

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, June 28, 2010

The Public Meeting was held Monday, June 28, 2010 at 7:00 p.m. at the Township of Wellington North Council Chambers, Kenilworth to consider a Zoning Amendment application.

Present:

Mayor: Mike Broomhead
Councillors: Ross Chaulk
Bob Mason
John Matusinec
Dan Yake

Also Present:

C.A.O./Clerk: Lorraine Heinbuch
Executive Assistant: Cathy Conrad
Township Planner: Linda Redmond

Mayor Broomhead called the meeting to order.

Declaration of Pecuniary Interest:

None Declared

Owner: Arlene Barbara Pronk

THE LOCATION being rezoned is in Part of Lot 4, Concession 10, former Township of West Luther, with a civic address of 8185 Tenth Line. The land is approximately 74.6 acres in size.

THE PURPOSE AND EFFECT of the amendment is to rezone the retained farm parcel to A-97, restricting future residential development on the agricultural portion of the property and to rezone the severed parcel to A-98, recognizing existing non-complying accessory buildings and requiring that the number of livestock on the property complies with MDS 2 setbacks as measured from the severed parcel's property line. This rezoning is a condition of severance application B9/10, that has been granted provisional consent by the Wellington County Land Division Committee. The consent will sever the existing farm dwelling from the remainder of the agricultural parcel as per the surplus farm dwelling policies. The property is currently zoned Agricultural.

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, June 28, 2010

Page Two

Please note – Section 34 (12) of the Planning Act.

(12) Information. – At a meeting under subsection (12), the council shall ensure that information is made available to the public regarding the power of the Municipal Board under subsection (14.1) to dismiss an appeal if an appellant has not provided the council with oral submissions at a public meeting or written submissions before a By-law is passed.

1. Notice for this public meeting was sent to required agencies and property owners within 120 m as well as posted on the property on June 7, 2010.
2. Presentations by:

Linda Redmond, Planner, reviewed correspondence dated June 21, 2010 prepared by Charlie Toman, Planner.

The rezoning is required as a condition of provisional consent (B09/10) by the Wellington County Land Division Committee. The Planning Department did not have any concerns with implementing this decision. Both the Provincial Policy Statement and Wellington County Official Plan provide for surplus farm dwelling severances, provided the retained lands are rezoned to prohibit future residential dwellings. It is not usual to maintain an existing barn for storage and restrict its use for livestock. The amendment deems the barn and other accessory buildings to meet the zoning by-law in terms of building height, floor areas and hobby barn regulations. In the current case, the property owners have indicated that it is their intention to sell the severed parcel and to ensure flexibility for prospective purchasers. The site specific zoning amendment includes a requirement that the MDS 2 is met to the property line of the neighbouring dwellings.

The consent will sever the existing farm dwelling, barn and other accessory buildings (5.5 acres) from the remainder of the agricultural parcel (69.1 acres). The property is currently zoned Agricultural. The purpose of the amendment is to rezone the subject lands to restrict any future residential development on the agricultural portion of the property and to regulate the housing of livestock in the existing barn/accessory buildings.

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, June 28, 2010

Page Three

As a result of the severance, the residential dwelling would be considered the main use and the farm buildings would be accessory. The existing buildings would exceed the allowable ground floor area of 1,000 sq. ft. (Section 6.1.4 ii) and allowable ground floor area for a hobby barn (Section 8.3.1). These deficiencies should be recognized in the rezoning. Mr. Toman did not have concerns with providing this relief.

The applicant's solicitor has indicated that the severed parcel is being listed for sale and they do not know what type of livestock a prospective purchaser may wish to raise. Therefore, the applicants have requested that the number of nutrient units permitted on the parcel is limited to five.

The minimum distance separation required from a hobby farm containing five total nutrient units will vary depending on the type of livestock and manure/material storage. From running a number of MDS 1 and 2 reports on the proposed severed parcel and surrounding dwellings. The majority of typical hobby farm livestock (i.e. horses) equalling five nutrient units will meet both MDS setback requirements. However, there are a small number of livestock (i.e. Feeder Pigs) which, due to high odour potential, would exceed MDS 2 setbacks at only five nutrient units. Therefore a regulation was added in the draft by-law requiring that the MDS 2 be met for any livestock usage of the barn, opposed to restricting the number of nutrient units to five as requested by the applicant. Compliance with MDS 2 is calculated by the Chief Building Official at the time of building permit.

3. Review of Correspondence received by the Township:
 - Darren Jones, Chief Building Official, Township of Wellington North
 - Has concerns
 - Liz Yerex, Resource Planner, GRCA
 - No objection
 - Brad Major and Sylvia Nybourg, potential buyers of severed 5.5 acre parcel
 - Support application

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, June 28, 2010

Page Four

4. Mayor Broomhead informed those in attendance that the by-law would be considered at the Regular Council Meeting following the Public Meeting. Mayor Broomhead asked those wishing to receive further notices regarding this application to make their request in writing.

5. Mayor Broomhead opened the floor for any questions/comments.

The property owner/applicant was not present.

Vincent Starratt, Grant & Acheson, was present to represent the applicant. His clients and the potential purchasers would like to keep the barn. Restricting the zoning would be a safeguard from having larger animal units in the barn. The potential purchasers would like to use the barn for a couple of horses and storage.

6. Comments/questions from Council.

Councillor Matusinec supported the application. He felt that it wouldn't make sense to tear down a perfectly good barn and then build another.

Councillor Chaulk was in favour of the application but did have concerns as there is a barn and a shed on the property and questioned if it will still have an agricultural tax classification.

Councillor Mason was in agreement with the application.

Mayor Broomhead reviewed the concerns of the Chief Building Official regarding the difficulty of enforcing the number of animal units.

7. Adjournment

C.A.O./CLERK

MAYOR