



The Corporation of the County of Wellington

Planning Committee

Agenda

September 10, 2015

10:30 am

County Administration Centre

Keith Room

Members: Warden Bridge; Councillors Lennox (Chair), Alls, McKay, Watters

Pages

1. Call to Order
2. Declaration of Pecuniary Interest
3. Financial Statements as of August 31, 2015 2 - 5
4. Community Improvement Plan 6 - 15
5. Wellingdale Official Plan Amendment 16 - 21
6. Maas Park Tree By-Law - Ms. Linda Bower 22 - 34
7. Town of Erin Tree By-law - Mr. Lou Maieron 35 - 39
 - 7.1 Correspondence from Mr. Lou Maieron regarding Tree By-law 40 - 44
8. 150 Million Trees Report 45 - 46
9. Comments on Conservation Authorities Act Review (PD2015-28) 47 - 49
10. Closed Session
11. Rise and Report
12. Adjournment

Next meeting date October 15, 2015 or at the call of the Chair.



County of Wellington
Planning
Statement of Operations as of
31 Aug 2015

	Annual Budget	August Actual \$	YTD Actual \$	YTD Actual %	Remaining Budget
Revenue					
Grants and Subsidies	\$28,000	\$0	\$15,000	54%	\$13,000
Municipal Recoveries	\$35,000	\$6,350	\$22,971	66%	\$12,029
User Fees & Charges	\$250,000	\$29,245	\$195,380	78%	\$54,620
Other Revenue	\$0	\$0	\$22,401	0%	\$(22,401)
Internal Recoveries	\$500	\$25	\$596	119%	\$(96)
Total Revenue	\$313,500	\$35,620	\$256,347	82%	\$57,153
Expenditures					
Salaries, Wages and Benefits	\$1,588,000	\$124,335	\$1,043,100	66%	\$544,900
Supplies, Material & Equipment	\$36,800	\$1,510	\$18,180	49%	\$18,620
Purchased Services	\$298,100	\$10,177	\$181,932	61%	\$116,168
Transfer Payments	\$740,000	\$0	\$288,895	39%	\$451,105
Internal Charges	\$6,100	\$1,687	\$4,223	69%	\$1,877
Total Expenditures	\$2,669,000	\$137,709	\$1,536,330	58%	\$1,132,670
NET OPERATING COST / (REVENUE)	\$2,355,500	\$102,088	\$1,279,983	54%	\$1,075,517
Transfers					
Transfers from Reserves	\$(20,000)	\$0	\$0	0%	\$(20,000)
Transfer to Reserves	\$0	\$13,804	\$13,804	0%	\$(13,804)
Total Transfers	\$(20,000)	\$13,804	\$13,804	(69%)	\$(33,804)
NET COST (REVENUE)	\$2,335,500	\$115,892	\$1,293,787	55%	\$1,041,713



County of Wellington

02-September-2015

Planning

Capital Work-in-Progress Expenditures By Departments

All Open Projects For The Period Ending August 31, 2015

	LIFE-TO-DATE ACTUALS						
	Approved	August	Current	Previous		% of	Remaining
	Budget	Actual	Year	Years	Total	Budget	Budget
Trans Canada Trail	\$395,300	\$1,068	\$105,162	\$0	\$105,162	27 %	\$290,138
Official Plan Update	\$40,000	\$0	\$1,674	\$25,694	\$27,368	68 %	\$12,632
Total Planning	\$435,300	\$1,068	\$106,836	\$25,694	\$132,530	30 %	\$302,770



County of Wellington
Green Legacy
Statement of Operations as of
31 Aug 2015

	Annual Budget	August Actual \$	YTD Actual \$	YTD Actual %	Remaining Budget
Revenue					
Sales Revenue	\$500	\$0	\$681	136%	\$(181)
Other Revenue	\$1,500	\$0	\$702	47%	\$798
Total Revenue	\$2,000	\$0	\$1,383	69%	\$617
Expenditures					
Salaries, Wages and Benefits	\$475,800	\$36,605	\$329,505	69%	\$146,295
Supplies, Material & Equipment	\$101,100	\$2,252	\$62,462	62%	\$38,638
Purchased Services	\$77,000	\$14,824	\$53,692	70%	\$23,308
Insurance & Financial	\$9,100	\$0	\$9,118	100%	\$(18)
Internal Charges	\$5,000	\$0	\$3,579	72%	\$1,421
Total Expenditures	\$668,000	\$53,681	\$458,356	69%	\$209,644
NET OPERATING COST / (REVENUE)	\$666,000	\$53,681	\$456,973	69%	\$209,027
NET COST (REVENUE)	\$666,000	\$53,681	\$456,973	69%	\$209,027



County of Wellington
Emergency Management
Statement of Operations as of
31 Aug 2015

	Annual Budget	August Actual \$	YTD Actual \$	YTD Actual %	Remaining Budget
Expenditures					
Salaries, Wages and Benefits	\$277,700	\$29,258	\$214,189	77%	\$63,511
Supplies, Material & Equipment	\$8,500	\$626	\$6,994	82%	\$1,506
Purchased Services	\$176,500	\$2,700	\$128,148	73%	\$48,352
Transfer Payments	\$141,000	\$42,167	\$71,555	51%	\$69,445
Insurance & Financial	\$2,000	\$0	\$1,984	99%	\$16
Total Expenditures	\$605,700	\$74,751	\$422,870	70%	\$182,830
NET OPERATING COST / (REVENUE)	\$605,700	\$74,751	\$422,870	70%	\$182,830
NET COST (REVENUE)	\$605,700	\$74,751	\$422,870	70%	\$182,830



COUNTY OF WELLINGTON

COMMITTEE REPORT

To: Chair and Members of the Planning Committee
From: Ken DeHart, County Treasurer and Mark Paoli, Manager of Policy Planning
Date: Thursday, September 10, 2015
Subject: **Community Improvement (PD2015-22)**

1. Background:

A Community Improvement Plan is a document (**separate from an Official Plan**) that sets out tools and strategies for improving the built, economic, and social environment in designated areas of a municipality. Section 28 of the *Planning Act* provides tools for community improvement planning, and sets out the process for community improvement planning, which involves: designating a Community Improvement Project Area(s) through a By-law; and, preparing and adopting a Community Improvement Plan for the Community Improvement Project Areas (Attachment 'A' contains the specific definitions for these terms from the *Planning Act*).

The following summarizes the main points about the roles of the different levels of government.

Local Municipality:

- A local municipality does not require approval from the County or the province for the preparation of its Community Improvement Plan.
- Following local adoption by a municipal Council, notice of its decision must be provided in accordance with the *Planning Act* and a 20-day appeal period starts.
- Once the appeal period expires, the plan goes into effect.

County:

- The County Official Plan needs to have policies that set out the basis for community improvement.
- The County is not among the six prescribed upper-tiers (all of which are Regional Municipalities, see Attachment 'A') that can designate a community improvement project area and adopt a community improvement plan.
- The County may participate financially in a local Community Improvement Plan by making grants or loans to the Council of the lower-tier municipality only if the County Official Plan contains provisions to that effect.

Province (Ministry of Municipal Affairs):

- Municipalities are no longer required to submit community improvement plans, or amendments, to the Ministry for approval.
- Municipalities are still required to pre-consult with the Ministry prior to adoption.

2. Financial Tools for Community Improvement

Once a CIP is adopted by a municipal Council, certain financial tools can be implemented, including the provision of grants or loans to owners and tenants (with consent of the owner) of land and buildings within the community improvement project area. Section 28(7.1) sets out eligible costs for which grants and loans can be provided.

For example, there are a number of financial tools commonly used in CIPs to encourage rehabilitation and revitalization of targeted areas, including (but not limited to) grants and/or loans that will assist with the following:

- Brownfields environmental assessment, remediation and redevelopment
- Commercial building façade improvements
- Downtown/core area and waterfront revitalization
- Preservation and adaptive reuse of heritage and industrial buildings
- Provision of affordable housing
- Structural improvements to buildings
- Improvement of community energy efficiency
- Accessibility enhancements

Another major financial tool that is generally included in most CIPs is called a **Tax Increment Equivalent Grant (TIEG)**, which is a grant equal to the full amount, or a portion of the amount, of the estimated property tax increase after the property is redeveloped. The increase in taxes (or the tax increment) may be calculated by subtracting the municipal portion of the property taxes prior to reassessment from the municipal portion of the property taxes after reassessment. Grants are often provided for a period of 5 to 10 years. The purpose of the TIEG is to stimulate investment by effectively deferring part of the increase in taxation associated with reassessment through grants that are equivalent to a portion of the resulting property tax increase.

3. County Participation in Community Improvement Plans/Financial Tools

The County is considering participating in the Tax Increment Equivalent Grant programme. Based on the information provided above, the following two options could be considered with respect to how the County could participate in such a programme (or other financial tools), in accordance with the Planning Act:

Option 1 Participate in existing/future CIPs that are prepared and adopted at the local level:

The County could participate in existing financial incentive programmes that are currently in effect through existing Community Improvement Plans, including a TIEG. In order to participate, an amendment would be required to the existing Community Improvement Plan to indicate the extent to which the County will participate (i.e., the value of the grant/s). Currently, the Township of Centre Wellington, the Town of Minto and the Township of Wellington North have Community Improvement Plans in place that include a TIEG programme. Therefore, this option would also allow the County to identify the extent to which they will participate in future CIPs that are prepared and adopted by local municipalities. For example, the Township of Puslinch is currently preparing a community improvement plan that will likely include a TIEG. In this case, the County could be involved in the development of the TIEG programme to determine the extent of its involvement. It is noted that this approach basically allows the County to respond to local CIP initiatives.

OR

Option 2 Initiate the development of a CIP that is prepared by the County and adopted locally:

The County could work with local municipalities to develop a community improvement plan that could be adopted by each of the local municipalities. As such, it would be a lower-tier community improvement plan (in accordance with the *Planning Act*). However, through this option, there is an opportunity for the County to provide leadership with respect to identifying community improvement project areas and the financial incentive programmes included in the plan (including eligibility, term, duration, percentages, limitations on amounts, requirements of applicants, and extent to which County will participate). Once adopted, the County can participate financially in local community improvement tools. In the case of local municipalities where a TIEG is already in effect through an existing CIP, a number of options could be explored with respect to how the programmes could work together. It is noted that this approach allows for the greatest level of County involvement in developing financial incentive programmes.

4. Community Improvement Policies in the County Official Plan

Currently, the County Official Plan has policies on Community Improvement that:

- Set out objectives;
- Provide criteria to be considered in establishing community improvement areas;
- Have the effect of requiring amendments to the Official Plan for new, or major changes to, community improvement areas; and
- Identify ways to implement a community improvement plan.

The current policies reflect the provisions of the *Planning Act* that were available in the 1990s. The County Official Plan also shows Community Improvement Areas that were identified in the previous local Official Plans (shown in Attachment 'B'). Due to changes in the *Planning Act*, the County Official Plan should be updated to:

- a) enable the County to make grants or loans to local municipalities to assist in the implementation of Community Improvement Plans, as discussed above – this would authorize County participation, while the decision about whether and how to participate (i.e. via Option 1 or 2 above) can come later;
- b) add remediation of brownfields, improving the energy efficiency of buildings, and providing affordable housing to the matters that may be considered in identifying community improvement project areas;
- c) add a general statement dealing with 'any other economic, social, or environmental reason' to the matters that may be considered in identifying community improvement project areas; and
- d) remove Community Improvement Areas from the land use schedules, and make related text changes to clarify that amendments to the County Official Plan are not needed to recognize or implement Community Improvement Project Area boundaries.'

Recommendation:

That the County may participate in locally adopted Community Improvement Plans through Option 1 or 2 as identified above, and that through either option, the County will have an opportunity to determine the extent to which it may participate financially in member municipal Community Improvement Plans; and

That the County's participation in member municipal Community Improvement Plans will be subject to either the County preparing a Community Improvement Plan to be adopted locally or amending the existing local Community Improvement Plans, and the County's annual Budget and Five-Year Plan process; and

That the County's participation in the implementation of a member municipal Community Improvement Plan is intended for projects that contribute to achieving the goals of the County's Official Plan, Economic Development Strategy and any other strategic policies the County may adopt; and

That staff prepare and circulate an amendment to update the County Official Plan Community Improvement policies, remove community improvement area boundaries from the land use schedules, and hold public meeting(s) at the appropriate time(s).

Respectfully submitted,



Ken DeHart, CPA, CGA
County Treasurer



Mark Paoli
Manager of Policy Planning

ATTACHMENT 'A'
RELEVANT PLANNING ACT DEFINITIONS
AND REGULATIONS

Definitions:

- **Community Improvement** is: “the planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation, improvement of energy efficiency, or any of them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, structures, works, improvements or facilities, or spaces therefor, as may be appropriate or necessary.”
- A **Community Improvement Project Area (CIPA)** is: “A municipality or an area within a municipality, the community improvement of which in the opinion of Council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason.”
- A **Community Improvement Plan** is: “A plan for the community improvement of a community improvement project area.”

Regulation 221/07

Section 28(2) of the Planning Act also specifically states that only a “**prescribed upper-tier municipality**” may designate a community improvement project area for the purpose of preparing a community improvement plan. Through Ontario Regulation 221/07, only 6 upper-tier municipalities in Ontario are prescribed for the purpose of Section 28(2) of the Act, including the Regional Municipalities of:

- Durham
- Halton
- Niagara
- Peel
- Waterloo
- York

Regulation 550/06

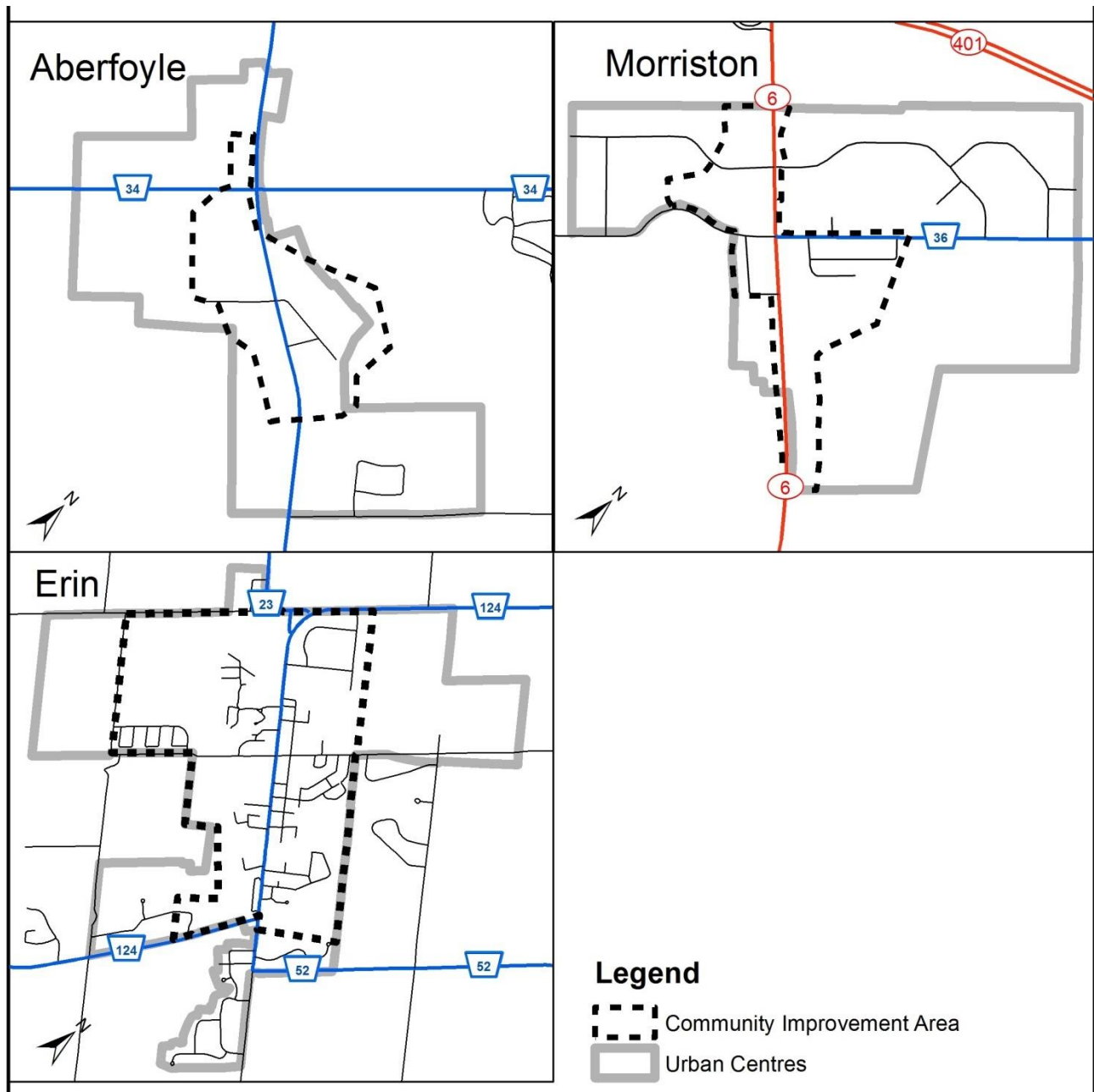
Section 28(4.0.1) of the Planning Act also states that: “The community improvement plan of an upper-tier municipality may deal only with prescribed matters.” These prescribed matters are set out by Ontario Regulation 550/06 and listed below:

1. Infrastructure that is within the upper-tier municipality’s jurisdiction.
2. Land and buildings within and adjacent to existing or planned transit corridors that have the potential to provide a focus for higher density mixed-use development and redevelopment.
3. Affordable housing.

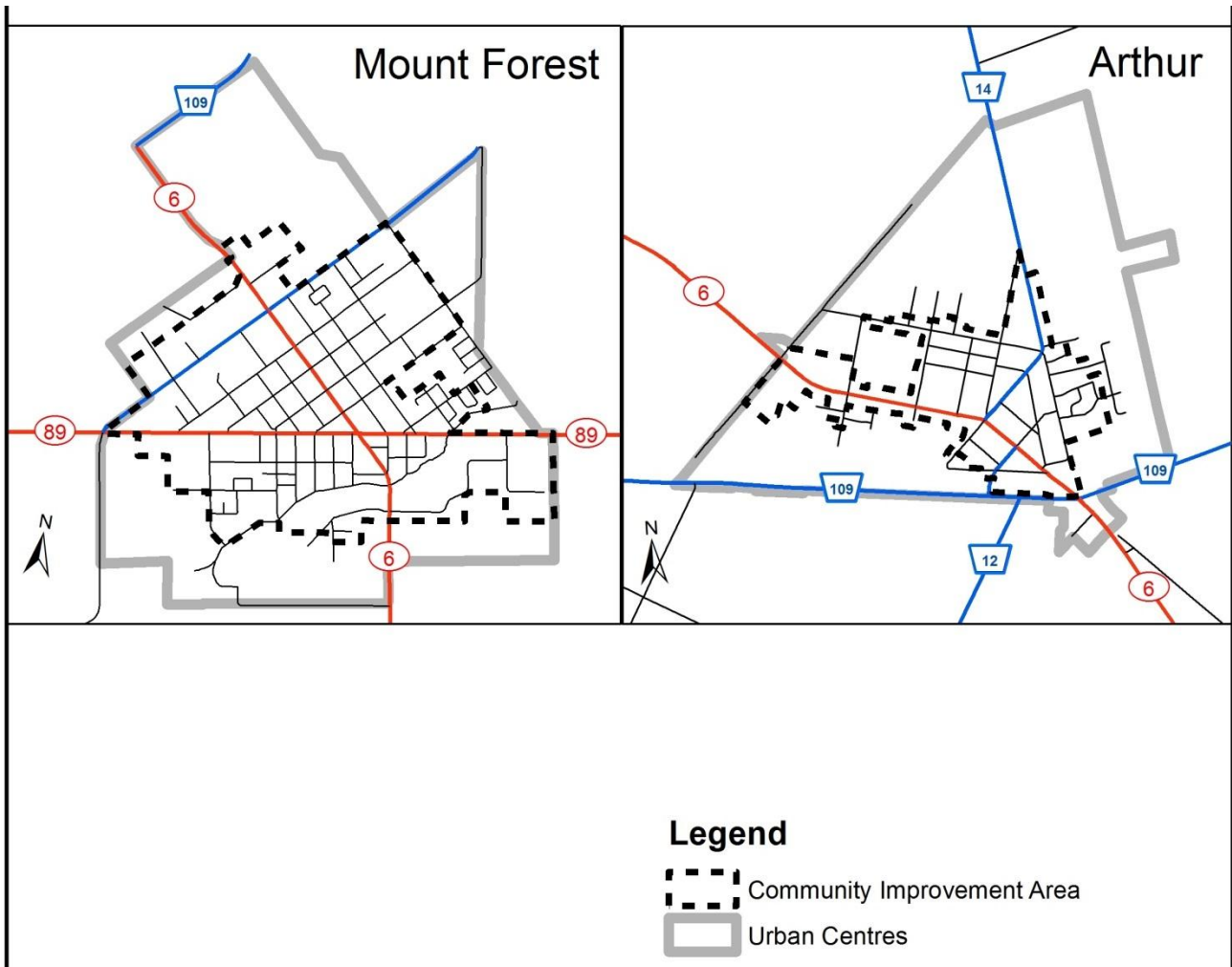
ATTACHMENT 'B'

COMMUNITY IMPROVEMENT AREAS SHOWN IN

THE CURRENT COUNTY OFFICIAL PLAN









COUNTY OF WELLINGTON

COMMITTEE REPORT

To: Chair Lennox and Members of the Planning Committee
From: Mark Van Patter, Manager of Planning and Environment
Date: July 24, 2015
Subject: Wellingdale Construction Harriston, Official Plan Amendment Number 95

1. Location:

The Official Plan amendment is located in Lot 88, Concession D, Preston's Survey, former Town of Harriston, on the east side of Lorne Street, between John Street and Webb Street. The area subject to the amendment is shown below, and includes both the yellow parcels which have received provisional consent and the red retained parcel. The total amendment area is approximately 2.3 acres.



2. Proposal:

The purpose & effect of the county official plan amendment is to redesignate the subject lands from Future Development to Residential. This will satisfy consent condition of approval # 10 for five severed lots (B23/15 through B27/15), approved on June 11, 2015 by the Planning and Land Division Committee.

3. Current Planning Status

The subject property is currently designated Future Development. It is also within a Regional Floodline overlay designation in the Official Plan. The property is zoned Future Development (FD) and is within the Flood Fringe Two (FF2) overlay zone. A portion of the retained is zoned Future Development Exception (FD-29).

4. Public Meeting

The public meeting was held on June 16, 2015.

5. Public and Agency Comments

Town Minto	Council passed resolution in support of OPA - June 16
The Public	No written or oral submissions
Maitland Valley CA	No objection provided storm water conditions applied to severances (May 13)
Wellington Source Water	No Prohibition or Risk Management Plan required (June 12)
Upper Grand School	No Objections (June 11)
Westario Power	No Objections (May 20)

6. Planning Considerations

a) Extension of Residential Designation

The policies of Section 8.3.2 of the Official Plan sets out objectives for residential development including: adequate municipal services, encourage intensification, maintain the stability and character of existing neighbourhoods. Section 8.3.11 encourages development of vacant or under-utilized properties, compatible with surrounding uses. The development is a logical, minor expansion of the existing built area.

Section 4.4.4 (b), Greenfield Housing, of the County Official Plan requires a density of at least 6.5 residential units per gross acre. As the property is 2.3 acres, 14.95 units would be required. However, the policies do allow for some flexibility. We recognize that the property is small, and only a portion is being developed now. The proposal is for 5 residential lots, which County planning staff supported during pre-consultation. It is our feeling that these lots are smaller than neighbouring single detached lots, and represents a transition towards higher densities. Wellingdale indicates that it will provide higher density on another property in the immediate area.

b) Flood Plain

Section 8.9.6 of the Official Plan indicates that Harriston has a two zone concept to manage portions of the floodplain outside of a Special Policy Area (SPA). The subject property is outside of the SPA, but within an area designated Regional Floodline. Local policies are present for Harriston in Section 9.6.1 of the Plan – Special Policy Area – Floodplain Management. Under Section 9.6.1 (c), Flood Fringe Areas, the policies indicate that buildings and structures may be permitted provided they are flood proofed to the Regional Storm elevation and approved by the Conservation Authority.

The Maitland Valley Conservation Authority (MVCA) has provided comments on the 5 severances, indicating that *“the existing access, including Lorne Street, is 0.9 metres below the Regional Flood elevation.”* The Authority has no objections to the severances provided that:

- That MVCA approves development on the severed and retained lots
- That a surveyor conduct a topographical survey to confirm land grading
- That the grading plan ensures safe access in a regional flood event

c) Plan of Subdivision Vs. Severance

Section 10.1.2 (a), Creating New Lots, of the Official Plan indicates that a plan of subdivision will normally be required when *“four or more lots, including the retained, are being created”*. The County Land Division Committee determined that the severances were appropriate and approved applications B23/15 through B27/15 on June 11. Several conditions were applied to ensure proper development, including:

5) THAT proper servicing plans prepared by a registered professional consulting engineer are provided by the developer to the Town, and that a servicing agreement be executed between the parties to provide for, among other matters, extension of sanitary sewer, water, streetlights, hydrants, roadways as well as surface water management and grading, driveway access and similar requirements ...

6) THAT the Owner satisfy all the requirements of the Town of Minto, financial and otherwise (to include but not limited to land acquisition for roadway, servicing and similar)...

11) THAT the Owner provide an updated development concept plan which details the future development of Wellingdale Construction Ltd.'s lands in the area ...

12) THAT Maitland Valley Conservation Authority (MVCA) is satisfied that the grading as proposed in the Lot Grading & General Drainage Plan (Triton Engineering, December 2011) has been completed. A land surveyor must undertake a topographic survey to confirm the grading...

13) THAT MVCA is satisfied with a revised grading plan showing the revised lot fabric for all lots on Part Lots E & F, Preston's (88-D Minto) Survey, Part Lot 88, Concession D. The grading plan must ensure that safe access (ingress and egress) to the new development is established for the unimpeded movement of vehicular and pedestrian traffic in a regional flood event...

d) Residential Supply

Section 3.5 of the Official Plan forecasts the need for an additional 250 households in Harriston over the period 2006 to 2031. Based on a residential supply of 302 units for Harriston, this results in an oversupply of 52 residential units.

The County has received an updated forecast from C.N. Watson. This has not been adopted by County Council yet. In it the 2016 to 2036 household growth forecast is 395 units. The supply estimate is 290 units. The deficit estimate is 105 units. The Wellingdale proposal would assist meeting this deficit.

It should be noted that approximately 180 units of the inventory are in a draft approved plan, which has been dormant for 20 years. Wellingdale Construction has been the main developer in Harriston over this period.

e) Archeological Potential

The Maitland River is approximately 500 metres north of the subject land, and as such is not in close enough proximity (i.e. within 300), to warrant an assessment.

f) Wellhead Protection Area 2

The proposed subdivision falls within Wellhead Protection Area 2 – Schedule B5 of the Wellington County Official Plan. Notice under Source Water Protection has been provided with no requirements.

g) Associated Rezoning File

In addition to the severance files, Wellingdale has applied to rezone the subject lands from Future Development to a Residential zone.

7. Planning Opinion

The above-noted conditions of provisional consent should address all of the development issues. The development is a logical, minor expansion of the existing built area. The lands are currently vacant and full municipal services are available. The property is in the flood fringe and may be developed with appropriate flood proofing. Issues with safe access and site grading will be addressed prior to development. Assuming the new Watson forecast is adopted by Council, the five Wellingdale units will assist in meeting the projected residential supply deficit. This is a very small development and most of the supply continues to be dormant after 20 years.

8. Recommendation

“THAT a by-law be approved, adopting Official Plan Amendment No. 95 to the County of Wellington Official Plan.”

Sincerely,

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

Mark Van Patter, RPP, MCIP
Manager of Planning and Environment

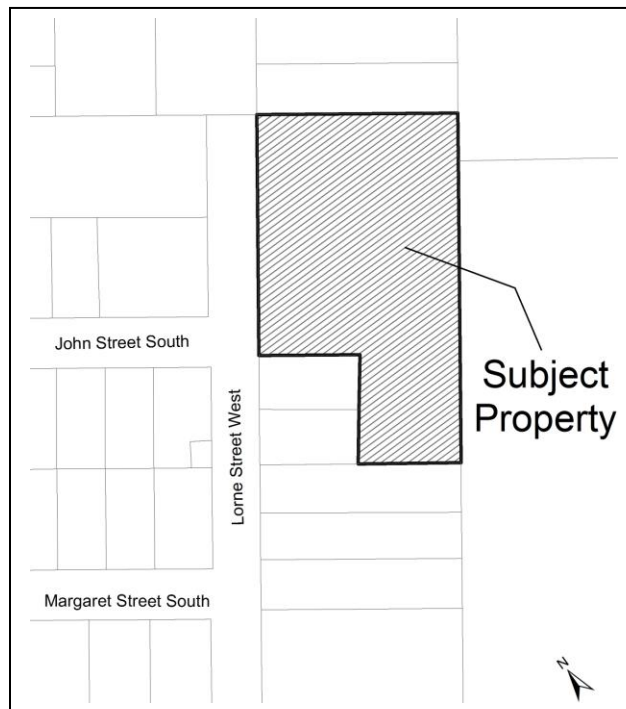
Except from Draft Official Plan Amendment

DETAILS OF THE AMENDMENT

The Official Plan of the County of Wellington is hereby amended as follows:

1. THAT **Schedule A5-2 (Harriston)** is amended by redesignating the subject property, described as Part of Park Lots E and F Preston Survey Lot 88, Concession D – Lorne Street, from **Future Development** to **Residential**, as is shown on Schedule “A” to this amendment.

SCHEDULE “A” OF OFFICIAL PLAN AMENDMENT NO. 95



**Cross-Hatched Lands to be redesignated from Future Development
to Residential on Schedule A5-2 – Harriston**



COUNTY OF WELLINGTON

COMMITTEE REPORT

To: Chair Lennox and Members of the Planning Committee
From: Mark Van Patter, Manager of Planning and Environment
Date: September 2, 2015
Subject: Linda Bowers – Clearing Application – Forest Conservation By-law 5115-09

1. LOCATION:

The County received Mrs. Bower's application for a clearing permit on August 21. The property is approximately 108 acres in size and is located in the North Part of Lot 12, Concession WOSR, with a civic address of 9484 Maas Park Drive, immediately north of Riverstown in the Township of Wellington North. Three-quarters of the property's eastern boundary abuts Wellington County's landfill site.

2. APPLICATION AND BACKGROUND

The application is to clear approximately 30 acres of pine / spruce plantation. Mrs. Bowers is looking for permission to allow the land to be cleared after the property is sold to an interested farmer.

Early in the week of August 17, I received a call from an interested purchaser of the Bowers' property. He wanted to know if he could clear the existing plantations, drain and return the land to agriculture. I informed him that a clearing permit would be required and that this would have to be approved by County Council, late September at the earliest. I also told him that the County did not generally support the clearing of plantations as we wished to increase forest coverage. Mrs. Bowers was concerned that this might jeopardize selling her property.

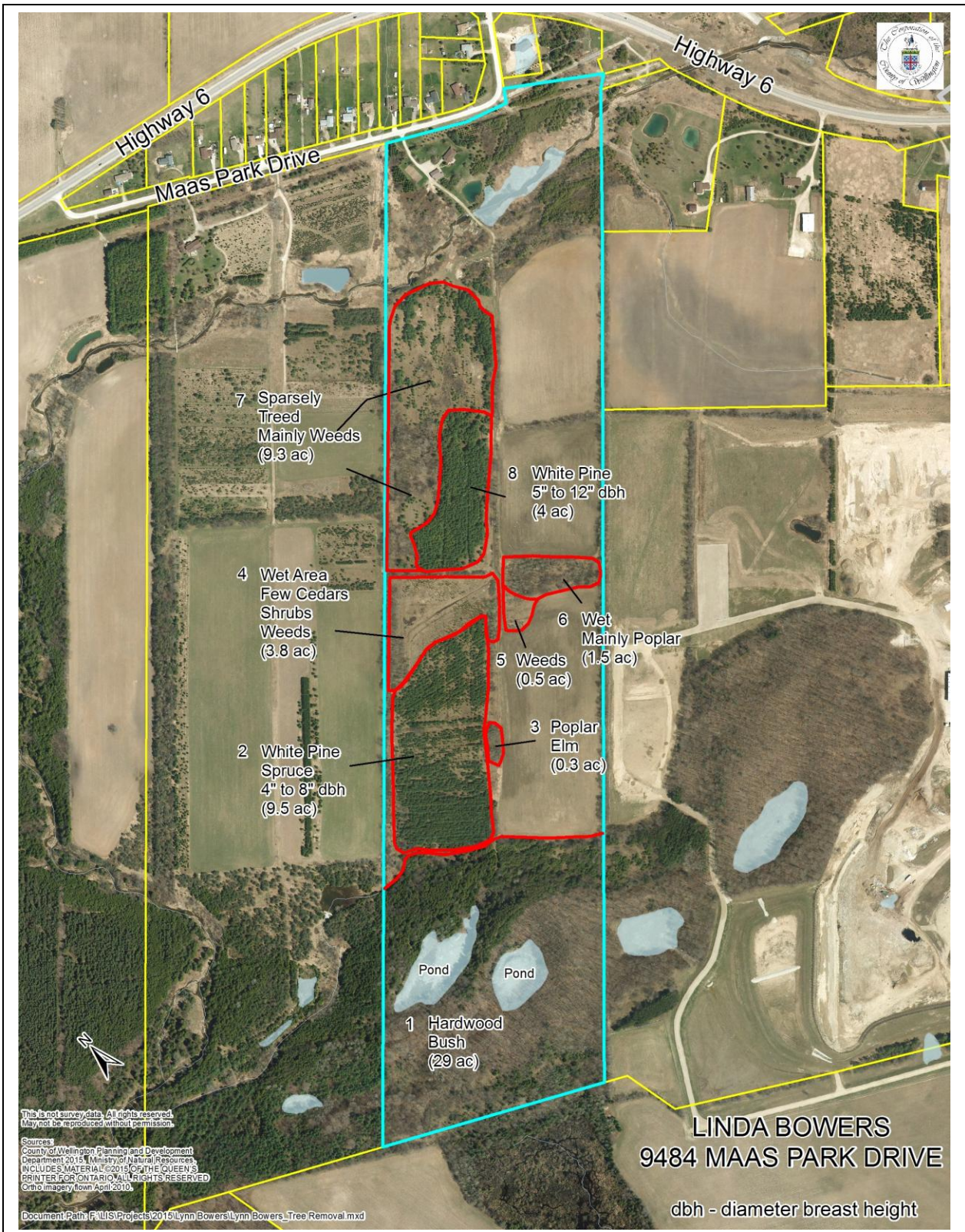
The plantations were planted 20 to 30 years ago by the Bowers. Mrs. Bowers was able to provide a receipt from the Saugeen Valley Conservation Authority for one of the plantings, \$745.50 for 10,000 trees in 1992.

3. SITE VISIT

Forest Conservation By-law Officer, John Benham and I visited the site on August 21 to document what the plantation areas consist of – tree species, diameter size, reforestation success, regeneration of other species, soil wetness, etc.

4. DESCRIPTION OF PLANTATIONS

On the following page I have provided an air photo from 2010, that highlights different aspects of the forested portion of the property. The southernmost forested area, Area 1, is not plantation and is about 29 acres in size. The plantation portion is located on the west side of the farm, above Area 1, and is comprised of Areas 2, 4, 7 and 8. In total approximately 26.6 acres. In addition are 3 pockets of natural forests on the east side of the farm – Areas 3, 5 and 6. Going from bottom to top [roughly south to north], the areas are shown on the air photo, next page.



1. The southern quarter of the farm consists of the Riverstown Esker (Provincially Significant Earth Science Area of Natural and Scientific Interest). It includes a large hardwood bush, some ponds and some naturally established conifers to the north. Mrs. Bowers noted to us that this area is an environmental area and there is no intention of disturbing it.
2. Area 2 is a mixed plantation of White Pine and Spruce – 4” to 8” diameter a breast height (dbh). The southern 1/3 of the area is the more successful. The northern 2/3 of the plantation was moderately successful. The success rate is a reflection of better site conditions.
3. The third area is a small pocket of naturally occurring Poplar that is mature.
4. The fourth area is a reforestation failure. It consists mainly of weeds, shrubs and a few Cedar trees. A drainage ditch runs through the area. The reforestation failure here is likely a reflection of wet soils.
5. Area 5 is a small pocket of weeds.
6. Area 6 is a large pocket of naturally occurring, mature Poplar.
7. Seven is a plantation failure. It is mainly weeds with scattered trees and a couple of pockets of more dense trees. In the central, western area there is a pocket of mature Poplar, about 1.4 acres. There is a fringe of Spruce and White Pine along the north boundary (approximately 5” to 13” dbh) and along the east boundary (approximately 2” to 6” dbh). We noted areas of gravel at the surface in several places, evidence of the former gravel pit.
8. The eighth area is a successful reforestation area of White Pine – 5” to 12” dbh.

Approximately 13.5 acres of the plantation contain reasonably stocked living trees; it is successful. About 13.1 acres of the plantation have failed.

The gravel operation was finished when the Bowers purchased the farm in 1987. We have no information on the exact location of the gravel pit, but gravel at the surface was present in the northern portion of Area 7. Also, a 5 to 10 foot berm remains along the entire west boundary of the farm (topsoil and/or subsoil?). The variable success of the plantation is testimony to the quality of site. Given wetness and gravel extraction, some of the soils are probably marginal for agriculture. Areas where the plantations have succeeded well are on good soils.

We noted very little regeneration within the plantation of hardwood species, other than some small Ash trees. There is the potential of the hardwood bush, Area 1, to serve as a seed source in the future, with proper thinning of the plantation.

5. **PLANTATIONS AND THE COUNTY FOREST**

We have some information on the area of plantations and forests in the County from the Ministry of Natural Resources and Forestry – Southern Ontario Land Resource Information System.

Wellington North Plantations: 1,449 acres
Wellington North Plantations and Treed areas: 17,267 acres

Wellington County Plantations: 13,012 acres
Wellington County Plantations and Treed areas: 112,532 acres

Plantations make up 8.4 % of the Wellington North forest, and 11.6% of the County forest. It normally takes about 650 seedlings to plant an acre of plantation. Thus, the 13,012 acres of plantation in the County represents about 8,457,800 seedlings. That's about 53 years of the County's Green Legacy Programme at 160,000 trees per year.

Plantations represent an important part of the County forest. It's important to remember that plantations evolve into mixed hardwood forests over time.

6. **COUNTY OFFICIAL PLAN**

Section 5.5.4 of the County Official Plan states that:

"In the Rural System, woodlands over 4 hectares [9.9 ac.] and plantations over 10 hectares [24.7 ac.] are considered to be significant by the County, and are included in the Greenlands system. Woodlands of this size are important due to their contribution to the amount of forest cover on the County landscape. Exceptions may include a plantation established and continuously managed for the sole purpose of complete removal at rotation without a reforestation objective, as demonstrated with documentation acceptable to the County."

While the above policy is applicable to development applications, it may assist the Committee in forming a decision on this Forest Conservation By-law application.

The plantation areas are not designated as Greenlands in the County Official Plan.

7. **PLANNING CONSIDERATIONS**

Minor Clearings

While we generally support "minor" clearing applications to the Forest Conservation by-law for the "squaring-up" of agricultural fields, open space around dwellings, septic systems, etc., we have difficulty supporting removal larger forested areas. In the current case, about 13.5 acres of reforested area can be considered to be moderately to well established.

Some Larger Clearings

Given the Official Plan policy, the County could support more major clearings where a plantation was "...established and continuously managed for the sole purpose of complete removal at rotation...". This has been the case for some gravel operations, holding land in trees until future extraction. Mrs. Bowers has told me that they planted the trees as a crop, with the intention of

harvesting them at some point. It's my understanding that the Bowers do not have documentation to demonstrate this.

Permitting Clearing Where Poor Plantation Success

In the past the County has approved the clearing of plantations that have failed or that have only been marginally successful. In one case, the plantation was comprised of dying Scots Pine, with an understory of Ash, which was likely to die due to Emerald Ash Borer. In another case, clearing of poorer parts of a plantation was permitted where there was poor growth form and high mortality. However, in this case, the County did permit removal of the higher quality plantation areas.

Approximately, 13.1 acres of the Bower plantation has either failed completely or only had marginal survival. I wouldn't have any concerns squaring up these areas and removing any trees present. Unfortunately the failed areas are irregular in shape and may not be that useful for agriculture, especially with the added cost of drainage.

8. STAFF POSITION

Staff is unable to support the application to clear the entire plantation area. We do support the removal of the failed areas of the plantation, if that would be useful for the applicant.

9. RECOMMENDATIONS

That the proposed clearing application to Forest Conservation By-law No. 5115-09 for Mrs. Linda Bowers, North Part of Lot 12, Concession WOSR, with a civic address of 9484 Maas Park Drive, Former Township of Arthur, be partially approved with the following conditions:

1. That only those trees situated within Areas 4 and 7, as is shown on the air photo, may be cleared.
2. That minor clearing of less than 0.5 acres in each of Areas 2 and 8 may be cleared in order to square up the agricultural fields created in Areas 4 and 7 above.
3. That prior to the destruction of any trees being permitted under condition # 1 or # 2 above, the area be flagged and reviewed by a County of Wellington Forest Conservation By-law Officer.

CLEARING PERMIT APPLICATION

THE CORPORATION OF THE COUNTY OF WELLINGTON PURSUANT TO FOREST CONSERVATION BY-LAW NO. 5115-09

Permit approved _____ Approval Signature: _____ Date: _____

THIS PERMIT APPLICATION TO BE COMPLETED, SIGNED BY ALL APPROPRIATE INDIVIDUALS AND DELIVERED TO THE FOREST CONSERVATION BY-LAW OFFICER, COUNTY OF WELLINGTON BEFORE THE PERMIT APPLICATION WILL BE CONSIDERED. PROVIDE AT LEAST 14 DAYS BEFORE A PERMIT MAY BE ISSUED.

Fill in or Circle the appropriate information.

(Agent is individual acting for the Property Owner)

Property Owner: Linda J. Bowers
Mailing Address: 9484 Maas Park Dr
RR5 Mount Forest ON
Postal Code: N0G 2L0
Telephone: 519-323-4529 Fax: _____
Email: _____

Property Owner's Agent: Sarah Bowers-Peter
Mailing Address: 515 Oxford St. Mount Forest
Postal Code: N0G 2L3
Telephone: 519-323-9134 / 519-323-8160 c Fax: _____
Email: sbp.22@hotmail.com

Date of Purchase of Property/land: July 28 1987

Civic Address (number & road name) of property: 9484 Maas Park Dr Wellington North
Mount Forest

Legal Description of property: Lot 12 Concession West Owensound Road Township Arthur Twp.
North Half

Area of Property: 108 acres Forest Area on Property: 30 acres approx Forest area to be cleared:

Is this woodland enrolled in the Managed Forest Tax Incentive Program?

☒ Yes ☐ No

Is this woodland enrolled in the Conservation Land Tax Incentive Program?

☒ Yes ☐ No

Reasons for clearing: Purchaser wishes to clear land & restore as
agricultural use.

Proposed Timetable: Unknown

Reforestation Elsewhere? Unknown

Please provide sketch of property showing the area(s) to be cleared below:

Show property boundary, forested areas, agricultural areas, area where trees are to be cleared, buildings, roads, logging access, north arrow, access for By-law officer, roads, drains, wetlands, watercourses & other features.

- Scanned and attached

Color of Paint Used : _____ Method of Marking _____
(The boundary of the area to be cleared must be marked to the Officer's satisfaction).

CONTRACTOR INFORMATION:

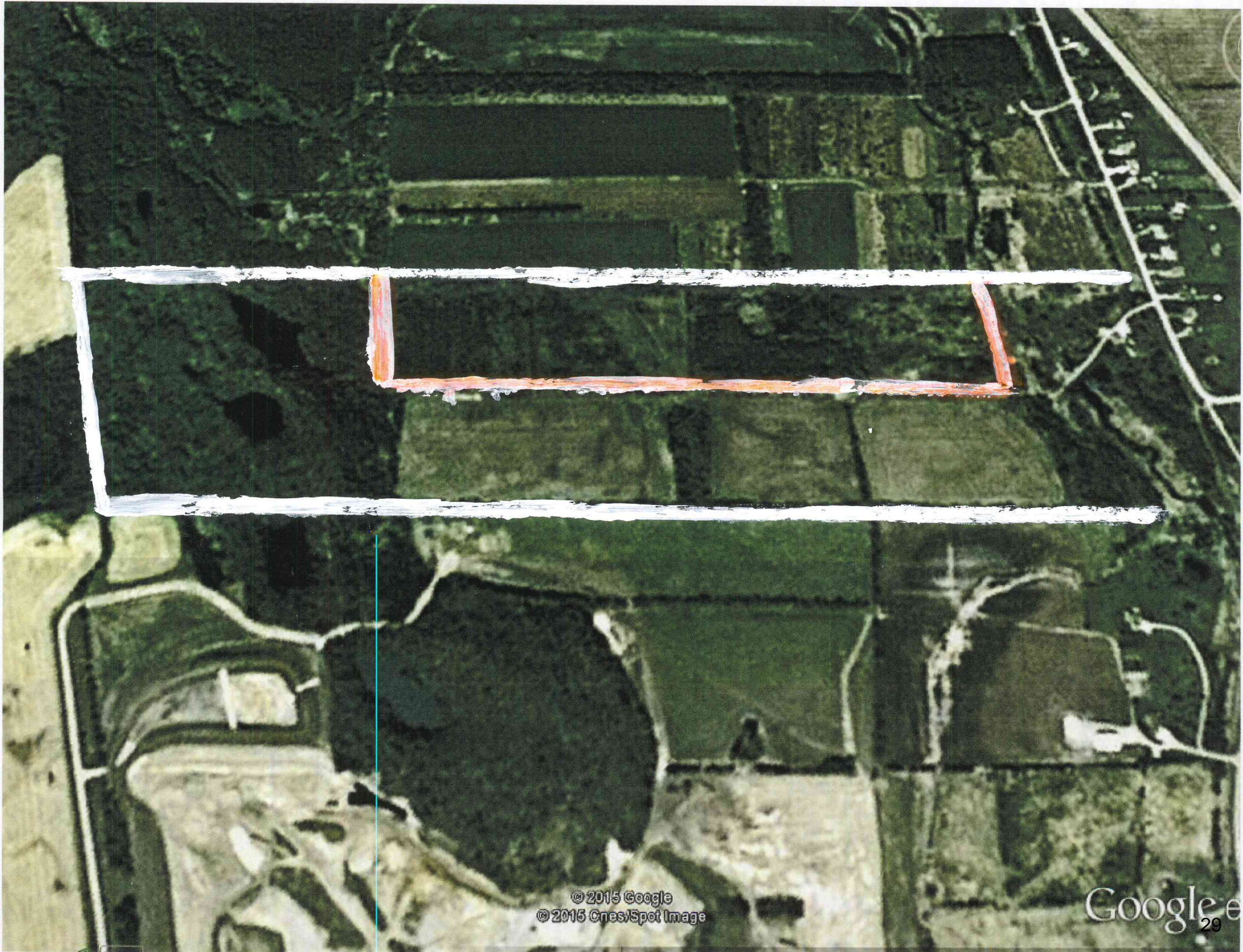
Company: Moogie Valley Timber Contact Name _____

Address: RR1 Williamsford

Tel: 519-794-0018 Fax: _____

1. I agree that operations will be in accordance with the provisions of Forest Conservation By-law No. 5115-09 of the County of Wellington, and that I am familiar with the contents and requirements of this By-law.
2. Further, I agree to contact the Officer's office (519)835-8722, Fax (519) 763-6503 one day prior to the start of cutting and one day prior to the resumption of work after a fourteen day delay.

Signature of Owner: Linda J. Brown Date: Aug 21/15



Clearing Permit Application
9484 Maas Park Drive

September 10, 2015

Good Morning Warden, Chair, and Committee members.

I am here today to represent my mother, Linda Bowers, and indeed my father, the late David Bowers, in the matter of the Forest Conservation By-Law 5115-09 and its impact on the property legally described as North Half Lot 12, West Owen Sound Road, also known as 9484 Maas Park Drive.

At this time, the property is listed with Suzanne Lawrence of Royal LePage RCR Realty. On August 1, 2015, an offer to purchase was received from Mr. Amos B. Martin, who is represented by John Thomson, also of Royal LePage RCR. My mother has since offered, and was accepted of an offer on another smaller home in the Town of Mount Forest. She will own this property as of October 2, 2015. On Aug 19th 2015, my mother was advised that the purchaser, Mr. Martin, had been informed that the process to acquire a mortgage was halted as the County's bylaw would prevent the purchaser from clearing the woodlot; which was one of the main attractions of this property for Mr. Martin. It is our understanding that Mr. Martin wishes to return the land to primarily agricultural use, after selling the wood and tiling the land.

The possibility that this bylaw could negate this real estate transaction, and put her new purchase in jeopardy has been extremely distressing for my mother.

HISTORY

In 1958, the Ministry of Transportation constructed a new bridge on Highway 6. It was needed to span the railway tracks and was a rather large project for the time. Some of the aggregate needed for this bridge was removed from this property. The weigh scale for the dump trucks was located on what is currently the front lawn of the home. The front half of the farm was cleared of a great deal of material. Unfortunately, the environmental rehabilitation practices we now enjoy with regards to land restoration were not in place then, and the land was left with a large berm of topsoil along the west side of the property. There were no buildings on the property and it was overrun and in poor condition, having laid fallow for several seasons.

Just shy of 30 years later, my parent sold our mixed farming operation in Normanby Township and retired from farming. My father found this parcel in the former Arthur Township, and saw the potential for a family home, and although he wouldn't admit it at the time – a new farm.

What sealed the deal was the combination of Bell's Creek, an adjacent area that eventually became a pond and a sizeable woodlot on the first half of the west side of the parcel. In July 1987, the land was purchased and in January 1988 our family moved in to the ranch-style bungalow, which was built by my parents.

As with many retired farmers, the farming life was not entirely out of my father's blood, and he applied to the Ministry of the Environment to obtain permission for a barn that would house up to 30 beef cows. Approval was given. With the work required to rehabilitate the land (i.e. remove the berm) and tiling the wetlands to free up more workable acreage, my father gave a great deal of thought to his second phase of farming. Following a number of conversations with his new neighbor, Basil Okes, the owner of the former *Okes' Tree Farm*, he became interested in the idea of a woodlot as a crop, as was the case for Okes' Christmas Trees. He then reconsidered his plans to reinvest in livestock and the barn was never built. The existing woodlot was thriving and he began researching how he could add to the plot. A huge advocate for planting trees and indeed one of the proudest green thumbs you would ever met, my father planted trees on each property my family owned. He felt this new project was a passion that could become a source of income in the future.

In March 1992 he purchased Norway Spruce, Silver Maple and White Cedar from the Ministry of Natural Resources. This was in addition to the cost of the tree planting service – by hand and by machine – secured through Saugeen Valley Conservation Authority. Over the years, there were mixed results from this planting, as the land tends to be wet in this area. In fact, the woodlot in question is now quite open in areas, as the land is not fully suitable for trees.

Around this time, my parents were advised of the existence of an ANSI – *Area of Natural and Scientific Importance*, more commonly known as the *Riverstown Esker*. They took no issue with the Restricted Use designation of the Official Plan and instead of feeling restricted by the limitations this designation presented, they were proud of the geological feature and often took family and friends back to see this gift of nature. They were also accommodating neighbors of the Wellington County Riverstown Landfill, allowing access for test wells on their property. The land has only been used for light recreation, such as hiking, in order to preserve the integrity of the eskers. My father checked the area on a regular basis, using best practices to maintain a healthy woodlot. He did the same for the large plot in question along the west side of the property, stating it was a crop, and required tending much in the same manner as the beans and corn now planted in the fields that were rented to an area cash-cropper.

Throughout this time, my parents continued to order and plant trees through various reforestation programs. These trees were planted on the north end of the property, primarily around the house, shed, pond and river, or given to friends and neighbors once they were established and strong enough to replant.

In 2011, the topic of selling the property came up, which was quickly followed by a Cancer diagnosis for my father, thus putting the topic on hold. A brief reprieve in 2013 allowed my father to broach the idea of selling once more. However, when it became evident that a move would use precious time and energy, it was postponed once again. My father passed away in June 2014.

BYLAW

Why do I tell you all of this? So you can understand the context of this situation and understand that this property is not typical of the appeal requests this committee is approached with.

When my parents purchased the land in 1988, there was no bylaw. When my father planted the trees, there was no bylaw. As of September 24, 2009, there became such a bylaw, however, there is no documentation through taxation, through partnering agencies such as Saugeen Conservation Authority, or through government ministry to advise of such an impactful change in land use, and in this case, a substantial impact on land value. We feel there are grey areas that would give this committee the opportunity to allow an exemption to the bylaw with regards to my parents' property.

Referencing bylaw 5115-09, there is nothing that indicates that grandfathering land is prohibited, so there is no fear of setting precedent. Additionally, in Section 3.1 subsection O, "Exemptions" indicates that "land previously cleared and used for agricultural purposes, which has become overgrown with young (less than 10 years old) early-successional tree species (e.g. Sumac, Hawthorne, Apple, Scots Pine, Poplar, White Birch, Ash) and the land is intended to be used again as part of an agricultural operation (defined as land eligible for a Farm Business Registration Number)", would qualify for an Exemption. Not only was this land previously used, and part of it continuing to be used – for agricultural purposes, allowing Mr. Martin to obtain his mortgage would also enable the land to become fully functioning and restored.

At this time, the property is desirable to the buyer who will return the land into productive agriculture use. In spite of my father's best intentions, the area in questions is not ideal for a woodlot. The property as a whole would enjoy a significant amount of tree cover, forever protected by the ANSI designation, in addition to the countless trees added to the front of the property by my parents.

Should this Committee, and County Council, decide to uphold the bylaw in this case, the ramifications will be significant.

1. Firstly, the deal we currently have in place with Mr. Martin will not be completed as the offer will most likely fail on the condition of financing and will have to be withdrawn. This means property will once again be on the market.

2. Secondly, the property will no longer be appealing to the farming community, as there is limited workable land at this time (approx 40 acres), which is insufficient for a substantial crop. The cash cropper who rents the land was only interested in this parcel because he has other land nearby.
3. Thirdly, with this significant reduction of interest in the marketplace, my mother will have to wait for a buyer who is not interested in agricultural use to purchase the land. As the surrounding area is primarily agricultural usage, it doesn't make sense to impede an agricultural buyer in favor of a non-agricultural buyer.
4. Finally, the amount of work required to keep up the property is physically and emotionally too demanding for my mother. In the past year without my father, she feels there is too much for her to maintain and she is eager to move into a manageable residence with less property. This land transaction will allow her to follow through on the property she has made an offer on in Mount Forest. With this bylaw, her only option is to drastically reduce the sale price. This will significantly impact her future; specifically, where and how she can live, an outcome that would be absolutely devastating to my father, whose intent in planting the trees in the first place was to invest in the property, not devalue it.

Wellington County is known for its position on environmentalism. County buildings are constructed with environmental considerations at the forefront of design. The Green Legacy Program launched here is ground breaking, and has caught the attention of the United Nations. I've already referred to the cooperative relationship my parents have had with the County's progressive Solid Waste department regarding the wells located on the Eskers, which ensure the safety of the ground water.

I'm sure the rationale for developing this bylaw was to protect trees by giving residents pause to consider their actions. There could even be an educational component to this measure, in that residents would have to understand the role trees have in our ecosystem. I am here to tell you that David and Linda Bowers were the poster children for this type of environmental support. They have planted countless trees at each property they have lived on, not to mention the vast quantities they have ordered through municipal and conservation authority programs. Our parents instilled in their children a respect and love for preserving the environment. My sister currently operates an environmentally conscious hair salon and spa in Waterloo. Part of her community outreach is to donate a tree to a school each spring, and speak to students about the need to protect our environment. My family participates each spring in a road-side pickup in our corner of Mount Forest near the Saugeen River, just because we want to. My husband and I have personally planted dozens of trees on the two properties we have owned. So if the objective of the bylaw is to create awareness and respect of our forests and environment, that goal was met in this family before the legislation was even drafted.

In closing, I respectfully request that this Committee accept/reject the report as submitted and offer an exemption to this bylaw. This would allow Mr. Martin to honor his purchase offer, take ownership of the property and have a young couple start their family in a home designed for a young and growing family. And most importantly for me and my sister, it will allow my mother to close on the home she very much needs to be in, with the funds she will need to live on.

I thank you for your time and consideration.

Sarah Bowers-Peter



COUNTY OF WELLINGTON

COMMITTEE REPORT

To: Chair and Members of the Planning Committee
From: Gary Cousins, Director of Planning and Development
Date: Wednesday, September 02, 2015
Subject: Tree Bylaw Issue – Maieron Town of Erin (PD2015-26)

1. **BACKGROUND:**

At the June Planning committee meeting Mr. Maieron of Silver Creek Aquaculture, a fish farm near Erin Village, appeared as a delegation concerned about the destruction of trees on his property due, in his view, from water coming off the adjacent residential development. Mr. Maieron felt this was a violation of the County Tree bylaw. The committee asked for some background information.

2. **THE NEIGHBOURING RESIDENTIAL DEVELOPMENT:**

The development was approved by the Ontario Municipal Board on November 24, 1997. The County was not a party to the hearing and county staff did not give evidence. Mr. Maieron was a party and eventually withdrew in exchange for some land as noted in the OMB decision:

"in exchange for the withdrawal, Gulia would convey the woodlot to Silver Creek, so it could have greater protection of the buffer areas for the springs. The Board encourages settlements and I encourage the parties to settle. And the settlement figures prominently in my analysis of the protection of the water quality reaching the Silver Creek property." OMB decision

While the county was not involved in the hearing the Board followed normal practice and asked the County to give final approval to the plan once all the conditions imposed by the OMB were cleared by the respective agencies. There were conditions related to storm water management and they were cleared by the Township of Erin and the CVC. The County gave final approval to the plan on May 14, 2003 based on the Board decision and all the conditions being cleared.

3. **RECENT ISSUE:**

Since the June Committee meeting the county has received a complaint from a neighbour about tree cutting on the Maieron lands. Apparently at the time there were a number of neighbour complaints on a variety of issues directed to the Town and CVC.

On Aug. 24, 2015 both county tree commissioners attended the Maieron property with Mr. Maieron to follow up on the complaint. The tree commissioners reported that Mr. Maieron's activity focused on removing dead or hazardous trees and there were no bylaw violations. The tree commissioner has visited the property on other occasions and no violations were found. This information was conveyed to the neighbour who had raised the concern.

4. ANALYSIS:

The residential development was approved by the OMB and the storm water system was designed and approved by appropriate professionals. If there are concerns related to flooding, Mr. Maieron needs to have discussions with the Town and CVC. While tree loss is a concern, the County Forest Conservation bylaw is not the proper means to address what is essentially a drainage issue.

5. RECOMMENDATION

THAT report PD2015-26 be received for information.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gary Cousins".

Gary Cousins
Director of Planning and Development



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Document Path: F:\GIS\Projects\0150Mountainview_Roads Mountainview Crescent.mxd

Jana Poechman

From: Mark Van Patter
Sent: September 2, 2015 11:06 AM
To: Jana Poechman
Subject: FW: site inspectio. L. Maieron

From: Angelo [<mailto:angelo3@sympatico.ca>]
Sent: Friday, August 28, 2015 12:04 AM
To: 'garyc@wellington.ca'
Subject: site inspection, L. Maieron

Gary

On August 24, 2014, I and Mr. J. Benham inspected Mr. Maieron woodlot for possible violations to the County of Wellington Tree By-Law. Mr. Maieron accompanied us during the inspection. It was clearly evident that during our investigation that Mr. Maieron focused on removing only dead and hazardous trees. Mr. Benham and I are in agreement that no violations have been committed by Mr. Maieron.

Thank-you

Angelo Giovinazzo

From: Lou Maieron <LouMaieron@hotmail.ca>

Sent: Monday, August 24, 2015 5:18 PM

To: Mark Van Patter

Cc: Gary Cousins; Scott Wilson; Allan Alls; Matt Sammut; John Brennan; Rob Smith; Jeff Duncan; Kevin Sherkin; George Bridge

Subject: Tree by-law visits

Dear Mr. Van Patter

Today Mr. Giovanazzo and Mr. Benham, tree inspectors for the County, attended my farm, Silver Creek Aquaculture in the Town of Erin today. This visit was based again on unfounded complaints from neighbouring urban residents regarding our recent tree cutting. This is Mr. Giovanazzo's 5th or 6th visit to our farm based on unfounded nuisance complaints from these same neighbours in the past few years. He provided a letter last year, stating that that I am not doing anything in violation of the County tree by-law. This was Mr. Benham's first visit.

I think the County needed to be more vigilant in providing a buffer area between urban and farm settings as your Official plan states prior to approving these subdivisions – thus eliminating these numerous, ridiculous, unfounded, uniformed complaints. These particular neighbours complain about everything, smoke from a fire, shooting at predators, barking dogs, tractor noise, etc. – all legal and accepted farm practicesit is amounting to harassment. It is not 2 days go by that I am not being visited by some type of enforcement official and being exonerated by them for what my city folk neighbours allege as wrong doing. Perhaps they should have remained in the city and not moved next to a working farm!

If you had called me prior to sending out the bylaw officers again, I would have informed you that we are removing trees that are either up-rooted, dead, pose a safety hazard, or have been significantly topped because of the recent ice storm. This tree cutting has been going on in what I would consider as a cedar plantation, which was planted many years ago by a previous owner. The trees that are dying or toppling over is because of the nearby subdivision stormwater pond that do not have an outlet to a stream, but rather to our bush, drowning and undermining the trees causing them to topple over or die. If the trees were not toppling over or dying I would have no reason to do clean-up – think about it – cause and effect. This problem can be attributed to the poor design of the SWM pond. Please charge the subdivision developers/owners with violation of the tree by-law as they are causing injury to thousands of trees – contrary to your bylaw .

Following another tour of our bush and activities therein, both Mr. Giovanazzo and Mr. Benham are satisfied that we are not violating the tree by-law, but engaging in good forestry practices .

I would greatly appreciate it if you could provide my annoying, complaining, cowardly neighbours, whose first action is always to contact some authority about some complaint, rather than have a chat with me that I am not violating the County of Wellington Tree

cutting by-law. In fact I am providing them a valuable service by removing a serious fire hazard - of all this dead cedar debris.

I don't think any of your tree by law officers have ever visited any property in Wellington County 6 times and determined each and every time that no violations are taking place and yet keep coming back. I demand that this harassment stop immediately.

Please copy me on the letter that you will be providing complaining cowardly neighbours. And please apply the tree by-law to who is truly causing the death and toppling of trees on my property- the owners of the neighbouring storm water facilities. As you are aware I did present this concern to a recent Planning Committee meeting. There is a very clear relationship – flooding of the forest and killing of the trees. We hope the County enforces its tree bylaw equally to parties causing damage to trees, otherwise we will have to look at other remedies to help protect our bush from the continuous damage to our trees. Our bush is significant in protecting our essential water supply in many different ways .

The county official plan strongly protects agricultural and normal farming practice – its past time to recognise and enforce those aspects of the Official plan and the Tree Conservation bylaw.

Yours Truly

Lou Maieron B.Sc. & Karen Jeffrey B.Sc. – Silver Creek Aquaculture Inc.

From: Lou Maieron <LouMaieron@hotmail.ca>

Sent: Thursday, September 3, 2015 9:56 AM

To: Angelo ; Gary Cousins; Scott Wilson; George Bridge; Allan Alls; Pierre Brianceau

Subject: Re: site inspectio. L. Maieron

Thank you Angelo for your message - Gary forwarded me a copy – Friday

Warden Bridge, Mayor Alls, County Councillor Brianceau, CAO Wilson, Planning Director Cousins and By law officer Giacomazzo:

Gentleman – this is the 6th or so visit by the County of Wellington Tree Conservation Bylaw officers to my property – each time I have been exonerated. After the 5th visit a letter was sent to me that tree bylaw officers would no longer visit me for frivolous complaints. Tree cutting complaints is one in a barrage of neighbour complaints launched this year regarding normal farming practices. My neighbours are fond of anonymously launching complaints. As such this does not lead to resolution of the issue.

A previous letter from me to the Town of Erin & County of Wellington makes it clear that given the barrage of frivolous complaints my neighbours are harassing me with respect to normal farm practices. The County Official Plan is clear on protecting farmers from such issues. I have suggested that the Town &/or County send a letter to all neighbouring properties that could be affected by our normal farming practices or good woodlot management practices; that what I am doing on my property is perfectly legal and that their frivolous complaints and harassment stop. If the cowardly complaining neighbours would give their names – then the officials would advise them that what is happening on the farm is completely normal and legal. It is very easy to just make a anonymous phone call and let the farmer deal with all the inconveniences to farming their frivolous complaints cost. I asked a few weeks ago that such a letter be sent, after all it was the Town/County that permitted residential growth right up to our property line – contrary to the Official plan. To date no reply

Additionally, a few months ago I delegated to the County planning committee with respect to equal application of Wellington Counties Forestry Conservation By-law. It is very clear in this Bylaw, that no one shall cause harm to trees, yet easily more than 1,000 trees on my property have been harmed and No response from the County – even though we are all aware of what is causing the harm.

Whereas this particular clean up exercise of 2015, recently reviewed by Angelo & John, is attributable mostly to ice storm damage, tree clean up exercises over the past number of years (5 to 10 years) are primarily due to flooding from the faulty Erin Brook stormwater ponds. Angelo has witnessed flooding on a number of occasions, so has Mr. Cousins and so has the MOE/CVC, Town of Erin etc.etc.. Yet nothing has been done to remedy it. Flooding has caused trees to die (drown) or to topple over, causing harm (death) to trees, very much contrary to the County bylaw and yet there has been no response from the County to those causing the harm, but continuous visits to me – the recipient of the damage. As was made very clear to the Planning Committee we need trees around the water courses to protect our precious water supply.

This has been a dry year so that sort of flooding damage thus far has been minimal. However tremendous & very costly efforts on our part have been expended to keep tree losses & deaths at a minimum and to do the necessary, very expensive clean up. Instead of being complimented or compensated for our positive actions .. we face numerous neighbour complaints and more visits from your forestry conservation bylaw officers and NO action from the County enforcing their tree bylaw appropriately in this matter. Address those that are causing the harm, not the recipient of the harm. We have to wonder why this is?

I would like 2 clear answers promptly :

- 1) Is the Town/County going to send a letter to all the affected neighbours and
- 2) Is the County going to act upon its Forestry Conservation Bylaw to stop the death/injury of trees on our property.

I would very much appreciate a prompt reply indicating what actions the Town/County will be taking in these matters.

Yours very truly -

Lou Maieron, Karen Jeffrey
Silver Creek Aquaculture Inc.

Sent from my BlackBerry 10 smartphone on the Rogers network.

Original Message

From: Lou Maieron <LouMaieron@hotmail.ca>

Sent: Thursday, September 3, 2015 6:01 PM

To: Gary Cousins; Donna Bryce

Subject: Re: site inspectio. L. Maieron

Thank you Mr. Cousins,

I would like my emails including this one, to be added to the planning agenda and to be attached to your report. At present I do not know what your report states - so not sure if they are necessary, but add them just the same please. The committee needs to understand and recognise that there is a significant cost both to the numerous authorities called and to my farming business, having to deal with a multitude of frivolous neighbour complaints - regarding normal farming practices and good forestry management. If the complainants would give their names - the authorities would advise them that these activities are normal on a farm and in a woodlot and that could stop the complaints. But they do not and just complain again, ergo why I am recommending a letter advising them of what is legal and permitted on land designated agricultural and in woodlots.

While the 2 tree inspectors were here - I thought I would show them 2 very large Ash trees that I thought could provide seed for future generations following the emerald ash borer infestation has run its course - as these 2 had survived for about 150-200 years I estimate - maybe more. I was advised that they are already infected by the emerald ash borer and will likely die soon - cut them down I was told. My forested hardwood area - I would estimate is about 25 -30 % Ash trees- so how many more complaints can I expect when I start removing these dead trees?

Right now I am more than busy enough resolving someone else's flooding problem on my property causing to me cut and clean up all the dead, topped and tipped over trees - not including Ash trees.

Thank you for responding so promptly

Lou Maieron



COUNTY OF WELLINGTON

COMMITTEE REPORT

To: Chair and Members of the Planning Committee
From: Gary Cousins, Director of Planning and Development
Date: Wednesday, September 02, 2015
Subject: **150 Million Trees (PD2015-27)**

1. **BACKGROUND:**

At the June 2015 County Council meeting, Ted Arnott, MPP, appeared as a delegation outlining an ambitious proposal to celebrate Canada's 150th birthday by planting 150 million trees in 2017. He indicated that Wellington County's Green Legacy Programme provided a model for his initiative.

2. **THE GREEN LEGACY:**

Wellington County's Green Legacy Programme began in 2004 in celebration of the County of Wellington's 150th birthday. The first year the County purchased 150,000 seedlings and developed a volunteer programme to plant the trees. The public response was so positive that the County continued the initiative and eventually began to grow its own trees at two tree nurseries. The tree nurseries have become a focal point for environmental education and volunteerism in Wellington and annually attract thousands of school children as well as many adults. At this time, the County programme has planted almost 2 million trees.

3. **THE VALUE OF THE GREEN LEGACY:**

The Green Legacy Programme has the following long term benefits:

a) Environmental: More trees provide a healthier environment overall. Trees are also used to achieve other environmental benefits such as reforesting stream banks.

b) Climate Change: Tree planting is one of the most direct and effective means of addressing climate change concerns by removing carbon from the air and providing cooling.

c) Agriculture: Trees are used as windbreaks to prevent erosion and together with fencing to keep livestock out of streams. Farmers have been major participants in county tree planting initiatives.

d) Safety: The County has initiated a tree planting programme along sections of county roads that experience issues with blowing snow. The living snow fences provided by trees will improve long term safety for motorists using county roads.

e) Education: Both the growing and planting of trees provide opportunities for environmental

education for students in Wellington County. With the co-operation of County school boards over 10,000 students annually take part in the Green Legacy Programme contributing their efforts and gaining a better appreciation of the value of trees.

f) Volunteerism: County residents have been active participants in the tree planting initiative. People value the opportunity to make a contribution to the environment.

4. A PROVINCIAL TREE PLANTING INITIATIVE:

In order to develop a provincial tree planting initiative for 150 million trees will require an immediate effort to:

- grow a supply of trees
- establish a distribution system
- engage the public

Tree planting is a cost effective initiative that has broad public acceptance and clear benefits that would serve the province well over the coming years.

5. RECOMMENDATION

THAT the County of Wellington endorse the 150 Million Tree Initiative as proposed by MPP Ted Arnott to celebrate Canada's 150th birthday and encourage it to be a long term provincial tree planting programme.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gary Cousins".

Gary Cousins
Director of Planning and Development



COUNTY OF WELLINGTON

COMMITTEE REPORT

To: Chair and Members of the Planning Committee
From: Mark Paoli, Manager of Policy Planning
Date: September 10, 2015
Subject: **COMMENTS ON CONSERVATION AUTHORITIES ACT REVIEW (PD2015-28)**

The province is seeking input on a review of the Conservation Authorities Act and has released a Discussion Paper. According to the Discussion Paper, the objective of the review is “to identify opportunities to improve the legislative, regulatory and policy framework that currently governs the creation, operation and activities of conservation authorities that may be required in the face of a constantly changing environment.”

There are no proposals to respond to at this point.

The purpose of the Discussion Paper is to seek feedback on the following three areas:

1. Governance – the processes, structures, and accountability frameworks within the Act which direct conservation authority decision-making and operations;
2. Funding Mechanisms – the mechanisms put in place by the Act to fund Conservation Authorities; and
3. Roles and Responsibilities – the roles and associated responsibilities that the Act enables conservation authorities to undertake.

The questions posed under these general areas are listed in Attachment ‘A’.

The Discussion Paper is the first step in the review. The feedback will be used to identify where the review should be focused. If changes to laws, regulations or policies are proposed, there will be more public consultation.

Recommendation:

THAT Report PD2015-28 Conservation Authorities Act Review be received.

Respectfully submitted,

Mark Paoli
Manager of Policy Planning

ATTACHMENT 'A'

DISCUSSION PAPER QUESTIONS

1. GOVERNANCE
a. What aspects of the current governance model are working well?
b. What aspects of the current governance model are in need of improvement
c. In terms of governance, what should be expected of: <ul style="list-style-type: none"> - The board or its members? - The general manager or chief administrative officer? - Municipalities? - The Minister of Natural Resources and Forestry? - Other provincial ministries? - Others?
d. How should the responsibility for oversight of conservation authorities be shared between the province and municipalities?
e. Are there other governance practices or tools that could be used to enhance the existing governance model?
2. FUNDING MECHANISMS
a. How well are the existing funding mechanisms outlined within the Act working?
b. What changes to existing funding mechanisms would you like to see if any?
c. Which funding mechanisms, or combination of funding mechanisms, are best able to support the long term sustainability of conservation authorities?
d. Are there other revenue generation tools that should be considered?
3. ROLES AND RESPONSIBILITIES
a. What resource management programs and activities may be best delivered at the watershed scale?
b. Are current roles and responsibilities authorized by the Conservation Authorities Act appropriate? Why or why not? What changes, if any, would you like to see?
c. How may the impacts of climate change affect the programs and activities of delivered by conservation authorities? Are conservation authorities equipped to deal with these effects?
d. Is the variability in conservation authorities' capacity and resourcing to offer a range of programs and services a concern? Should there be a standard program for all authorities to deliver? Why or why not?
e. What are some of the challenges facing conservation authorities in balancing their various roles and responsibilities? Are there tools or other changes that would help with this?
f. Are there opportunities to improve consistency in service standards, timelines and fee structures? What are the means by which consistency can be improved? What are some of the challenges in achieving greater consistency in these areas?