



Township of Wellington North

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

PUBLIC MEETING

Monday, January 11th, 2010 at 7:00 p.m.

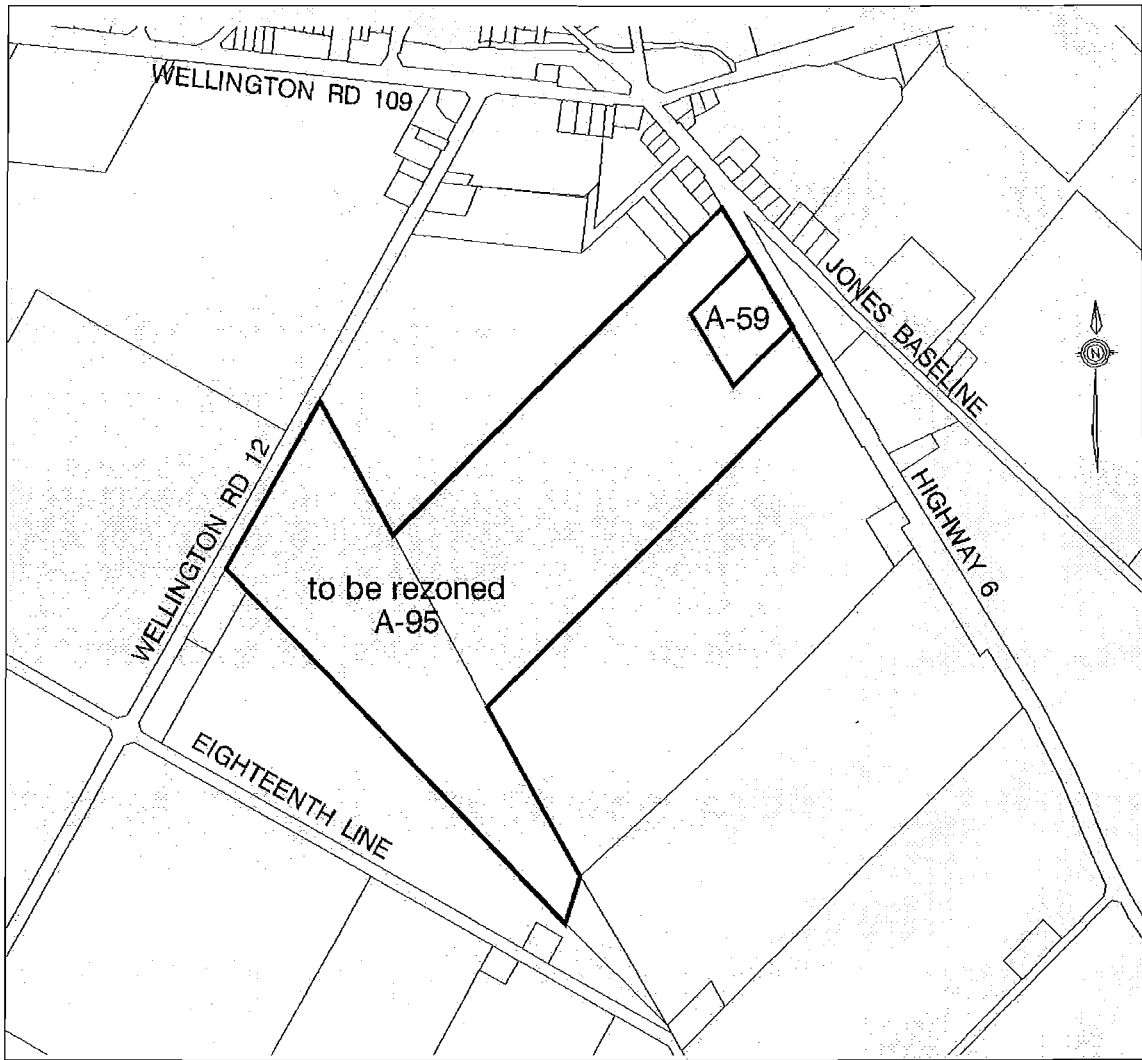
Municipal Office Council Chambers, Kenilworth

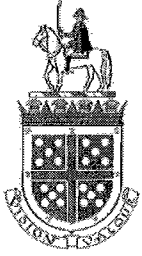
A G E N D A

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AGENDA ITEM	PAGE NO.
<p>The Mayor will call the meeting to order.</p> <p>Declaration of Pecuniary Interest.</p> <p>Owners/Applicant: Albert, Theresa, Leonard and Matthew Coffey</p> <p>THE LOCATION OF THE SUBJECT PROPERTY is in Lot 22, Concession B, former Peel Township with a civic address of 7598 Hwy 6. The property subject to the zoning amendment has frontage on Hwy 6 and Wellington Road 12. The majority of the lands are farmed. There is a residence and contractors business located on the residential portion of the parcel.</p> <p>THE PURPOSE AND EFFECT of the zone amendment is to rezone the subject lands to restrict any residential development on the retained portion of the property; remove the site specific zoning on the retained lands, while retaining the site specific exemption on the severed parcel; and, restrict the keeping of livestock on the severed parcel, in order to comply with Minimum Distance Separation (MDS) requirements. This amendment will fulfill a condition of approval for consent application B122/09 that was granted provisional consent on October 14, 2009. The consent severed the farm dwelling from the agricultural parcel under the surplus farm dwelling policies.</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>	01

AGENDA ITEM	PAGE NO.
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 December 16 th , 2009.	
2. Presentations by: <ul style="list-style-type: none">- Linda Redmond, Township Planner- See attached comments	02
3. Review of Correspondence received by the Township: <ul style="list-style-type: none">- Pasquale Costanzo, Wellington County Engineering Services- No objection	07
<ul style="list-style-type: none">- Ian Smyth, Ministry of Transportation- No concerns	08
4. 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.	
5. Mayor opens floor for any questions/comments.	
6. Comments/questions from Council.	
7. Adjournment.	





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 4, 2010

Lori Heinbuch, Clerk/CAO
Township of Wellington North
P.O. Box 125, 7490 Sideroad 7 W
Kenilworth, ON N0G 2E0

Dear Ms. Heinbuch:

**Re: Coffey - Surplus Farm Dwelling Severance
Lot 22, Concession B, 7598 Hwy 6
Zoning By-law Amendment**

PLANNING OPINION

The zoning amendment is required as a condition of provisional consent (B122/09) by the Wellington County Land Division Committee. We have no objections to implementing this decision. Both the PPS and County Plan provide for surplus farm dwelling severances, provided the retained (farmed) lands are rezoned to prohibit future residential dwellings.

SUBJECT LAND

The subject lands are located on Lot 22, Concession B, former Peel Township with a civic address of 7598 Hwy 6. The property subject to the zoning amendment is approximately 63 ha (156 ac) in size and has frontage on Hwy 6 and Wellington Road 12. The majority of the lands are farmed. There is a residence and contractors business located on the residential portion of the parcel.

PROPOSAL

This amendment is to fulfill a condition of approval for consent application B122/09 that was granted provisional consent on October 14, 2009. The consent severed the farm dwelling from the agricultural parcel under the surplus farm dwelling policies. The property is currently zoned Agricultural Exception (A-59) to permit a contractor's yard. The zone amendment will address the following three issues: rezone the subject lands to restrict any residential development on the retained portion of the property; remove the site specific zoning on the retained lands, while retaining the site specific exemption on the severed parcel; and, restrict the keeping of livestock on the severed parcel, in order to comply with Minimum Distance Separation (MDS) requirements.

PROVINCIAL POLICY STATEMENT (PPS)

The subject property is considered to be within a PRIME AGRICULTURAL area. Section 2.3.4.1(c) of the PPS provides consideration for the severance of a surplus residence, provided that new residential dwellings are prohibited on the remnant parcel of farmland.

WELLINGTON COUNTY OFFICIAL PLAN

The subject lands are designated PRIME AGRICULTURE. Section 10.3.4 of the Plan implements the PPS and requires that the remnant parcel be rezoned to prohibit dwellings.

ZONING BY-LAW

The subject lands are zoned Agricultural (A-59) and Natural Environment (NE). The site specific is to allow a contractors yard on the subject lands in addition to the existing residence. The parcel containing the residence will also contain the contractors business which is located within the existing farm building. A draft by-law will add a clause to the site specific to restrict any keeping of livestock on this small parcel. The draft by-law also includes a clause to restrict a residential dwelling on the farm (retained) parcel as required as per the above policies.

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 land described as Lot 22, Concession B, Township of Wellington North (formerly Peel Township), as shown on Schedule "A" attached to and forming part of this By-law from **Agricultural Exception (A-59)** to **"Agricultural Exception (A-95)**.

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

"33.95 A-95 Lot 22, Conc. B	Notwithstanding any other section of this by-law to the contrary, a residential dwelling shall be prohibited in this zone. Other agricultural uses, that are not accessory to a dwelling, are permitted."
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3. THAT Section 33, Exception Zone 3 – Rural Areas, is amended by adding the following clause to **A-59**:

"however, livestock housing and manure storage shall be prohibited on the subject lands".

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 _____, 2010

READ A THIRD TIME AND PASSED THIS _____ DAY OF _____, 2010

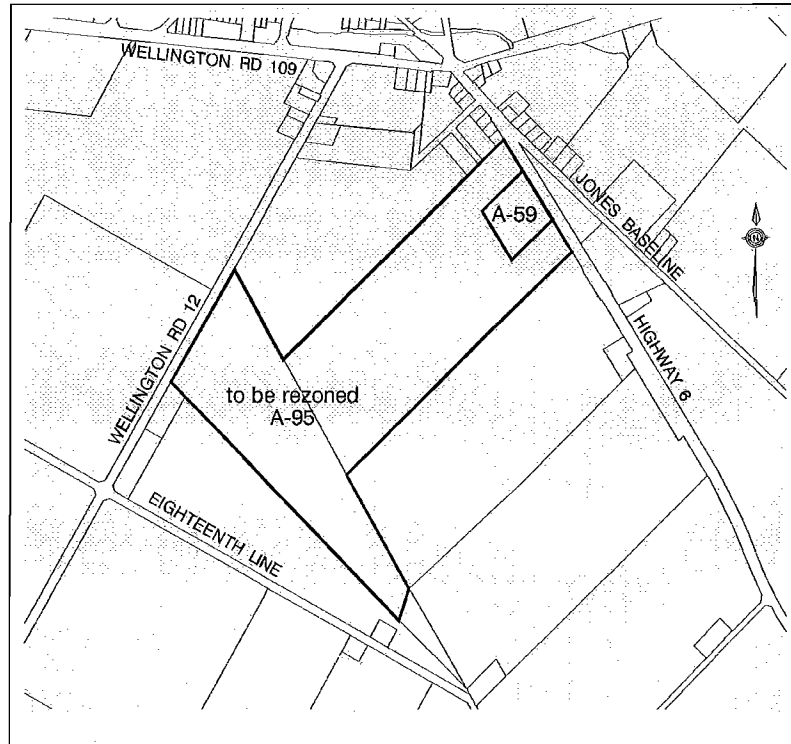
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "A"



Passed this ____ day of _____ 2010.

MAYOR

CLERK

EXPLANATORY NOTE

BY-LAW NUMBER _____.

THE LOCATION OF THE SUBJECT PROPERTY is in Lot 22, Concession B, former Peel Township with a civic address of 7598 Hwy 6. The property subject to the zoning amendment has frontage on Hwy 6 and Wellington Road 12. The majority of the lands are farmed. There is a residence and contractors business located on the residential portion of the parcel.

THE PURPOSE AND EFFECT of the zone amendment is to rezone the subject lands to restrict any residential development on the retained portion of the property; remove the site specific zoning on the retained lands, while retaining the site specific exemption on the severed parcel; and, restrict the keeping of livestock on the severed parcel, in order to comply with Minimum Distance Separation (MDS) requirements. This amendment will fulfill a condition of approval for consent application B122/09 that was granted provisional consent on October 14, 2009. The consent severed the farm dwelling from the agricultural parcel under the surplus farm dwelling policies.

COUNTY OF WELLINGTON PLANNING DEPARTMENT

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 11, 2010
Township of Wellington North Municipal Offices
Council Chambers
7490 Sideroad 7 West, Kenilworth
7:00 p.m.

THE LOCATION OF THE SUBJECT PROPERTY is described as Lot 22, Concession B and is municipally described as 7598 Hwy #6. The property is currently occupied by a residence and contractors business and barn and is shown on the map below.

THE PURPOSE AND EFFECT of the amendment is to fulfill a condition of approval for consent application B122/09 that was granted provisional consent on October 14, 2009. The consent severed the farm dwelling from the agricultural parcel under the surplus farm dwelling policies. The property is currently zoned Agricultural Exception (A-59) to permit a contractor's yard. The zone amendment will address the following three issues: rezone the subject lands to restrict any residential development on the severed portion of the property; remove the site specific zoning on the severed lands, while retaining the site specific exemption on the retained parcel; and, restrict the keeping of livestock on the retained parcel, in order to comply with Minimum Distance Separation (MDS) requirements.

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.

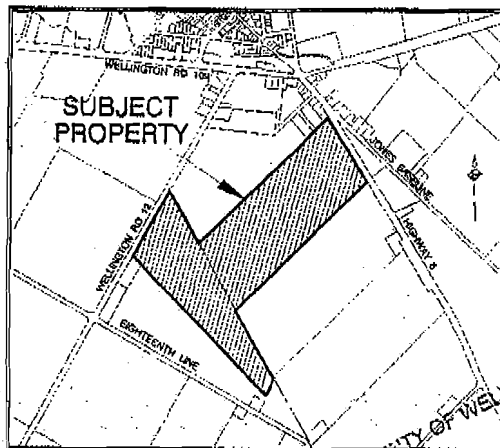
If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Wellington North before the by-law is passed, the person or public body is not entitled to appeal the decision of the Council of the Township of Wellington North to the Ontario 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 16th day of December, 2009

Darren Jones, Building/Zoning Dept.
Township Wellington North
7490 Sideroad 7, W
Kenilworth, ON N0G 2E0
Phone: (519) 848-3620
Fax: (519) 848-1119



TWP. OF WELLINGTON NORTH

RECEIVED

DEC 7 3 2009

**COUNTY OF WELLINGTON
ENGINEERING SERVICES
NO OBJECTION
NOTICE OF DECISION REQ'D.**
[Signature]
**PASQUALE COSTANZO, CET
ENGINEERING TECHNOLOGIST**
Dec 23/09
Date:

COUNTY OF WELLINGTON
DEC 16 2009
ENGINEERING SERVICES
DEPARTMENT

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 7, 2010

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

by fax (519-848-1119) & mail

Attn: Darren Jones

RE: Applicant: Coffey, Theresa, Albert, Leonard & Mathew
Submission No.: ZBA 66-01-2
Lot: 22, 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. The following outlines our comments.

The ministry has no concerns with the approval of this amendment. The owner of the retained parcel must make application to the ministry for an auxiliary (field) entrance for access to the retained lands. The owner of the severed parcel must make application to the ministry for a residential entrance. Please advise the owner to contact Mr. Phil Gignac, Corridor Management Officer, Operational Services - Owen Sound (1450 Seventh Avenue East, Owen Sound, Ontario N4K 2Z1 Phone: 519-372-4042) to discuss MTO's permit requirements and obtain the necessary applications.

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.

A handwritten signature in cursive script, appearing to read "Ian Smyth".

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