

<b>For Office Use Only:</b>	SPPL2023328	Public Notice Sign	
File Number	N/A	Application Fee	1,307.00
Related File Number	March 23, 2022	Conservation Authority Fee	Yes
Pre-consultation Meeting	October 20, 2023	Well & Septic Info Provided	N.A.
Application Submitted	October 20, 2023	Planner	Hanne Yager
Complete Application			

**Check the type of planning application(s) you are submitting.**

- Official Plan Amendment
- Zoning By-Law Amendment
- Temporary Use By-law
- Draft Plan of Subdivision/Vacant Land Condominium
- Condominium Exemption
- Site Plan Application
- Extension of a Temporary Use By-law
- Part Lot Control
- Cash-in-Lieu of Parking
- Renewable Energy Project or Radio Communication Tower

Please summarize the desired result of this application (for example, a special zoning provision on the subject lands to include additional use(s), changing the zone or official plan designation of the subject lands, creating a certain number of lots, or similar)

the approval of a forest school as an "on farm diversified use" *with a maximum of 30 students*  
 approval of the building permits for the yurt and septic system

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**Property Assessment Roll Number:** 331049102290000

**A. Applicant Information**

Name of Owner Michael & Krista Timmermans

Address 2454 Nixon Road  
Town and Postal Code Simcoe, N3Y4K6  
Phone Number 519 671 6653  
Cell Number 519 403 4747  
Email timmermanestate@gmail.com

Name of Applicant Growing Roots Nature School  
Address \_\_\_\_\_  
Town and Postal Code \_\_\_\_\_  
Phone Number \_\_\_\_\_  
Cell Number \_\_\_\_\_  
Email growingrootsnatureschool@gmail.com

Name of Agent Mary Elder, Elder Plans Inc.  
Address 32 Miller Cres  
Town and Postal Code Simcoe, ON N3Y 4R1  
Phone Number \_\_\_\_\_  
Cell Number 519-429-4933  
Email Elderplans2018@gmail.com

Unless otherwise directed, Norfolk County will forward all correspondence and notices regarding this application to both owner and agent noted above.

Owner

Agent

Applicant

Names and addresses of any holder of any mortgagees, charges or other encumbrances on the subject lands:

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## B. Location, Legal Description and Property Information

1. Legal Description (include Geographic Township, Concession Number, Lot Number, Block Number and Urban Area or Hamlet):  
WDM CON 12 PT LOT 12

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Municipal Civic Address: 2378 Nixon Road

Present Official Plan Designation(s): Agricultural and Hazard Land along Goodlet Drain

Present Zoning: Agricultural and Hazard Land along Goodlet Drain

2. Is there a special provision or site specific zone on the subject lands?

Yes  No If yes, please specify corresponding number:

3. Present use of the subject lands:

agricultural - woodlot

4. Please describe **all existing** buildings or structures on the subject lands and whether they will be retained, demolished or removed. If retaining the buildings or structures, please describe the type of buildings or structures, and illustrate the setback, in metric units, from the front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, and height on your attached sketch which must be included with your application:

yurt building - to be retained, tent (yurt) to be retained, utility shed

bathroom trailer (portable) - to be retained

details on site plan

5. If an addition to an existing building is being proposed, please explain what it will be used for (for example: bedroom, kitchen, or bathroom). If new fixtures are proposed, please describe.

6. Please describe **all proposed** buildings or structures/additions on the subject lands. Describe the type of buildings or structures/additions, and illustrate the setback, in metric units, from front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, and height on your attached sketch which must be included with your application:

7. Are any existing buildings on the subject lands designated under the *Ontario Heritage Act* as being architecturally and/or historically significant? Yes  No

If yes, identify and provide details of the building:

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8. If known, the length of time the existing uses have continued on the subject lands:  
since September 2021

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9. Existing use of abutting properties:  
residential and agricultural

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10. Are there any easements or restrictive covenants affecting the subject lands?

Yes  No If yes, describe the easement or restrictive covenant and its effect:

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### C. Purpose of Development Application

**Note: Please complete all that apply.**

1. Please explain what you propose to do on the subject lands/premises which makes this development application necessary:

- an on-farm diversified use (environmental education for a small group of local children)  
is proposed which requires site plan approval

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2. Please explain why it is not possible to comply with the provision(s) of the Zoning By-law/and or Official Plan:

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3. Does the requested amendment alter all or any part of the boundary of an area of settlement in the municipality or implement a new area of settlement in the municipality?  Yes  No If yes, describe its effect:

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4. Does the requested amendment remove the subject land from an area of employment?  Yes  No If yes, describe its effect:

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5. Does the requested amendment alter, replace, or delete a policy of the Official Plan?

Yes  No If yes, identify the policy, and also include a proposed text of the policy amendment (if additional space is required, please attach a separate sheet):

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6. Description of land intended to be severed in metric units:

Frontage: \_\_\_\_\_

Depth: \_\_\_\_\_

Width: \_\_\_\_\_

Lot Area: \_\_\_\_\_

Present Use: \_\_\_\_\_

Proposed Use: \_\_\_\_\_

Proposed final lot size (if boundary adjustment): \_\_\_\_\_

If a boundary adjustment, identify the assessment roll number and property owner of the lands to which the parcel will be added: \_\_\_\_\_

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Description of land intended to be retained in metric units:

Frontage: \_\_\_\_\_

Depth: \_\_\_\_\_

Width: \_\_\_\_\_

Lot Area: \_\_\_\_\_

Present Use: \_\_\_\_\_

Proposed Use: \_\_\_\_\_

Buildings on retained land: \_\_\_\_\_

7. Description of proposed right-of-way/easement:

Frontage: \_\_\_\_\_

Depth: \_\_\_\_\_

Width: \_\_\_\_\_

Area: \_\_\_\_\_

Proposed use: \_\_\_\_\_

8. Name of person(s), if known, to whom lands or interest in lands to be transferred, leased or charged (if known):

9. Site Information	Zoning	Proposed
Please indicate unit of measurement, for example: m, m <sup>2</sup> or %		
Lot frontage	30 m	OFDU 94.16 m
Lot depth		about 295 m
Lot width		about 765 m
Lot area	40 ha	it is 23.84 ha (58.92 ac)
Lot coverage		
Front yard	13 m	156 m
Rear yard	9 m	113 m
Left Interior side yard	3 m	more than 26.5 m
Right Interior side yard	3 m	26.5 m
Exterior side yard (corner lot)		
Landscaped open space		
Entrance access width	7.3 m	7.3 m
Exit access width		
Size of fencing or screening		none
Type of fencing		
10. Building Size		
Number of storeys		1
Building height	11 m	4.06 m
Total ground floor area		68 sq m
Total gross floor area		
Total useable floor area		68 sq m
11. Off Street Parking and Loading Facilities		
Number of off street parking spaces	4	4
Number of visitor parking spaces		
Number of accessible parking spaces	1	1
Number of off street loading facilities		0

12. Residential (if applicable)

Number of buildings existing: \_\_\_\_\_

Number of buildings proposed: \_\_\_\_\_

Is this a conversion or addition to an existing building?  Yes  No

If yes, describe: \_\_\_\_\_

Type	Number of Units	Floor Area per Unit in m <sup>2</sup>
Single Detached	_____	_____
Semi-Detached	_____	_____
Duplex	_____	_____
Triplex	_____	_____
Four-plex	_____	_____
Street Townhouse	_____	_____
Stacked Townhouse	_____	_____
Apartment - Bachelor	_____	_____
Apartment - One bedroom	_____	_____
Apartment - Two bedroom	_____	_____
Apartment - Three bedroom	_____	_____

Other facilities provided (for example: play facilities, underground parking, games room, or swimming pool):

13. Commercial/Industrial Uses (if applicable)

Number of buildings existing: \_\_\_\_\_

Number of buildings proposed: \_\_\_\_\_

Is this a conversion or addition to an existing building?  Yes  No

If yes, describe:

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Indicate the gross floor area by the type of use (for example: office, retail, or storage):

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Seating Capacity (for assembly halls or similar): \_\_\_\_\_

Total number of fixed seats: \_\_\_\_\_

Describe the type of business(es) proposed: \_\_\_\_\_

Total number of staff proposed initially: \_\_\_\_\_

Total number of staff proposed in five years: \_\_\_\_\_

Maximum number of staff on the largest shift: \_\_\_\_\_

Is open storage required:  Yes  No

Is a residential use proposed as part of, or accessory to commercial/industrial use?

Yes  No If yes please describe:

\_\_\_\_\_

14. Institutional (if applicable)

Describe the type of use proposed: private nature school *7/22*

Seating capacity (if applicable): no seating but may 30 students

Number of beds (if applicable): \_\_\_\_\_

Total number of staff proposed initially: 4

Total number of staff proposed in five years: 4

Maximum number of staff on the largest shift: 4

Indicate the gross floor area by the type of use (for example: office, retail, or storage):

\_\_\_\_\_

15. Describe Recreational or Other Use(s) (if applicable)

\_\_\_\_\_

#### **D. Previous Use of the Property**

1. Has there been an industrial or commercial use on the subject lands or adjacent lands?  Yes  No  Unknown

If yes, specify the uses (for example: gas station or petroleum storage):

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2. Is there reason to believe the subject lands may have been contaminated by former uses on the site or adjacent sites?  Yes  No  Unknown

3. Provide the information you used to determine the answers to the above questions: owners knowledge

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4. If you answered yes to any of the above questions in Section D, a previous use inventory showing all known former uses of the subject lands, or if appropriate, the adjacent lands, is needed. Is the previous use inventory attached?  Yes  No

#### **E. Provincial Policy**

1. Is the requested amendment consistent with the provincial policy statements issued under subsection 3(1) of the *Planning Act*, R.S.O. 1990, c. P. 13?  Yes  No

If no, please explain:

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2. It is owner's responsibility to be aware of and comply with all relevant federal or provincial legislation, municipal by-laws or other agency approvals, including the Endangered Species Act, 2007. Have the subject lands been screened to ensure that development or site alteration will not have any impact on the habitat for endangered or threatened species further to the provincial policy statement subsection 2.1.7?  Yes  No

If no, please explain:

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3. Have the subject lands been screened to ensure that development or site alteration will not have any impact on source water protection?  Yes  No

If no, please explain:

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Note: If in an area of source water Wellhead Protection Area (WHPA) A, B or C please attach relevant information and approved mitigation measures from the Risk Manager Official.

4. Are any of the following uses or features on the subject lands or within 500 metres of the subject lands, unless otherwise specified? Please check boxes, if applicable.

**Livestock facility or stockyard** (submit MDS Calculation with application)

On the subject lands or  within 500 meters – distance \_\_\_\_\_

**Wooded area**

On the subject lands or  within 500 meters – distance \_\_\_\_\_

**Municipal Landfill**

On the subject lands or  within 500 meters – distance \_\_\_\_\_

**Sewage treatment plant or waste stabilization plant**

On the subject lands or  within 500 meters – distance \_\_\_\_\_

**Provincially significant wetland (class 1, 2 or 3) or other environmental feature**

On the subject lands or  within 500 meters – distance \_\_\_\_\_

**Floodplain**

On the subject lands or  within 500 meters – distance \_\_\_\_\_

**Rehabilitated mine site**

On the subject lands or  within 500 meters – distance \_\_\_\_\_

**Non-operating mine site within one kilometre**

On the subject lands or  within 500 meters – distance \_\_\_\_\_

**Active mine site within one kilometre**

On the subject lands or  within 500 meters – distance \_\_\_\_\_

**Industrial or commercial use (specify the use(s))**

On the subject lands or  within 500 meters – distance \_\_\_\_\_

**Active railway line**

On the subject lands or  within 500 meters – distance \_\_\_\_\_

**Seasonal wetness of lands**

On the subject lands or  within 500 meters – distance \_\_\_\_\_

**Erosion**

On the subject lands or  within 500 meters – distance \_\_\_\_\_

**Abandoned gas wells**

On the subject lands or  within 500 meters – distance \_\_\_\_\_

## F. Servicing and Access

### 1. Indicate what services are available or proposed:

#### Water Supply

<input type="checkbox"/> Municipal piped water	<input type="checkbox"/> Communal wells
<input type="checkbox"/> Individual wells	<input checked="" type="checkbox"/> Other (describe below)
bottled water brought on-site for student and teacher needs	

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#### Sewage Treatment

<input type="checkbox"/> Municipal sewers	<input type="checkbox"/> Communal system
<input type="checkbox"/> Septic tank and tile bed in good working order	<input type="checkbox"/> Other (describe below)
portable washrooms	

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#### Storm Drainage

<input type="checkbox"/> Storm sewers	<input checked="" type="checkbox"/> Open ditches
<input type="checkbox"/> Other (describe below)	

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### 2. Existing or proposed access to subject lands:

<input checked="" type="checkbox"/> Municipal road	<input type="checkbox"/> Provincial highway
<input type="checkbox"/> Unopened road	<input type="checkbox"/> Other (describe below)

Name of road/street: \_\_\_\_\_

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## G. Other Information

1. Does the application involve a local business?  Yes  No  
If yes, how many people are employed on the subject lands?

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2. Is there any other information that you think may be useful in the review of this application? If so, explain below or attach on a separate page.

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## **H. Supporting Material to be submitted by Applicant**

In order for your application to be considered complete, **folded hard copies (number of paper copies as directed by the planner) and an electronic version (PDF) of the properly named site plan drawings, additional plans, studies and reports** will be required, including but not limited to the following details:

1. Concept/Layout Plan
2. All measurements in metric
3. Key map
4. Scale, legend and north arrow
5. Legal description and municipal address
6. Development name
7. Drawing title, number, original date and revision dates
8. Owner's name, address and telephone number
9. Engineer's name, address and telephone number
10. Professional engineer's stamp
11. Existing and proposed easements and right of ways
12. Zoning compliance table – required versus proposed
13. Parking space totals – required and proposed
14. All entrances to parking areas marked with directional arrows
15. Loading spaces, facilities and routes (for commercial developments)
16. All dimensions of the subject lands
17. Dimensions and setbacks of all buildings and structures
18. Location and setbacks of septic system and well from all existing and proposed lot lines, and all existing and proposed structures
19. Gross, ground and useable floor area
20. Lot coverage
21. Floor area ratio
22. Building entrances, building type, height, grades and extent of overhangs
23. Names, dimensions and location of adjacent streets including daylighting triangles
24. Driveways, curbs, drop curbs, pavement markings, widths, radii and traffic directional signs
25. All exterior stairways and ramps with dimensions and setbacks
26. Retaining walls including materials proposed
27. Fire access and routes
28. Location, dimensions and number of parking spaces (including visitor and accessible) and drive aisles
29. Location of mechanical room, and other building services (e.g. A/C, HRV)
30. Refuse disposal and storage areas including any related screening (if indoors, need notation on site plan)
31. Winter snow storage location

32. Landscape areas with dimensions
33. Natural features, watercourses and trees
34. Fire hydrants and utilities location
35. Fencing, screening and buffering – size, type and location
36. All hard surface materials
37. Light standards and wall mounted lights (plus a note on the site plan that all outdoor lighting is to be dark sky compliant)
38. Business signs (make sure they are not in sight lines)
39. Sidewalks and walkways with dimensions
40. Pedestrian access routes into site and around site
41. Bicycle parking
42. Architectural elevations of all building sides
43. All other requirements as per the pre-consultation meeting

In addition, the following additional plans, studies and reports, including but not limited to, **may** also be required as part of the complete application submission:

- Zoning Deficiency Form
- On-Site Sewage Disposal System Evaluation Form (to verify location and condition)
- Architectural Plan
- Buildings Elevation Plan
- Cut and Fill Plan
- Erosion and Sediment Control Plan
- Grading and Drainage Control Plan (around perimeter and within site) (existing and proposed)
- Landscape Plan
- Photometric (Lighting) Plan
- Plan and Profile Drawings
- Site Servicing Plan
- Storm water Management Plan
- Street Sign and Traffic Plan
- Street Tree Planting Plan
- Tree Preservation Plan
- Archaeological Assessment
- Environmental Impact Study

- Functional Servicing Report
- Geotechnical Study / Hydrogeological Review
- Minimum Distance Separation Schedule
- Noise or Vibration Study
- Record of Site Condition
- Storm water Management Report
- Traffic Impact Study – please contact the Planner to verify the scope required

Site Plan applications will require the following supporting materials:

1. Two (2) complete sets of the site plan drawings folded to 8½ x 11 and an electronic version in PDF format
2. Letter requesting that the Holding be removed (if applicable)
3. A cost estimate prepared by the applicant's engineer
4. An estimate for Parkland dedication by a certified land appraiser
5. Property Identification Number (PIN) printout

Standard condominium exemptions will require the following supporting materials:

- Plan of standard condominium (2 paper copies and 1 electronic copy)
- Draft condominium declaration
- Property Identification Number (PIN) printout

Your development approval might also be dependent on other relevant federal or provincial legislation, municipal by-laws or other agency approvals.

**All final plans must include the owner's signature as well as the engineer's signature and seal.**

## **I. Development Agreements**

A development agreement may be required prior to site plan approval, subdivision and condominium applications. Should this be necessary for your development, you will be contacted by the agreement administrator with further details of the requirements including but not limited to insurance coverage, professional liability for your engineer, additional fees and securities.

#### **J. Transfers, Easements and Postponement of Interest**

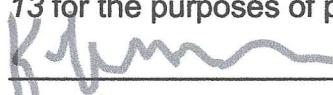
The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that it is their solicitor's responsibility on behalf of the owner for the registration of postponements of any charges in favour of the County.

#### **K. Permission to Enter Subject Lands**

Permission is hereby granted to Norfolk County officers, employees or agents, to enter the premises subject to this application for the purposes of making inspections associated with this application, during normal and reasonable working hours.

#### **L. Freedom of Information**

For the purposes of the *Municipal 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 any information that is collected under the authority of the *Planning Act, R.S.O. 1990, c. P. 13* for the purposes of processing this application.



Owner/Applicant Signature



March 8, 2023

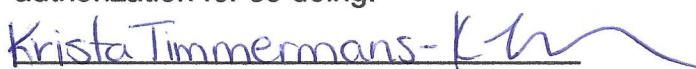
Date

#### **M. Owner's Authorization**

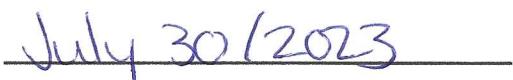
If the applicant/agent is not the registered owner of the lands that is the subject of this application, the owner(s) must complete the authorization set out below.

I/We \_\_\_\_\_ am/are the registered owner(s) of the lands that is the subject of this application.

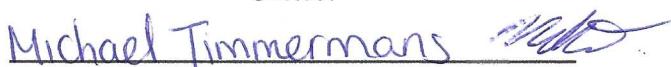
I/We authorize Mary Elder, Elder Plans Inc. to make this application on my/our behalf and to provide any of my/our personal information necessary for the processing of this application. Moreover, this shall be your good and sufficient authorization for so doing.



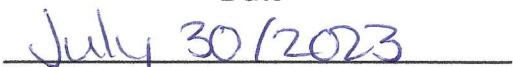
Owner



Date



Owner



Date

**N. Declaration**

I, Mary Elder of Norfolk County

solemnly declare that:

all of the above statements and the statements contained in all of the exhibits transmitted herewith are 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 at:

Hannelore Yager

Mary Elder

Owner/Applicant Signature

In Norfolk County

This 15<sup>th</sup> day of September

A.D., 2023.

Hannelore Yager  
A Commissioner, etc.

Hannelore Tenley Yager, a  
Commissioner, etc., Province of Ontario,  
for the Corporation of Norfolk County.  
Expires November 21, 2025.

*Growing Roots*



## Pre-Submission Consultation Meeting Minutes

**Date:** March 23, 2022

**Description of Proposal:** Forestry school

**Property Location:** 2545 Nixon Road

**Roll Number:** 331049102290000

As a result of the information shared at the pre-consultation meeting dated March 23, 2022, the following applications and qualified professional documents / reports are required as part of the development review process.

Please note that various fees are associated with each application and there are also costs for qualified professionals retained to complete various documents / reports. All requirements identified are minimum and determined as of the date of the pre-consultation meeting with the information available at that time. As the proposal proceeds and more information is made available, additional applications, studies, reports, etc. may be required.

This summary including checklists, comments and requests are applicable for a period of one (1) year from the date of meeting. If an application is not received within that time frame, a subsequent pre-consultation meeting may be required due to changes in policies and technical requirements.

**Before you submit your application, please contact the assigned Planner to confirm submission requirements and the applicable fee**

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### Attendance List

Proponent	Michael Timmermans, Property Owner Mary Elder, Agent
Community Development – Planning and Agreement	Hannelore Yager, Junior Planner Annette Helmig, Agreement and Development Coordinator
Community Development – Building and Zoning	Devon Staley, Building Inspector Roxanne Lambrecht, Zoning Administrator Kacie Vandenbulk, Zoning Administrator
Environment & Infrastructure Services –	Stephen Gradish, Development Technologist

Development Engineering	
Community Services – Fire	Katie Ballantyne, Community Safety Officer
Operations – Forestry	Adam Biddle, Supervisor of Forestry
Corporate Support Services – Realty Services	Kelly Darbshire, Specialist, Realty Services
Corporate Support Services – Accessibility	Sam McFarlane, Manager, Accessibility and Special Projects
Long Point Regional Conservation Authority	Isabel Johnson, Resource Planner

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## **Privileged Information and Without Prejudice**

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Norfolk County Zoning By-Law 1-Z-2014 <a href="https://www.norfolkcounty.ca/government/planning/new-zoning-by-law/">https://www.norfolkcounty.ca/government/planning/new-zoning-by-law/</a> .....	19

### **Proposal Summary**

A forestry school (Growing Roots Forestry School) is proposed in the southern portion of the wooded area of the farm parcel. The school would primarily utilize an area of about 2.6ha (6.55 ac) and have a separate entrance from Nixon Road with parking for the drop off of students. The school is for 10 to 26 elementary school aged children and would operate a maximum of three days a week. A yurt with an 8.53 m (28 ft) diameter would provide shelter when necessary. Private on-site servicing is proposed - a portable composting washroom is planned. There is potential for 10 to 15 trips by vehicles on the three days a week the school operates. Approximately 5 parking spaces are present now

### **List of Application Requirements**

#### **Planning Department**

<b>Planning application(s) required to proceed</b>	<b>Required</b>	
Official Plan Amendment Application (Regular)		X
Zoning By-law Amendment Application (Regular)		X
Site Plan Application (Regular)		X
Draft Plan of Subdivision Application		
Draft Plan of Condominium Application		
Part Lot Control Application		
Consent / Severance Application		
Minor Variance Application		
Removal of Holding Application		
Temporary Use By-Law Application		
Other – <a href="#">Click here to enter text.</a>		
<b>Planning requirements for a complete application</b>	<b>Required at OPA/ Zoning Stage</b>	<b>Required at Site Plan Stage</b>
The items below are to be submitted as part of the identified Planning Application(s). ** electronic/PDF copies of all plans, studies and reports are required**		
Proposed Site Plan / Drawing	X	X

## Privileged Information and Without Prejudice

Planning Impact Analysis Report / Justification Report	X	
Environmental Impact Study (Scoped)	X	
Neighbourhood Plan (TOR must be approved by the County)		
Agricultural Impact Assessment Report		
Archaeological Assessment		
Heritage Impact Assessment		
Market Impact Analysis		
Dust, Noise and/or Vibration Study		
MOE D-Series Guidelines Analysis		
Landscaping Plan		
Elevation Plan		
Photometrics (Lighting) Plan		
Shadow Analysis Report		
Record of Site Condition		
Contaminated Site Study		
Minimum Distance Separation Schedule	X	
Parking Assessment		
Hydrogeological Study		
Restricted Land Use Screening Form		
Topographical Survey Drawing		
<b>Additional Planning requirements</b>		<b>Required</b>
Development Agreement		X
Parkland Dedication/Cash-in-lieu of Parkland		X

\*the list of requirements is based on the information submitted and as presented for this specific pre-consultation meeting. Any changes to a proposal may necessitate changes to Planning Department submission requirements.

\*Community Development fees, applications, and helpful resources can be found can be found by visiting <https://www.norfolkcounty.ca/government/planning/>

### Planning Comments

[see Appendix A for additional comments]

The subject lands are approximately 57 acres (23 ha) located south of the intersection of Windham Road 12 and Nixon Road. The lands are zoned and designated Agricultural and Hazard Lands. They are covered predominantly with significant woodlands. There is a single detached dwelling, multiple agricultural buildings and fenced paddocks. The

## Privileged Information and Without Prejudice

predominant use is growing hay and horse boarding - with a indoor and outdoor riding area, and horse trails – and has previously hosted the Ram Rodeo tour.

The proposed use will be three days a week for elementary school students to learn about: woodlot management practices, make maple syrup. Garden growing, plant growth, and livestock growth and health. It is not determined whether the use will be seasonal or year-round.

**Permitted uses** in the Agricultural zone include (but are not limited to) farms, farm experience activities, on-farm diversified uses [OFDU]. Public and private open space and recreational uses (included campgrounds, tent and trailer parks, and similar uses) are not a permitted use, unless legally existing on the date of adoption of the Official Plan. Establishment of such a use would require an Official Plan Amendment.

An **on-farm diversified use** \* [OFDU] is subject to site plan control and shall meet the provisions listed in section 12.3. of the Zoning By-Law and section 7.2.2. of the Official Plan. On-farm diversified uses comprise a gainful occupation conducted in whole or in part of an accessory building (shed or farm building) by a member of the farm family and are subject to policies in section 7.2.2.b). The use shall be appropriate to available rural services and infrastructure and meet all applicable environmental standards.

Section 7.2.2. j) of the Official Plan specifies that **limited non-agricultural uses** may be permitted in the Agricultural Designation through an Official Plan Amendment, provided that all of the following policies (subsections i) through vii)) are met. If the land is characterized by rolling topography, forest cover, and rivers and streams preference will be given for the establishment of outdoor recreation uses, subject to the policies of Section 3 (Sustainable Natural Heritage). The proposed use shall not be permitted on lands in or adjacent to Natural Heritage Features (which include Significant Woodlands) without the completion of an Environmental Impact Study and shall comply with MDS formulae requirements.

Development of **institutional uses** for the purposes of developing a **resource-based educational facility** is not permitted in the Agricultural Designation without an Official Plan Amendment which requires consideration of policies 7.2.2.j) i) through xi). These specify similar Environmental Impact Study, MDS requirements and being subject to site plan control.

Section 3.5.2. of the Official Plan highlights that development or site alteration proposed in, or adjacent to, a Natural Heritage Feature(s) shall be a subject to the completion of an Environmental Impact Study, in accordance with Section 9.7.1 (Environmental Impact Study) of the Official Plan. An EIS must demonstrate there will be no negative impacts on the natural features of the woodlands and the ecological functions that sustain them.

\* Publication 851 “Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas” (Ministry of Agriculture, Food and Rural Affairs, 2014) is a helpful guide outlining how to classify On-Farm Diversified Uses in section 2.3. It specifies that institutional uses (including schools) are examples of uses which would not typically be OFDUs.

## **Privileged Information and Without Prejudice**

Planning would like to note that there is a lot directly west of the proposed location of the forestry school which is a licensed cannabis producer. This lot would be included in the required public notice circulation as a neighboring property. The proposed use, which involves young children, may introduce some compatibility issues.

### **Assigned Planner:**

Hannelore Yager  
Junior Planner  
Extension 8095  
[Hannelore.yager@norfolkcounty.ca](mailto:Hannelore.yager@norfolkcounty.ca)

### **Agreements**

A recommended condition of your planning application approval will be to enter into a development agreement with the County that will be registered on title to the subject lands, at the Owner's expense. The additional requirements for a development agreement could include, but are not limited to the following:

- Engineering drawing review
- Engineer's schedule of costs for the works
- Clearance letter and supporting documentation to support condition clearance
- User fees and performance securities
- Current property identification number (PIN printout) (can be obtained by visiting <https://help.onland.ca/en/home/>)
- Owner's commercial general liability insurance to be obtained and kept in force during the terms of the agreement
- Postponement of interest. If there are mortgagees / charges on your property identifier, your legal representative will be required to obtain a postponement from your bank or financial institution to the terms outlined in your development agreement
- Transfers and / or transfer easements along with registered reference plan

I am looking forward to working with you on your proposal.

Annette Helmig  
Agreement and Development Coordinator  
Extension 8053  
[Annette.Helmig@norfolkcounty.ca](mailto:Annette.Helmig@norfolkcounty.ca)

**Development Engineering**

**Development Engineering – 2454 Nixon Road – New Forestry School**

<b>Development Engineering requirements to proceed</b> The below requirements are to be submitted as part of the Formal Development Planning application.	<b>Required at OPA/ Zoning Stage</b>	<b>Required at Site Plan Stage</b>	<b>Potentially Required (See Notes Section)</b>
<b>General Requirements</b>			
Concept Plan		X	
Lot Grading Plan		X <sup>5</sup>	
Siltation and Erosion Control Plan		X <sup>5</sup>	
General Plan of Services		X <sup>5</sup>	
Geotechnical Report			X <sup>11</sup>
Functional Servicing Report / Brief		X <sup>6</sup>	
<b>Storm Water Servicing Requirements – Section 7.0 and Section 8 Norfolk County Design Criteria and ISMP Section 4.0</b>			
Storm Water Management Design Report (including calculations)			X <sup>12</sup>
Anticipated Flow/Analysis to Receiving Collection System		X	
Municipal Drainage		X <sup>7</sup>	
<b>Transportation Requirements – Section 6.0 Norfolk County Design Criteria, ISMP Section 5.0, Section 6.0 and Appendix J</b>			
Traffic Impact Study		X <sup>8</sup>	
Improvements to Existing Roads & Sidewalk (urbanization, pavement structure, widening sidewalk replacement, upgrades, extension and accessibility)		X <sup>9, 10</sup>	

After the Pre-Consultation meeting Development Engineering determined that all of our requirements can be supplied at the time of Site plan submission. However, it must be noted that requirements pertaining to the Traffic Impact Brief and potential upgrades to the Municipal Drain may take additional time and therefore should be started as early as possible.

## **Privileged Information and Without Prejudice**

### **General Notes:**

1. Securities will be required. 10% of site works and 100% of works within the right-of-way. This is to be provided in a security schedule. A copy of Norfolk County's template can be provided. This can be provided at time of Site Plan
2. All reports and drawings are to adhere to Norfolk County's Design Criteria and Integrated Sustainable Master Plan (ISMP). Copies of these criteria are available upon request.
3. Recommendations from all reports must be incorporated into the design. All reports and drawings must be signed and stamped by a P.Eng.

### **Required at Site Plan Stage:**

4. Concept Plan
5. Lot Grading Plan, Siltation and Erosion Control Plan, and General Plan of Services drawing can be shown on one engineering plan as long as it's legible for review.
6. A Functional Servicing Report (FSR) or Brief will be required. The FSR will explain the type of sanitary and water services required for this development and explain how each service will meet the onsite Water and Wastewater requirements.
  - a. From the concept drawings you have mentioned that there will be an addition of washrooms on site – This must be explained in an FSR.
7. Development Engineering is aware that this property drains into the "Goodlet" Municipal Drain and that the drain travels through this property. As a result any changes to the Municipal Drain for additional culverts or drainage area changes due to Intensification or increased flows will require Drainage Act compliance. For questions or concerns pertaining to the Drainage Act please contact Bill Mayes, Drainage Superintendent, Norfolk County, [bill.mayes@norfolkcounty.ca](mailto:bill.mayes@norfolkcounty.ca)
8. As per Norfolk County's Integrated Sustainable Master Plan (ISMP) – Appendix J: Traffic Impact Study (TIS) Guidelines, a Traffic Impact Study should be required with every planning application. However, as this development is small in nature, with creation of a new entrance to an unused portion of the property, Norfolk County will only ask that you complete a Traffic Impact Brief. Hence, as per Norfolk County's ISMP Appendix J - TIS Guidelines, a Traffic Impact Brief can be prepared based on the following sections of the Appendix J - TIS Guidelines:
  - b. Section A1.3 – Existing Conditions;
  - c. Section A1.4 – Study Area;
  - d. Section A1.5 – Development Land Use Type & Site Plan;
  - e. Analysis:
    - i. Sightlines;
  - f. Conclusions and Recommendations.

**Privileged Information and Without Prejudice**

9. All entrances are to be shown on the plans. Entrances must conform to Norfolk County Design Criteria and By-law 2016-32 and encompass any recommendations from the Traffic Impact Brief.
10. All entrances are to be paved on municipal property as a minimum. And be designed to accommodate Emergency Vehicle access to service this type of proposal.

**Potentially Required Notes:**

11. A Geotechnical report may be required if Storm Water Management practices involving infiltration are proposed.
12. Stormwater Management Report may be required if the ultimate design will propose to intensify storm water flows to the Municipal Drain.

Stephen Gradish  
Development Technologist  
Extension 8015  
[Stephen.Gradish@norfolkcounty.ca](mailto:Stephen.Gradish@norfolkcounty.ca)

**Privileged Information and Without Prejudice**

**Conservation Authority**

**Long Point Regional Conservation Authority**

<b>CONSERVATION AUTHORITY REQUIREMENTS – March 23, 2022.</b> The below requirements are to be submitted as part of the proposal for development at 2454 Nixon Road.	<b>May be Required</b>	<b>Required</b>
Conservation Authority Permit	X	
Slope Stability Analysis/ Erosion Analysis		
Coastal Engineers Report		
Environmental Impact Study		
Subwatershed Plan/Study		
Master Drainage Study		
Stormwater Management Report		
Other		

**Notes:**

**Site Characteristics**

The subject property contains the Goodlet drain through the southern portion of the property.

**Provincial Policy Statement, 2020, Section 3.1 Natural Hazards**

Conservation Authorities have been delegated responsibilities from the Minister of Natural Resources and Forestry to represent the provincial interests regarding natural hazards encompassed by Section 3.1 of the Provincial Policy Statement, 2020 (PPS). The overall intent of Section 3.0 - Protecting Public Health and Safety of the PPS is to reduce the potential public cost or risk to Ontario's residents from natural or human-made hazards. As such, the PPS states "development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards."

The property is subject to the following policies:

**3.1.1** Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of:

- b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards

## **Privileged Information and Without Prejudice**

The proposed development is approximately 45 metres away from the area subject to natural hazards. Staff can advise that the proposed application is consistent with section 3.1 of the Provincial Policy Statement, 2020.

### **Ontario Regulation 178/06**

The subject lands are regulated under Ontario Regulation 178/06. Permission from this office is required prior to any development within the regulation limit. The regulation limit extends 15 from the Goodlet Drain.

Development is defined as:

- the construction, reconstruction, erection or placing of a building or structure of any kind,
- any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure,
- site grading, or
- the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere (Conservation Authorities Act, R.S.O. 1990, c. 27, s. 28 (25))

Please contact me if there are further questions in this regard.

**Isabel Johnson**, Resource Planner  
Office: 519-842-4242 ext. 229  
Email: [ijohnson@lprca.on.ca](mailto:ijohnson@lprca.on.ca)

## **Corporate Support Services – Realty Services**

The County will require a postponement of any mortgages on title to the County's Site Plan Agreement. We recommend that you connect with your lender(s) and/or solicitor as early in the process as possible to avoid any delays.

Kelly Darbshire  
Specialist, Realty Services  
Extension 8117  
[Kelly.Darbshire@norfolkcounty.ca](mailto:Kelly.Darbshire@norfolkcounty.ca)

## **Building**

### **Zoning Administrator:**

Zoned AGR

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Farm consists of horse boarding, & hay sales

- Proposed on farm diversification use as an education centre
- Yurt to be used as an educational school, Open 3 days a week
- On farm diversification is also subject to the official plan but also the zoning bylaw section 12.3 of the AGR zone. A zoning table must be provided on the site sketch or site plan to ensure that these provisions are also met
- Parking will be as per section 4.0 section 4.9(pp), parking 1.5 spaces per classroom, please locate parking lot and dimension as per section 4.0 (4.1.3)

Roxanne Lambrecht  
Zoning Administrator  
Extension 1839  
[Roxanne.Lambrecht@norfolkcounty.ca](mailto:Roxanne.Lambrecht@norfolkcounty.ca)

### **Building Inspector:**

2454 Nixon Road

The proposed construction is considered a Group A2 Assembly Occupancy as defined by the Ontario Building Code (OBC). You will need to retain the services of an Architect and Professional Engineers to complete the design documentation for this application.

### **Items for Site Plan**

Site plan drawings need to have enough detail, to determine compliance with the code references listed.

1. Adequate water supply for firefighting. [OBC 3.2.5.7]
2. Location and specifications of exterior lighting. Lighting to be included in SB-10 report – energy efficiency
3. Indicate barrier free path of travel from parking area to building entrance. Construction of curb cuts and location of tactile attention indicators is required. [OBC 3.8.1.3, & 3.8.3.2]
4. Location of On Site Sewage System
5. Provide building elevations and cross section, showing building massing, location of proposed entrances and exits, barrier free controls, exterior lighting locations, and exterior signage. [Planning Act 41(4).2]

### **Items for Building Permit**

#### **+ Part 3**

#### **Completed Forms**

1. Building Permit Application Form
2. Signed Commitment to General Review
3. Property Owner Consent Form, if application is not completed by the property owner,
4. Applicable Law Checklist and supporting documents.
5. Lot grading form.

#### **Required Documents**

6. Approved Site Plan approval plot plan
1. Drawings of the building.

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- o Architectural
  - o Structural
  - o Electrical
  - o Mechanical
  - o Plumbing
- 2. Building Code Matrix
- 3. Completed SB-10 report (energy efficiency).
- 4. Septic System or Sewage Works.
  - o Sewage system is under 10,000 litres/day daily design flow for the whole site. (separate application through Norfolk County)
  - o Sewage Works is over 10,000 litres/day daily design flow for the whole site. ECA to be obtained from The Ministry of Environment, Conservation, Parks. Contact: *Christopher O'Connor Phone: 905-521-7888 or 1800-668-4557, Cell: 905-515-9618 Email: [Chris.O'Connor2@ontario.ca](mailto:Chris.O'Connor2@ontario.ca)*

### Fees

- 5. Building Permit fee
- 6. Plumbing fee
- 7. Occupancy fee
- 8. Civic address (where applicable)
- 9. Water / Sanitary / Storm Connection Permit (where applicable)
- 10. Development charges

#### **+ Septic - Do I need a septic permit?**

A building permit is required to install a new septic system, repair or replace any part of the septic system. Norfolk County does not keep records on well locations.

Septic Permit is required if the daily design flow is 10,000 litres/day or below for the whole site.

Sewage Works is required if the daily design flow exceed 10,000 litres/day for the whole site.

An Environmental Compliance Certificate (ECA) is required from the Ministry of Environment, Conservation and Parks (MECP) for a sewage works.

Contact: *Christopher O'Connor Phone: 905-521-7888 or 1-800-668-4557*

*Cell: 905-515-9618 Email: [Chris.O'Connor2@ontario.ca](mailto:Chris.O'Connor2@ontario.ca)*

Environmental Compliance Approval process can be found at: <https://www.ontario.ca/document/guide-applying-environmental-compliance-approval-0>

### What do I need to apply?

#### Completed Forms

- 7. Building Permit Application Form
- 8. Schedule 1: Designer Information
- 11. Schedule 2: Sewage System Installer Information

#### Required Documents

- 12. Septic system design (link to form)
- 13. Percolation time ('T' time) report from a licensed testing agency

### Fees

- 14. Septic Permit fee

Currently, all permits can be applied for by email to [permits@norfolkcounty.ca](mailto:permits@norfolkcounty.ca). Our Permit Coordinators will review your application and provide in writing any item which may be missing from the application and a cost break down for the permit fees and payment options. Please refer to our website for current forms,

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and fees. <https://www.norfolkcounty.ca/business/building/> If you have any questions on the building permit process or plans required, please contact the Building Department at [permits@norfolkcounty.ca](mailto:permits@norfolkcounty.ca)

Devon Staley  
Building Inspector  
Extension 8108  
[Devon.staley@norfolkcounty.ca](mailto:Devon.staley@norfolkcounty.ca)

**Privileged Information and Without Prejudice**

**Fire Department**

Norfolk Fire has the following comments for this proposal:

- Civic addressing will need to be considered to aid emergency response
- Proper driveway will need to be provided to allow for fire apparatus access and will need to be adequately sized to allow for turning radius, turn-around facilities by the yurt

Katie Ballantyne  
Community Safety Officer  
Extension 2423  
[Katie.ballantyne@norfolkcounty.ca](mailto:Katie.ballantyne@norfolkcounty.ca)

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**Additional Agency Comments & Requirements**

**Ministry of Transportation**

Click here to enter text.

Allan Hodgins  
Corridor Management Planner  
519-873-4597  
[allan.hodgins@ontario.ca](mailto:allan.hodgins@ontario.ca)

**Hydro One**

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## **Appendix A: Summary of Applicable Planning Legislation, Policy and Zoning**

Following is a summary of key items related to the proposal as presented; noting these documents are meant to be read in their entirety with relevant policies to be applied in each situation. This is not an exhaustive list and only in response to the information submitted for the pre-consultation. This feedback is subject to change pending full submission of a development application and any changes or additional information provided therein.

### **Provincial Policy Statement, 2020**

<https://www.ontario.ca/page/provincial-policy-statement-2020>

### **Norfolk County Official Plan**

<https://www.norfolkcounty.ca/government/planning/official-plan/>

Section 9.6.1 outlines requirements in relation to requests to amend the Official Plan.

Section 9.6.2 outlines requirements in relation to requests to amend the Zoning By-law.

Section 7.2. Agricultural Designation describes permitted uses and land use policies for agricultural lands.

7.2.2.j) Limited non-agricultural uses may be permitted in the Agricultural Designation provided that all of the following policies are met. An amendment to this Plan shall be considered on the basis of the following criteria:

- i) the land is characterized by rolling topography, forest cover, and rivers and streams. Such lands will be given preference for the establishment of outdoor recreation uses, subject to the policies of Section 3 (Sustainable Natural Heritage);
- ii) the use shall not be permitted in Provincially Significant Wetlands, Hazard Lands, or any Natural Resource Areas, where the resource has not yet been extracted, identified on Schedules “B” or “J” to this Plan;
- iii) the proposed use shall not be permitted in or on adjacent land to the Natural Heritage Features identified on Schedule “C” and/or Tables 1 and 2 or on Schedule “G” and Table 6 of the Lakeshore Special Policy Area Secondary Plan, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions, in accordance with the policies of Section 3.5 (Natural Heritage Systems) and Section 11 (Lakeshore Special Policy Area Secondary Plan) of this Plan;
- iv) there is a demonstrated need within the planning horizon of this Plan for the proposed use; v) the use shall be located on lower priority agricultural land

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unless it has been demonstrated that there are no reasonable alternative locations that avoid the use of prime agricultural lands;

- v) the use shall comply with the minimum distance separation formulae;
- vi) the use will be compatible with existing or planned uses in the vicinity; and
- viii) impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands are to be mitigated to the extent feasible.

7.2.2.1) Development of institutional uses for the purposes of developing a resource based educational facility is not permitted in the Agricultural Designation. However, further to the policies of Section 5.2 (Public Services) of this Plan, an amendment to this Plan shall be considered on the basis of the following criteria:

- i) there is a demonstrated need for the proposed facility and the proposed use cannot locate in an Urban Area or Hamlet Area because it must reasonably be located near to farming activities, Natural Heritage Features or other resources;
- ii) the proposed use shall be serviced by an approved water supply and wastewater treatment facility;
- iii) the proposed use shall be accessed via a Provincial Highway, subject to the approval of the Province, or an arterial or collector road, subject to the approval of the County;
- iv) the proposed use complies with the minimum distance separation formulae;
- v) there is a demonstrated need within the planning horizon of this Plan for the proposed use;
- vi) impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands are to be mitigated to the extent feasible.
- vii) the proposed use shall not be permitted in Provincially Significant Features, Hazard Lands, or any Natural Resource Areas identified on Schedules "B" or "J" to this Plan;
- viii) the proposed use shall not be permitted in or on adjacent land to the Natural Heritage Features identified on Schedule "C" and/or Tables 1 and 2 of Section 3.5 (Natural Heritage Systems) or on Schedule "G" and Table 6 of the Lakeshore Special Policy Area Secondary Plan, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions, in accordance with the policies of Section 3.5 (Natural Heritage Systems) and Section 11 (Lakeshore Special Policy Area Secondary Plan) of this Plan;
- ix) the proposed use shall be located on lower priority agricultural land; x) the proposed use shall be subject to a Zoning By-law amendment, in accordance with the policies of Section 9.6.2 (Zoning By-law Amendments) of this Plan; and
- x) the proposed use shall be subject to site plan control, in accordance with the policies of Section 9.6.5 (Site Plan Control) of this Plan.

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Section 3.5. outlines requirements for Natural Heritage Features, which include significant woodlands as identified in section 3.5.1.

Section 9.7.1. provides guidance on how supporting requirements to demonstrate how damage to Natural Heritage System features shall be mitigated or managed through Environmental Impact Studies.

**It is the responsibility of the proponent to review and ensure relevant Official Plan policies are addressed in any future development application.**

### **Norfolk County Zoning By-Law 1-Z-2014**

<https://www.norfolkcounty.ca/government/planning/new-zoning-by-law/>

Section 11.0 outlines permitted uses and provisions for the Hazard Land Zone.

Section 12.1. outlines permitted uses in the Agricultural zone, which include (but are not limited to) *farm experience activity*, subject to Subsection 12.2.2 and *on-farm diversified use*, subject to Subsection 12.3.

*Farm experience activity* is defined as “an accessory activity that is directly associated with agriculture and an existing farm operation and which consists of adding a component of information, education, temporary accommodation or entertainment to an existing farm operation”.

12.2.2 Any *farm experience activity* shall be subject to the following provisions:

- a) the farm experience activity shall be secondary to the main farm use on the subject lands;
- b) all farm experience activity shall be clearly farm-related through ongoing interaction with agricultural activities;
- c) the farm experience activity area including all associated uses shall not exceed 5 percent of the total lot area for the farm parcel on which it is located. Production lands which are used for the growing of crops and simultaneously used as part of the activity area shall not be included in the calculation of the 5 percent.

*On-Farm Diversified Uses* are defined as use(s) that are secondary to the principal agricultural use of the property, and are limited in area.

12.3.1 Any on-farm diversified use shall be subject to the following provisions:

- a) an on-farm diversified use shall only be permitted on an existing farm operation;
- b) no on-farm diversified use shall exceed a combined total of one (1) hectare;

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- c) the gross floor area of all buildings used for an on-farm diversified use shall not exceed 20 percent of the acceptable land area, as calculated in 12.3.1 b);
- d) the land area and the area of existing buildings used for an on-farm diversified use may be discounted at the rate of 50 percent. Where an on-farm diversified use uses the same footprint as a demolished building, the land area for the use may be similarly discounted by 50 percent;
- e) 100 percent of the area needed for a parking space and outdoor storage for the onfarm diversified use will be included in the area calculation.
- f) where an on-farm diversified use uses an existing farm laneway, or parking area, the area of the laneway or parking area will not be included in the area calculations.

The provisions of the Norfolk County Zoning By-Law shall apply to all lands within the boundaries of Norfolk County. No land, building or structure shall be used, erected or altered in whole or in part except in conformity with the provisions of this By-Law. No land, building or structure shall be used or occupied except for uses that are specifically identified in the By-Law as permitted uses by the relevant zoning category.

**It is the responsibility of the proponent to review and ensure relevant Zoning By-law provisions are addressed in any future development application**

**Site Plan Control:**

Section 9.6.5. contains policies pertaining to site plan control. 9.6.5.c) specifies: "Where development consists of farm operations, farm buildings and the residence of the farm operator, site plan control shall not apply, except in cases where specifically required by this Plan, such as where an on-farm diversified use or agriculture-related commercial or industrial use is proposed, in accordance with Section 7.2.2 (Agricultural Designation-Land Use Policies) of this Plan.

Key policies include, but are not limited to, the following from section 9.6.5:

d) Site plan control shall be used to achieve well-designed, functional, accessible, safe and sustainable built form and public spaces. Proposed development or redevelopment subject to site plan control will not be permitted until the County has approved drawings for all buildings, structures and site development displaying the following:

- i) Exterior building design;
- ii) Design elements within and adjacent to the road right-of-way; and
- iii) Site development works.

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- f) The County shall acquire the widening of road rights-of-way, turning lanes, sight triangles at intersections and other road widening requirements, in accordance with the policies of Section 8.2.2 (Hierarchy and Classification of Roads), as a condition of site plan approval.
- g) The County may require proponents to execute a site plan agreement under circumstances where there is construction of more than one building or structure, where the size of a building is to be substantially increased, where there is the development of a parking lot, and/or in other circumstances deemed appropriate by Council.
- h) The County shall consult the appropriate Conservation Authority and any other relevant agency when considering applications for site plan approval, where applicable.
- i) The County may apply certain conditions to site plan approval, and may require that a certain standard of design be applied.
- j) The County shall require financial security through bonding or other financial arrangement prior to development.

## 1.0 Introduction

The purpose of this report is to provide planning rationale for an on-farm diversified use located on a farm north of Nixon in Windham Township.

The subject lands are located at 2378 Nixon Road and, in the Norfolk County Official Plan, are designated Agricultural with some Hazard Land along a municipal drain. The wooded areas are Significant Woodlands in the Official Plan. The subject lands are also zoned "Agricultural" and "Hazard Land" in the Norfolk County Zoning By-Law 1-Z-2014.

This report includes a review of relevant sections of the Provincial Policy Statement 2020, the Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas, the Norfolk County Official Plan and Norfolk County Zoning By-Law 1-Z-2014.

## 2.0 Site description and neighbouring land uses

The subject lands are a wooded portion of an agricultural property which has a dwelling and farm structures used for horses located at the north end (2334 Nixon Road). There are rural residential lots on either side of the site entrance (2378 Nixon Road), along Nixon Road and Windham Road 13 to the south. Much of the surrounding area is wooded. To the west across Nixon Road there is a small farm with a field for cash crops and vacant greenhouse. To the east there are open fields used in cash crop production.

## 3.0 Development Proposal

An on-farm diversified use is proposed in the form of a nature school. Krista is a teacher trained in this type of education so a nature school will utilize her skills. A yurt is to be used for shelter as needed but most activity will be outdoors. At this time, the operation will be three days a week during normal school times. A washroom facility, acceptable to the County, will be utilized. All potable water will be brought to the site.

## 4.0 Policy Review

### 4.1 Provincial Policy Statement (2020)

The Provincial Policy Statement guides land uses planning for the entire province and the policies are to be read in their entirety. Decisions regarding land use planning matters are to be consistent with the Provincial Policy Statement. The following is a review of pertinent policies for this development proposal.

Provincial Policy Statement	Comments
2.3.3.1 In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses.  Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural	Norfolk County in both its Official Plan and Zoning By-law have set out criteria for on-farm diversified uses that cover the criteria listed in the PPS and the Guidelines on Permitted Uses. These will be examined

operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objectives	under those document discussions set out below.
---	---

Operating an on-farm diversified use is permitted in the agricultural policies of the PPS. The proposal is consistent with Provincial Policy.

#### 4.2 Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas

These Guidelines were developed to provide further clarification on the Agricultural policies in the Provincial Policy Statement. It is a helpful guide outlining how to classify On-Farm Diversified Uses.

Guidelines	Comments
<p>2.3 Examples of uses that would typically NOT be on-farm diversified uses because they would not meet PPS definitions or criteria include:</p> <ul style="list-style-type: none"> <li>• institutional uses (e.g., churches, schools, nursing homes, cemeteries)<sup>6</sup></li> </ul>	<p>Despite typically not being considered an on-farm diversified use, a nature school is not the typical institutional indoor classroom. A nature or forest school utilizes the natural environment as the classroom to immerse small numbers of students in the rhythms of nature through youth lead curiosity and exploration. The many benefits of this type of learning are best achieved in natural settings such as this woodlot. One of the owners of this farm property is a nature educator with this school.</p>

Operating a nature school in a farm property woodlot as an on-farm diversified use is an acceptable use as it does not offend efforts to keep agricultural lands growing crops. The trees will continue to grow and the owner in time may harvest them. Agricultural uses on neighbouring farm parcels are not impacted by this on-farm diversified use.

#### 4.3 Norfolk County Official Plan

The County Official Plan contains policy to achieve the vision "*Norfolk County strives to balance a commitment to the land and emerging opportunities for growth and development*". One of the objectives in striving to achieve a strong diversified economy is to "*ensure the continued economic strength of agriculture and the viability of farm operations by protecting agricultural activities and the agricultural land base from the intrusion of incompatible uses and providing opportunities for small-scale business opportunities that are secondary to farm operations*".

The Agricultural section of the Plan contains policies regarding permitted uses and on-farm diversified uses are permitted when criteria are met.

Norfolk County Official Plan 7.2.1 Permitted Uses	Timmerman farm responses
h) The following uses may also be permitted, provided these uses do not conflict with existing farming operations, or with any policies related to Provincially Significant Features or Natural Heritage Features:	iii) <b>On-farm diversified uses</b> , subject to the policies of Section 7.2.2 (Agricultural Designation – Land Use Policies);
<b>7.2.2 Land Use Policies</b>	
b) On-farm diversified uses comprise a gainful occupation conducted in whole or in part of an accessory building (shed or farm building) by a member of the farm family. On-farm diversified uses shall be subject to all of the following policies:	
i) the use is located on a parcel of land which has an existing farm operation established on it;	An existing farm is established on this farm parcel with horses and the production of hay. A Farm Business Registration number can be provided.
ii) the use is secondary to the principal agricultural use of the property;	The production of horses and hay crops is the principal agricultural use, the nature school will be secondary
iii) the use is limited in area, as outlined in Section 7.2.2 c);	details on the limited area are outlined under section 7.2.2 c) below and on the site plan.
iv) the use may include, but is not limited to, home occupations, home industries, agri-tourism uses including overnight tourist accommodation and uses that produce value-added agricultural products, including those that use crops from other producers;	This policy is states "may include, but not limited to". The operation of a nature school requires a woodlot to best achieve its student learning goals. Due to the need to immerse the students in nature a farm woodlot location is appropriate.
v) the use is compatible with, and will not hinder, surrounding agricultural operations;	The proposed use is well separated from other agricultural operations. No compatibility issues are anticipated with surrounding agricultural operations.
vi) the use is appropriate to available rural services and infrastructure;	The property is served by a local road. Private services are planned for water and appropriate septic treatment. Minimal hydro is needed and sourced through solar panels.
vii) the use maintains the agricultural/rural character of the area;	The wooded area/rural character of the farm is being maintained as much as possible. The yurt building is set well back from the road so it will not detract from the agricultural/rural character of the area.
viii) the use meets all applicable environmental standards; and	Any environmental standards will be met by the owner.
ix) outside storage areas, associated with the on-farm diversified use shall be included in the limited area calculations outlined in Section 7.2.2 c). Outside	No outside storage is planned.

storage areas shall be screened from the road and residential buildings on adjacent properties.	
7.2.2 c) On-farm diversified uses shall be limited in size in accordance with the following policies:	
i) the acceptable area occupied by an on-farm diversified use is up to 2% of a farm parcel to a maximum of 1 ha (10,000m <sup>2</sup> ); 100% of the area needed for parking and outdoor storage for the on-farm diversified uses will be included in the area calculation;	The farm is 23.84 ha (58.92 ac). Two percent of that is 0.47 ha. The OFDU will occupy 0.30 ha which is 1.26% of the farm parcel. This is less than 2% of the farm parcel. Both the area and the percentage limits are met.
ii) the gross floor area of buildings used for on-farm diversified uses is limited to an approximate 20% of the acceptable land area, as calculated in 7.2.2 c) i);	The main yurt building is 68.0 sq m and secondary yurt 44 sq m. The total floor area for all buildings is 132 sq m. As a percentage of the acceptable area (4700 sq m) the gross floor area of the buildings is 2.8% so well within the maximum permitted floor area.
iii) the land area and the area of existing buildings used for on-farm diversified uses may be discounted at the rate of 50%. Where the on-farm diversified use occupies the same footprint as a demolished building, the land area for the use may be similarly discounted by 50%;	Not applicable as the yurt is a new building.
iv) where the on-farm diversified use uses an existing farm laneway, the area of the laneway will not be included in the area calculations;	There is no existing farm laneway in the area proposed for the on-farm diversified use so this policy does not apply.
v) 100% of the area needed for parking and outdoor storage for the on-farm diversified uses will be included in the area calculation;	Yes, the parking area (4 vehicles plus one barrier free space) are included in the area calculations.
vi) If more than one on-farm diversified use is proposed on a single property, the combined area of all on-farm diversified uses shall be within the land area and building area requirements	This is the only on farm diversified use.
vii) On-farm diversified uses that are proposed to grow beyond the area limits, either incrementally or otherwise, will not be permitted and will be encouraged to locate in areas of the County appropriately designated for the use;	No growth is anticipated.
viii) On-farm diversified uses will be subject to site plan control, where warranted and appropriate (e.g. for those uses requiring outdoor storage areas, visitor parking and/or a new farm access, etc.), in accordance with the policies of Section 9.6.5 (Site Plan Control).	It is understood site plan control is likely warranted due to the new farm access and student drop off and pick up.

ix) Severances to separate the on-farm diversified uses from the farm property will not be permitted.	It is understood that the on-farm diversified use cannot be separated by severance from the farm property.
<b>3.5.2 Natural Heritage Features – Significant Woodlands</b>  EIS demonstrates there will be no negative impacts on the natural features of the woodlands and the ecological functions that sustain them.  Section <b>9.7.1.2 Scoped Environmental Impact Study</b> , outlines the components of the study.	A Scoped EIS has been submitted as part of a complete application. As stated in the letter of opinion, <i>“the past and proposed removal of minimal vegetation on-site causes no concern of negative or unalterable impacts on the Natural Heritage features as long as mitigation measures provided in Section 4 of this report are followed.”</i> Those mitigation measures include timing of any needed tree removal and any construction, type of septic system and invasive species control. See the letter for the full text.

All of the criteria set out in policy for an on-farm diversified uses and size restrictions are met with this proposal. In order to immerse students in nature a woodlot location is ideal. Rural character is maintained and there are no apparent compatibility issues. Size restrictions have been met. The woodlot will be maintained with minimal tree removal for the required driveway and parking. The Scoped Environmental Impact Study supports the proposal and provides recommendations for implementation to protect the natural environment.

#### 4.4 Norfolk County Zoning By-Law 1-Z-2014

The Norfolk County Zoning By-law regulates the use of lands, the frontage and depth of a parcel of land, the proportion of land occupied by a building or structure, the erection, use, height, bulk, size, floor area, spacing and location of building and structures, and the provision of parking facilities.

Norfolk County Zoning By-Law	Comments
Site is currently zoned Agricultural with some Hazard Land along the Goodlet Drain.	
On-Farm Diversified Uses are listed as a permitted use and defined as use(s) that are secondary to the principal agricultural use of the property, and are limited in area.	The Growing Roots nature school is secondary to the main farm operation and the area the school will utilize is limited in area.
12.3.1 Any <b>on-farm diversified use</b> shall be subject to the following provisions: a) an on-farm diversified use shall only be permitted on an existing farm operation; b) no on-farm diversified use shall exceed a combined total of one (1) hectare; c) the gross floor area of all buildings used for an on-farm diversified use shall not exceed 20	a) The Timmerman farm is an existing farm operation;  b) As shown on the site plan the on-farm diversified use occupies 0.28 ha;

<p>percent of the acceptable land area, as calculated in 12.3.1 b);</p> <p>d) the land area and the area of existing buildings used for an on-farm diversified use may be discounted at the rate of 50 percent. Where an on-farm diversified use uses the same footprint as a demolished building, the land area for the use may be similarly discounted by 50 percent;</p> <p>e) 100 percent of the area needed for a parking space and outdoor storage for the on-farm diversified use will be included in the area calculation.</p> <p>f) where an on-farm diversified use uses an existing farm laneway, or parking area, the area of the laneway or parking area will not be included in the area calculations.</p>	<p>c) the total ground floor area of all buildings as shown on the site plan is 132 sq m. This is 4.71% of the acceptable 1 ha land area set out in 12.3.1 b);</p> <p>d) as the yurt is a new build, this section does not apply;</p> <p>e) As illustrated on the site plan, the parking spaces are within the area calculation. No outdoor storage is planned;</p> <p>f) An existing driveway or parking area is not being utilized; therefore, this section does not apply.</p>
<p><b>Parking space requirements:</b></p> <p><i>“Parking will be as per section 4.0 section 4.9(pp), parking 1.5 spaces per classroom”</i> per Zoning staff comments in pre-consultation minutes.</p>	<p>5 parking spaces are provided with one of those designated and sized for accessible parking. This number better suits the needs for student arrival and departures.</p>

The limitations set out in the Norfolk County Zoning By-law provisions for on-farm diversified uses are met with this proposal for a private nature school. Adequate access and parking can be provided.

## 5.0 Review Summary

Although not typically thought of as an on-farm diversified use, a nature school needs to be located in as natural a setting as possible in order to best achieve its goals. A woodlot which is part of an existing farm operation and where there are minimal compatibility issues is an appropriate location for such a school.

The proposal is consistent with Provincial Policy, does not offend the policies of the Norfolk Official Plan and meets the limitations set out in the Norfolk County Zoning By-law 1-Z-2014.

The proposed on-farm diversified use is in the public interest and is good planning.

**Respectfully submitted,**

**Mary Elder MCIP RPP**

PART OF  
LOT 12  
CONCESSION 12  
IN THE GEOGRAPHIC  
TOWNSHIP OF WINDHAM  
IN  
NORFOLK COUNTY

## GENERAL NOTES

1. PRIMARY UNITS ARE METRIC. DIMENSIONS ARE METERS.
2. REQUIRED SERVICES & SERVICE CONNECTIONS NOT SHOWN ON DRAWING TO BE THE RESPONSIBILITY OF THE CONTRACTOR/OWNER.
3. EXACT SIZES, LOCATIONS & ELEVATIONS OF ALL EXISTING SERVICES (FIBER OPTIC, WATER, GAS, BELL, ETC.) ARE TO BE VERIFIED BY CONTRACTOR PRIOR TO COMMENCEMENT OF ANY SITWORK.
4. ANY FILL PLACED ON SITE MUST BE COMPAKTED TO A MIN. 98% STANDARD PROCTOR DENSITY.
5. EXISTING TOPOGRAPHY TO REMAIN UNLESS OTHERWISE NOTED.
6. ANY DISCREPANCY(S) BETWEEN INFORMATION ON THIS SITE DRAWING AND ACTUAL FIELD CONDITIONS, WHICH MAY IMPACT THE PROPOSED DEVELOPMENT, ARE TO BE REPORTED TO THE SENIOR CONSULTANT / P.ENG.
7. SITE BENCHMARK IS SPIKE IN HYDRO POLE WHERE INDICATED.
8. GRANULAR SPECIFICATION:  
150 mm CRAN. A / 700 mm CRAN. B

### LEGEND

— PROPERTY LINE

~~~~~ SILT FENCE, REQUIRED LOCATION

— LIMIT OF EDUCATIONA AREA (1ha)

— LIMIT OF FIRE ROUTE

..... LIMIT OF EXISTING GRAVEL

— GENERAL DIRECTION OF  
OVERLAND STORM RUNOFF

235.52 EXISTING GRADE ELEVATION

## GENERAL INFORMATION

## **REFUSE STORAGE/GARBAGE:**

**REFUSE STORAGE/ CARGACE.**  
TO BE LOCATED INSIDE UTILITY SHED AND  
DISPOSED OF ON A REGULAR BASIS.

## **BUILDING / SITE LIGHTING:**

ANY EXTERIOR LIGHT FIXTURES TO BE DARK-COMPLIANT – NO EXTERIOR LIGHTING ARRAY BE DIRECTED OFF PROPERTY TO ROAD ALLOWANCE OR ADJACENT PROPERTIES. ALL LIGHTING ARRAY DIRECTIONS TO SHINE INTERNALLY TOWARD SUBJECT PROPERTY.

## WATER AND SANITARY SERVICES

THERE ARE IS NO EXISTING DOMESTIC WATER OR SANITARY SERVICING AND NONE IS PROPOSED. DOMESTIC WATER PROVIDED BY WATER JUGS / BOTTLES. PORTABLE TOILETS ARE PROVIDED FOR WASHROOM FACILITIES. NO EXISTING MUNICIPAL SERVICING IS PROPOSED.

LANDSCAP

THERE ARE NO PROPOSED PLANTINGS.  
ALL EXISTING VEGETATION AND TREES ARE TO  
REMAIN EXCEPT FOR REQUIRED TREE REMOVAL  
TO FACILITATE THE CONSTRUCTION OF THE  
EXPANDED GRAVEL LANE AND PARKING AREA.

## SITE STATISTICS

| ITEM                                                                                                               | REQUIRED | PROVIDED                  |
|--------------------------------------------------------------------------------------------------------------------|----------|---------------------------|
| ZONING – AGRICULTURAL                                                                                              |          |                           |
| MINIMUM LOT AREA                                                                                                   | 40ha     | 40ha +                    |
| MINIMUM LOT FRONTAGE                                                                                               | 30m      | 94.16m                    |
| GROUND FLOOR AREA (TOTAL)                                                                                          | –        | 132m <sup>2</sup>         |
| GROSS FLOOR AREA OF EXISTING BUILDING                                                                              | –        | 0                         |
| MAXIMUM LOT COVERAGE FOR 'EDUCATION AREA'<br>(AS PER AGREEMENT BETWEEN GROWING<br>ROOTS SCHOOL AND NORFOLK COUNTY) | 0.47ha   | 0.30ha                    |
| FRONT YARD SET BACK                                                                                                | 13m      | 156m                      |
| REAR YARD SET BACK                                                                                                 | 9m       | 113m                      |
| INTERIOR SIDE YARD SET BACK                                                                                        | 3m       | 26.5m                     |
| EXTERIOR SIDE YARD SET BACK                                                                                        | 13m      | N/A                       |
|                                                                                                                    |          |                           |
| <u>PARKING SPACES</u><br>(REG. STALL SIZE @ 3m x 6m)                                                               |          |                           |
| P. SPACES REQUIRED (1 SPACE PER 35m <sup>2</sup> )<br>(OTHER NON RESIDENTIAL USE)                                  | 4        | 5<br>(INCLUDING<br>1 B/F) |
| BARRIER-FREE PARKING SPACES (1 REQUIRED)                                                                           | 1        | 1                         |
| ELECTRONIC VEHICLE CHARGING STATION PARKING<br>SPACES                                                              | –        | 0                         |
| LOADING SPACES (5m X 19.6m)                                                                                        | –        | 0                         |

## GENERAL EROSION AND SEDIMENT CONTROL NOTES:

1. UNLESS OTHERWISE INDICATED, ALL VEGETATIVE AND STRUCTURAL EROSION AND SEDIMENT CONTROL PRACTICE WILL BE CONSTRUCTED AND MAINTAINED ACCORDING TO MINIMUM STANDARDS AND DIRECTION OF THE COUNTY.
2. ALL EROSION AND SEDIMENT CONTROL MEASURES ARE TO BE PLACED PRIOR TO OR AS THE FIRST STEP IN CLEARING.
3. SILT FENCE AS PER OPSD 219.130
4. THE CONTRACTOR IS RESPONSIBLE FOR INSTALLATION OF ANY ADDITIONAL EROSION CONTROL MEASURES NECESSARY TO PREVENT EROSION AND SEDIMENTATION AS DETERMINED BY THE CONSULTANT AND COUNTY.
5. ALL DISTURBED AREAS ARE TO DRAIN TO APPROVED SEDIMENT CONTROL MEASURES AT ALL TIMES DURING LAND DISTURBING ACTIVITIES AND DURING SITE DEVELOPMENT UNTIL FINAL STABILIZATION IS ACHIEVED.
6. ALL EROSION CONTROL DEVICES ARE TO BE INSPECTED AND MAINTAINED WEEKLY AND AFTER EACH RAINFALL.
7. ALL AREAS OF WORK WHICH WILL REMAIN DISTURBED FOR A PERIOD OF THIRTY DAYS OR MORE MUST BE STABILIZED TO THE SATISFACTION OF THE COUNTY.
8. ALL MATERIAL STOCKPILES ARE TO BE LOCATED WITHIN THE BOUNDARY OF THE INDICATED SILT FENCE. ADDITIONAL SILT FENCE IS TO BE ERECTED AROUND ANY PROPOSED STOCKPILES.
9. ALL CATCH BASINS AND DRYWELLS TO HAVE SILT TRAPS INSTALLED FOR THE DURATION OF CONSTRUCTION. REFER TO DETAIL THIS PAGE.

## SILT FENCE NOTES

1. SILT FENCE SHALL GENERALLY BE PLACED A MINIMUM OF 1.5m BEYOND TOE OF SLOPE, 3m PREFERRED, TO PROVIDE ADEQUATE AREA FOR SEDIMENT STORAGE AND FACILITATE MAINTENANCE OF SEDIMENT CONTAINMENT AREA.
2. ALL ENDS SHALL BE "J" HOOKED TO TRAP SEDIMENT.
3. IN AREAS WITH TWO SLOPES, SILT FENCE SHALL BE USED TO ERECT A DAM AND TRAP SEDIMENT AT THE BASE OF THE STEEPER SLOPE.
4. REFER TO OPSD 219.030 FOR MIN. DEPTH AND KEYED LENGTH.
5. SILT FENCE SHALL BE REMOVED WHEN THE AREA HAS BEEN STABILIZED.
6. AT TIME OF REMOVAL OF THE SILT FENCE, THE DISTURBED AREA SHALL BE REPAIRED AND STABILIZED.
7. MEASURES SHALL BE INSPECTED EVERY SEVEN (7) CALENDAR DAYS AND WITHIN 24 HOURS OF A STORM EVENT GREAT ENOUGH TO CAUSE WATER TO LEAVE THE CONSTRUCTION SITE.
8. MEASURES SHALL BE CLEANED AND REPAIRED AS NEEDED. SEDIMENT SHALL BE REMOVED WHEN ACCUMULATION REACHES ONE-HALF OF THE MEASURE HEIGHT. SEDIMENT SHALL BE DISPOSED OF AS UNSUITABLE MATERIAL.
9. SILT FENCE SHALL BE INSTALLED ON A LINE OF EQUAL ELEVATION (CONTOUR). IT MAY BE INSTALLED AT INTERMEDIATE POINTS UP SLOPES AS WELL AS AT THE BOTTOM, AS SHOWN IN THE DETAIL.
10. SILT FENCE SHALL NOT BE USED ACROSS CONCENTRATED FLOW.

THE FOLLOWING DRAWINGS AND NOTES TO BE  
CONSIDERED AS PART OF THE CONSTRUCTION DRAWINGS:

- ANY DISCREPANCY BETWEEN THIS DRAWING  
AND ACTUAL FIELD CONDITIONS WHICH  
MAY IMPACT WORK IS TO BE REPORTED TO  
M C CONSULTING PRIOR TO  
COMMENCEMENT OF WORK.
- DIMENSIONS ARE METRIC.

DO NOT SCALE DRAWINGS; THESE DRAWINGS SHOW INTENT OF THE DESIGN ONLY OR EXISTING CONDITIONS AND MAY NOT REFLECT EXACT LOCATIONS.

PROJECT: NORTH

LICENSED PROFESSIONAL ENGINEER  
Aug 29/23  
Z. LAKATOS  
90267162  
PROVINCE OF ONTARIO



PROJECT NAME

# SITE PLAN

SHEET TITLE SITE PLAN

|             |            |          |
|-------------|------------|----------|
| SCALE       | 1:500      | METRIC   |
| DRAWN BY    | R MORRISON |          |
| CHECKED BY  | M.E.M.     |          |
| DATE        | JUNE 2023  |          |
| FILE NAME   | 7505       |          |
| PROJECT NO. |            | 7505     |
| DWG. NO.    | SP1        | REV. NO. |
|             |            | 0        |

**Ministry of Education**  
**Private Schools and**  
**International Education Unit**  
Field Services Branch  
315 Front Street West, 12<sup>th</sup> Floor  
Toronto ON M7A 0B8

**Ministère de l'Éducation**  
**Unité de l'inspection des écoles**  
**privées**  
Direction des services dans les régions  
315, rue Front Ouest, 12<sup>e</sup> étage  
Toronto ON M7A 0B8

October 3, 2023

Sent to: [growingrootsnatureschool@gmail.com](mailto:growingrootsnatureschool@gmail.com)

Dear Colleen Dale,

Further to a validation conducted recently by a Ministry of Education staff, I wish to confirm that Growing Roots Nature School is an Ontario private school as defined in the *Education Act* (the Act). Under subsection 1.1 of the Act, a private school is defined as:

*an institution at which instruction is provided at any time between the hours of 9 a.m. and 4 p.m. on any school day for five or more pupils who are of or over compulsory school age in any of the subjects of the elementary or secondary school courses of study...*

Should your school no longer meet this definition, e.g. having fewer than 5 students, you are to inform the Ministry immediately.

The Ministry of Education ID number (BSID) for Growing Roots Nature School is **#887881**.

Private schools are required under the Act to submit statistical data to the Ministry of Education. Subsection 16(5) of the Act states that:

*the principal, headmaster, headmistress or person in charge of a private school shall make a return to the Ministry furnishing such statistical information regarding enrolment, staff, courses of study and other information as and when required by the Minister...*

The OnSIS account you used to submit your new school NOI was a one-use account. You will need a regular OnSIS account. You will use this new OnSIS account to submit your data and submit your annual *Notice of Intention to Operate a Private School* by September 1 of each year. Please contact the Education Statistics & Analysis Branch (OnSIS) at your earliest convenience to set up an account. OnSIS can be reached at [onsis\\_sison@ontario.ca](mailto:onsis_sison@ontario.ca).

If you would like to order OSR folders, transcript paper or index cards, the following is the Ontario company that provides them. When you make contact, they will ask for your BSID # to set up an account for you.

**Lowe Martin Group (OSRs, Transcript Paper, Index cards)**

905-507-8782

Toll Free: 1.866.521.9871

[ecom-tor@lmggroup.com](mailto:ecom-tor@lmggroup.com)

<https://moed.printreserve.com/DSF/SmartStore.aspx?6xni2of2cF2dPLeLY9AWFs09vAYRjsD/K27mErbWAZUZnXZzk3bSrK28B6fWqyfU#/!Storefront>

In advertising your school you may not state, represent, imply or otherwise indicate that the Ministry of Education has, through the issuance of this number, approved or accredited the school's academic program, or that the school is licensed by, or registered with, the Ministry. You may only indicate that the school has been assigned a BSID number by the Ministry and is listed as a private school on the Ministry website.

If you require any additional information, please contact the Private Schools and International Education Unit at [fsb.psie@ontario.ca](mailto:fsb.psie@ontario.ca).

Manager, Private Schools and International Education Unit

Sincerely,

*Christine Riedel*

Christine Riedel  
Manager, Private Schools and International Education Unit

c: Mitchell Shore

To: Norfolk County Planning Department

We authorize David McPherson to have access to communications / information associated with the planning file regarding "Growing Roots Nature School" located at 2378 Nixon Road, Simcoe.

Property Owners:

Krista Timmermans



Michael Timmermans



Date:

Oct 11 / 2023

**Letter of Opinion**

2394 Nixon Rd, Nixon  
Part of lot 2394 on the Northern Side of Nixon Road  
Breanne De Carolis

**July 2023**

## 1.0 INTRODUCTION

This Letter of Opinion (LOP) was prepared on behalf of Breanne De Carolis (the proponent) relating to the Forest School located at 2394 Nixon Rd, Nixon, ON, on the east of Nixon Road (Figure 1). The Forest School takes up a small portion of the larger legal parcel and is depicted in Figure 2.

The subject lands are in Norfolk County ("the municipality"). This LOP is triggered by on-site Natural Heritage features and already constructed development and land use for a Forest School. The subject lands are located among lands depicted by the Norfolk County Official Plan (OP) (2021) as Natural Heritage (Schedule "C-4" Natural Heritage, Figure 4).

The proposed development includes the removal of vegetation to accommodate the widening and straightening of a gravel driveway to meet Site Plan Standards and the future construction of a Private Sewage Disposal System (PSDS).

Vroom + Leonard attended the site in June 2023 to review its attributes in relation to the work program required by the regulatory groups, based on our experience within this jurisdiction and others.

The Long Point Region Conservation Authority (LPRCA) regulates a portion of the subject lands as adjacent lands to a municipal drain that borders the Forest School to the west. There are no wetlands or shorelines present on-site.

The Ministry of the Environment, Conservation, and Parks (MECP) regulates the Endangered Species Act (2007), which protects species at risk from harm, kill, or interfering with their habitat if they are classified by COSSARO (Committee on the Status of Species at Risk in Ontario) as Endangered or Threatened. The MECP protocol consists of conducting our own screening and submitting an Information Gathering Form (IGF) if a project is likely to contravene the ESA and require permitting.

For the reasons discussed in this report, it is our opinion that the past and proposed removal of minimal vegetation on-site causes no concern of negative or unalterable impacts on the Natural Heritage features as long as mitigation measures provided in Section 4 of this report are followed.

## 1.2 Property Description and Proposed Alteration

The lands used for the Forest School are  $\pm$  0.13 ha/ 0.32 ac in size, located within the southwestern end of the  $\pm$  23 ha/ 57 ac legal parcel. Currently, the Forest School lands contain a gravel driveway, three structures, and a maintained lawn among a tableland woodland (Figures 2 and 8). Rural residential, Natural Heritage and agricultural lands are present in the surrounding lands.

The subject lands were cleared, and the structures were constructed in 2021. Neighbours' concerns triggered proper studies to be conducted to ensure compliance with County standards. This includes but is not limited to environmental, servicing, and site plan reports.

Servicing and Site Plan considerations have determined that the driveway will require alterations to widen, straighten and create an enlarged turnaround, and a septic system will need to be installed (Figure 6).

We have been informed that Norfolk County has requested that this Letter of Opinion (LOP) be completed as part of the application addressing impacts on the significant woodland feature resulting from the previous development and proposed vegetation removal and land use.

### **1.3 Planning Considerations**

#### **1.3.1 Federal Considerations**

The Department of Fisheries and Oceans Canada (DFO) is responsible for conserving, managing, and protecting fish and fish habitat. DFO is given authority to achieve this under the Federal Fisheries Act, 2019. Fish habitat as defined in the Fisheries Act 2019 as "water frequented by fish and any other areas on which fish depend directly or indirectly to carry out their life processes, including spawning grounds and nursery, rearing, food supply, and migration"

An open watercourse borders the west boundary of the Forest School lands. According to current Department of Fisheries and Oceans (DFO) aquatic Species at Risk (SAR) mapping, the watercourse does not "contain any critical habitat of aquatic SAR, nor have any SAR been found/are likely to be found" (Figure 5).

No in-water work is required, so a fisheries assessment and DFO involvement are not required for the proposed land use.

#### **1.3.3 Provincial Considerations**

The Provincial Policy Statement (PPS) 2020 states that "Natural Heritage features and areas shall be protected for the long term" (PPS, 2014, 2.1.1). Additionally, Section 2.1.2 states that "The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and groundwater features."

Several stipulations are outlined by the Provincial Policy Statement (PPS, 2020) regarding development within 120 m of a Natural Heritage area. The PPS defines seven natural heritage features where development and site alteration are not permitted in or within 120 m unless it has been demonstrated that there will be no negative impacts on the natural heritage features or their ecological functions. These seven natural heritage features and their applicability to the previous development as well as proposed vegetation removal and land use include:

|                                                              |                                                             |
|--------------------------------------------------------------|-------------------------------------------------------------|
| Significant Wetland and Significant Coastal Wetlands         | Not Present                                                 |
| Significant Woodlands                                        | On-site                                                     |
| Significant Valleylands                                      | Not Present                                                 |
| Significant Wildlife Habitat (SWH)                           | To be discussed in this study                               |
| Significant area of natural and scientific interest (ANSI's) | Not Present                                                 |
| Fish Habitat                                                 | On-site bordering the western boundary of the Forest School |
| Habitat of endangered or threatened species                  | To be discussed in this study                               |

The related PPS stipulations are fully outlined in Appendix A and are discussed in terms of the previous development and current land use in Section 5 of this report.

Our reporting will be consistent with the 2020 Provincial Policy Statement, the Natural Heritage Reference Manual (Ontario Ministry of Natural Resources & Forests ... "MNRF"), and the Ecological Land Classification for Southern Ontario (MNRF..." ELC").

The PPS 2020 states that development and site alteration shall not be permitted in Natural Heritage features and areas or adjacent lands unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

The Ministry of Environment, Conservation, and Parks (MECP) has taken over the responsibility of the Endangered Species Act (ESA), 2007. The MECP protocol consists of conducting a self-screening and submitting an Information Gathering Form (IGF) if a project is likely to contravene the ESA and require permitting.

#### **1.3.4 Municipal Considerations**

The Norfolk County OP, Section 3.5.2, regards adjacent habitats as lands within 120 m of a designated Natural Heritage area. Section 1.3 of the OP (2021) states that its goals include:

"... ensuring the protection, enhancement, diversification and connectivity of Norfolk's Natural Heritage Features, natural heritage functions, and species habitat, as well as the protection of water quality and quantity."

The Norfolk County OP (2021), Section 3.5.1 also states that:

"b) Development and site alteration shall not be permitted on lands adjacent to the natural heritage features and areas, unless the ecological function of the adjacent land has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions that cannot be adequately mitigated."

According to the OP Schedule "C-4" Natural Heritage mapping, the development envelope is designated as Significant Woodlands.

The OP states that Natural Heritage areas on-site must be further investigated to demonstrate that the past development, proposed vegetation removal, and proposed land use will not impact these features and/or their functions in a negative or unalterable manner.

In our opinion, the request by Norfolk County can be satisfied with a LOP in which certain requirements of a Scoped Environmental Impact Study (SEIS) (Section 9.7.1.2) are incorporated. The SEIS requirements are fully outlined in Appendix B and are discussed in terms of past development, proposed vegetation removal, and proposed land usage in Section 5 of this report.

### **1.2.5 Conservation Authority Considerations**

The Long Point Region Conservation Authority (LPRCA) regulates abiotic factors relating to Natural Hazard lands, wetlands, watercourses, and adjacent lands. On-site areas are designated as Natural Hazard lands in relation to a watercourse present. There are no wetlands present within 120 m. No new alteration is proposed within the watercourse LPRCA-regulated buffer lands. This LOP may be circulated to the LPRCA should the municipality deem it necessary.

## **2.0 ABIOTIC ATTRIBUTES**

### **2.1 Soils and Slopes**

According to the OMAFRA AgMaps database, the soils within the development envelope are Walsingham soils. The Soils of the Regional Municipality of Haldimand-Norfolk (Vol. 1) states that Walsingham soils consist of fine eolian sand typically at least one metre thick with imperfect drainage.

According to the OMAFRA AgMaps database and on-site investigations, the subject lands are relatively flat with no significant changes in topographic elevation. There is a complex microtopography within the flat lands of humic and hollow from downed trees and vegetation.

### **2.2 Hydrology and Groundwater**

The subject lands are located within the Long Point Source Protection Area subwatershed. The LPRCA 2023 Watershed Report Card states that this watershed has insufficient data on the groundwater quality conditions and fair surface water quality conditions.

The MECP Source Protection Information Atlas provides the following conditions for the subject Lands:

"Source Protection Area: **Long Point**

Wellhead Protection Area: **No**

Wellhead Protection Area (WHPA-E): **No**

Intake Protection Zone: **No**

Issue Contributing Area: **No**

Significant Groundwater Recharge Area: **Yes**; score is **N/A**

Highly Vulnerable Aquifer: **Yes** ; score is **6**

Event Based Area: **No**

Wellhead Protection Area Q1: **No**

Wellhead Protection Area Q2: **No**

Intake Protection Zone Q: **No**"

Ontario Well Records on-site north of the development envelope indicated the groundwater is  $\pm$  1.22 m below grade. Black loam was recorded from 0-0.6 m, followed by 0.6 m of brown sand subsoil and 1.83 m of brown clay, terminating in 2.1 m of blue clay. On-site investigations confirmed this, as groundwater indicators and mesic soils were evident in the study area.

As noted above, the database screening demonstrates potential sensitivities to altered land use in relation to Significant Groundwater Recharge and groundwater interference that should be considered. Mitigation measures to ensure no potential impact on these functions will be further discussed in Section 4 of this report.

### **3.0 BIOTIC CONSIDERATIONS**

The following information and analysis are based on the authors' two site visits during Summer 2023, reporting for both faunal and floral attributes, and database and literature reviews.

The LPRCA 2023 Watershed Report Card states that this watershed has poor wetland, riparian zones, and fair forest conditions.

#### **3.1 Aquatic Attributes**

Present on-site is a municipal drain. As noted, the drain borders the west of the cleared Forest School area. A vegetated buffer ranging from six to ten meters in width separating the Forest School area and the top of the bank. On the bank's other side, the vegetation is maintained and cleared every 3-5 years by the municipality for drain maintenance. Beyond that 6 m clearing is a tableland woodland that extends +/- 80 m. This drain is >30 m from the proposed driveway construction and future septic system.

#### **3.2 Floral Attributes**

Vroom + Associates completed floral inventories within the study area in June and July 2023. Given the limited proposed development of driveway widening and future septic installation, we did not see a need for 3 season inventory.

According to the MNR Ecological Land Classification (ELC 1998 & 2008), there are two vegetated communities found within the study area described as FOD9-2 Fresh-Moist Oak - Maple Deciduous Forest Type with a SWD3-2 Silver Maple Mineral Deciduous Swamp Type Inclusion under the 2008 ELC (Figure 9). The community is ranked S4, which means it is common and apparently secure in Ontario.

The woodlot is highly diverse in canopy with Sugar Maple, Red Oak, Swamp Maple, Red Maple, Black Cherry, White Pine, Sassafrass, and Yellow Birch. Trees are typically  $\pm$  12.7 - 50.8 centimeters (cm) in diameter at breast height (dbh)  $\pm$  6 m apart. However, some reach 125 cm dbh. The woodlot is relatively undisturbed aside from the areas cleared and converted for the Forest School, Trails, and Municipal Drain.

Associate and understory trees include Red Maple, Sugar Maple, Sassafras, American Beech, with American Hazel. Some invasive Buckthorn are present; however relatively few.

The groundlayer is dense and species-rich with woodland and wetland ferns, sunflowers, and sedges. Some invasive species, including Garlic Mustard, Periwinkle, and Multiflora Rose are present; however, there are relatively few and are concentrated on the edges of the Forest School lands.

Generally, the woodland surrounding the Forest School is botanically rich with limited invasive flora. The woodland has many high-quality features, including downed woody debris which creates a complex microtopography, some old-growth trees and is structurally diverse with a canopy, sub-canopy, shrub, and rich groundlayer. The rich community is a subject of the soils and groundwater table.

The creation of the Forest School has retained several trees among the opened-up area. Below there is a maintained lawn. As noted, the edges of the open area are where the invasive species are concentrated.

We encourage the maintenance of these trees to maintain a canopy and an Environmental Management Plan to remove and ensure no further spread or colonization of non-native invasive species.

The following background information is provided in relation to the discussion of significant species.

Any Species at Risk (SAR) listed as endangered (END) or threatened (THR) are protected from killing, harming, or harassment under the provincial Endangered Species Act 2007 (ESA)

Additionally, their habitat is protected from damage or destruction (ESA, 2007 Section 10.1)

Species listed as Special Concern, Provincially Rare, and Regionally Rare Species (S1-S3) are not protected under ESA 2007, or the Norfolk County Forest Conservation ByLaw 2006-170

The Committee on the Status of Species at Risk in Ontario (COSSARO) provides the provincial rankings on species at risk (SAR). The committee on the Status of Endangered Wildlife in Canada (COSEWIC) provides the federal rankings of SAR.

Recommended by the MECP/MNRF, an NHIC 1km<sup>2</sup> grid data search was conducted to identify species historically recorded in the general area. According to the NHIC 1 km<sup>2</sup> mapping, there are two records of floral SAR in the general area.

| Species               | Rank                          | Habitat Description                                                                                                                                                                                                                                                                                                           |
|-----------------------|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| American Water Willow | [COSEWIC: THR / COSSARO: THR] | Growth occurs along the shorelines of bodies of water including streams, rivers, lakes, ditches and occasionally wetlands. Prefers wet soil and can grow in 1.2 metres of water. Periodic flooding and wave action support growth by removing competition. The subsoil conditions are usually sand, gravel or organic matter. |
| American Chestnut     | [COSEWIC: END / COSSARO: END] | Grows in preferable conditions include dry upland deciduous forests. It typically grows alongside Red Oak, Black Cherry, Sugar Maple and American Beech. The soils are sandy and acidic to neutral soils. It can be found in the Carolinian Zone between Lake Erie and Lake Huron in Ontario.                                 |

Targeted flora surveys for American Chestnut and American Water Willow did not find these species in the proposed development envelope. They could occur elsewhere within the Natural Heritage area but the proposed driveway enlargement and future septic system installment will not directly impact them.

Rare and uncommon species are likely given the rich diversity and structure of the surrounding natural heritage feature. However, as long as the proposed development follows the recommendations in Section 4, we do not foresee any negative indirect impact on these species.

### 3.3 Faunal Attributes

#### Habitat

Interior habitat is defined as habitat more than 100 meters from the edge of the woodland (The Natural Heritage Reference Manual 2010) and is recognized as important for area-sensitive species. Based on the Natural Heritage Area's size and shape, 1.43 ha of interior habitat is present in the study area, outside of the Forest School lands, that could support area-sensitive species or habitat. Interior Habitat is shown in Figure 2.

As previously noted, there is structural diversity and downed woody debris, which create habitat for an array of faunal species. With the high water table and slow-draining soils, we suspect some seasonal ponding for frogs and salamanders in the adjacent woodlands. And there appear to be many cavity trees in the adjacent woodlands for cavity nesters and bats.

#### *Significant Species*

##### *Birds*

An NHIC 1 km<sup>2</sup> database screening identified Wood Thrush [THR/SC] and Eastern Wood-Pewee [SC/SC] previously recorded in the general area.

Table 1

| Species            | Ranking                      | Habitat Preferences                                                                                                                                                                                         | Likelihood On-site                                                                                                                                                                                                                   |
|--------------------|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Wood Thrush        | [COSEWIC: SC / COSSARO: SC]  | Inhabits the mid-canopy layer of forest clearings as well as edges of deciduous and mixed forests. Is found to be most abundant in forest stands intermediate in age with little understory vegetation      | The natural heritage features within the subject lands are suitable habitat. This rich understorey in the surrounding woodland make are less suitable, but the Forest school with and drain clearing edges present suitable habitat. |
| Eastern Wood Pewee | [COSEWIC: THR / COSSARO: SC] | Inhabits mature deciduous and conifer-deciduous forests. Specifically, moist tree stands, well developed undergrowth and tall trees. Preference to larger wooded areas, but smaller tree stands are used in | The natural heritage features within the subject lands are suitable habitat.<br><br>This species was detected on-site within the woodland northeast of the Forest School.                                                            |

|  |  |                                                                                                                                                                                   |  |
|--|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
|  |  | place. Nests are built in saplings, trees or shrubs typically in sugar maple or American beech. This is a migrating bird as it flies to Mexico and Central America for wintering. |  |
|--|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|

In Canada, the Eastern Wood-pewee breeds primarily in mature and intermediate-age deciduous and mixed forests, having an open understory. It is often associated with forests dominated by Sugar Maple (*Acer saccharum*) and is usually associated with forest clearings and edges (COSEWIC, 2012). Although a SAR, this species has no special protection under the ESA (2007). Eastern Wood-pewee is quite widespread in southern Ontario and Norfolk County in particular (Ontario Breeding Bird Atlas, 2007).

Eastern Wood-pewee [SC] and Wood Thrush [SC] are urban tolerant and often found in edge habitats in Southern Ontario. We do not anticipate any negative or unalterable impacts on the habitat of this common urban tolerant species from the proposed adjacent residential construction and land use. Adequate habitat will remain to the north. Timing mitigations for vegetation removals will protect these and other migratory birds if they were to use the subject lands for any reason during construction.

#### *Mammals*

We anticipate the woodland is habitat for many common mammal species. Our only Threatened or Endangered species in range are the American Badger [COSEWIC: END / COSSARO: END] and SAR bats.

The American Badger has no suitable habitat as they prefer open meadow and prairie habitats.

Potential maternal bat breeding habitats are noted within the 120 m study area in the form of large, living trees with suitable size and shaped cavities.

#### *Reptiles and Amphibians*

An NHIC 1 km<sup>2</sup> database screening identified Midland Painted Turtle [SC/Not Ranked], Snapping Turtle [SC/SC] previously recorded in the general area. No SAR reptiles were observed on-site.

Table 2

| Species                | Ranking                 | Habitat Preference             |
|------------------------|-------------------------|--------------------------------|
| Midland Painted Turtle | [COSEWIC: SC / COSSARO: | Inhabit wetland areas that are |

|                 |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-----------------|-----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 | NOT RANKED]                 | well-vegetated and relatively shallow. Can be found in water bodies as well. Habitat requires abundant basking sites and organic substrate. Found in association with submergent aquatic plants. Suitable nesting habitat requires open, sloped, and often south-facing areas consisting of sandy-loam or gravel substrate. These areas are usually within 1200 m of aquatic habitat. Overwintering occurs in shallow water consisting of deep sediment. |
| Snapping Turtle | [COSEWIC: SC / COSSARO: SC] | Mainly inhabit shallow bodies of water that provide protection via sediment. Nesting occurs early to mid summer in gravelly or sandy areas along streams.                                                                                                                                                                                                                                                                                                |

A site investigation has determined that there is marginal turtle habitat for basking, foraging, breeding, and overwintering. The municipal drain is small in width (1 m), primarily shallow, and heavily shaded aside from the modified disturbed areas. Banks of the watercourse are steep and basking features, including rocks, logs, or grass mounds, are lacking instream. For these reasons turtle basking surveys were not conducted. No turtles were observed in site investigations, and potential for Snapping Turtles [SC/SC] or Midland Painted Turtles [--/SC] would be transient in nature.

Regarding SAR snakes known to Norfolk County, habitat is not open enough for Eastern Fox Snake or sandy and well drained for Hognose Snake. There is potentially suitable habitat for Gray Rat蛇ake. However, the species hasn't been recorded in this area prior to 1999 according to the Ontario Reptile and Amphibian Atlas.

The municipal drain on-site and the edaphic conditions of the surrounding woodlands as a result of slow-draining soils and high water table provide suitable habitat for amphibian breeding habitat in the surrounding woodlands.

#### *Significant Wildlife Habitat*

| Significant Wildlife Habitat          | Location                       |
|---------------------------------------|--------------------------------|
| Amphibian Breeding Habitat - Woodland | Candidate surrounding woodland |

|                                           |                                 |
|-------------------------------------------|---------------------------------|
| Bat Maternity Colonies                    | Candidate surrounding woodland. |
| Special Concern and Rare Wildlife Species | Candidate surrounding woodland  |

## 4.0 IMPACT ASSESSMENT AND MITIGATION

### 4.1 Impact Assessment

As previously noted, this LOP is triggered by complaints and municipal requirements related to the previous development and proposed vegetation removal within Natural Heritage Areas, as indicated on the Official Plan of Norfolk County Schedule "C-4". The previous development included the construction of "yurt" structures and a gravel driveway. We can not speak to the historical condition of this condition as it has been altered prior to our retainment. Future development includes the removal of vegetation for widening the driveway as well as the installation of septic services.

#### *Vegetation Removal:*

During our site investigations, we reviewed the Site Plan with the driveway widening and roughly calculated the amount of tree removal. The Site Plan is provided in Figure 6, and tree removal required is approximately 51 trees with the tree size breakdown below:

| Diameter at Breast Height (DBH) (cm) | Number of Trees Removed | Location              |
|--------------------------------------|-------------------------|-----------------------|
| 15.24 - 30.48                        | 5                       | North end of driveway |
| 30.48 - 60. 96                       | 20                      | North end of driveway |
| 60.96 +                              | 6                       | North end of driveway |
| 15.24 - 30.48                        | 6                       | South end of driveway |
| 30.48 - 60.96                        | 13                      | South end of driveway |
| 60.96 +                              | 1                       | South end of driveway |

#### *Faunal Habitat:*

Although the vegetation on-site supports diversity and habitat for floral and fauna and offers value to the surrounding natural heritage area, the removal of a small area of woodland will not affect the overall function of the feature as there is still sufficient habitat for species to disperse, and the land use for the Forest School operations is minimal. Timing mitigation for the limited vegetation removals to protect active breeding birds, SAR bats, and SAR snakes are required.

*Human Encroachment:* With the original change in land use from woodland to limited human use, there is potential for the following impacts to occur:

- Dumping of vegetative waste and/or garbage into adjacent Natural Heritage features
- Reclamation of land or expansion of Forest School area by placing fill or buildings at beyond current limits
- Introduction of plant species for landscape purposes that pose a risk of invasive potential into Natural Heritage areas
- Vegetation and tree removal
- Creation of trails within adjacent Natural Heritage areas that destroy vegetation, compact soils, and increase the risk of erosion and sedimentation.
- Alteration to natural light regimes resulting from the residential attendant lighting.

The Forest School is not in operation around the clock; there would be no impact from attendant lighting as there is no activity during the evenings. We have not seen any evidence of non-native/invasive species introduction, only the creation of the opportunity for invasive species to grow along the edges of the school as openings are created. Much of the canopy has been retained; therefore, the edge effect along the School and driveway clearing area is minimal, and trails have already been established; we have been informed that no further trails are proposed. Education and land stewardship should be encouraged to avoid the present and future spread of the current invasive species present on site, and no dumping of garbage, yard waste or debris should be placed into the surrounding natural vegetation.

*Tree Root Disturbance:*

Generally, construction practices and grade alteration can potentially impact the roots of adjacent trees via sedimentation and compaction. However, in our experience and based on arboricultural literature, when roots have the opportunity, they will graft onto the roots of other members of the ELC community, regardless of species. Intergrafting of roots provides resilience to the impacts of the proposed adjacent development. Additionally, the subject lands are relatively flat, and aside from the placement of a gravel base, we assume minimal grading will be required to accommodate the driveway. Tree protection measures related to the indirect effects of the proposed vegetation removals and Construction Best Management practices are recommended in Section 4.2.

*Hydrology:*

The subject lands are in an area of clay loam soils and support significant groundwater recharge as well as a highly vulnerable aquifer. As noted, the only aquatic feature in the study area that obtains surface flow from the subject areas is the municipal drain, which is not considered a high-quality watercourse as it receives plenty of agricultural runoff with minimal buffer throughout its reach.

We have been informed that there will be a septic system in the future. Given the high water table and vulnerable aquifer qualities of the site, the location and design feature of the septic system should be carefully designed not to impact the groundwater in the area. The septic system should be constructed within the open-maintained lands of the Forest School.

Additionally, given that the subject lands are targeted as a groundwater recharge area, we recommend that the proposed PSDS be designed with Advanced Treatment Leachfield (ATL) technology unless it can be demonstrated that no water quality impact will occur.

#### **4.2 Mitigation Measures**

\_ Prior to any construction operations, the grading limits of areas to be preserved should be clearly marked, and protective fencing should be installed. It should be maintained until the time of grassing. Silt fencing installed at these limits will prevent erosion or sediment transport into the adjacent Natural Heritage Features.

\_ Construction should occur in winter to avoid the breeding season for southern Ontario faunal species of migratory birds, bats, and herptiles. Below are specifically recommended timing windows.

Migratory Breeding Bird Act 1994: The Migratory Breeding Bird Act (MBBA 1994), protects 386 migratory bird species in Canada. It states that "No person shall disturb, destroy, or take a nest, egg,...." (SOR/80-577, s. 4.). Birds protected under the MBBA 1994 may be present on-site since they can occur nearly anywhere in southern Ontario. Tree cutting should occur outside of the nesting season for the region (March 31st – August 25th).

Tree-cutting should not occur between March 31st and October 1st to avoid the risk of removing trees used by potential roosting SAR bats.

\_ Heavy machinery equipment should be cleaned before entering the site to avoid introducing invasive plant materials.

\_ Tree felling debris should be removed from the site rather than dumped into the adjacent habitats.

\_ Advanced Treatment Leachfield (ATL) technology should be incorporated into the septic design unless it is proved otherwise that the septic input will not impact the groundwater quality

\_ Septic location should be within the maintained lands to avoid any further vegetation removal on the adjacent woodland

\_ Invasive species monitoring and control should be undertaken, including Multiflora Rose ([https://www.ontarioinvasiveplants.ca/wp-content/uploads/2020/10/MultifloraRose\\_BMP.pdf](https://www.ontarioinvasiveplants.ca/wp-content/uploads/2020/10/MultifloraRose_BMP.pdf)), Garlic Mustard, and Buckthorn.

\_ Avoid non-native gardening practices within the Forest School lands

#### **5.0 CONSIDERATIONS & CONCLUSIONS**

##### **5.1 Considerations**

**Federal Considerations**

Given there will be no direct impact on the watercourse a DFO filing is not required.

**Provincial Considerations**

We believe the past and proposed development will not contravene the ESA, 2007, nor the PPS, 2020.

With reference to Section 2.1.3 of the PPS, the subject lands are not located within the listed Ecoregions.

Section 2.1.4 and 2.1.5 of the PPS are not applicable. Development is proposed within the subject lands with no PSWs, coastal wetlands, Significant valleylands, or areas of natural and scientific interest (ANSI). In regards to SWH, the vegetation present in the subject lands is of medium-high quality, suitable in size, and has the possibility to support SAR or SWH. However, the proposed development does not impact the potential to support SAR or SWH.

In regards to Section 2.1.6, there will be no direct impact on Fish Habitat.

In regards to Section 2.1.7 of the PPS, timing, and avoidance mitigations are proposed in the unlikely event that SAR are present in the development envelope.

With reference to section 2.1.8 of the PPS, we do not anticipate any direct negative or unalterable impacts to the Natural Heritage feature on-site or its ecological functions as the vegetation removed on site is minimal and diversity remains high.

**Municipal Considerations**

The proposed development conforms with the Norfolk County Official Plan 2021.

In reference to the OP, which outlines the requirements for an SEIS, this report is consistent with these requirements (See Appendix B), as demonstrated below:

- a) a site description, description of the application, EIS study boundaries are provided in Section 1.1.
- b) April floral inventory is discussed in Section 3.2 and attached as Appendix D. Faunal habitat is discussed in Section 3.3.
- c) ELC classification is provided in Section 3.2
- d) Natural heritage features are initially outlined in Section 1, and those present (Significant Woodland) are described in Section 3.
- e) Significant Wildlife habitat is discussed in Section 3.3

f&g) impacts and associated mitigation are discussed in Section 4

h) Conclusions are provided in Section 5.

**Conservation Authority Considerations**

Natural Hazard lands and watercourse are present within 120 m of the development envelope. No new alteration is proposed within the watercourse LPRCA-regulated buffer lands. This LOP may be circulated to the LPRCA should the municipality deem it necessary.

**5.2 Conclusions**

As noted, this LOP is triggered by neighbour complaints and municipal requirements related to the proposed and previous development occurring on or adjacent to Natural Heritage Areas, as indicated on the Norfolk County Official Plan Schedule "C-4". Most of the development has already occurred and proposed development includes widening the current gravel driveway and installing septic services. This will require the removal of vegetation.

For the reasons outlined in the data presented within this report and the resultant analysis, we believe there are no negative or adverse direct impacts, incidental impacts, or cumulative effects caused by the proposed or previous development. Consequently, given the land use proposal of the site, there is no need for additional information or studies relating to the Natural Heritage component of this application.

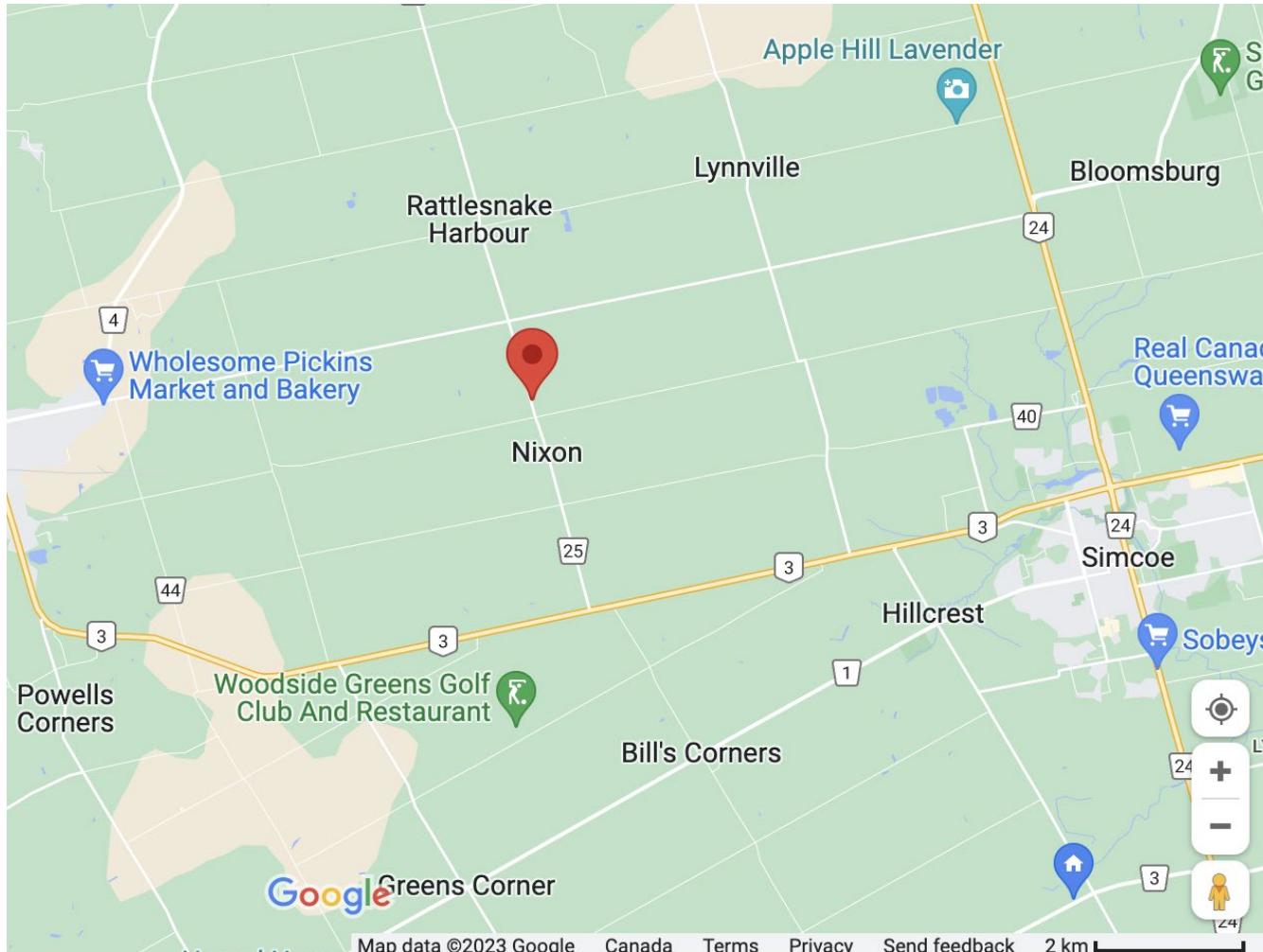
With respect to natural heritage considerations, it is the opinion of the writers that as long as the future development plans follow the recommended mitigation measures in this document, the proposed land use will be consistent with the Provincial Policy Statements 2020 as well as policies of the County and municipality.

Rachel Bauer, B.Sc.



Paige Vroom, M.Sc. (Aquatic)





## VROOM + ASSOCIATES

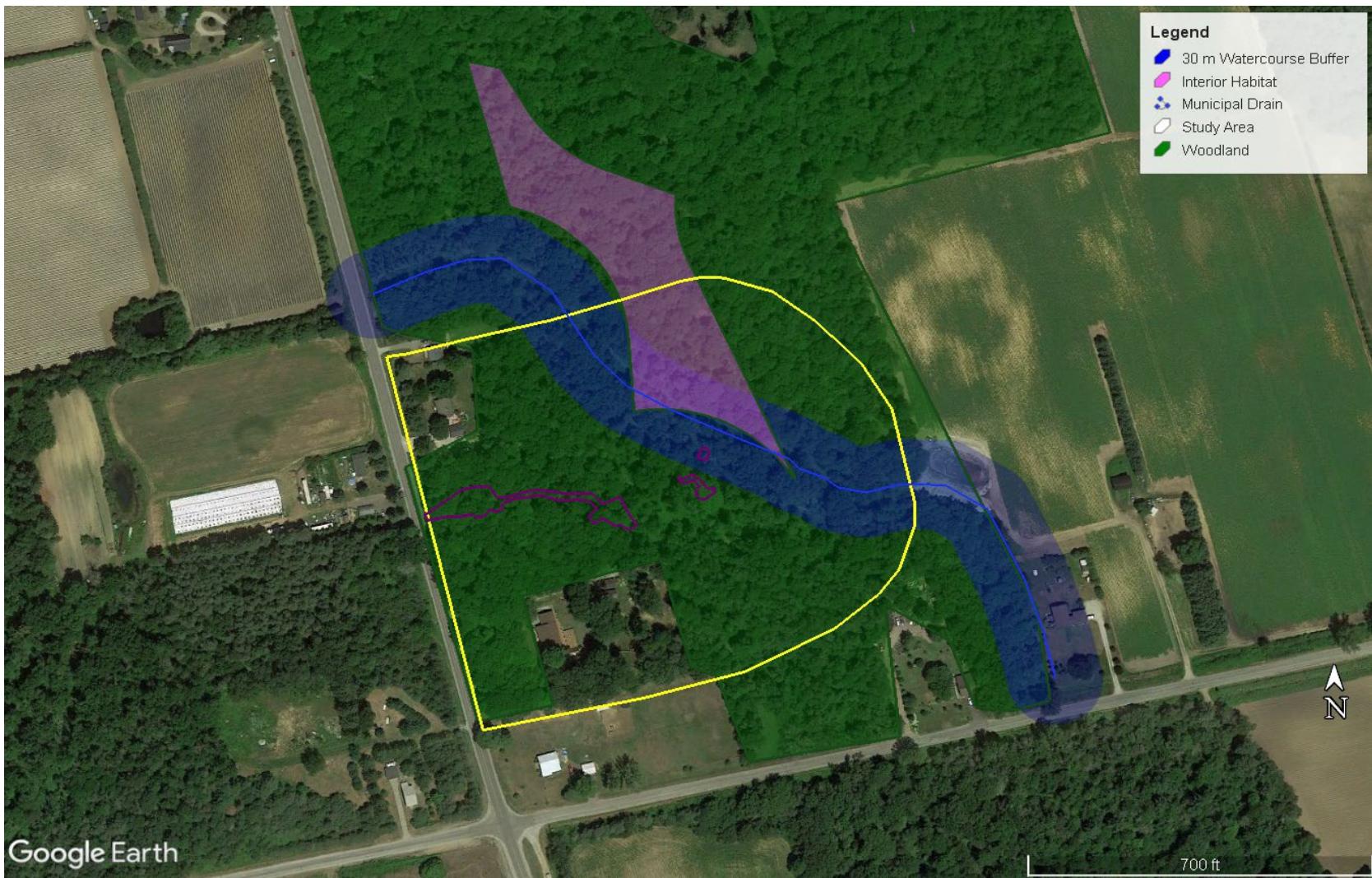
Biologists & Natural Heritage Assessors

Paige Vroom / MSc. Aquatic | 519-909-9872 / paievroom@gmail.com  
Shae-Lynn Dehens / BSc. | 519-420-8115 / shae.dehens@hotmail.com

Figure 1: General Site Location

2394 Nixon Rd, Nixon  
**July 2023**

Breanne De Carolis **LOP**  
Vroom & Associates



**VROOM + ASSOCIATES**

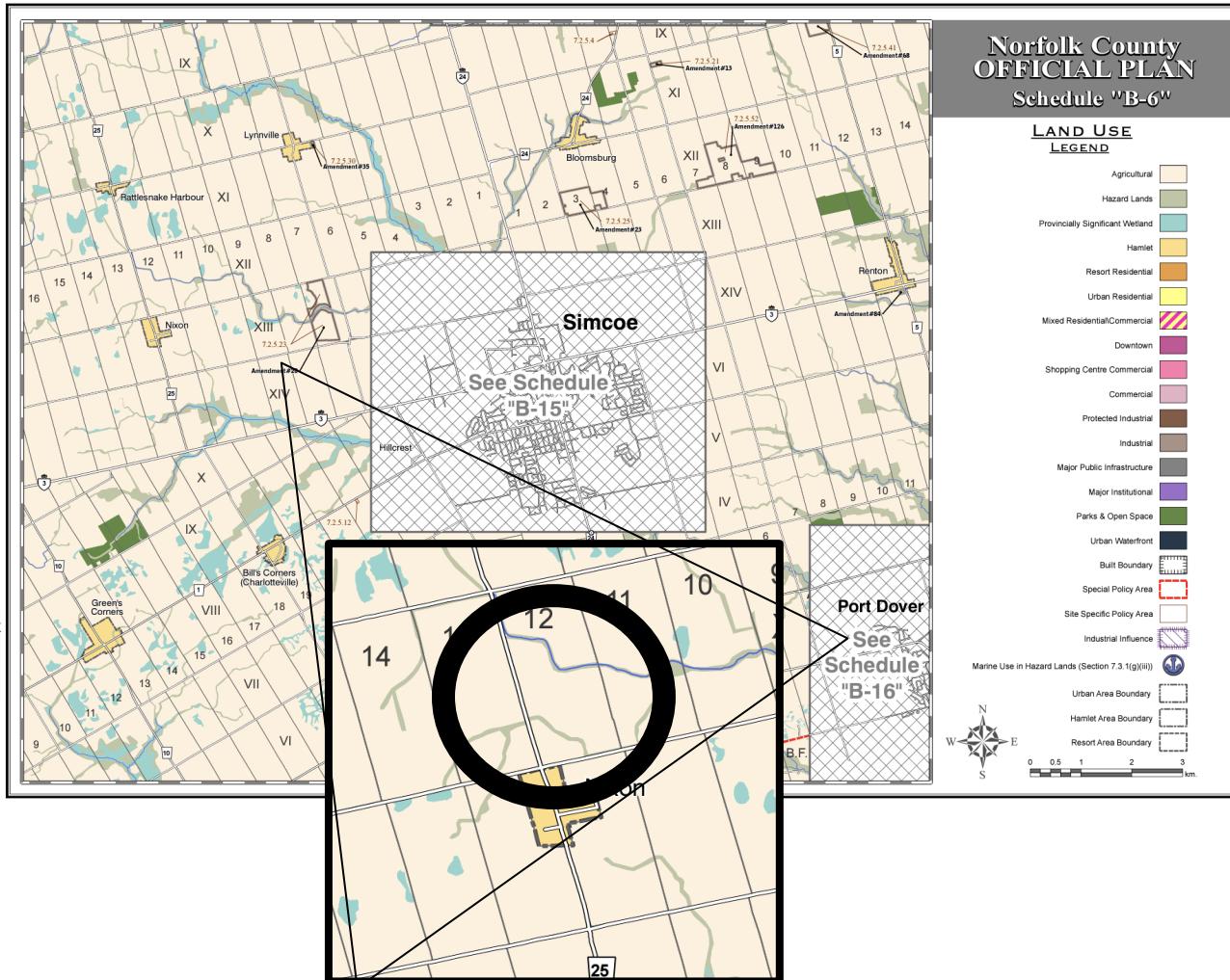
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**Figure 2: Specific Site Location**  
(Yellow = Study Area, Purple = Forest School Current Development)

2394 Nixon Rd, Nixon  
**July 2023**

Breanne De Carolis **LOP**  
Vroom & Associates



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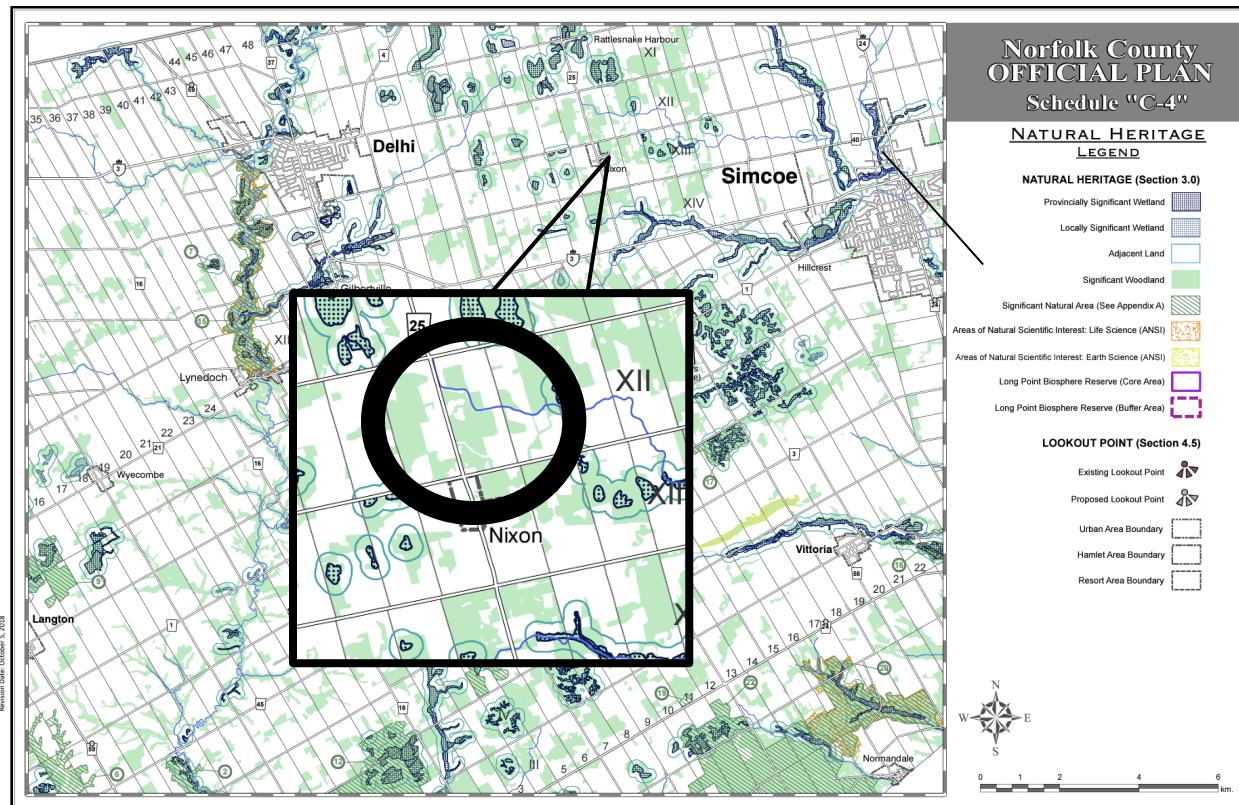
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Figure 3: Norfolk County Schedule "B-6" Land Use Plan

2394 Nixon Rd, Nixon  
**July 2023**

Breanne De Carolis **LOP**  
 Vroom & Associates



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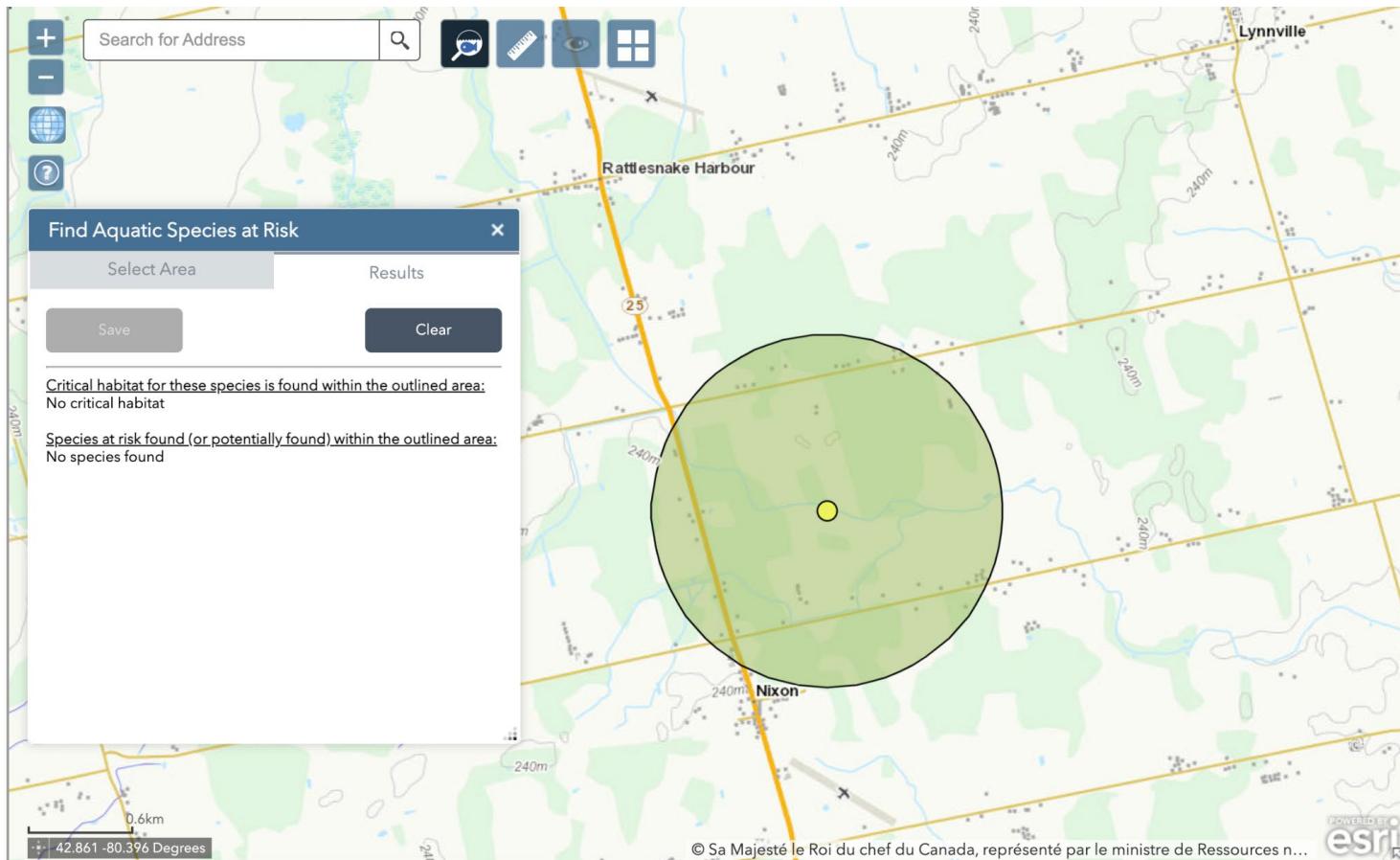
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2394 Nixon Rd, Nixon  
**July 2023**

**Figure 4: Norfolk County Schedule "C-4" Natural Heritage Plan**

Breanne De Carolis **LOP**  
Vroom & Associates



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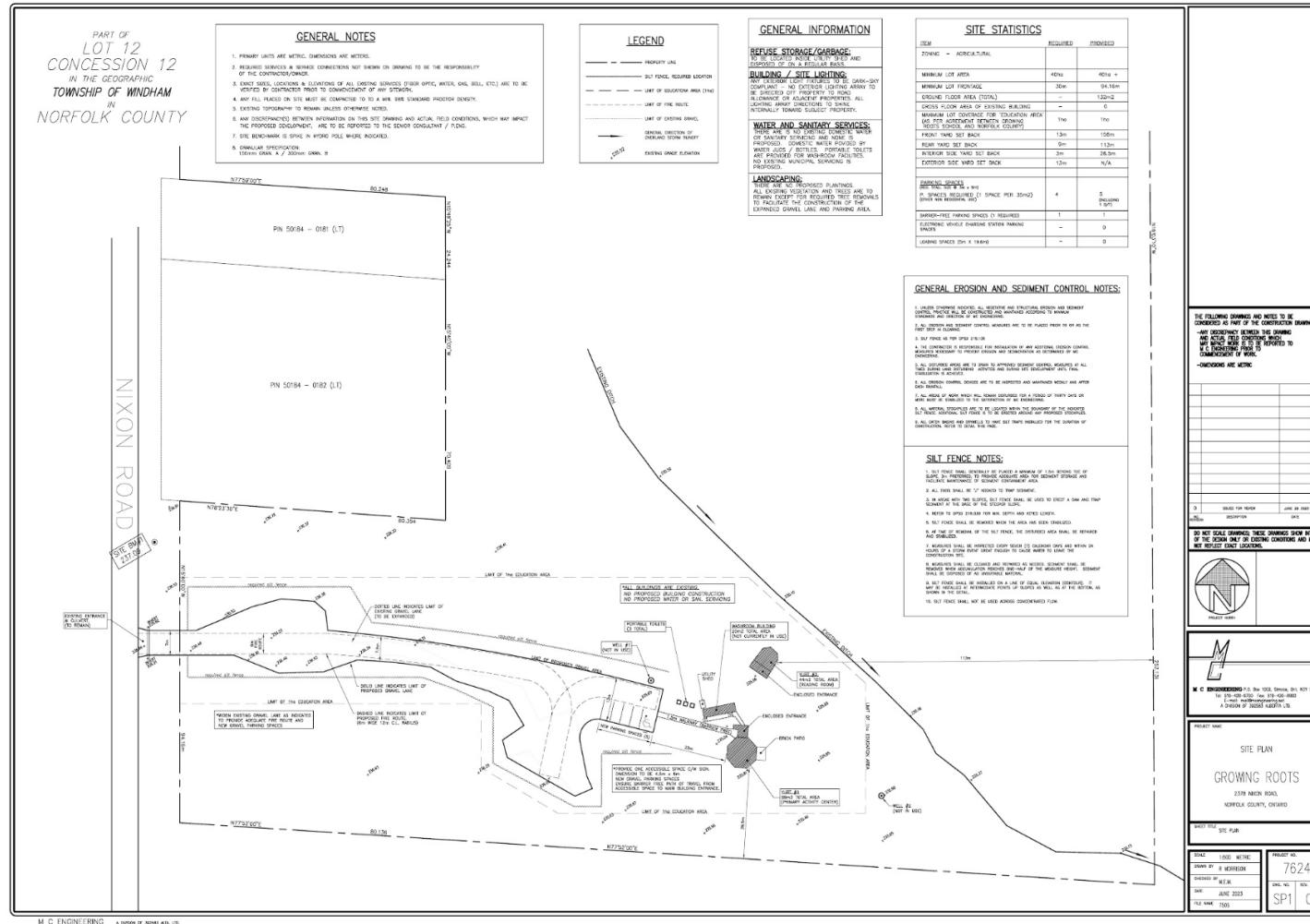
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**Figure 5: DFO Aquatic SAR Mapping**

2394 Nixon Rd, Nixon  
**July 2023**

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 Vroom & Associates



# VROOM + ASSOCIATES

Biologists & Natural Heritage Assessors

Paige Vroom / MSc. Aquatic | 519-909-9872 / paigevroom@gmail.com  
Shae-Lynn Dehens / BSc. | 519-420-8115 / shae.dehens@hotmail.com

Figure 6: Concept Plan

2394 Nixon Rd, Nixon  
**July 2023**

Breanne De Carolis **LOP**  
Vroom & Associates



**VROOM + ASSOCIATES**

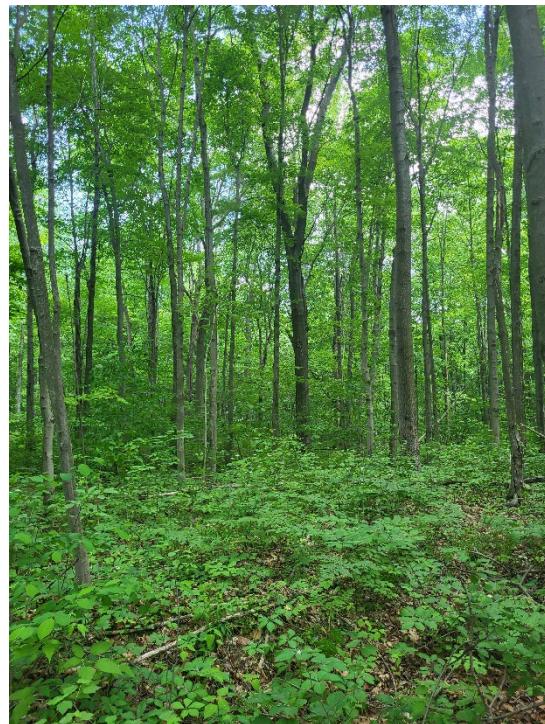
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Figure 7: Concept Plan Overlay

2394 Nixon Rd, Nixon  
**July 2023**

Breanne De Carolis **LOP**  
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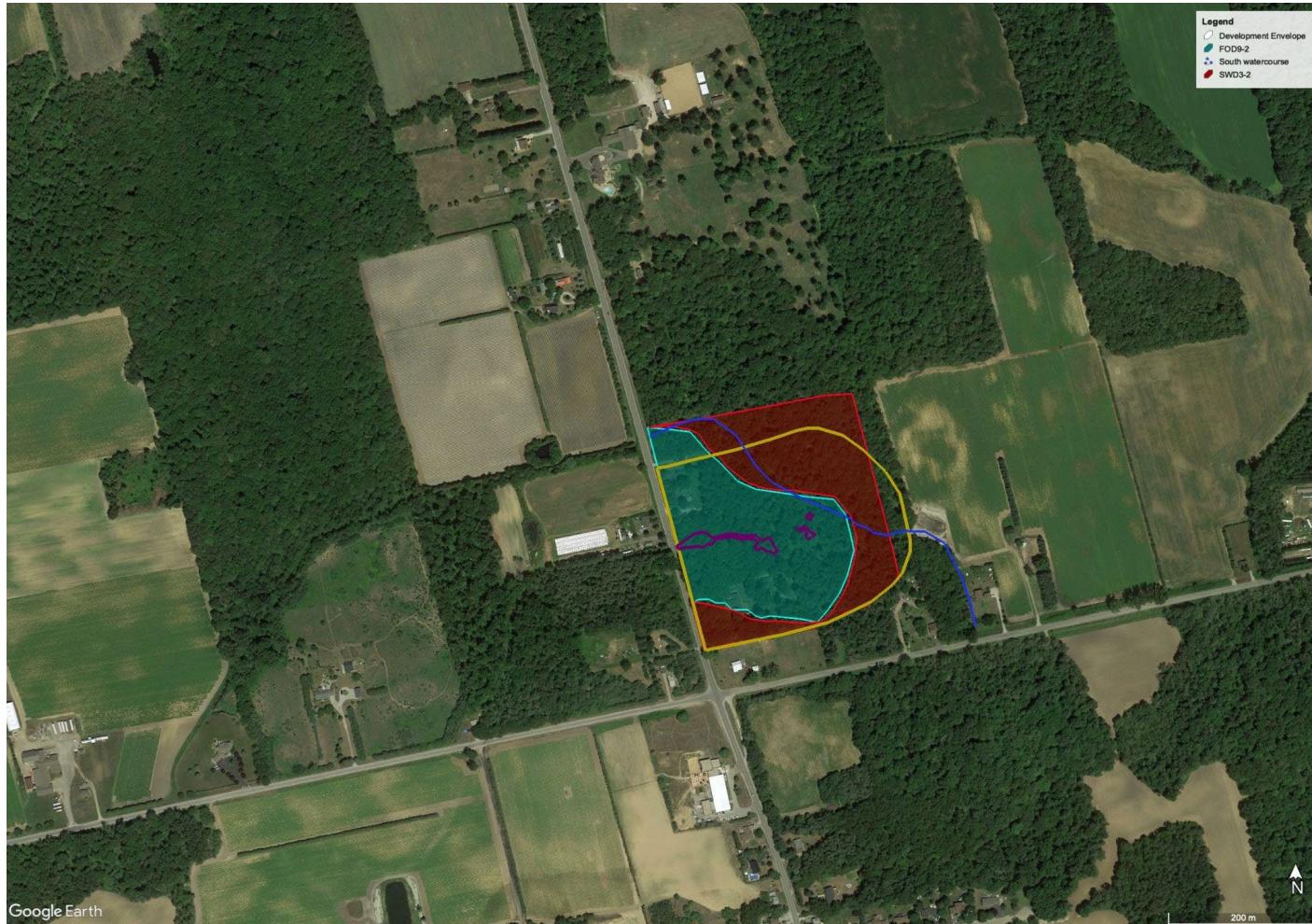
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2394 Nixon Rd, Nixon  
**July 2023**

## Figure 8: Site Photos

Breanne De Carolis **LOP**  
Vroom & Associates



VROOM + ASSOCIATES

Biologists & Natural Heritage Assessors

Paige Vroom / MSc. Aquatic 519-909-9872 / paievroom@gmail.com  
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Figure 9: Ecological Land Classification (ELC)

2394 Nixon Rd, Nixon  
**July 2023**

Breanne De Carolis **LOP**  
Vroom & Associates



## FUNCTIONAL SERVICING BRIEF

### GROWING ROOTS NATURE SCHOOL

2378 NIXON ROAD,  
NORFOLK COUNTY, ONTARIO



Prepared by MC Engineering  
Revision 0, June 29 2023



**Forward:**

The Growing Roots Nature School is an existing outdoor education center located at 2378 Nixon Road in Norfolk County. Through correspondence with Norfolk County it has been determined that the existing facility must obtain Site Plan Approval.

This report will comment on domestic water requirements, domestic sanitary requirements, fire water requirements, and Storm Water Management.

**Domestic Water:**

There is no existing or proposed municipal water servicing.

There is no existing or proposed private water servicing.

There are two existing wells (indicated on site plan drawing). These existing wells are not currently in service.

Drinking water will be provided by water bottles / water coolers and maintained by staff.

Wash stations outside the toilets will be provided.

**Sanitary Servicing:**

There is no existing or proposed municipal sanitary servicing.

There is no existing or proposed private sanitary servicing.

Through correspondence with Norfolk County it was agreed that portable toilets can be used for a period of one year. After which time a permanent septic system (raised tile bed) is to be installed. All required permits for the future septic system are to be obtained by the owner prior to future installation.

Portable Toilets and wash stations will be installed and maintained by staff.



### **Fire Water Supply:**

As per Ontario Building Code A-3.2.5.7 (Water Supply), no on site fire water supply is required.

The combined building area of 135m<sup>2</sup> falls within the exemption of clause 1(b) of OBC A-3.2.5.7.

The building is less than 200m<sup>2</sup>, is less than 2 storey's, does not contain a care or detention occupancy, does not require a sprinkler or standpipe and is more than 13m from any property line.

### **Storm Water Management:**

There is no proposed additional impervious surface area. No building roof surface, concrete or asphalt is proposed.

The general overland runoff direction is from west to east. Storm water will continue to surface drain toward the existing drainage ditch at the east side of the developed area.

There are no storm water management controls proposed.