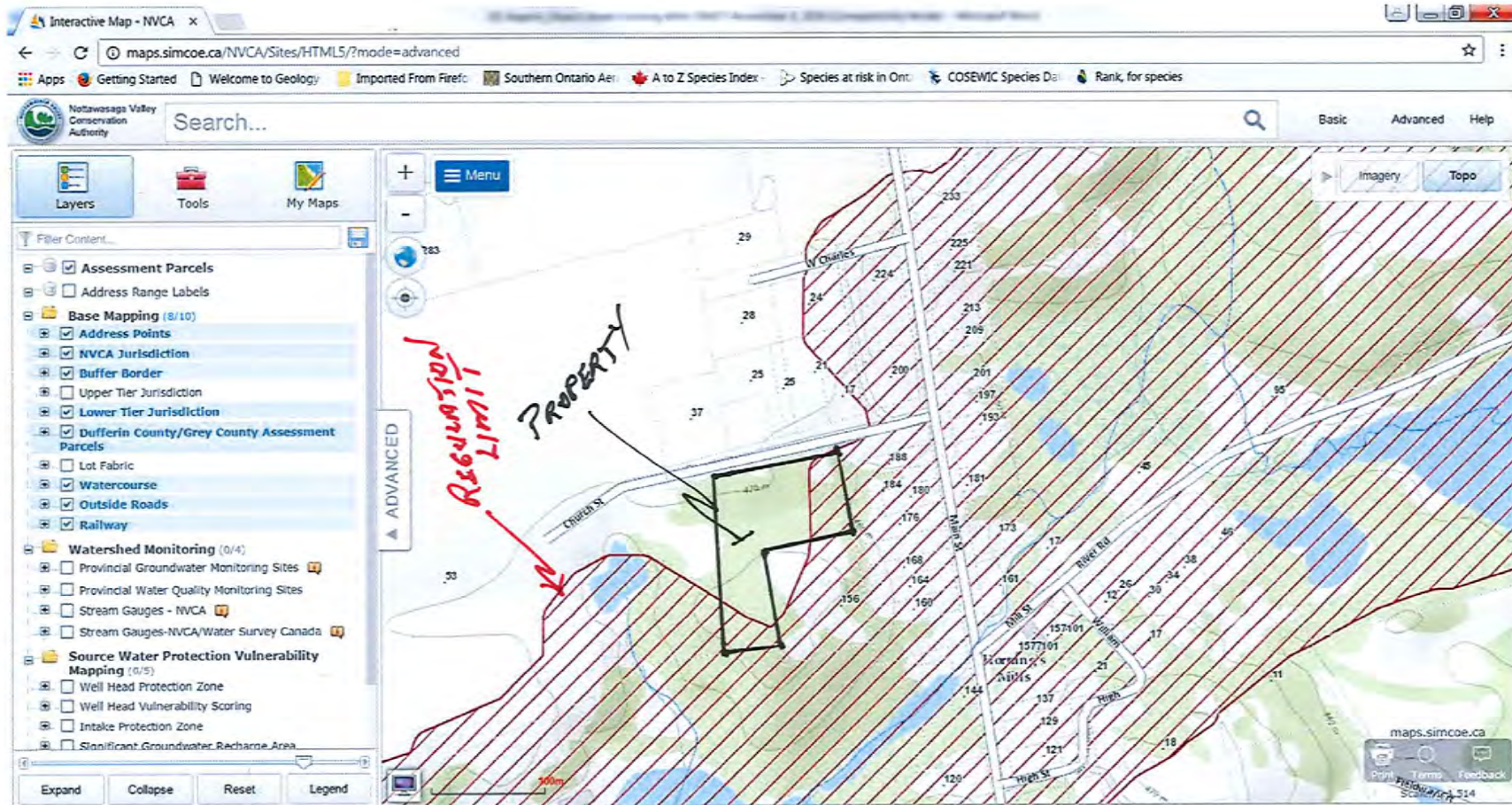
## **APPENDIX D**

### **NVCA Regulated Areas & Contour Mapping**

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<http://maps.simcoe.ca/NVCA/Sites/HTML5/?mode=advanced>



**Nottawasaga Valley**  
Conservation Authority

RECEIVED

FEB 6 / 2017

February 2, 2017

Denise B. Holmes, Secretary-Treasurer  
Committee of Adjustment  
Township of Melancthon  
157101 Highway 10, Melancthon, Ontario  
L9V 2E6

Dear Ms. Holmes;

RE: Consent Application **B1/17**  
Part Lot 14, Concession 2 O.S., Church Street  
Township of Melancthon

The Nottawasaga Valley Conservation Authority (NVCA) has reviewed this application for consent and based on our mandate and policies under the Conservation Authorities Act, we have **no objection** to its approval.

The NVCA has reviewed the Environmental Impact Study (EIS) prepared by Azimuth Environmental Consulting Inc. (dated November 2016) in support of an application to create one new lot (two total) for residential purposes. The NVCA believes the work scope is appropriate given site context and scale/type of proposed development.

The property is forested and generally surrounded by development associated with the hamlet. Both proposed building lots are located in spruce plantation/cultural woodland and avoid the native cedar forest in the south lobe of the property.

Two butternut saplings (endangered species) were observed. The report notes that proposed development will lie well outside the root zone for these small trees and there is proposed mitigation to protect the sapling closest to the proposed building envelopes.

It is our understanding the property is designated Environmental Conservation as an overlay over the underlying Community designation in Schedule B of the Township Official Plan. Uses permitted in Community designation are permitted provided that it can be demonstrated that there will be no negative impacts on the natural heritage features/functions associated with the Environmental Conservation designation overlay.

.../2

In this case, an assessment on whether there is the presence of significant woodlands appears to be the primary issue. The NVCA agrees with the conclusions of the EIS that proposed severance and development can proceed with no negative impact to significant natural heritage features/functions subject to implementation of the recommendations identified in Section 7 of the EIS.

The proposed eastern lot falls partially within an area affected by Ontario Regulation 172/06 where a permit (or clearance) is required under the Conservation Authorities Act prior to development. The property is not subject to natural hazards (e.g. flooding, erosion).

Thank you for circulating this application for our review and please forward a copy of any decision.

Sincerely,

A handwritten signature in black ink that reads "Tim Salkeld". The signature is written in a cursive, flowing style.

Tim Salkeld  
Resource Planner

**Niagara Escarpment Commission**

232 Guelph St.  
Georgetown, ON L7G 4B1  
Tel: 905-877-5191  
Fax: 905-873-7452  
www.escarpment.org

**Commission de l'escarpement du Niagara**

232, rue Guelph  
Georgetown ON L7G 4B1  
No de tel. 905-877-5191  
Télécopieur 905-873-7452  
www.escarpment.org



**Niagara Escarpment Commission**  
An agency of the Government of Ontario

January 20, 2017

Denise B. Holmes  
Secretary-Treasurer/Chief Administrative Officer  
Committee of Adjustment

Township of Melancthon  
157101 Highway 10  
Melancthon, ON L9V 2E6

Dear Ms. Denise B. Holmes

**Re: Application for Consent B1/17  
Part Lot 14, Concession 2 O.S., Church Street  
Township of Melancthon, County of Dufferin**

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The Niagara Escarpment Commission has reviewed this application for Consent and wishes to request a deferral and provide the following comments:

The property subject to this Consent Application is located within the Niagara Escarpment Commission's area of Development Control. Section 24(3) of the *Niagara Escarpment Planning and Development Act* states that:

"No building permit, work order, certificate or licence that relates to development shall be issued, and no approval, consent, permission or other decision that is authorized or required by an Act and that relates to development shall be made, in respect of any land, building or structure within an area of development control, unless the development is exempt under the regulations or,

- (a) a development permit relating to the land, building or structure has been issued under this Act; and
- (b) the building permit, work order, certificate, licence, approval, consent, permission or decision is consistent with the development permit."

In this regard, a Niagara Escarpment Development Permit must be obtained for the proposed severance to create a new lot, prior to the consent being granted.

A Development Permit Application was submitted to the Niagara Escarpment Commission on January 9, 2017 for the proposed lot creation. Until a decision is made by the Commission on the Development Permit Application, Consent cannot be decided on. As such, the Commission requests that the Consent application be deferred.



A Notice of Decision on this Consent application is requested.

Please call Brandon Henderson, Planner 1 at (905) 877-4026, if you have any questions.

Yours truly,



Debbie Ramsay  
Manager

# • Municipal Planning Services Ltd. •

## MEMORANDUM

**To:** Mayor White and Members of Council  
**Copy:** Ms. Denise Holmes, CAO  
**From:** Chris D. Jones MCIP, RPP  
**Date:** February 9, 2017  
**Re:** Application for Consent B1/17 (Metz)

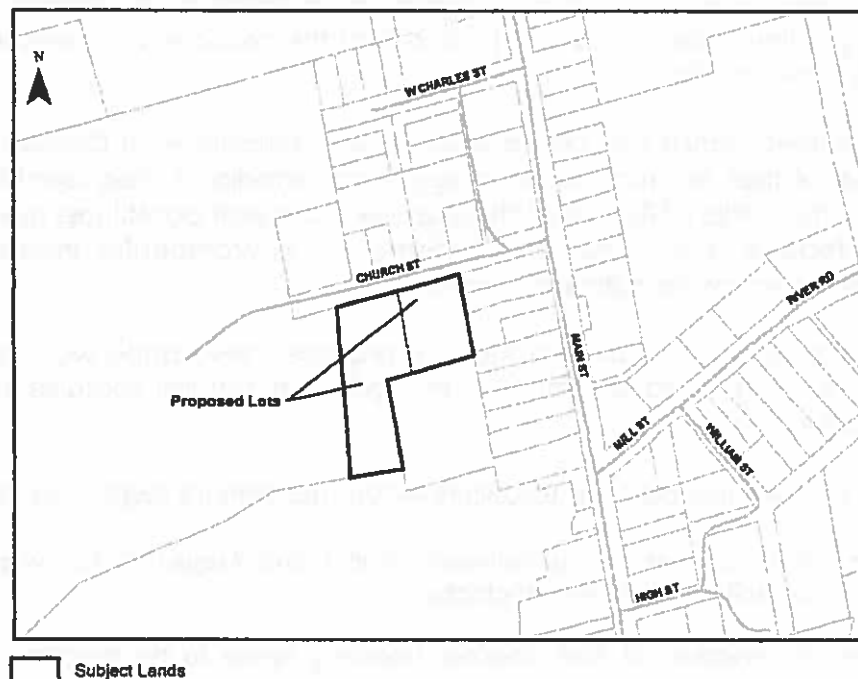
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## BACKGROUND

The Township is in receipt of an application for consent to create a new residential infill lot from lands located in Part of Lot 14, Concession 2 O.S in the settlement of Hornings Mills. The subject lands are currently vacant.

The proposed new lot would have a frontage of 56 metres (183 feet) and a lot area of 1.2 hectares (2.96 acres). The retained lands would have a frontage of 56 metres (183 feet) and a lot area of 0.78 hectares (1.92 acres). The proposed lot (severed and retained) is illustrated in Figure 1.

**Figure 1 – Proposed Lot (Severed and Retained)**



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• Municipal Planning Services Ltd. •

Chris D. Jones BES, MCIP, RPP  
51 Churchill Drive, Unit 1  
Barrie, Ontario  
(705) 725-8133

## OFFICIAL PLAN

The subject lands are designated Community in the Township's Official Plan given that they are located within the existing settlement area of Horning's Mills.

Section 3.1.2 of the Plan states in part:

*"Limited residential growth in the Township's largest communities shall occur primarily in Horning's Mills, the largest community with the most appropriate areas for some additional greenfield and infill residential development".*

Furthermore Section 3.1.2 (d) (iii) states:

*"Horning's Mills, the Municipality's largest community, will be the primary focus for residential intensification".*

Residential intensification is defined in the Official Plan in the following manner:

*"means the development of a property, site or area at a residential density that is higher than currently exists or was previously permitted through redevelopment, residential infilling, the expansion or conversion of existing residential buildings including second dwelling units in detached or semi-detached dwellings, or the conversion of non-residential buildings to residential use".*

The Plan also establishes a series of intensification policies for the Community designation in Section 5.7.2 (i). I find that the proposed consent is generally compliant with these policies.

The subject lands are also subject to an Environmental Conservation designation by virtue of their location within a significant woodland area identified on Schedule E to the Official Plan. Given that the proposed consent constitutes new development within this feature, the applicant prepared an Environmental Impact Study, which was undertaken by Azimuth Environmental.

The Azimuth EIS concluded that the proposed severance was appropriate and would not result in negative impacts to significant natural features or functions including Species at Risk.

The EIS also provided the following recommendations regarding the development:

- Trees cannot be cut between April 1 and August 31 to avoid impacts to bird nests containing eggs and/or chicks;
- In advance of tree clearing, hoarding fence to be installed around Butternut #2 to

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• Municipal Planning Services Ltd. •

Chris D. Jones BES, MCIP, RPP  
51 Churchill Drive  
Barrie, Ontario  
(705) 725-8133

protect it during tree clearing operations and subsequent stages of development;

- Minimize the amount of tree clearing on each lot to that required for construction of dwellings, garages, septic beds, lawns and amenity spaces;
- Install sediment control fencing on down gradient section of cleared portions of the lots as shown conceptually in Figure 2 of the EIS;
- Restore areas of disturbed/exposed soils as soon as possible stabilizing the areas with grass or other suitable vegetation; and,
- Utilize native, non-invasive species in the landscaping.

#### **NOTTAWASAGA VALLEY CONSERVATION AUTHORITY**

The NVCA has reviewed the applicant and the EIS and in a letter dated February 2, 2017, the NVCA had no objection to the proposed consent and found that the scope of the EIS was appropriate for the site context and scale of development.

#### **NIAGARA ESCARPMENT COMMISSION**

The lands proposed for consent are subject to the regulatory authority of the NEC.

In a letter dated January 20, 2017, the NEC requested a deferral of the application quoting Section 24 (3) of the Niagara Escarpment Planning and Development Act.

#### **ANALYSIS**

In my opinion the proposed consent will provide for the appropriate development of the subject lands in manner consistent with Provincial Policy and the Township's Official Plan.

#### **RECOMMENDATION**

It is recommended that the proposed consent be deferred pending the issuance of a permit by the Niagara Escarpment Commission.



Chris Jones MCIP, RPP

---

• Municipal Planning Services Ltd. •  
 Chris D. Jones BES, MCIP, RPP  
 51 Churchill Drive  
 Barrie, Ontario  
 (705) 725-8133

Ph: (519) 925-5525  
Fax: (519) 925-1110

**TOWNSHIP OF MELANCTHON**  
**Committee of Adjustment**

157101 Highway 10  
Melancthon, Ontario  
L9V 2E6

**NOTICE OF PUBLIC MEETING**  
**Application for Consent**

File No. B2/17

Date of Meeting: **February 16, 2017**

Time: **6:00 p.m.**

Name of Owner/Applicant: **Wayne Squirrell and Betty Ann Wilson**

Location of Public Meeting: **Council Chambers, 157101 Highway 10, Melancthon, ON, L9V 2E6**

**PROPOSED SEVERANCE: East Part Lot 30, Concession 3 O.S. RP 7R1431 Part 3**

Existing Use: **Vacant**

Proposed Use: **Residential**

Road Frontage: **73.15 m.**

Depth: **110.95 m.**

Area: **0.8118 ha. (2.0 acres)**

**RETAINED PORTION: East Part Lot 30, Concession 3 O.S.**

Existing Use: **Bush/Agriculture**

Proposed Use: **Bush/Agriculture**

Road Frontage: **457 m.**

Depth: **694 m.**

Area: **31.72 ha. (78 acres)**

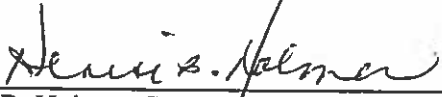
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The land is not the subject of an application under the Act for an Official Plan Amendment, Zoning By-law Amendment, or Minor Variance application.

If you require additional information on this application, it may be obtained by contacting the Secretary-Treasurer at the above address during regular office hours.

If a person or public body that files an appeal of a decision of the Melancthon Township Committee of Adjustment in respect of the proposed consent does not make a written submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Municipal Board may dismiss the appeal.

If you wish to be notified of the decision of the Committee of Adjustment in respect of the proposed consent, you must make a written request to the Committee of Adjustment, Township of Melancthon, 157101 Highway 10, Melancthon, Ontario, L9V 2E6.

  
Denise B. Holmes, Secretary-Treasurer



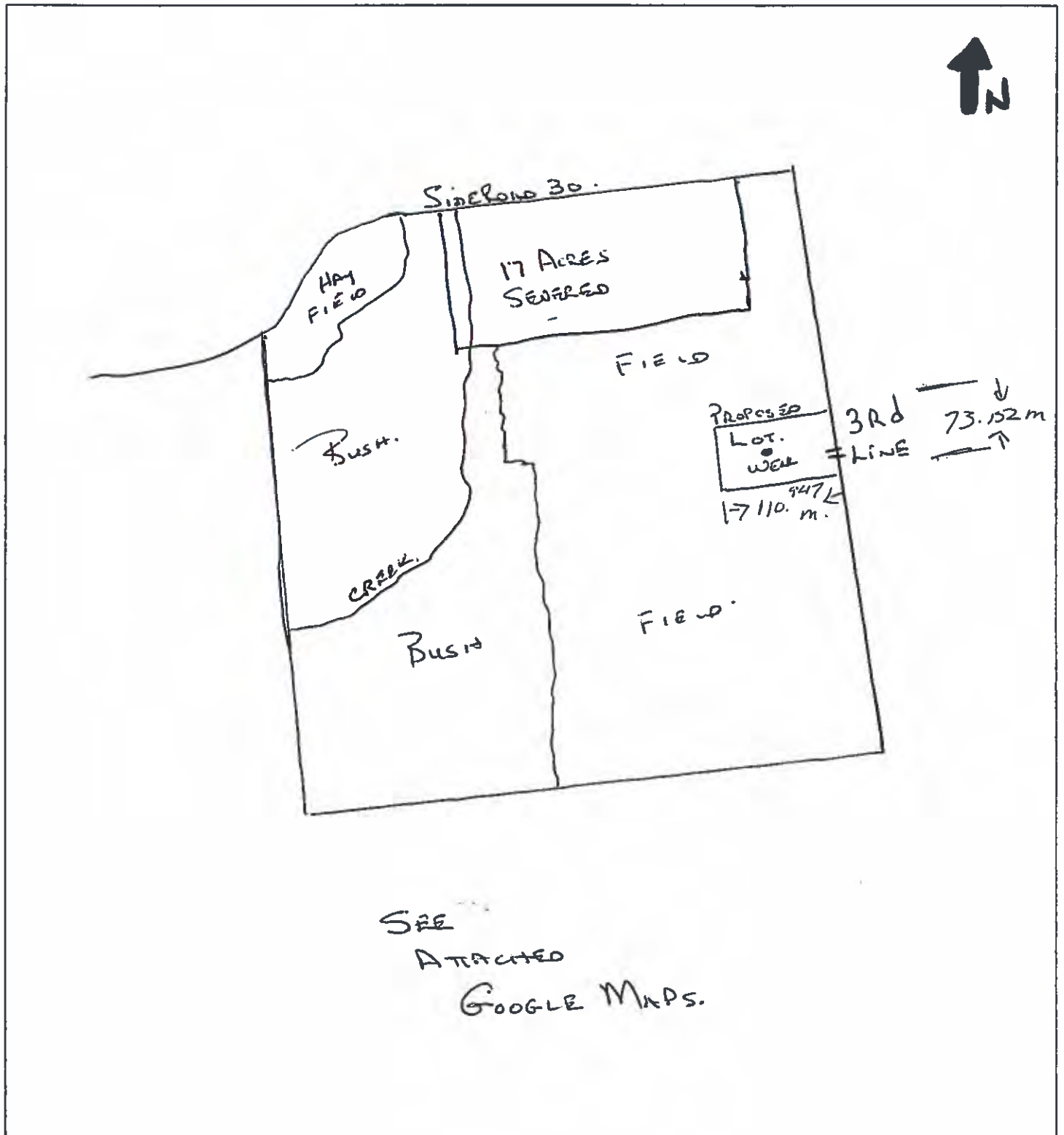
Property Owners Name :

Wayne Sandren / Betty Ann Wilson

Location of Property:

478574 3rd line MEINDOTON. Acreage: 79.83

Please use the space for your sketch:



**TOWNSHIP OF MELANCTHON - COMMITTEE OF ADJUSTMENT  
APPLICATION FOR CONSENT**

**NOTE TO APPLICANTS**

*One copy of this application form must be completed and filed for each parcel to be severed together with the sketch as required by the Schedule to Ontario Regulation 547/06, with the Secretary/Treasurer and be accompanied by a fee of \$800.00 + \$1000.00 deposit. Cheques made payable to the Township of Melancthon.*

**Completeness of the Application**

The information that must be provided by the applicant is prescribed in the Schedule to Ontario Regulation 547/06 made under the Planning Act. If the mandatory information and fee are not provided, the Committee of Adjustment will return the application or refuse to further consider the application until the information and fee have been provided.

The application form also sets out other information that will assist the Committee of Adjustment and others in their planning evaluation of the Consent Application. To ensure the quickest and most complete review, this information should be submitted at the time of the application. In the absence of this information, it may not be possible to do a complete review within the legislated time frame for making a decision. As a result, the application may be refused.

1. Registered Owner's Name : Wayne Squirrell / Betty Ann Wilson  
Address: 745360 30 SIDEROAD MELANCTHON L9V2A7  
E-mail Address: [REDACTED]  
Telephone Number: (Home) [REDACTED] (Work) — (Fax) —

Applicant's Name : Wayne Squirrell / Betty Ann Wilson  
Address: 745360 30 SIDEROAD MELANCTHON L9V2A7  
E-mail Address: [REDACTED]  
Telephone Number: (Home) [REDACTED] (Work) — (Fax) —

Agent's Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_  
Telephone Number: (Home) \_\_\_\_\_ (Work) \_\_\_\_\_ (Fax) \_\_\_\_\_

Send Correspondence to? Owner ☒ Applicant ( ) Agent ( )

2. Date of Application: Jun 12 / 17

3. Type of Transaction: (e.g. a transfer for the creation of a new lot, a lot addition, an easement, a charge, a lease or a correction of title)

TRANSFER FOR THE CREATION OF A NEW LOT

4. Name of person(s) to whom the land or interest in land is to be transferred, charged or leased:

BRENDAN SQUIRRELL

5. Legal Description of Property:

Municipality MELANCTHON  
 Lot (s) 30 Concession 305  
 Lot (s) \_\_\_\_\_ Registered Plan 7R1431  
 Part (s) 3 Reference Plan \_\_\_\_\_  
 Street Address 478574 3rd Line  
 Roll Number 22-19-000-002-08500-0000 Survey Attached - Yes ( ) No ☒

6. Are there any easements or restrictive covenants affecting the subject property? Yes \_\_\_\_\_ No ☒

7. If the answer to Section 6 is yes, a description of each easement or covenant and its effect.

8. (a) Description of lands to be **SEVERED** or **EASEMENT/RIGHT-OF-WAY**: (in metric units)

Frontage: 73.152 METERS Area: 2.0 ACRES  
 Depth: 110.947 METERS 0.8118 HECTARE  
 Existing Use: VACANT Proposed Use: FAMILY HOME

Existing and proposed buildings and structures on land to be severed:

Existing: NONE  
 Proposed: FAMILY HOME

What type of access do the lands intended to be **SEVERED** have?

Provincial Highway \_\_\_\_\_ County Road \_\_\_\_\_  
 Year Round Municipal Road ☒ Seasonal Municipal Road \_\_\_\_\_  
 Unopen Road Allowance \_\_\_\_\_ Private Right-of-way \_\_\_\_\_  
 Other, please specify \_\_\_\_\_

Services currently available, or to be available for the **SEVERED** parcel:

	Municipal Water	Communal Water	Private Water	Municipal Sewers	Communal Sewers	Private Sewers
Existing	( )	( )	<input checked="" type="checkbox"/>	( )	( )	( )
Proposed	( )	( )	( )	( )	( )	( )

(b) Description of lands to be **RETAINED**:

(in metric units)

Frontage: 457 METERS

Area: 78 Acres / 31.716 HECTARES

Depth: 694 METERS

Existing Use: BUSH / FARMLAND

Proposed Use: BUSH / FARMLAND

Existing and proposed buildings and structures on land to be retained:

Existing: BUSH / FARMLAND

Proposed: SIA

What type of access do the lands intended to be **RETAINED** have?

Provincial Highway                     

County Road                     

Year Round Municipal Road X

Seasonal Municipal Road                     

Unopen Road Allowance                     

Private Right-of-way                     

Other, please specify                     

Services currently available, or to be available for the **RETAINED** parcel:

	Municipal Water	Communal Water	Private Water	Municipal Sewers	Communal Sewers	Private Sewers
Existing	( )	( )	( )	( )	( )	( )
Proposed	( )	( )	( )	( )	( )	( )

9. (a) Present Official Plan designation of the land : RURAL

(b) Present Zoning of the land: GENERAL AGRICULTURE

10. Has the subject land ever been the subject of an application for approval of a plan of subdivision under Section 53 of the Planning Act? Yes                      No X

If the answer is yes, the file number of the application and the status of the application.

11. Has any land been severed from the parcel originally acquired by the owner of the subject land?                     

12. If the answer to Section 11 is "Yes", please indicate previous severance on the required sketch and supply the following information for each lot severed:

Grantee's Name: BERT WILSON

Relationship (if any) to owner: NONE

Date of Parcel Created: 1977

Use of Parcel: HOUSE

File Number : D68-77

13. Is the subject land the subject of any other application under the Act, such as an application for an amendment to an official plan, a zoning by-law or a Minister's zoning order, an application for a minor variance or an approval of a plan of subdivision or a consent; No

If the answer is yes, the file number of the application and the status of the application: \_\_\_\_\_

---

14. This application must be accompanied by a sketch showing the following, with any measurements shown in metric units:

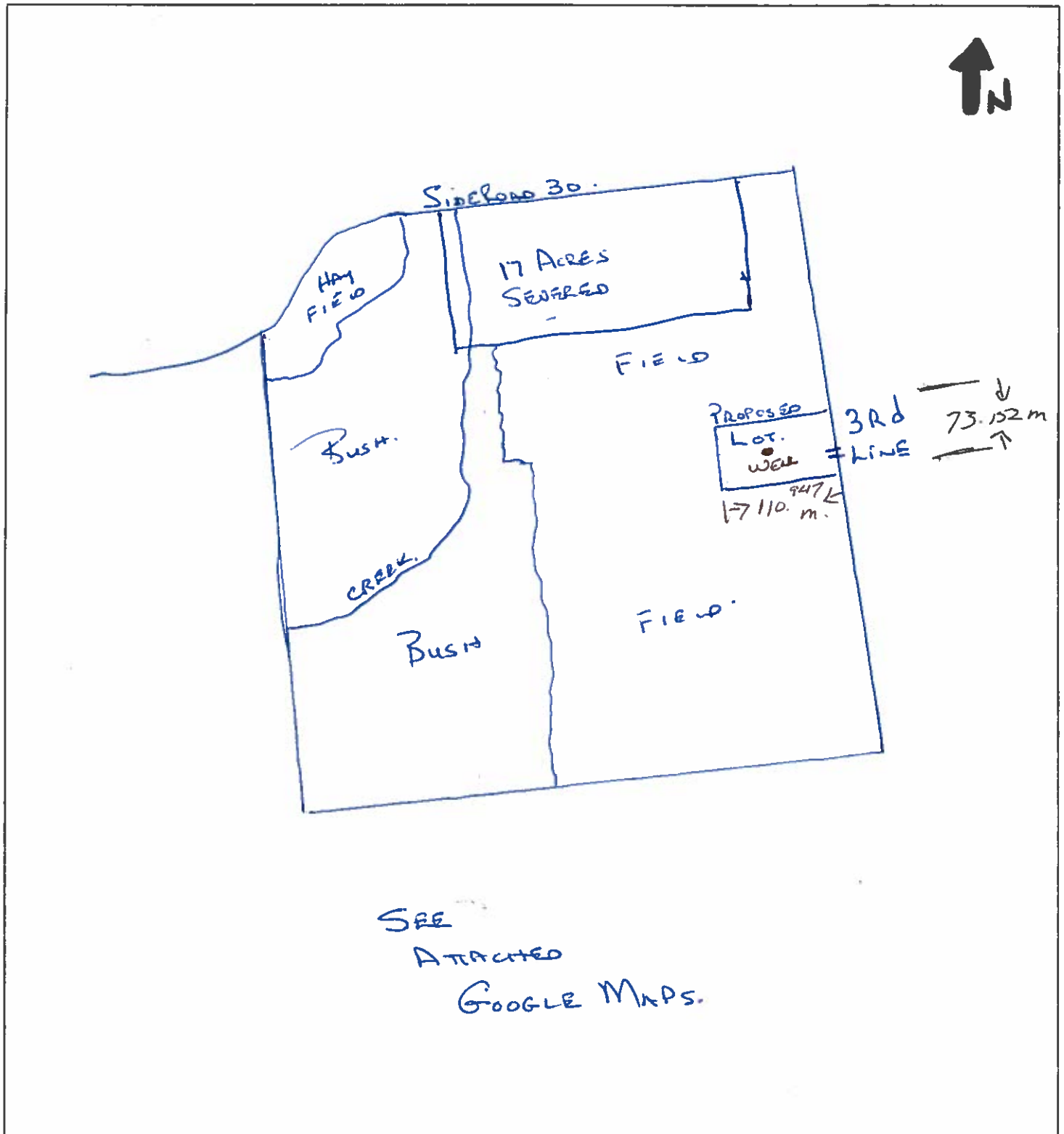
- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;
- (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- (e) the approximate location of all natural and artificial features (*for example, buildings, railways, roads, watercourses, drainage ditches, bank of rivers or streams, wetlands, wooded areas, wells and septic tanks*) that,
  - (i) are located on the subject land and on land that is adjacent to it, and
  - (ii) in the applicant's opinion, may affect the application;
- (f) the current uses of land that is adjacent to the subject land ( for example, residential, agricultural or commercial);
- (g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;
- (h) if access to the subject land will be by water only, the location of the parking and boat docking facilities to be used; and
- (i) the location and nature of any easement affecting the subject land.

15. Is the application consistent with policy statements issued under subsection 3(1) of the Act? Yes

Property Owners Name : Wayne Sandren / Betty Ann Wilson

Location of Property: 478574 3rd line Melancton. Acreage: 79.83

Please use the space for your sketch:





16. Is the subject land within an area of land designated under any provincial plan or plans? NO.

17. If the answer to question 16 is yes, briefly explain how this application either conforms with or does not conflict with any applicable provincial plan or plans:

N/A.

18. If this application involves the creation of a non-farm lot within approximately 500 metres of livestock facilities and/or permanent manure storage facilities, a completed MDS I calculation form must be submitted with this application. If this application involves a new or expanded livestock facility and/or permanent manure storage facility, a completed MDS II calculation form must be submitted with this consent application.

**UPON SUBMISSION OF THIS APPLICATION THE APPLICANT AGREES:**

1. That the fee submitted with this application covers only routine processing costs (i.e. review by municipality). It is further understood and agreed that any additional costs or requirements with this application, including any additional information and processing requirements, or as may otherwise be required or incurred and charged to or by the municipality (i.e. planning, legal or engineering fees, OMB Hearing costs, agreements, special studies, other approvals or applications and any other related matters) will be my responsibility to provide to and/or reimburse the municipality for same. Failure to pay all associated costs may result in refusal of this application and/or collection by the municipality in like manner as municipal taxes, or any other means legally available to the municipality.
2. To pay the application fee in full prior to the processing of this application.
3. To allow the Committee of Adjustment to site inspect the property in consideration for this application.

**Affidavit or Sworn Declaration**

I, Wayne Sawicki of the Township of Melancthon  
in the County of Dufferin solemnly declare that all the statements  
contained in this application and all the information provided is true, and I make this solemn declaration  
conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and  
by virtue of the CANADA EVIDENCE ACT.

Declared before me

Date:

Jan 13 / 2017

at the Township of Melancthon

in the County of Dufferin

this 13th day of January

2017.

Signature of Applicant:

Mandy Atkinson  
A Commissioner, etc.

### Authorizations:

If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner that the applicant is authorized to make the application on his/her behalf, must be included with this form or the authorization set out below must be completed.

#### Authorization of Owner for Agent to Make Application and for Agent to Provide Personal Information

I, \_\_\_\_\_, am the owner of the land that is the subject of this application for consent and I authorize \_\_\_\_\_ to act as my agent for the purpose of this application and for the purposes of the **Freedom of Information and Protection of Privacy Act**, I authorize my agent to provide any of my personal information that will be included in this application or collected during the processing of this application.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner

#### Consent of the Owner to the Use and Disclosure of Personal Information

I, Wayne SQUIRRELL, am the owner of the land that is the subject of this consent application and for the purposes of the **Freedom of Information and Protection of Privacy Act**, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application.

Jan 13 / 2017  
Date

  
Signature of Owner

# • Municipal Planning Services Ltd. •

## MEMORANDUM

**To:** Mayor White and Members of Council  
**Copy:** Ms. Denise Holmes, CAO  
**From:** Chris D. Jones MCIP, RPP  
**Date:** February 8, 2017  
**Re:** Application for Consent B2/17 (Squirrell)

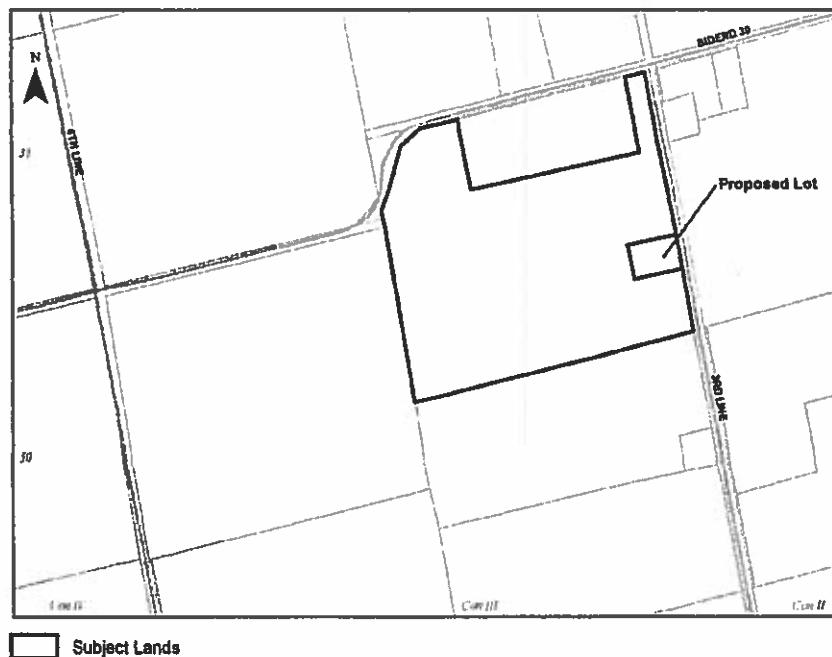
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## BACKGROUND

The Township is in receipt of an application for consent to create a new rural residential lot from lands located in Part of Lot 30, Concession 3 O.S.

The proposed new lot would have a frontage of 73 metres (239 feet) and a lot area of 0.81 hectares (2.0 acres). The retained lands would have a frontage of 457 metres (1,500 feet) and a lot area of 31.5 hectares (78 acres). The proposed lot is illustrated in Figure 1.

Figure 1 – Proposed Lot



## **OFFICIAL PLAN**

The subject lands are designated Rural and partially located in the Environmental Conservation designation, although the lands proposed to be severed are not located in the Environmental Conservation designation.

It is also noted that Schedule F identifies that subject lands as being proximate to a floodplain area and Schedule H identifies the proposed lot being located within a Primary Mineral Aggregate Resource Area (Bedrock).

An overview of these land use designations and their salient policies is provided below:

### ***Rural Consent Policies***

The proposed consent appears to be in conformity with Section 5.3.3 (d) of the Official Plan, which permits the creation of up to 3 lots from an original Township surveyed lot, provided the subject lands have not been utilized for agricultural purposes for a minimum of 10 years prior to the application for consent.

It is understood that the lands proposed to be severed are not currently utilized for crop production as they represent lands which were formerly occupied by the original farm homestead.

### ***Environmental Conservation***

Section 3.4.2 (b) requires the proponent of any development approval for lands located in the Environmental Conservation designation to prepare an Environmental Impact Study (EIS) to assess the impact of proposed site alteration and development on natural features. It is noted that the lot proposed to be severed is not located in the Environmental Conservation designation and therefore development resulting from the proposed severance will not impact a natural heritage feature.

### ***Floodplain***

Section 5.5.3 establishes policies with respect to floodplains. Given that the subject lands are located within the jurisdiction of the Nottawasaga Valley Conservation Authority, the Township will seek input from the Conservation Authority on the suitability of the proposed lot.

### ***Primary Aggregate Resources***

The policies of Section 3.17.2 of the Plan require consideration of the following criteria when determining if a new lot should be permitted on lands located within a primary

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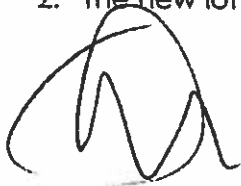
mineral aggregate resource area:

- i. Resource use would not be feasible;
- ii. The proposed land use or development serves a greater long-term public interest; and,
- iii. Issues of public health, public safety and environmental impact are addressed in accordance with the policies of this Plan and all applicable Federal and Provincial laws.

### **RECOMMENDATION**

It is recommended that the proposed consent be approved subject to the following conditions:

1. The applicant prepares a reference plan suitable for registration purposes and provides a draft copy to the Clerk prior to registration for review; and,
2. The new lot shall be rezoned to a Rural Residential (RR) Zone.



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Chris Jones MCIP, RPP