



Township of Wellington North

P.O. Box 125 • 7490 Sideroad 7 W • Kenilworth • ON • N0G 2E0

PUBLIC MEETING

Monday, January 10th, 2011 at 7:00 p.m.

Municipal Office Council Chambers, Kenilworth

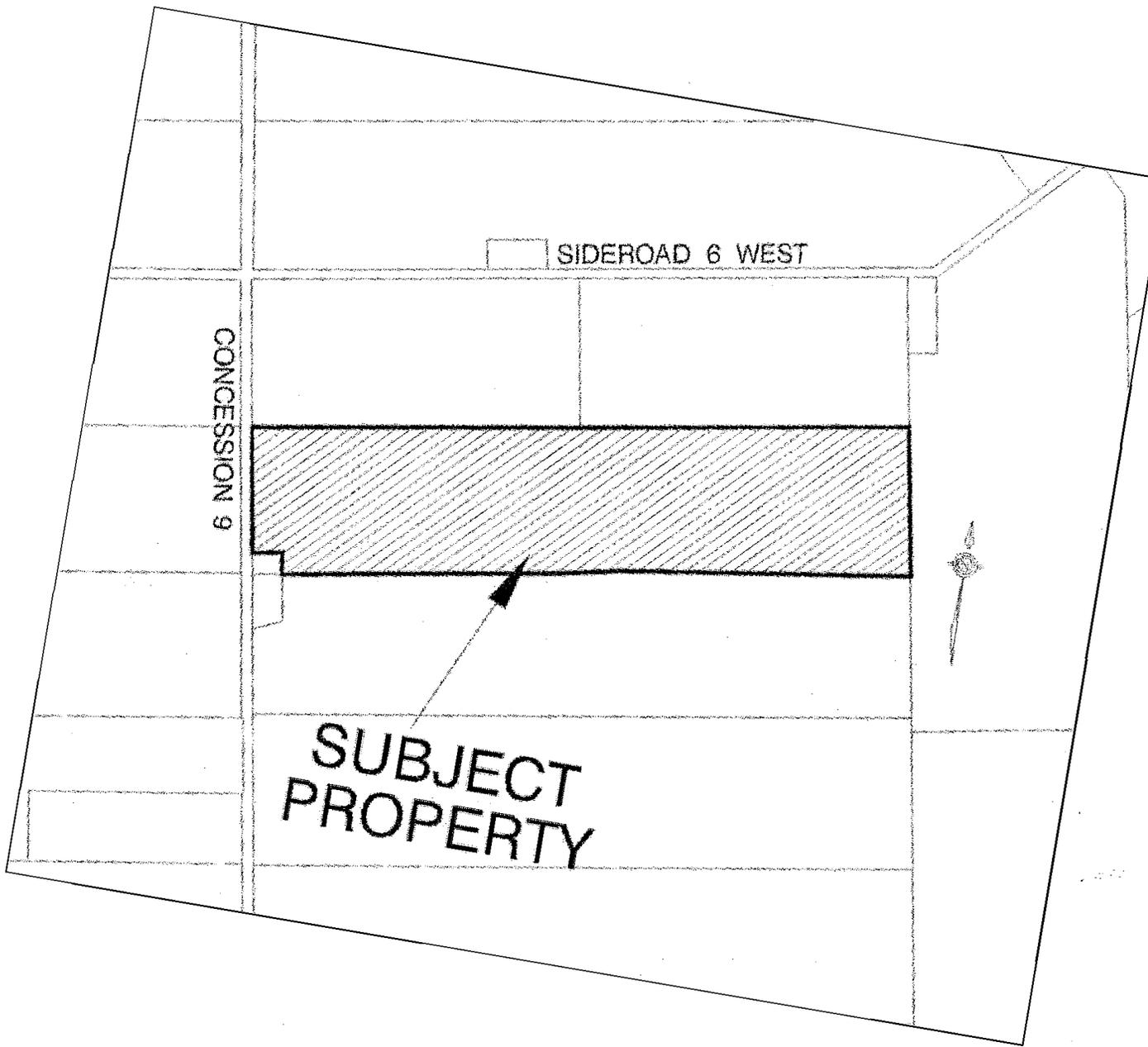
A G E N D A

Page 1 of 3

AGENDA ITEM	PAGE NO.
<p>The Mayor will call the meeting to order.</p> <p>Declaration of Pecuniary Interest.</p> <p>Owners/Applicant: Marcus and Janice Bauman</p> <p>THE LOCATION OF THE SUBJECT LAND is described as Part Lot 16, Concession 8 and is municipally known as 9029 Concession 9. The property is approximately 99.3 acres in area and is shown on the map attached.</p> <p>THE PURPOSE AND EFFECT of the amendment is to amend the zoning of the property to permit an auto body repair shop and paint booth as a home industry on the subject lands. The property is currently farmed and designated Prime Agricultural in the Official Plan.</p> <p>Please note – Section 34 (12) of the Planning Act.</p> <p>(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.</p> <p>1. Notice for this public meeting was sent to property owners within 120 m and required agencies and posted on the property on December 17th, 2010.</p>	01

AGENDA ITEM	PAGE NO.
2. Application for Zoning By-law Amendment	02
3. Presentations by: <ul style="list-style-type: none">- Linda Redmond, Planner- See attached comments and draft by-law	17
4. Review of Correspondence received by the Township: <ul style="list-style-type: none">- Brandi Walter, Environmental Planner / Regulations Officer MVCA- No objection	22
<ul style="list-style-type: none">- Garth Noecker, Part Lot 17, Concession 8- No objection	24
5. The by-law will be considered at the regular council meeting following the public meeting. Persons wishing notice of the passing of the By-law must submit a written request.	
6. Mayor opens floor for any questions/comments.	
7. Comments/questions from Council.	

AGENDA ITEM	PAGE NO.
<p>Owners/Applicant: Florence Alice Guest and Arthur Ronald Guest</p> <p>THE LOCATION OF THE SUBJECT LAND is described as Lots 12 -19 and 20 – 27, Columbia Street and is municipally known as 111 Patrick Street, Arthur Village. The property is approximately 4 acres in area and is shown on the map attached.</p> <p>THE PURPOSE AND EFFECT of the amendment is to rezone the property from Industrial Exception (M1-22) to an appropriate zone to permit Highway Commercial uses, including trailer sales. The property is currently designated Highway Commercial in the Official Plan.</p> <p>Please note – Section 34 (12) of the Planning Act.</p> <p>(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.</p> <p>8. Notice for this public meeting was sent to property owners within 120 m and required agencies and posted on the property on December 17th, 2010.</p>	<p>25</p>
<p>9. Application for Zoning By-law Amendment</p> <p>10. Presentations by:</p> <ul style="list-style-type: none"> - Mark Van Patter, Senior Planner - See attached comments and draft by-law 	<p>26</p>
<p>11. Review of Correspondence received by the Township:</p> <ul style="list-style-type: none"> - Grand River Conservation Authority - No Objection - Ministry of Transportation - Concerns 	<p>35</p> <p>40</p>
<p>12. The by-law will be considered at the regular council meeting following the public meeting. Persons wishing notice of the passing of the By-law must submit a written request.</p> <p>13. Mayor opens floor for any questions/comments.</p>	
<p>14. Comments/questions from Council.</p>	
<p>15. Adjournment</p>	



SIDEROAD 6 WEST

CONCESSION 9

SUBJECT
PROPERTY



CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH

Application for Zoning By-law Amendment

Application No. _____

A. THE AMENDMENT

1. TYPE OF AMENDMENT? Site Specific Other _____

2. WHAT IS THE PURPOSE OF AND REASONS FOR THE PROPOSED AMENDMENT(S)?

To add a paint booth on to an existing shed and open an auto body repair shop.

B. GENERAL INFORMATION

3. APPLICANT INFORMATION

a) Registered Owner's Name(s): Marcus B. Bauman and Janice Bauman

Address: 9029 Concession 9, RR 5 Mount Forest, Ontario, N0G 2L0

Phone: Home: (519) 323-3943 Work: (519) 321-9414 Fax: (519) 323-3943

Email: _____

b) Applicant (Agent) Name(s): _____

Address: _____

Phone: Home () _____ Work () _____ Fax () _____

Email: _____

c) Name, Address, Phone of all persons having any mortgage charge or encumbrance on the property:

d) Send Correspondence To? Owner Agent [] Other [] _____

e) When did the current owner acquire the subject land? 1998

4. WHAT AREA DOES THE AMENDMENT COVER? [] the "entire" property [X] a "portion" of the property (This information should be illustrated on the required drawing under item G of this application.)

5. PROVIDE A DESCRIPTION OF THE "ENTIRE" PROPERTY:

Municipal Address: 9029 Concession 9, RR 5 Mount Forest, Ontario, N0G 2L0

Concession: 8 Lot: Pt Lot 16 Registered Plan No: _____

Area: _____ hectares Depth: _____ meters Frontage (Width): _____ meters

99.31 acres 4350± feet 830± feet

6. PROVIDE A DESCRIPTION OF THE AREA TO BE AMENDED IF ONLY A "PORTION" OF THE PROPERTY: See Attached Sketch.

Area: _____ hectares Depth: _____ meters Frontage (Width): _____ meters

_____ acres _____ feet _____ feet

7. WHAT IS THE CURRENT COUNTY OF WELLINGTON OFFICIAL PLAN DESIGNATION OF THE SUBJECT PROPERTY?

Prime Agricultural with minor amount of Greenlands

8. LIST LAND USES THAT ARE PERMITTED BY CURRENT OFFICIAL PLAN DESIGNATION

Agricultural

9. WHAT IS THE CURRENT ZONING OF THE SUBJECT PROPERTY AND WHAT USES ARE PERMITTED?

Agricultural

C. EXISTING AND PROPOSED LAND USES AND BUILDINGS

10. WHAT IS THE "EXISTING" USE(S) OF THE SUBJECT LAND?

Agricultural

11. HOW LONG HAS THE "EXISTING" USE(S) CONTINUED ON THE SUBJECT LAND?

100 + Years

12. WHAT IS THE "PROPOSED" USE OF THE SUBJECT LAND?

Agricultural and Auto Body Repair

13. PROVIDE THE FOLLOWING DETAILS FOR ALL BUILDINGS OR STRUCTURES ON THE SUBJECT LAND: See Attached Drawings.

(Please use a separate page if necessary.)

	<u>Existing</u>		<u>Proposed</u>	
a) Type of Building (s) -or Structure (s)				
b) Date of Construction				
c) Building Height	_____ (m)	_____ (ft)	_____ (m)	_____ (ft)
d) Number of Floors				
e) Total Floor Area (sq.m.)	_____ (sq m)	_____ (sq ft)	_____ (sq m)	_____ (sq ft)
f) Ground Floor Area (sq.m.) (exclude basement)	_____ (sq m)	_____ (sq ft)	_____ (sq m)	_____ (sq ft)
g) Distance from building/structure to the:				
Front lot line	_____ (sq m)	_____ (sq ft)	_____ (sq m)	_____ (sq ft)
Side lot line	_____ (m)	_____ (ft)	_____ (m)	_____ (ft)
Side lot line	_____ (m)	_____ (ft)	_____ (m)	_____ (ft)
Side lot line	_____ (m)	_____ (ft)	_____ (m)	_____ (ft)
Rear lot line	_____ (m)	_____ (ft)	_____ (m)	_____ (ft)
h) % Lot Coverage				
i) # of Parking Spaces				
j) # of Loading Spaces				

D. EXISTING AND PROPOSED SERVICES

14. WHAT IS THE ACCESS TO THE SUBJECT PROPERTY?

Provincial Highway Continually maintained municipal road Right-of-way
County Road Seasonally maintained municipal road Water access

15. WHAT IS THE NAME OF THE ROAD OR STREET THAT PROVIDES ACCESS TO THE SUBJECT PROPERTY?

Concession 9

16. IF ACCESS IS BY WATER ONLY, PLEASE DESCRIBE THE PARKING AND DOCKING FACILITIES USED OR TO BE USED AND THE APPROXIMATE DISTANCE OF THESE FACILITIES FROM SUBJECT LAND TO THE NEAREST PUBLIC ROAD. (This information should be illustrated on the required drawing under item G of this application.)

17. INDICATE THE APPLICABLE WATER SUPPLY AND SEWAGE DISPOSAL:

	Municipal Sewers	Communal Sewers	Private Wells	Other Water Supply	Communal Sewers	Private Septic	Other Sewage Disposal
a) Existing	()	()	(X)	()	()	(X)	()
b) Proposed	()	()	(X)	()	()	(X)	()

18. HOW IS THE STORM DRAINAGE PROVIDED?

Storm Sewers () Ditches (X) Swales () Other means (explain below)

E. OTHER RELATED PLANNING APPLICATIONS

19. HAS THE CURRENT OWNER (OR ANY PREVIOUS OWNER) MADE APPLICATION FOR ANY OF THE FOLLOWING, EITHER ON OR WITHIN 120 METRES OF THE SUBJECT LAND?

Official Plan Amendment	Yes ()	No (X)
Zoning By-law Amendment	Yes ()	No (X)
Minor Variance	Yes ()	No (X)
Plan of Subdivision	Yes ()	No (X)
Consent (Severance)	Yes (X)	No ()
Site Plan Control	Yes ()	No (X)

20. IF THE ANSWER TO QUESTION 19 IS YES, PLEASE PROVIDE THE FOLLOWING INFORMATION:

File No. and Date of Application: **B 275/91**

Approval Authority: **County of Wellington, Land Division Committee**

Lands Subject to Application: **Lot 16, Concession 8, former Arthur Township**

Purpose of Application: **To sever 30,000 sq.ft. lot from the farmland**

Status of Application: **Approved**

Effect on the Current Application for Amendment: **None**

F. OTHER SUPPORTING INFORMATION

21. PLEASE LIST THE TITLES OF ANY SUPPORTING DOCUMENTS: (E.G. Environmental Impacts Study, Hydrogeological Report, Traffic Study, Market Area Study, Aggregate License Report, Stormwater Management Report, etc.)

G. APPLICATION DRAWING

22. PLEASE PROVIDE AN ACCURATE DRAWING OF THE PROPOSAL, PREFERABLY PREPARED BY A QUALIFIED PROFESSIONAL. IN SOME CASES IT MAY MOORE APPROPRIATE TO SUBMIT ADDITIONAL DRAWINGS AT VARYING SCALES TO BETTER ILLUSTRATE THE PROPOSAL. THE DRAWING MUST INCLUDE THE FOLLOWING:

- Owners' / applicant's name;
- Legal description of property;
- Boundaries and dimensions of the subject property and its current land use;
- Dimensions of area of amendment (if not , the entire property);
- The size and use of all abutting land;
- All existing and proposed parking and loading areas, driveways and lanes;
- The nature of any easements or restrictive covenants on the property;
- The location of any municipal drains or award drains;
- Woodlots, forested areas, ANSI's, ESA's, wetlands, floodplain, and all natural watercourses (rivers, stream banks, etc);
- The dimensions of all existing and proposed buildings and structures on the subject land and their distance to all lot lines;
- The name, location and width of each abutting public or private road, unopened road allowance or right of way;
- If access to the subject land is by water only, provide the location of the parking and docking facilities to be used; and
- Other features both on site or nearby that in the opinion of the applicant will have an effect on the application (such as bridges, railways, airports, wells, septic systems, springs, slopes, gravel pits).

THE DRAWING SHOULD ALSO INCLUDE THE SCALE, NORTH ARROW AND DATE WHEN THE DRAWING WAS PREPARED.

H. AUTHORIZATION FOR AGENTS / SOLICITOR TO ACT FOR OWNER:

(If affidavit (I) is signed by an Agent / Solicitor on Owner's behalf, the Owner's written authorization below **must** be completed)

I (we) _____ of the _____ of _____ ,

County/Region of _____ do hereby authorize _____ to

Act as my agent in this application.

Signature of Owner(s)

Date

I. AFFIDAVIT: (This affidavit be signed in the presence of a Commissioner)

I (we) Marcus Bauman of the Township of Wellington North,

County /-Region of Wellington solemnly declare that all the statements contained in this application are true, and I, ~~(we)~~, 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 the Township of Wellington North,

County/Region of Wellington this 24 day of ~~November~~ November, 2010

Marcus Bauman
Signature of Owner or Authorized Solicitor or Authorized Agent

NOVEMBER 24, 2010
Date

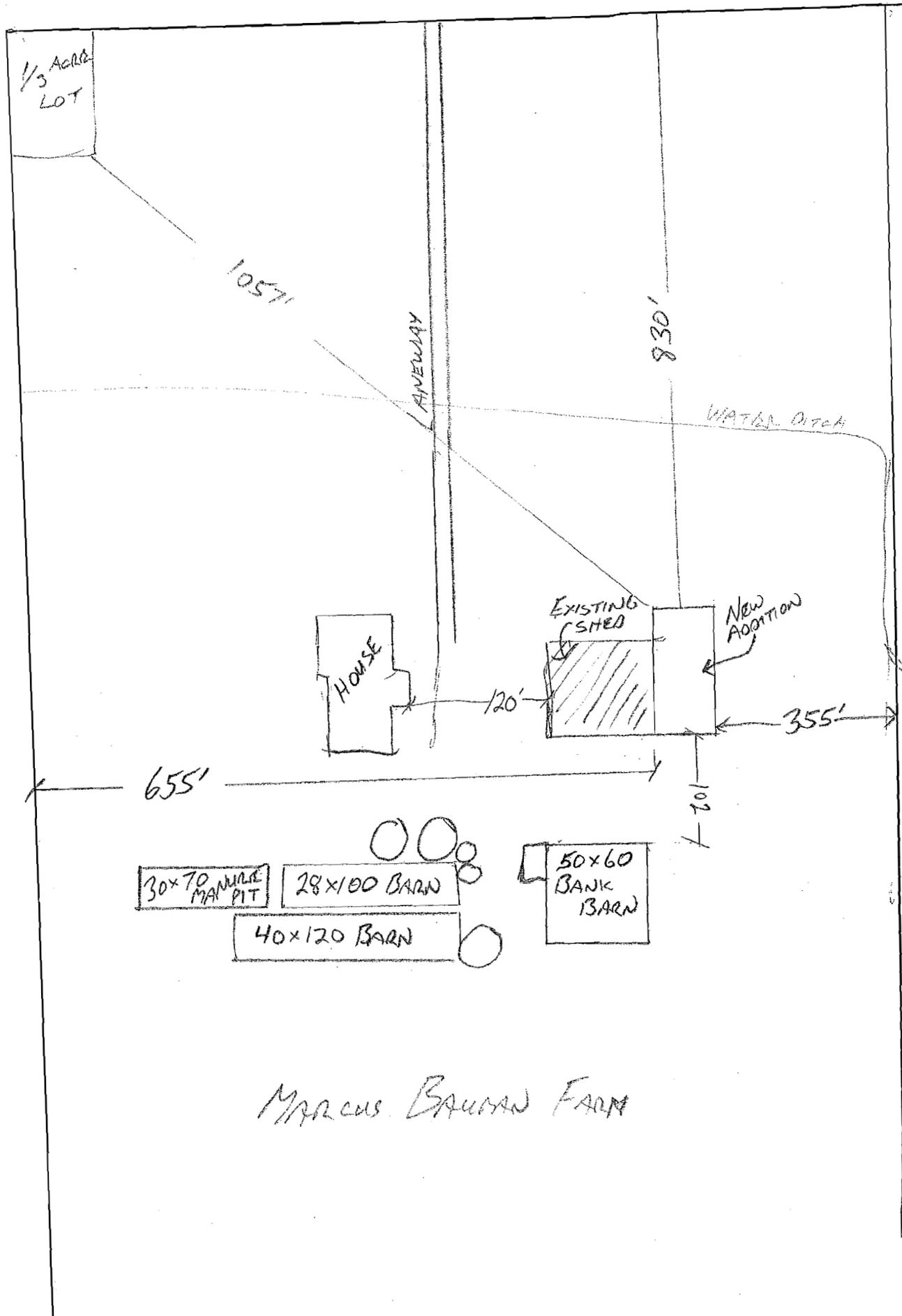
Cathy Moore
~~Cathy Moore, a Commissioner,~~
etc., County of Wellington, Deputy Clerk
of the Corporation of the Township of
Wellington North.

Nov. 24, 2010
Date

APPLICATION AND FEE OF \$/500.00 RECEIVED BY MUNICIPALITY

Harvey Bork
Signature of Municipal Employee

Nov 24, 2010
Date



60' x 25' SHOP ADDITION FOR MARCUS BAUMAN



44681 Gough Road, RR 2 Gorrie, Ontario
N0G 1X0 Phone: 1-519-335-6398

GENERAL CONSTRUCTION NOTES:

1. The information on this set of construction documents is related to basic design intent and framing details. They are intended as a construction aid, not a substitute for generally accepted good building practice and compliance with current Ontario building codes. The General Contractor is responsible for providing standard construction details and procedures to ensure a professionally finished, structurally sound and weatherproof completed product.
2. The General Contractor is responsible for ensuring that all work and construction meets current federal, provincial, county and local codes, ordinances and regulations, etc. These codes are to be considered as part of the specifications for this building and should be adhered to even if they are in variance with the plan.
3. Dimensions shall take precedence over scale drawings (do not scale drawings).
4. All Dimensions must be job site checked by contractor and verified, discrepancies must be reported before commencing work.
5. The designer has not been engaged for construction supervision and assumes no responsibility for construction coordinating with these plans, nor responsibility for construction means, methods, techniques, sequences, or procedures, or for safety precautions and programs in connection with the work.
6. Interior dimensions to be calculated from stud to stud.
7. Exterior dimensions to be calculated from outside of strapping.

FOUNDATION NOTES

1. Footings shall bear on undisturbed soils, rock or compacted granular fill and shall be a minimum of 4'-0" below finished ground level.
2. Drawings have been made for soil conditions of no less than 3,000 PSF. Should unusually soft soils be encountered at time of excavation the project engineer shall be contacted immediately.
3. Footings shall be kept free of standing water at time of excavation.
4. Reinforcing rebar splices shall be overlapped at least 18". Rebar in footings shall have a coverage of at least 3". All other concrete coverage for structural reinforcement shall be not less than 2".
5. Unless noted, poured concrete foundation walls and footings shall have a compressive strength no less than 20 MPA after 28 days.
6. Backfill shall be free draining clean granular fill.
7. Concrete slabs shall have a compressive strength no less than 32 MPA after 28 days. Slabs shall be no less than 5" thick and be supported by clean, compacted granular fill.
8. Crack control joints in slabs shall not exceed 20 feet o/c.

FRAMING NOTES

1. All dimensions, including rough opening sizes, shall be confirmed before construction. Dimension discrepancies shall be reported immediately.
2. Wind-bracing shall be on all exterior walls as noted on elevation drawings.
3. The contractor shall ensure any temporary bracing of walls or trusses are adequate.
4. All truss bracing shall be in accordance with the approved engineered drawings of the truss manufacturer. **DIAGONAL BRACING MUST BE PROVIDED ON ALL MEMBERS THAT REQUIRE LATERAL BRACING. DIAGONAL BRACING SHALL BE SPACED AS SPECIFIED ON TRUSS SHOP DRAWINGS.**
5. All wood shall be No. 2 spruce or better.
6. Precautions shall be taken to not overload the structure during construction.

DESIGN LOADS

THIS BUILDING IS DESIGNED AS A
LOW HUMAN OCCUPANCY FARM BUILDING.

INDEX OF DRAWINGS	PAGE NO.
NOTES	1/7
FOUNDATION PLAN	2/7
FLOOR PLAN	3/7
ROOF PLAN	4/7
SECTION A-A & B-B	5/7
EAST & WEST ELEVATION	6/7
NORTH ELEVATION	7/7

DESIGNER INFORMATION:

The design is exempt from the registration and qualification requirements of the Building Code. Basis for exemption: OBC 3.2.4.1. (3) (c).

Duane Bauman BCIN 28073
Ph: 519-335-6398
e-mail: duane@cyg.net

PROJECT:

MARCUS AND JANICE BAUMAN
9029 CON 9
MOUNT FOREST, ONT
N0K 1L0

DRAWN BY: Kevin Martin

SCALE: N/A

DATE: OCT 18, 2010

REVISED:

All construction shall conform to the Ontario Building Code latest edition, and any other authority having jurisdiction.

TITLE: NOTES

SHEET No.:

1 OF 7

DESIGNER INFORMATION:

The design is exempt from the registration and qualification requirements of the Building Code. Basis for exemption: OBC 3.2.4.1. (3) (c).

Duane Bauman BCIN 28073
Ph: 519-335-6398
e-mail: duane@cyg.net

MAIN FLOOR NOTES:

- Measurements given are from edge of strapping.

PROJECT:

MARCUS AND JANICE BAUMAN
9029 CON 9
MOUNT FOREST, ONT
N0K 1L0

DRAWN BY: Kevin Martin

SCALE: 1/8" = 1'-0"

DATE: OCT 18, 2010

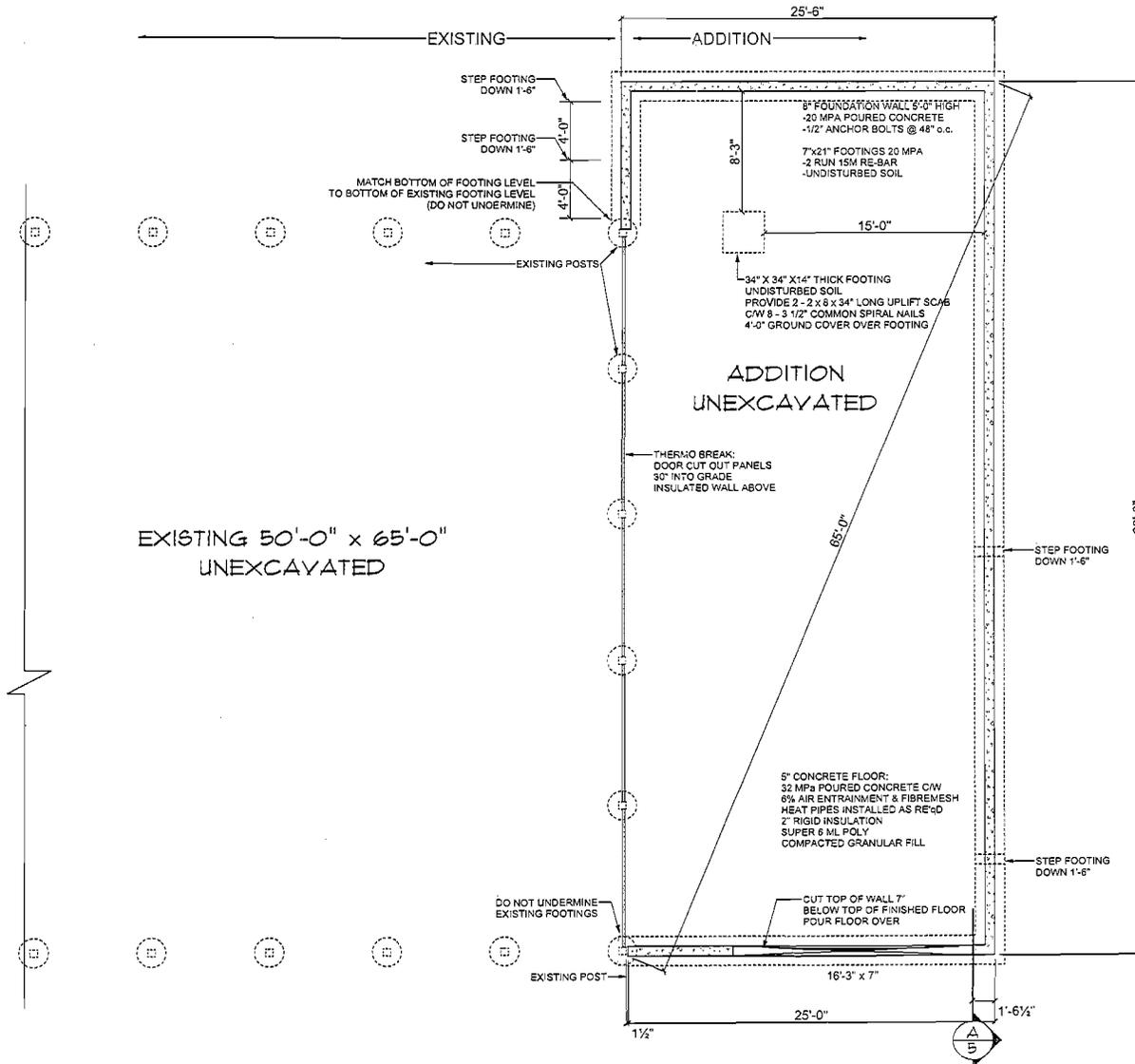
REVISED:

All construction shall conform to the Ontario Building Code latest edition, and any other authority having jurisdiction.

TITLE: FOUNDATION PLAN

SHEET No.:

2 OF 7



DESIGNER INFORMATION:
The design is exempt from the registration and qualification requirements of the Building Code. Basis for exemption: OBC 3.2.4.1. (3) (c).

Duane Bauman BCIN 28073
Ph: 519-335-6398
e-mail: duane@cyg.net

MAIN FLOOR NOTES:
1. Measurements given are from edge of strapping.

LEGEND:

 = EXISTING POST WALL
 = NEW STUD WALL

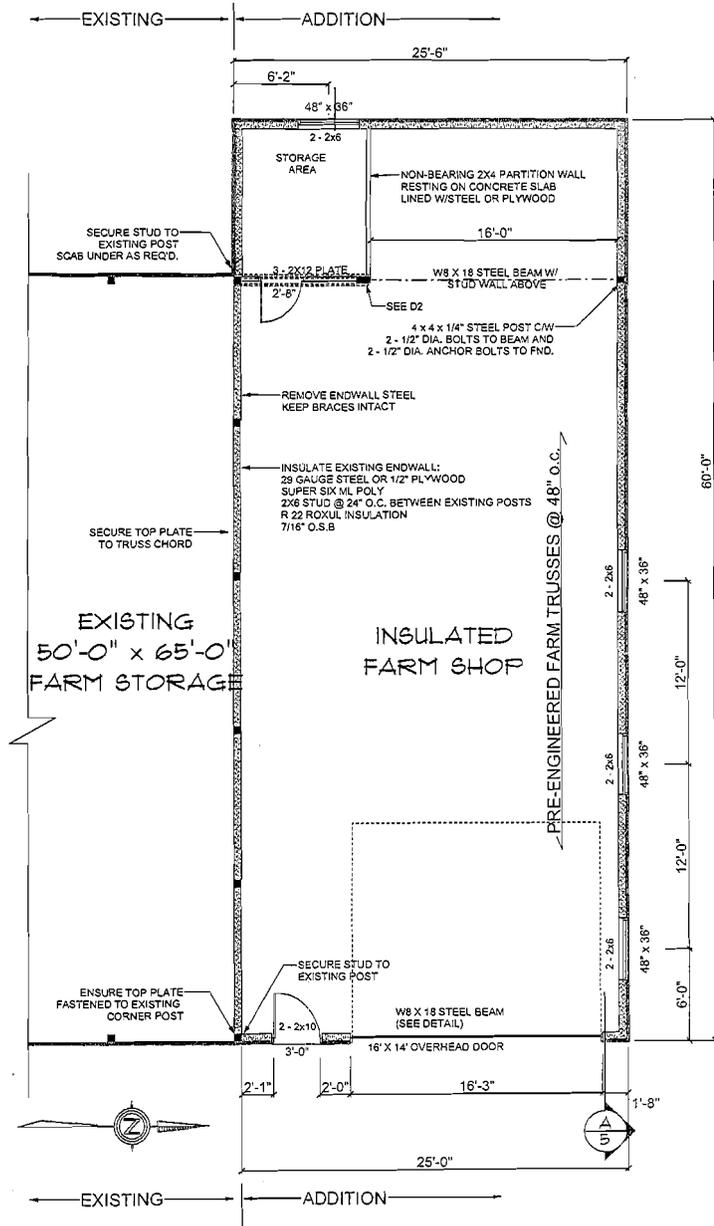
PROJECT:
MARCUS AND JANICE BAUMAI
9029 CON 9
MOUNT FOREST, ONT
N0K 1L0

DRAWN BY: Kevin Martin
SCALE: 1/8" = 1'-0"
DATE: OCT 18, 2010
REVISED:

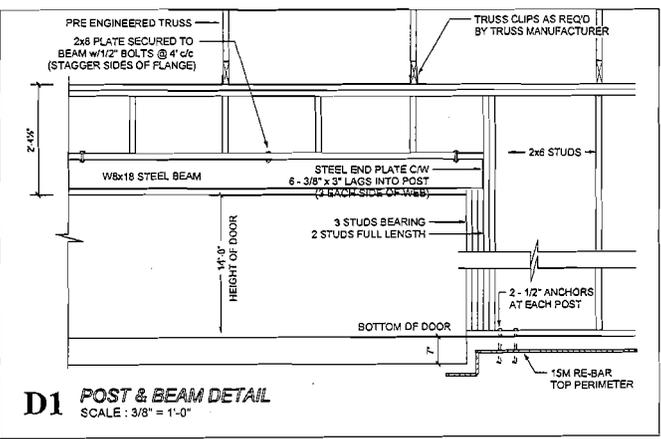
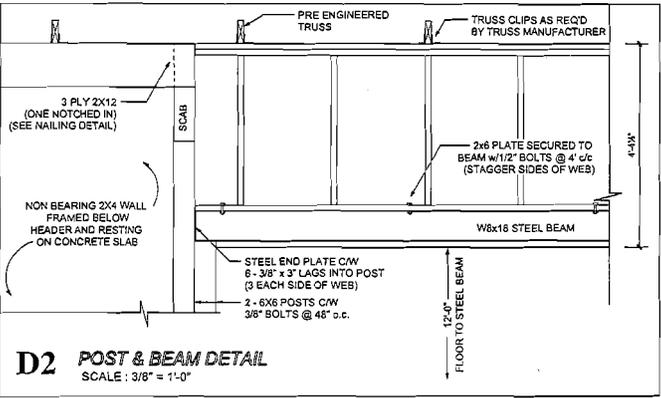
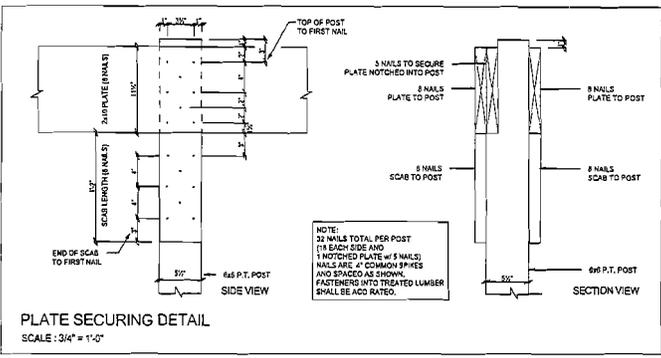
All construction shall conform to the Ontario Building Code latest edition, and any other authority having jurisdiction.

TITLE: FLOOR PLAN

SHEET No.:
3 OF 7



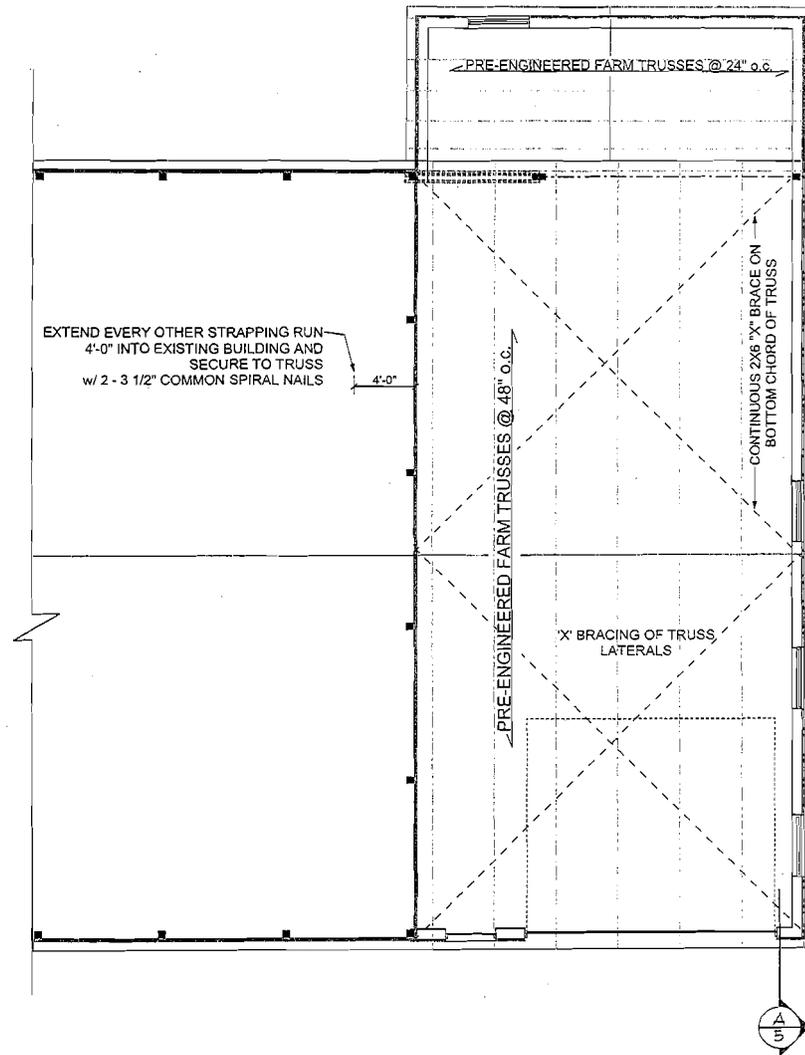
EXTERIOR 2x6 SHOP WALL:
 - STEEL CLADDING
 - 2x4 STRAPPING 24" o.c.
 - 2x6 STUDS 24" o.c.
 - WIND BRACE AS PER DETAIL
 - TYPAR AIR BARRIER
 - 3 ROWS BLOCKING
 - R 22 ROXUL BATT INSULATION
 - SUPER SIX ML POLY
 - 1/2" SELECT FIR PLYWOOD LINING



DESIGNER INFORMATION:

The design is exempt from the registration and qualification requirements of the Building Code. Basis for exemption: OBC 3.2.4.1. (3) (c).

Duane Bauman BCIN 28073
 Ph: 519-335-6398
 e-mail: duane@cyg.net



PROJECT:

MARCUS AND JANICE BAUMAN
 9029 CON 9
 MOUNT FOREST, ONT
 N0K 1L0

DRAWN BY: Kevin Martin

SCALE: 1/8" = 1'-0"

DATE: OCT 18, 2010

REVISED:

All construction shall conform to the Ontario Building Code latest edition, and any other authority having jurisdiction.

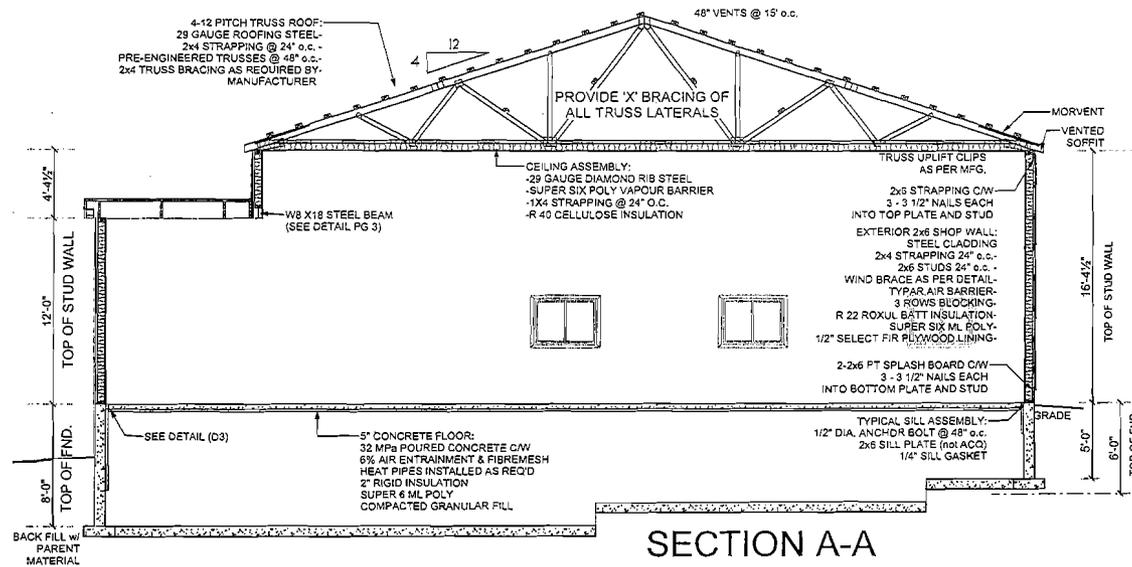
TITLE: ROOF PLAN

SHEET No.:
 4 OF 7

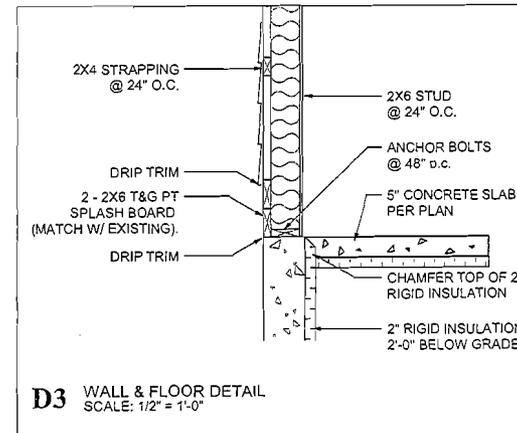
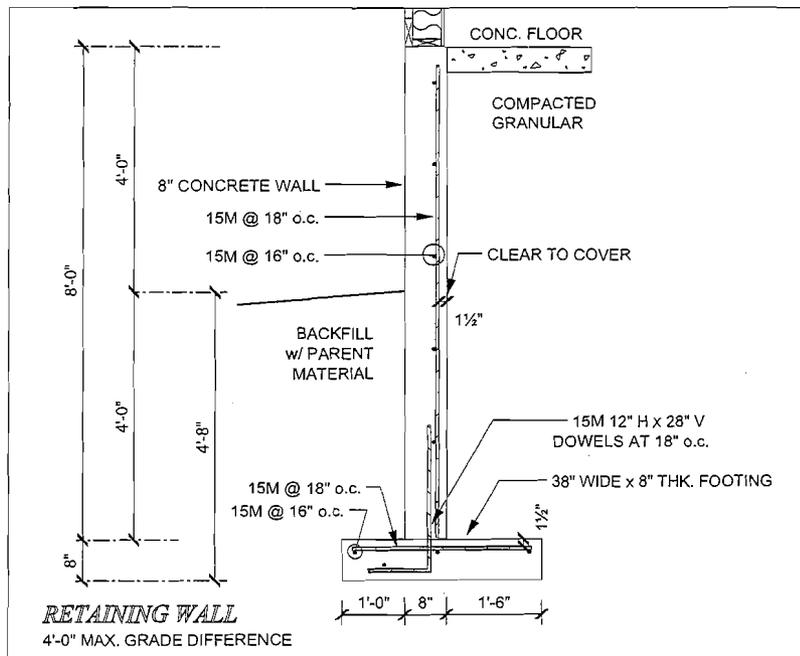
DESIGNER INFORMATION:

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Duane Bauman BCIN 28073
Ph: 519-335-6398
e-mail: duane@cyg.net



SECTION A-A



PROJECT:

MARCUS AND JANICE BAUMAN
9029 CON 9
MOUNT FOREST, ONT
N0K 1L0

DRAWN BY: Kevin Martin

SCALE: 1/8" = 1'-0"

DATE: OCT 18, 2010

REVISED:

All construction shall conform to the Ontario Building Code latest edition, and any other authority having jurisdiction.

TITLE: SECTION A-A & B-B

SHEET No.:
5 OF 7

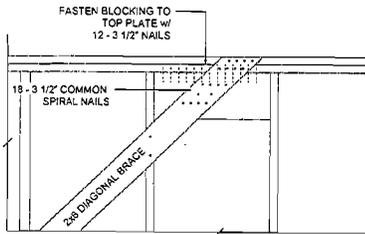
DESIGNER INFORMATION:

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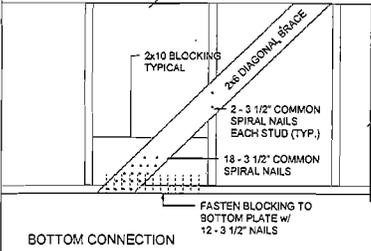
Duane Bauman BCIN 28073
Ph: 519-335-6398
e-mail: duane@cvg.net

NOTES:

1. 2x6 BRACE IS TO BE CONTINUOUS AND END AT STUD CONNECTION TO PLATE.
2. DO NOT NOTCH BRACES INTO STUDS.
3. INSTALL BRACES AT APPROXIMATELY 45 deg. ANGLES, 1 EACH END OF WALLS.
4. MIN. NAIL SPACING 1'-1/4".
5. SEE ELEVATION PLANS FOR PLACEMENT OF BRACES
6. STRAPPING & PT SPLASH BOARD TO BE BUTT AGAINST BRACE

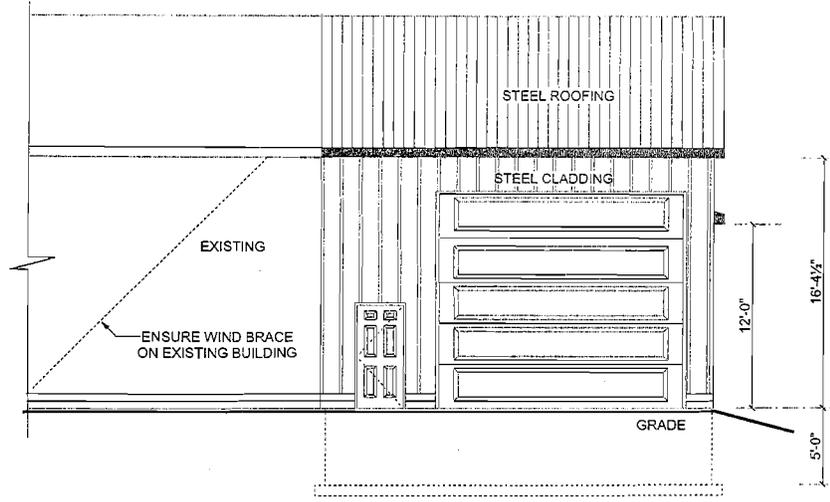


TOP CONNECTION

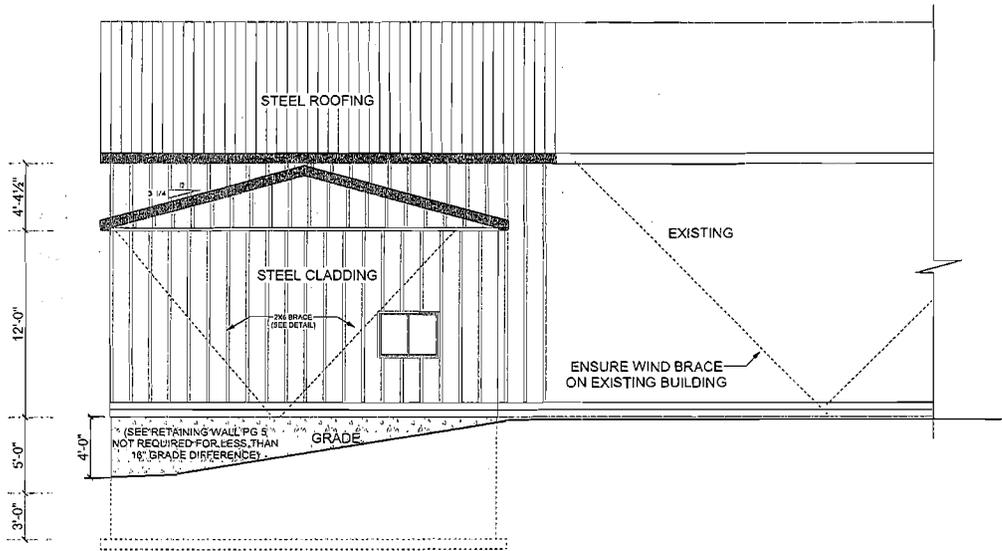


BRACE CONNECTIONS

Scale: 1/2" = 1'-0"



EAST ELEVATION



WEST ELEVATION

PROJECT:

MARCUS AND JANICE BAUMAN
9029 CON 9
MOUNT FOREST, ONT
N0K 1L0

DRAWN BY: Kevin Martin

SCALE: 1/8" = 1'-0"

DATE: OCT 18, 2010

REVISED:

All construction shall conform to the Ontario Building Code latest edition, and any other authority having jurisdiction.

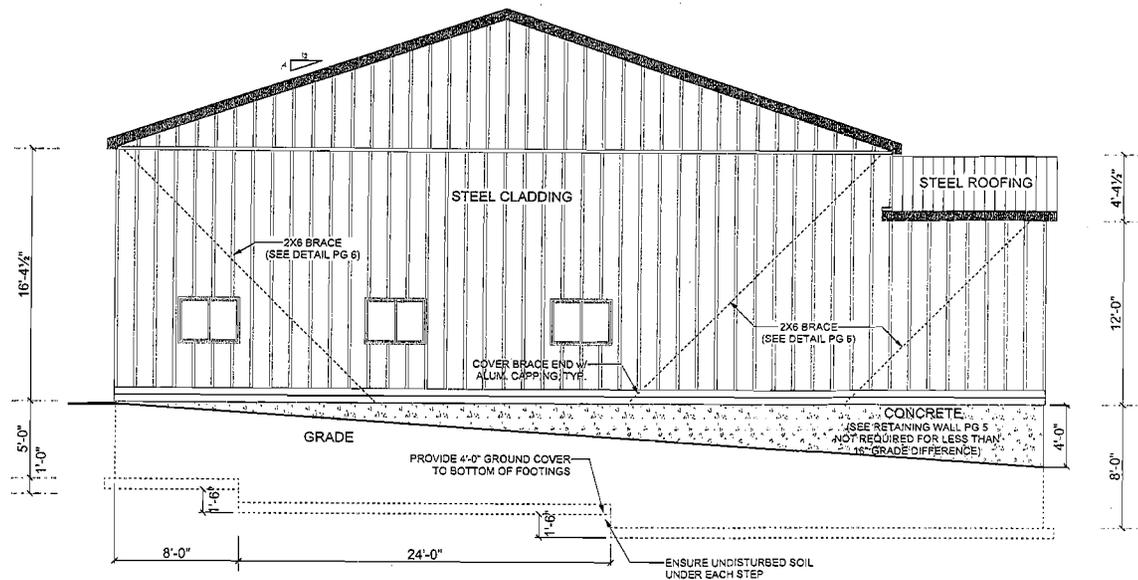
TITLE:
EAST & WEST ELEVATION

SHEET No.:
6 OF 7

DESIGNER INFORMATION:

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Duane Bauman BCIN 28073
Ph: 519-335-6398
e-mail: duane@cyg.net



NORTH ELEVATION

PROJECT:

MARCUS AND JANICE BAUMAN
9029 CON 9
MOUNT FOREST, ONT
N0K 1L0

DRAWN BY: Kevin Martin

SCALE: 1/8" = 1'-0"

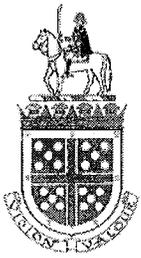
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REVISED:

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TITLE: NORTH ELEVATION

SHEET No.:
7 OF 7



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
GARY A. COUSINS, M.C.I.P., DIRECTOR
TEL: (519) 837-2600
FAX: (519) 823-1694
1-800-663-0750

ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

January 5, 2011

Darren Jones, Building Official
Township of Wellington North
7490 Sideroad 7 W
Kennilworth, ON N0G 2E0

Dear Mr. Jones:

**Re: Bauman – Pt. Lot 16, Conc. 8
Home Industry – autobody repair and paint booth
Draft Zoning By-law Amendment**

PLANNING OPINION

This proposal is for an autobody repair shop and paint booth to be operated within a proposed 1800 sq.ft. building. The applicants currently farm the 100 acre property and are proposing to operate the business secondary to the farm use. The Official Plan permits home businesses in Prime Agricultural Areas provided they are compatible with and would not hinder surrounding agricultural uses. Given the separation distances between the proposed use and neighbouring dwellings, they would appear to be compatible. The PPS permits secondary uses such as home industries. The proposed use appears to generally meet the intent of both these documents.

SUBJECT LAND

The subject land is legally described as Part of Lot 16, Concession 8, Township of Wellington North, with a civic address of 9029 Concession 9. The property is approximately 40 ha (99.3 acres) in size and is occupied by a residence and two metal clad sheds.

PURPOSE

This amendment is to amend the zoning of the property to permit a autobody repair shop and paint booth as a home industry on the subject lands. The property is currently farmed and designated Prime Agricultural in the Official Plan. The proposed home industry will be located within a proposed 1800 sq.ft. building.

PROVINCIAL POLICY STATEMENT

The subject property is considered to be within a PRIME AGRICULTURAL area. Within prime agricultural areas, permitted uses include agricultural uses, secondary uses and agriculture-related uses. Secondary uses *“means uses secondary to the principal use of the property, including but not limited to, home occupations, home industries, and uses that produce value-added agricultural products from the farm operation on the property.”* Agricultural-related uses include *“farm related commercial and industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation”*.

WELLINGTON COUNTY OFFICIAL PLAN

The subject lands are designated PRIME AGRICULTURE and GREENLANDS. All development proposed for the subject lands should occur outside the Greenlands designation.

Policy 6.4.4 of the County Official Plan permits home businesses in Prime Agricultural Areas provided they are compatible with and would not hinder surrounding agricultural uses. Small-scale home businesses are generally intended to supplement farm incomes and provide services in agricultural areas. Home businesses may include home industries small in scale and with a limited number of employees, and minimal off-site impacts. The intention is to allow businesses which supplement farm income or provide

services in agricultural areas. The Official Plan and PPS direct most industrial and commercial uses to Hamlets or Urban Centres.

Section 6.5.4 allows "small scale" industrial uses, provided a number of criteria are satisfied.

ZONING BY-LAW

The subject lands are zoned Agricultural (A). The proposed draft by-law will rezone the property to include a site specific to allow an autobody repair shop and paint booth under the home industry provisions. Section 6.14 of the by-law regulates the establishment of home industries. Although the proposed use does not fall within the permitted uses of a home industry, in order to be consistent, the regulations as prescribed in Section 6.14 should be applied to this site to control the scale of the use. The criteria controls such things as size of building, number of employee's, outside storage and signage.

SITE PLAN

According to the Site Plan Control By-law, this proposal may be subject to Site Plan approval.

PLANNING CONSIDERATIONS

The proposed business would be considered a "secondary" use as per the Provincial Policy Statement definition. The concept of a secondary use has two main characteristics:

1. It should be secondary to the main permitted use. The original intent was to provide a secondary source of income / employment for farmers and/or to provide services in the agricultural area. In this instance the applicant has demonstrated agricultural activity on the property which would be considered the main use.
2. They should be small scale and should not have off-site impacts. In my opinion, the proposal is small scale. Generally, zoning by-laws attempt to limit scale in two ways; through a floor area maximum and employee's
 - a) In Wellington North the maximum for any buildings constructed in conjunction with a Home Industry is 2000 square feet (Section 6.14 d). This proposal is for an 1800 sq.ft. addition to an existing agricultural building. Provided there are no openings between the buildings and the existing building is still utilized for the agricultural use, the building size would comply with the zoning by-law.
 - b) Section 16.4 (e) of the by-law limits the number of non-permanent resident employees to 2. The applicant is not proposing any employees at this time.

Further, one of the main issues with auto repairs and paint shops is the tendency for wrecking/salvage yards to be associated with the use. In order to address this potential issue a regulation has been added in the draft zoning by-law prohibiting the outside storage of unlicensed vehicles, vehicle parts or other materials associated with the auto repair and painting.

I trust that these comments will be of assistance to Council in their consideration of this matter.

Sincerely,



Linda Redmond B.A.
Planner

THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
BY-LAW NUMBER _____.

BEING A BY-LAW TO AMEND ZONING BY-LAW NUMBER 66-01
BEING THE ZONING BY-LAW FOR THE TOWNSHIP OF WELLINGTON NORTH

WHEREAS, the Council of the Corporation of the Township of Wellington North deems it necessary to amend By-law Number 66-01;

NOW THEREFORE the Council of the Corporation of the Township of Wellington North enacts as follows:

1. THAT Schedule "A" Map 1 to By-law 66-01 is amended by changing the zoning on lands described as Part of Lot 16, Concession 8, as shown on Schedule "A" attached to and forming part of this By-law from **Agricultural (A)** to **"Agricultural Exception (A-103)**

2. THAT Section 33, Exception Zone 3 – Rural Areas, is amended by the inclusion of the following new exception:

"33.103
Part of Lot 16, Conc 8

A-103 In addition to the uses permitted in Section 8, Agriculture, an autobody repair shop and auto paint booth is permitted in on the subject lands, subject to the following regulations:

a) That the autobody repair shop and auto paint booth operate in accordance with the regulations of Section 16.4 (c-g) - Home Industries;

b) Outside storage of unlicensed vehicles, vehicle parts and materials related to the auto repair/paint shop operation are prohibited."

4. THAT except as amended by this By-law, the land as shown on the attached Schedule 'A' shall be subject to all applicable regulations of Zoning By-law 66-01, as amended.

5. THAT this By-law shall come into effect upon the final passing thereof pursuant to Section 34(21) and Section 34(22) of The Planning Act, R.S.O., 1990, as amended, or where applicable, pursuant to Sections 34 (30) and (31) of the Planning Act, R.S.O., 1990, as amended.

READ A FIRST AND SECOND TIME THIS _____ DAY OF _____, 2011

READ A THIRD TIME AND PASSED THIS _____ DAY OF _____, 2011

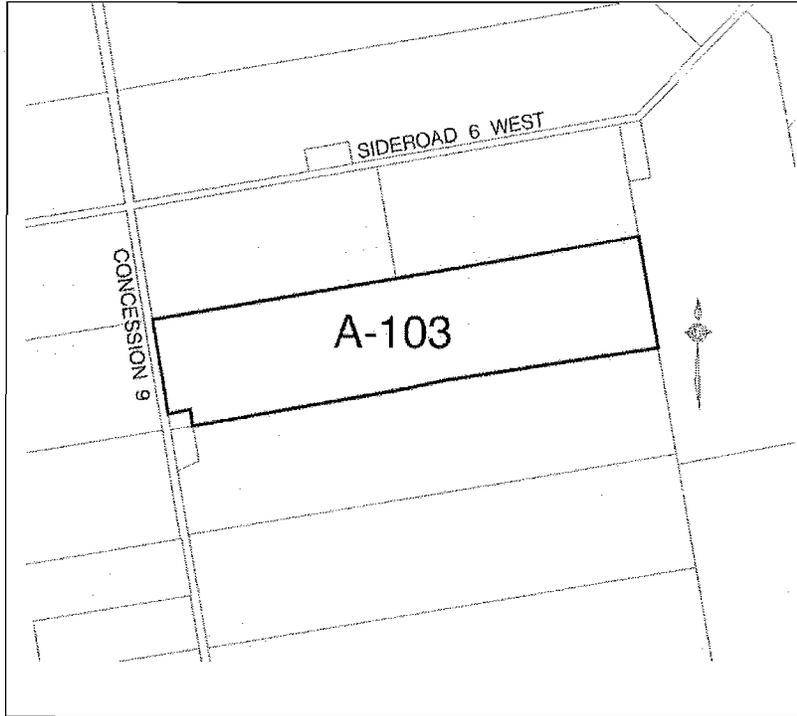
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "A"



Rezone from Agricultural (A) to Agricultural Exceptions (A-103)

Passed this ____ day of _____ 2011.

MAYOR

CLERK

EXPLANATORY NOTE

BY-LAW NUMBER _____.

THE LOCATION being rezoned is in Part Lot 16, Concession 8, Township of Wellington North, with a civic address of 9029 Concession 9. The property is approximately 40 ha (99.3 acres) in size and is occupied by a residence and two metal clad sheds.

THE PURPOSE AND EFFECT of the amendment is to amend the zoning of the property to permit a autobody repair shop and paint booth as a home industry on the subject lands. The property is currently farmed and designated Prime Agricultural in the Official Plan. The proposed home industry will be located within a proposed 1800 sq.ft. building



Maitland Valley Conservation Authority

Providing leadership to protect and enhance our water, forests and soils!

MEMORANDUM

TO: Mark Van Patter, Senior Planner, County of Wellington
CC: Darren Jones, CBO, Township of Wellington North
FROM: Brandi Walter, Environmental Planner / Regulations Officer
Maitland Valley Conservation Authority (MVCA)
DATE: January 3, 2011
SUBJECT: Proposed Zoning By-Law Amendment
Part Lot 16, Concession 8, Township of North Wellington

We have reviewed the proposed zoning by-law amendment with respect to Provincial and Authority Policies and associated mapping related to Natural Heritage features and Natural Hazards.

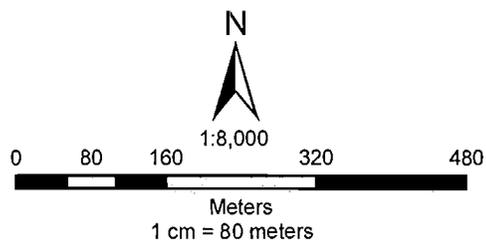
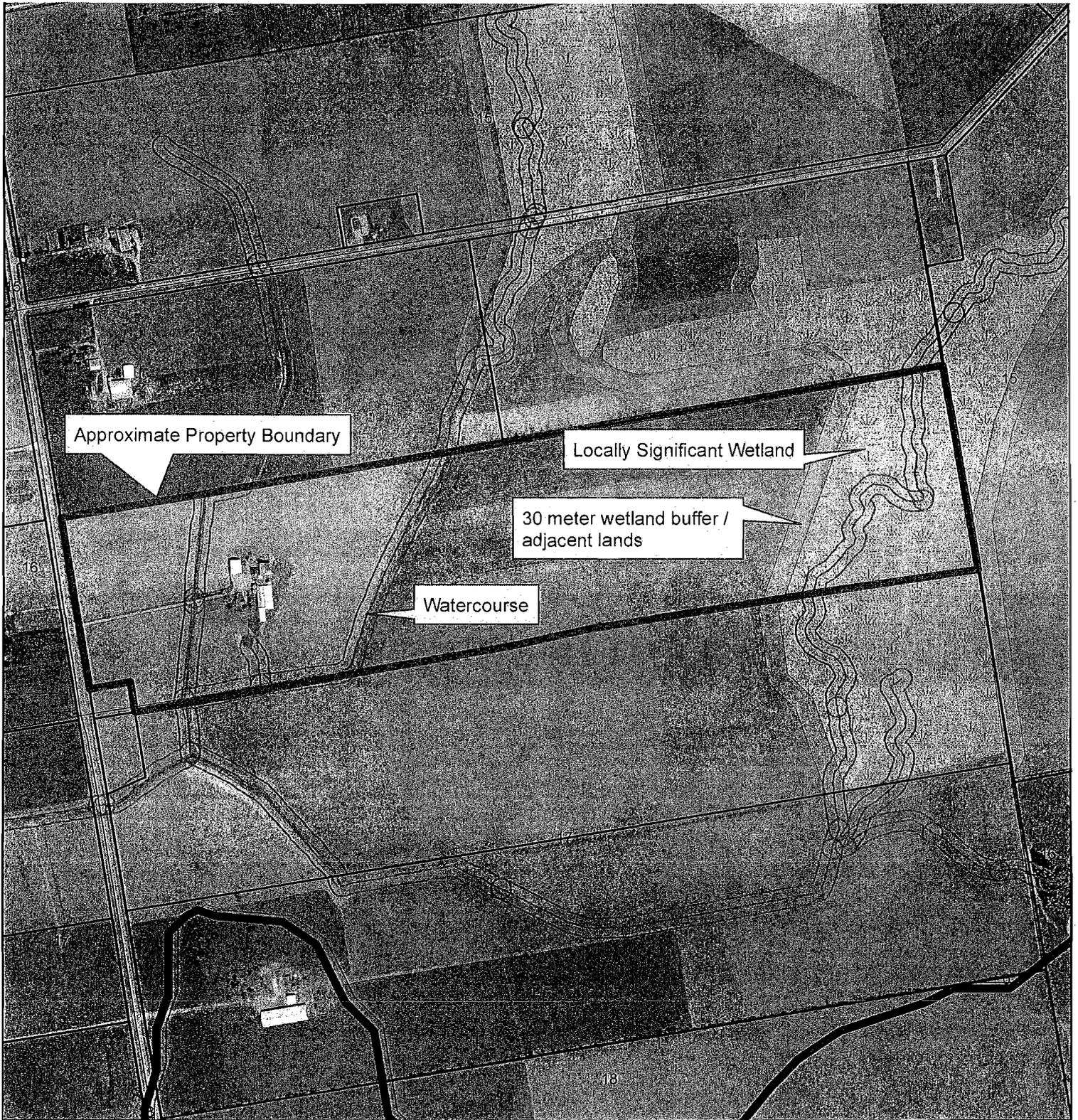
It is our understanding that the purpose of the amendment is to amend the zoning of the property to permit an autobody repair shop and paint booth as a home industry on the subject lands. The property is currently farmed and designated Prime Agricultural in the Official Plan. As such, the Maitland Valley Conservation Authority does not have concern with the proposed amendment.

Please note, that there is a Locally Significant Wetland and sections of watercourse on the subject property. Locally Significant Wetlands plus their 30 metre adjacent lands, and watercourses plus 15 metres from top of bank are regulated by the Authority. Proposed work within MVCA regulated lands shall be reviewed and approved by the Authority, pursuant to *Ontario Regulation 164/06 (Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation.)*

Feel free to contact this office, should you have any questions. We have attached a map which identifies MVCA regulated lands on the Property.

MAITLAND VALLEY CONSERVATION AUTHORITY
1093 Marietta Street, Box 127, Wroxeter, ON N0G 2X0
519 335-3557 Fax: 519 335-3516 Email: maitland@mvca.on.ca





Location: Part Lot 16, Concession 8, Township of Wellington North

Date:
01-03-11

MVCA 2006 Aerial Photography by First Base Solutions.
This information is believed to be correct, however, the Authority assumes no liability for negligence, inaccuracies or omissions.
You may make a personal examination of the applicable files and maps at the Authority's office.

Completed By:
Brandi Walter

THE TOWNSHIP OF WELLINGTON NORTH

NOTICE OF A PUBLIC MEETING FOR AN AMENDMENT
TO THE WELLINGTON NORTH ZONING BY-LAW
And
NOTICE OF COMPLETE APPLICATION

TAKE NOTICE that the Council of the Corporation of the Township of Wellington North has received a complete application to consider a proposed amendment to the Comprehensive Zoning By-law 66-01, pursuant to Section 34 of the *Planning Act, R.S.O. 1990*, as amended.

PUBLIC MEETING Wellington North Council will consider this application at their meeting scheduled for:

Monday, January 10, 2011
Township of Wellington North Municipal Offices
Council Chambers
7490 Sideroad 7 West, Kenilworth
7:00 p.m

THE LOCATION OF THE SUBJECT LAND is described as Part Lot 16, Concession 8 and is municipally known as 9029 Concession 9. The property is approximately 99.3 acres in area and is shown on the map below.

THE PURPOSE AND EFFECT of the amendment is to amend the zoning of the property to permit a autobody repair shop and paint booth as a home industry on the subject lands. The property is currently farmed and designated Prime Agricultural in the Official Plan.

MAKING AN ORAL OR WRITTEN SUBMISSION

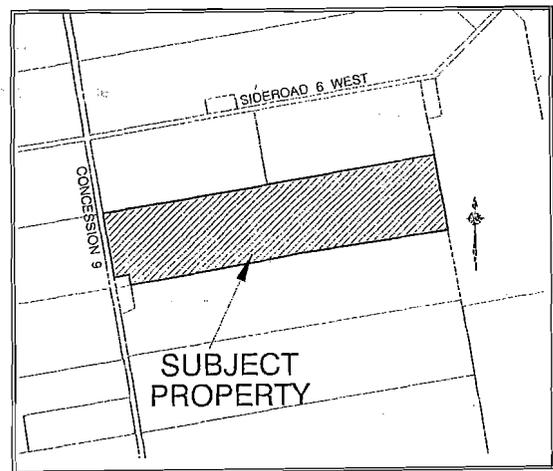
Any person or public body is entitled to attend the public meeting and make written or oral submissions in support of or in opposition to the proposed zoning by-law amendment. Written comments should be submitted to the Township Clerk at the address shown below.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Wellington North before the by-law is passed, the person or public body is not entitled to appeal the decision of the Council of the Township of Wellington North to the Ontario Municipal Board.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Township of Wellington North before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

ADDITIONAL INFORMATION regarding this zoning amendment application is available for inspection at the Township of Wellington North Municipal Office, 7490 Sideroad 7 West in Kenilworth during regular office hours Monday to Friday.

Dated at the Township of Wellington North
This 17th day of December, 2010
Darren Jones, CBO
Township Wellington North
7490 Sideroad 7, W
Kenilworth, ON N0G 2E0
Phone: (519) 848-3620
Fax: (519) 848-1119

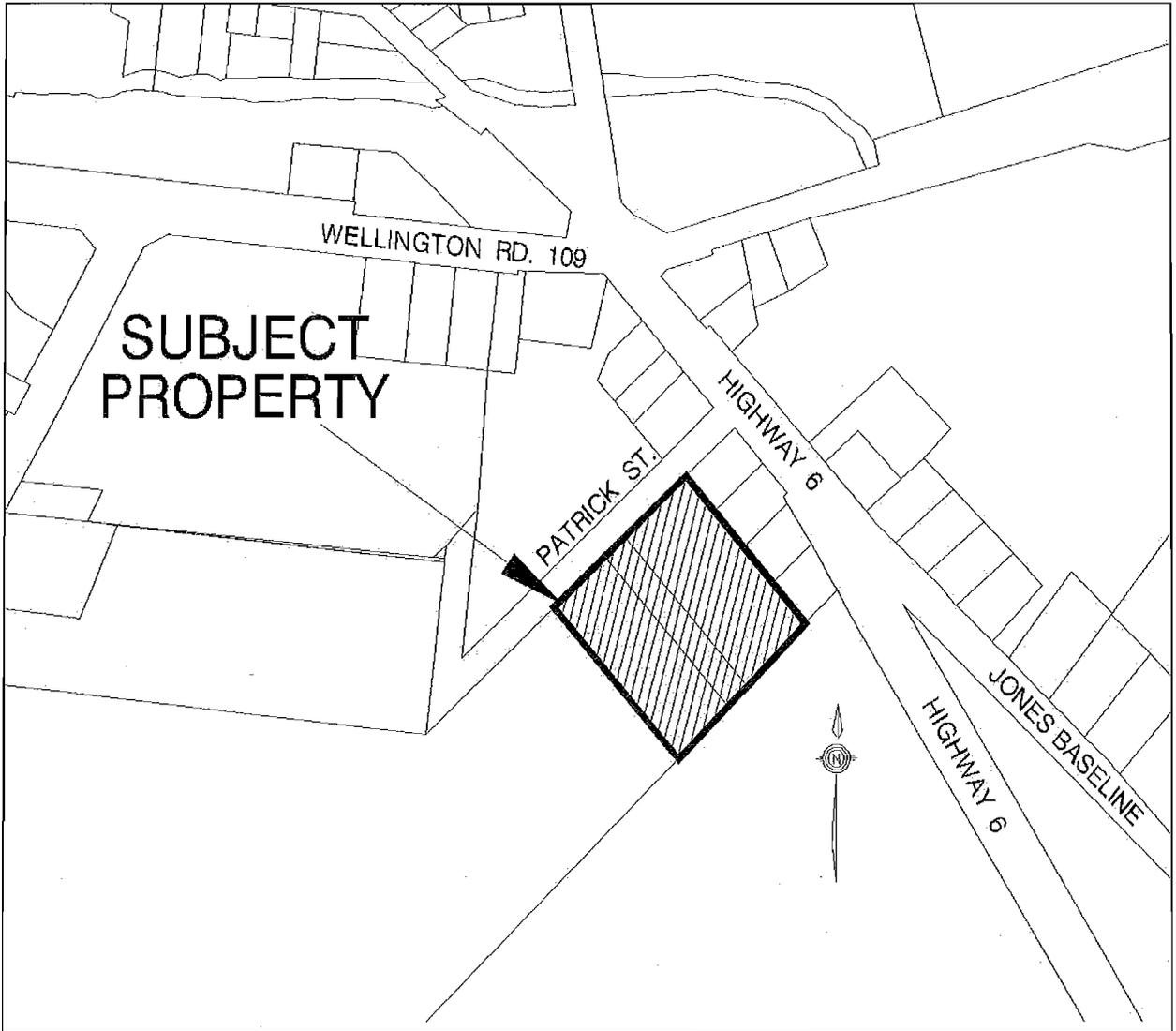


No objections,
Garth Moecker
Pt. Lot 17, Con 8,
Arthur,
23rd Dec, 2010,

RECEIVED

JAN - 4 2011

TWP. OF WELLINGTON NORTH



CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH

Application for Zoning By-law Amendment

Application No. _____

A. THE AMENDMENT

1. TYPE OF AMENDMENT? Site Specific Other _____

2. WHAT IS THE PURPOSE OF AND REASONS FOR THE PROPOSED AMENDMENT(S)?

Change of zoning to C2 to allow commercial activity - trailer sales

B. GENERAL INFORMATION

Purchase Agreement from owner to applicant closing JAN 17/1

3. APPLICANT INFORMATION

a) Registered Owner's Name(s): Susan Gvest.

96 Robinson Lott + Brahman Tom Gaskell
Address: 15 Lewis Road, Guelph ON N1H1E9

Phone: Home () _____ Work () _____ Fax () _____

b) Applicant (Agent) Name(s): TC Machine Ltd - TREVOR + COLLEEN COX

Address: RRI ARTHUR NOG 1A0

Phone: Home () 519 848 2450 Work () _____ Fax () 519 848 2551

c) Name, Address, Phone of all persons having any mortgage charge or encumbrance on the property:

d) Send Correspondence To? Owner Agent Other _____

e) When did the current owner acquire the subject land? _____

4. WHAT AREA DOES THE AMENDMENT COVER? the "entire" property a "portion" of the property (This information should be illustrated on the required drawing under item G of this application.)

5. PROVIDE A DESCRIPTION OF THE "ENTIRE" PROPERTY: 111 Patrick Street

Municipal Address: Lots 12-19+20-27, Columbia St., Twp Wellington N.

Concession: _____ Lot: _____ Registered Plan No: _____

Area: _____ hectares Depth: _____ meters Frontage (Width): _____ meters

≈ 4 acres

≈ 430 feet

≈ 395 feet

6. PROVIDE A DESCRIPTION OF THE AREA TO BE AMENDED IF ONLY A "PORTION" OF THE PROPERTY:

Area: _____ hectares Depth: _____ meters Frontage (Width): _____ meters

_____ acres

_____ feet

_____ feet

7. WHAT IS THE CURRENT COUNTY OF WELLINGTON OFFICIAL PLAN DESIGNATION OF THE SUBJECT PROPERTY?

C2 - Commercial

8. LIST LAND USES THAT ARE PERMITTED BY CURRENT OFFICIAL PLAN DESIGNATION

M1 - Trucking

9. WHAT IS THE CURRENT ZONING OF THE SUBJECT PROPERTY AND WHAT USES ARE PERMITTED?

M1-2 - Trucking

C. EXISTING AND PROPOSED LAND USES AND BUILDINGS

10. WHAT IS THE "EXISTING" USE(S) OF THE SUBJECT LAND?

Currently vacant

11. HOW LONG HAS THE "EXISTING" USE(S) CONTINUED ON THE SUBJECT LAND?

Vacant for 6 months

12. WHAT IS THE "PROPOSED" USE OF THE SUBJECT LAND?

Trailer Sales

13. PROVIDE THE FOLLOWING DETAILS FOR ALL BUILDINGS OR STRUCTURES ON THE SUBJECT LAND:

(Please use a separate page if necessary.)

	<u>Existing</u>		<u>Proposed</u>	
a) Type of Building (s) -or Structure (s)				
b) Date of Construction				
c) Building Height	_____ (m)	_____ (ft)	_____ (m)	_____ (ft)
d) Number of Floors	1			
e) Total Floor Area (sq.m.)	_____ (sq m)	3932 (sq ft)	_____ (sq m)	448 (sq ft)
f) Ground Floor Area (sq.m.) (exclude basement)	_____ (sq m)	_____ (sq ft)	_____ (sq m)	_____ (sq ft)
g) Distance from building/structure to the:	_____ (sq m)	_____ (sq ft)	_____ (sq m)	_____ (sq ft)
Front lot line	_____ (m)	154 (ft)	_____ (m)	154 (ft)
Side lot line	_____ (m)	75 (ft)	_____ (m)	75 (ft)
Side lot line	_____ (m)	255 (ft)	_____ (m)	255 (ft)
Rear lot line	_____ (m)	203 (ft)	_____ (m)	203 (ft)
h) % Lot Coverage				
i) # of Parking Spaces				
j) # of Loading Spaces				

D. EXISTING AND PROPOSED SERVICES

14. WHAT IS THE ACCESS TO THE SUBJECT PROPERTY?

Provincial Highway Continually maintained municipal road Right-of-way
 County Road Seasonally maintained municipal road Water access

15. WHAT IS THE NAME OF THE ROAD OR STREET THAT PROVIDES ACCESS TO THE SUBJECT PROPERTY?

Patrick St - Arthur

16. IF ACCESS IS BY WATER ONLY, PLEASE DESCRIBE THE PARKING AND DOCKING FACILITIES USED OR TO BE USED AND THE APPROXIMATE DISTANCE OF THESE FACILITIES FROM SUBJECT LAND TO THE NEAREST PUBLIC ROAD. (This information should be illustrated on the required drawing under item G of this application.)

17. INDICATE THE APPLICABLE WATER SUPPLY AND SEWAGE DISPOSAL:

	Municipal Sewers	Communal Sewers	Private Wells	Other Water Supply	Communal Sewers	Private Septic	Other Sewage Disposal
a) Existing	()	()	<input checked="" type="checkbox"/>	()	()	<input checked="" type="checkbox"/>	()
b) Proposed	()	()	<input checked="" type="checkbox"/>	()	()	<input checked="" type="checkbox"/>	()

18. HOW IS THE STORM DRAINAGE PROVIDED?

Storm Sewers () Ditches Swales () Other means (explain below)

E. OTHER RELATED PLANNING APPLICATIONS

19. HAS THE CURRENT OWNER (OR ANY PREVIOUS OWNER) MADE APPLICATION FOR ANY OF THE FOLLOWING, EITHER ON OR WITHIN 120 METRES OF THE SUBJECT LAND?

Official Plan Amendment	Yes ()	No ()
Zoning By-law Amendment	Yes ()	No ()
Minor Variance	Yes ()	No ()
Plan of Subdivision	Yes ()	No ()
Consent (Severance)	Yes ()	No ()
Site Plan Control	Yes ()	No ()

20. IF THE ANSWER TO QUESTION 19 IS YES, PLEASE PROVIDE THE FOLLOWING INFORMATION:

File No. and Date of Application: _____

Approval Authority: _____

Lands Subject to Application: _____

Purpose of Application: _____

Status of Application: _____

Effect on the Current Application for Amendment: _____

F. OTHER SUPPORTING INFORMATION

21. PLEASE LIST THE TITLES OF ANY SUPPORTING DOCUMENTS: (E.G. Environmental Impacts Study, Hydrogeological Report, Traffic Study, Market Area Study, Aggregate License Report, Stormwater Management Report, etc.)

G. APPLICATION DRAWING

22. PLEASE PROVIDE AN ACCURATE DRAWING OF THE PROPOSAL, PREFERABLY PREPARED BY A QUALIFIED PROFESSIONAL. IN SOME CASES IT MAY BE MORE APPROPRIATE TO SUBMIT ADDITIONAL DRAWINGS AT VARYING SCALES TO BETTER ILLUSTRATE THE PROPOSAL. THE DRAWING MUST INCLUDE THE FOLLOWING:

- Owners' / applicant's name;
- Legal description of property;
- Boundaries and dimensions of the subject property and its current land use;
- Dimensions of area of amendment (if not, the entire property);
- The size and use of all abutting land;
- All existing and proposed parking and loading areas, driveways and lanes;

- The nature of any easements or restrictive covenants on the property;
- The location of any municipal drains or award drains;
- Woodlots, forested areas, ANSI's, ESA's, wetlands, floodplain, and all natural watercourses (rivers, stream banks, etc);
- The dimensions of all existing and proposed buildings and structures on the subject land and their distance to all lot lines;
- The name, location and width of each abutting public or private road, unopened road allowance or right of way;
- If access to the subject land is by water only, provide the location of the parking and docking facilities to be used; and
- Other features both on site or nearby that in the opinion of the applicant will have an effect on the application (such as bridges, railways, airports, wells, septic systems, springs, slopes, gravel pits).

THE DRAWING SHOULD ALSO INCLUDE THE SCALE, NORTH ARROW AND DATE WHEN THE DRAWING WAS PREPARED.

H. AUTHORIZATION FOR AGENTS / SOLICITOR TO ACT FOR OWNER:

(If affidavit (I) is signed by an Agent / Solicitor on Owner's behalf, the Owner's written authorization below must be completed)

I (we) _____ of the _____ of _____ in the
 County / Region of _____ do hereby authorize _____ to
 Act as my agent in this application.

Signature of Owner(s) _____
Date

I. **AFFIDAVIT:** (This affidavit be signed in the presence of a Commissioner)

I (we) Trevor, Colleen Cox of the Township of the Wellington North County / Region of Wellington solemnly declare that all the statements contained in this application are true, and I, (we), 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 the Township of Well North in the County / Region of Wellington this 8 day of Dec., 2010.

Colleen Cox Trevor Cox
Signature of Owner or Authorized Solicitor or Authorized Agent

Dec 8 / 2010
Date

Cathy More
Signature of Commissioner
CATHERINE E. MORE, a Commissioner,
etc., County of Wellington, Deputy Clerk
of the Corporation of the Township of
Wellington North.

Dec. 8, 2010
Date

APPLICATION AND FEE OF \$ 1500 RECEIVED BY MUNICIPALITY

Rebecca Jones
Signature of Municipal Employee

December 8, 2010
Date

The Township of Wellington North
Kenilworth Ontario
NOG 2EO

**RE: PATRICK STREET ARTHUR
4 ACRE PROPERTY**

Legal Description: Ellen Daniels Survey, Lots 12-19 & 20-27, Columbia Street, Township of Wellington North, County of Wellington

I, SUSAN GUEST, hereby authorize the Buyer of the above mentioned property, T.C. MACHINE (Trevor Cox), to initiate the process to change the zoning from M1-22 Industrial to C2 Highway Commercial.

The Buyer acknowledges that all costs associated with the zoning amendment will be the sole responsibility of the Buyer.


Susan Guest

TREVOR COX
TC MACHINE LTD
519 848 2450

GUEST
PROPERTY
ARTHUR
LOTS 12-19
9-20-27
COLUMBIA ST.

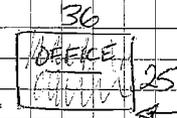
WELLINGTON
NORTH
DEC/2010

KARMA
LAND

≈ 390 FT

GRASS

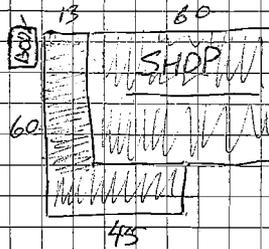
GRASS



⊗ WELL

154'

GRAVEL



PAVEMENT

PATRICK ST.

SCALE 1 Box = 10 FT

≈ 430 FT

HOUSE

HOUSE

HOUSE

HOUSE

December 23, 2010

Darren Jones, Chief Building Official
Township of Wellington North
P.O. Box 125, 7490 Sideroad 7 W
Kenilworth, ON N0G 2E0

Dear Mr. Jones:

**RE: TC Machine Ltd. – Highway Commercial for Trailer Sales
111 Patrick Street, Arthur Village
Zoning By-law Amendment**

PLANNING OPINION

Provided the Township is satisfied that any site contamination has been dealt with and that the method of servicing is appropriate, I have no concerns with the request to rezone the subject lands to Highway Commercial (C2) in order to permit trailer sales.

SUBJECT PROPERTY AND LOCATION

The property is located in Lots 12 -19 and 20 – 27, Columbia Street and is municipally known as 111 Patrick Street, Arthur Village. The property is approximately 4 acres in area.

PURPOSE

The amendment is to rezone the property from Industrial Exception (M1-22) to permit Highway Commercial uses, including trailer sales. The application indicates that a 448 square foot addition is proposed on the shop.

WELLINGTON COUNTY OFFICIAL PLAN

The property is currently designated Highway Commercial in the Official Plan

WELLINGTON NORTH ZONING BY-LAW

The subject property is currently zoned Industrial Exception (M1-22) – “... *the land ... may only be used for a transport establishment within the existing buildings and structures.*”

PLANNING CONSIDERATIONS

Site Contamination

Inter-County Milk Transport was situated on the property until recently. It is my understanding that there was some contamination on site, but that this has been properly cleaned-up. Chief Building Official Jones may have some comments on this.

Proposed Servicing by Septic

The application indicates that the site will continue to be serviced by well and septic. There was some discussion earlier this year with Inter-County Milk to hook-up to municipal sewers. I would recommend that Manager of Public Works Williamson provide comments in this regard.

Compatibility

The lands immediately east of the site have residential dwellings that front on Highway 6. The proposed Highway Commercial use is likely to be more compatible than a transport operation. Furthermore, rezoning to Highway Commercial would conform to the Official Plan designation for the property.

I trust that these comments will be of assistance to Council in their consideration of this matter.

Yours truly,

Mark Van Patter, RPP
Senior Planner

THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NUMBER _____.

BEING A BY-LAW TO AMEND ZONING BY-LAW NUMBER 66-01
BEING THE ZONING BY-LAW FOR THE TOWNSHIP OF WELLINGTON NORTH

WHEREAS, the Council of the Corporation of the Township of Wellington North deems it necessary to amend By-law Number 66-01;

NOW THEREFORE the Council of the Corporation of the Township of Wellington North enacts as follows:

1. THAT Schedule "A" Map 2 – Arthur - to By-law 66-01 being the Zoning By-law for the Township of Wellington North is amended by changing the zoning on land described as Lots 12 -19 and 20 – 27, Columbia Street and municipally known as 111 Patrick Street, Arthur Village. The land described above is shown on Schedule "A" attached to and forming part of this By-law and is to be rezoned from "**Industrial Exception (M1-22) to Highway Commercial (C2)**".
2. THAT except as amended by this By-law, the land as shown on the attached Schedule 'A' shall be subject to all applicable regulations of Zoning By-law 66-01, as amended.
3. THAT this By-law Amendment shall come into effect upon the final passing thereof pursuant to Section 34(21) and Section 34(22) of The Planning Act, R.S.O., 1990, as amended, or where applicable, pursuant to Sections 34(30) and (31) of the Planning Act, R.S.O., 1990, as amended.

READ A FIRST AND SECOND TIME THIS _____ DAY OF _____, 2011.

READ A THIRD TIME AND PASSED THIS _____ DAY OF _____, 2011.

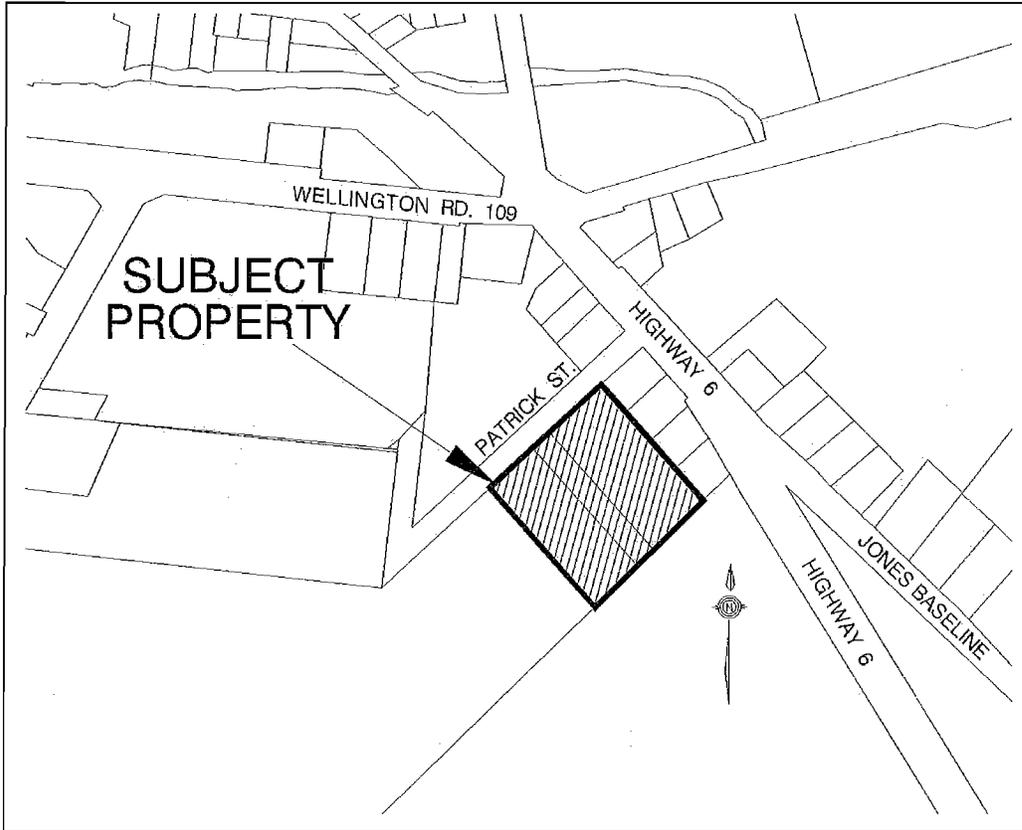
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO. _____

Schedule "A"



Rezone from Industrial Exception (M1-22) to Highway Commercial (C2)

This is Schedule "A" to By-law _____.

Passed this ____ day of _____ 2011

MAYOR

CLERK

EXPLANATORY NOTE

BY-LAW NUMBER _____.

THE LOCATION OF THE SUBJECT LAND is described as Lots 12 -19 and 20 – 27, Columbia Street and is municipally known as 111 Patrick Street, Arthur Village. The property is approximately 4 acres in area.

THE PURPOSE AND EFFECT of the amendment is to rezone the property from Industrial Exception (M1-22) to Highway Commercial (C2), which would permit the intended use of trailer sales. The property is currently designated Highway Commercial in the Official Plan.



400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

Phone: 519.621.2761 Toll free: 866.900.4722 Fax: 519.621.4844 Online: www.grandriver.ca

PLAN REVIEW REPORT Township of Wellington North
Darren Jones, Chief Building Official

DATE: JANUARY 5, 2011 **YOUR FILE:**
GRCA FILE: Wellington/Well.N/ZC/NC

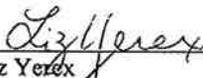
RE: Application for Zoning By-law Amendment
111 Patrick Street, Arthur

GRCA COMMENT: *

The Grand River Conservation Authority has no objection to the proposal to rezone the property from Industrial Exception to a zone to permit Highway Commercial uses.

BACKGROUND:

- 1. **Resource Issues:**
None identified.
- 2. **Legislative/Policy Requirements and Implications:**
None


Liz Yerex
Resource Planner
Resource Management Division

* *These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.*



ISO 14001 Registered

Canadian
Heritage
Rivers
System



Ministry of Transportation

Engineering Office
Corridor Management Section
West Region

659 Exeter Road
London, Ontario N6E 1L3
Telephone: (519) 873-4598
Facsimile: (519) 873-4228

Ministère des Transports

Bureau du génie
Section de gestion des couloirs routiers
Région de l'Ouest

659, chemin Exeter
London (Ontario) N6E 1L3
Téléphone: (519) 873-4598
Télécopieur: (519) 873-4228



January 6, 2011

by fax (519-848-1119) & mail

Township of Wellington North
7490 Sideroad 7 W
Kenilworth, Ontario
N0G 2E0

Attention: Lorraine Heinbuch, CAO/Clerk

RE: Applicant: Susan Guest, Russell Lott, Thomas Gaskell
Submission No.: ZBA 2011-1
Lot: 23, Concession: B
County of Wellington
Township of Wellington North - Highway 6

The ministry has completed its review of the above noted amendment. The amendment has been considered and reviewed in accordance with the requirements of our highway access control policies and the *Public Transportation and Highway Improvement Act (PTHIA)*. The following outlines our comments.

The owner should be aware that building/land use and sign permits are required from the Ministry of Transportation before any grading/construction commences within a 180m radius measured from the centerline intersection of Highway 6 and any municipal road.

The subject property has frontage on Patrick Street. The ministry has previously requested information regarding the public road status of Patrick Street. While the road allowance is owned by the Township of Wellington North we have no record that a by-law was ever registered that would open the road allowance as a public road. Section 24(3) of the PTHIA states that a municipality shall not open a road allowance entering upon or intersecting the King's Highway without the consent of the Minister to the opening.

As conditions of ministry permit approval we will require the following.

1. The municipality must pass a road opening by-law for Patrick Street. We will require 4 certified true copies of the by-law prior to its' registration. A copy of the deposited reference plan that identifies the road allowance as a Part must accompany the by-law. We will attach the minister's consent to each of the copies of the by-law and return 3 copies to the municipality. The by-law may then be registered. We will then require 2 original copies of the registered by-law for our records.

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2. The owner shall submit to the Ministry of Transportation for their review and approval, a copy of a Traffic Impact Study (TIS) indicating the anticipated traffic volumes and their impact upon the intersection of Highway 6 and Patrick Street. The owner's consultant should refer to our website at http://www.mto.gov.on.ca/english/engineering/management/corridor/TIS_Guidelines_EN.pdf for a comprehensive set of ministry traffic related documentation requirements to assist in preparing their report.
3. Prior to final approval, should the TIS identify a warrant for highway improvements the municipality must enter into a Legal Agreement with the Ministry of Transportation whereby the municipality agrees to assume financial responsibility for the design and construction of all necessary highway improvements.
4. The owner shall submit to the Ministry of Transportation for their review and approval, a copy of a Stormwater Management Report/Plan indicating the intended treatment of the calculated stormwater runoff. The owner's consultant should refer to our website at www.mto.gov.on.ca/english/engineering/drainage/index.html for a comprehensive set of ministry drainage related documentation requirements to assist in preparing their report.

We would appreciate receiving a copy of your Council's decision on this application for our records. Should you have any questions, please contact our office.



Ian Smyth
Corridor Management Planner
Corridor Management Section
West Region, London