



# Township of Wellington North

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

## Public Meeting

Monday, February 11, 2013 at 7:00 p.m.

Municipal Office Council Chambers, Kenilworth

## A G E N D A

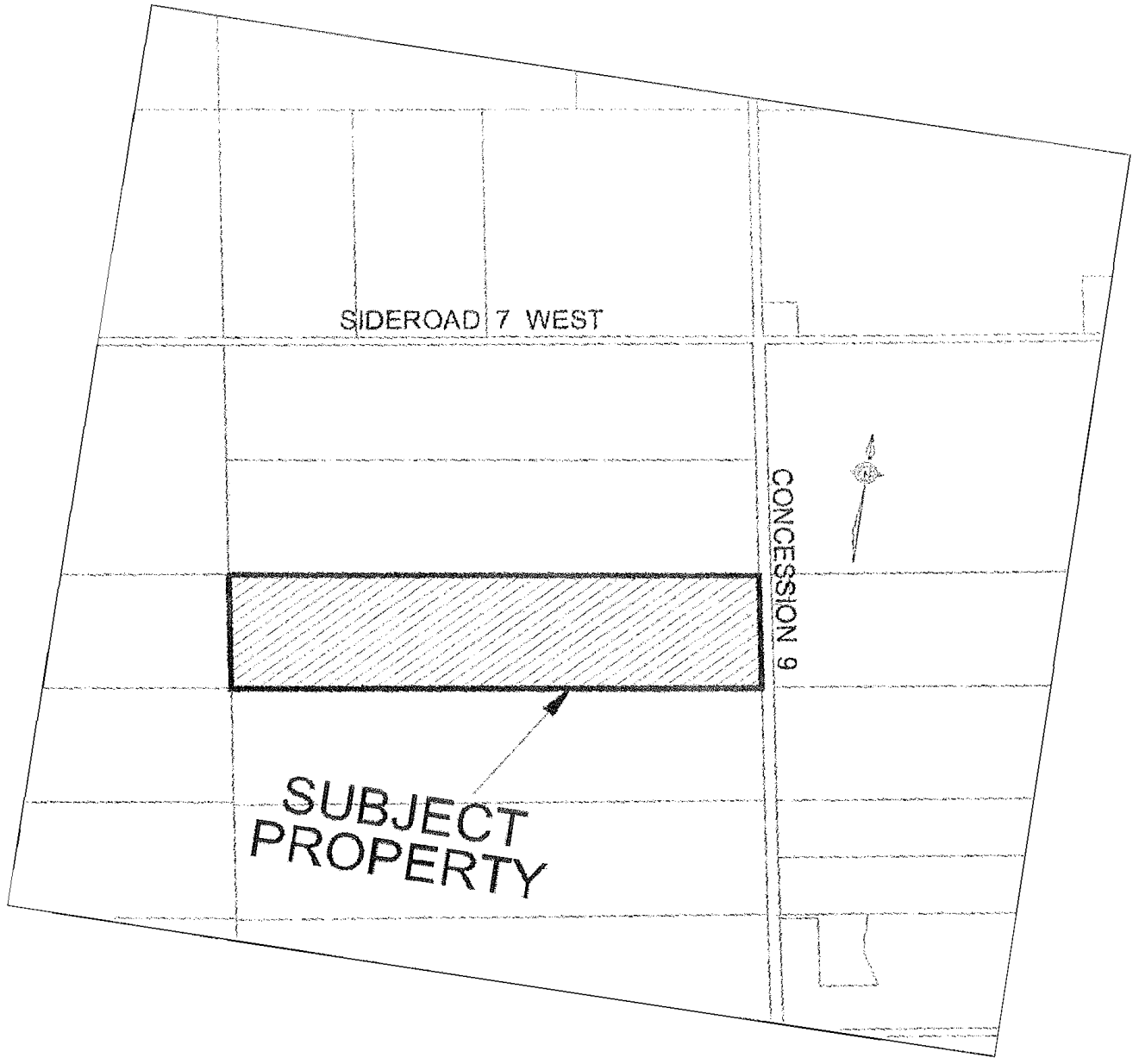
Page 1 of 4

AGENDA ITEM	PAGE NO.
<p><b>The Mayor will call the meeting to order.</b></p> <p><b>Declaration of Pecuniary Interest.</b></p> <p><b>Owners/Applicant: Estate of Wilfred Costello</b></p> <p><b>Location of the Subject Land</b> The property subject to the proposed amendment is described as Part of Lot 20, Concession 9 with a civic address of 8890 Concession 9. The property is 40.75 hectares (100.7 acres) in size and the location is shown on the map attached.</p> <p><b>The Purpose and Effect of the Application</b> The purpose and effect of the proposed amendment is to rezone the subject lands to restrict any future residential development on the agricultural, “retained” portion of the property. The applicant has also requested additional relief from the zoning by-law to allow the retention of the 381.8 sq. m. (4110 sq. ft.) outbuilding on the severed portion. This rezoning is a condition of severance application B90/12 under the surplus farm dwelling policies that was granted provisional approval by the Wellington County Land Division Committee January 3, 2013.</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 January 18, 2013.</p>	1

AGENDA ITEM	PAGE NO.
2. Application for Zoning By-law Amendment	2
3. Presentations by: - Linda Redmond, Planner - See attached comments and draft by-law	11
4. Review of Correspondence received by the Township: - Fred Natolochny, Supervisor Resource Planning, GRCA - No objection	16
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><b>Owners/Applicant: Allan Martin and Diane Martin</b></p> <p><b>Location of the Subject Land</b>                      The property subject to the proposed amendment is described as Part of Lot 6, Concession 5 with a civic address of 7514 Sideroad 3 East. The property is 4.1 hectares (10 acres) in size and the location is shown on the map attached.</p> <p><b>The Purpose and Effect of the Application</b>                      The purpose and effect of the proposed amendment is to rezone the property in order to permit a temporary residence (Garden Suite) in the form of a mobile home for a 20 year period. The property is currently zoned Agricultural (A), and Natural Environment (NE)</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 January 18, 2013.</p> <p>9. Application for Zoning By-law Amendment</p> <p>10. Presentations by:</p> <ul style="list-style-type: none"> <li>- Linda Redmond, Planner</li> <li>- See attached comments and draft by-law</li> </ul> <p>11. Review of Correspondence received by the Township:</p> <ul style="list-style-type: none"> <li>- Cherielyn Leslie, Environmental Planning Coordinator, SVCA</li> <li>- No objection</li> </ul> <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>18</p> <p>19</p> <p>33</p> <p>38</p>

AGENDA ITEM	PAGE NO.
13. Mayor opens floor for any questions/comments.	
14. Comments/questions from Council.	
15. Adjournment	



SIDEROAD 7 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 allow for an oversized shed and to prohibit a new residential dwelling on the retained to satisfy the conditions of B90/12s

**B. GENERAL INFORMATION**

**3. APPLICANT INFORMATION**

a) Registered Owner's Name(s): Estate of Wilfred T. Costello  
Address: RR # 1 Moorefield, ON. N0G2K0  
Phone: Home ( ) \_\_\_\_\_ Work ( ) \_\_\_\_\_ Fax ( ) \_\_\_\_\_

b) Applicant (Agent) Name(s): Robert Goetz  
Address: RR # 3 Chatsworth, ON. N0H1G0  
Phone: Home ( ) 519-827-6130 Work ( ) \_\_\_\_\_ Fax ( ) \_\_\_\_\_

c) Name, Address, Phone of all persons having any mortgage charge or encumbrance on the property: None

d) Send Correspondence To? Owner [ ] Agent [] Other [ ] \_\_\_\_\_

e) When did the current owner acquire the subject land? 1964

**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:

Municipal Address: 8890 Concession 9  
Concession: 9 Lot: 20 Registered Plan No: \_\_\_\_\_  
Area: 40.75 hectares Depth: 1341 meters Frontage (Width): 304 meters  
100 acres \_\_\_\_\_ feet \_\_\_\_\_ feet

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

Area: 2.85 hectares Depth: 190 meters Frontage (Width): 150 meters  
\_\_\_\_\_ acres \_\_\_\_\_ feet \_\_\_\_\_ feet

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

\_\_\_\_\_  
\_\_\_\_\_

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 / Residential  
\_\_\_\_\_

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

48 + years

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

Residential, Hobby shop, Storage

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		1969		
c) Building Height	_____ (m)	12 (ft)	_____ (m)	_____ (ft)
d) Number of Floors		1		
e) Total Floor Area (sq.m.)	_____ (sq m)	4,000 (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:	_____ (sq m)	_____ (sq ft)	_____ (sq m)	_____ (sq ft)
Front lot line	_____ (m)	15.5 (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	( )	( )	(✓)	( )	( )	(✓)	( )
b) Proposed	( )	( )	( )	( )	( )	( )	( )

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 ( <input checked="" type="checkbox"/> )	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: B 90/12

Approval Authority: County of Wellington

Lands Subject to Application: Concession 9, North Part Lot 20

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) Bob Goetz - Executor W. Costello Estate of the Town of the Chatsworth County / Region of Grey 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 in the County / Region of Wellington North this 18 day of December 2012

[Signature]  
Signature of Owner or Authorized Solicitor or Authorized Agent  
Estate of Wilfred Costello

Dec. 18/12  
Date

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

Dec 18/12  
Date

APPLICATION AND FEE OF \$ 1500.00 RECEIVED BY MUNICIPALITY

[Signature]  
Signature of Municipal Employee

January 3, 2013  
Date

COUNTY of WELLINGTON PLANNING & LAND DIVISION COMMITTEE  
Wellington County Administration Centre  
74 Woolwich Street Guelph, Ontario N1H 3T9

ONTARIO PLANNING ACT, Section 53(14)

NOTICE of DECISION

On Application B90/12

**APPLICANT:**

Estate of Wilfred Costello  
c/o Bob & Paul Goetz  
RR#3  
Chatsworth ON N0H 1G0

**LOCATION of SUBJECT LANDS:**

WELLINGTON NORTH (Arthur Township)  
Part Lot 20  
Concession 9

**The Planning and Land Division Committee, considering all of the evidence presented, and being assured that it had jurisdiction to consider the matter which was submitted to it, concludes that:**

In the matter of an application by Estate of Wilfred Costello pursuant to Section 53 of the Planning Act, R. S. O. 1990 as amended for consent to convey land for rural residential use, being Part of Lot 20, Concession 9, geographic Arthur Township, now Township of Wellington North, **PROVISIONAL CONSENT IS GRANTED SUBJECT TO THE FULFILMENT OF NINE CONDITIONS OF APPROVAL.** The Planning and Land Division Committee has the opinion that a plan of subdivision of the subject lands is not necessary for the proper and orderly development of the municipality for this proposal; that the proposal satisfies generally the intent of the criteria of Section 51, subsection 24 of the Planning Act, R.S.O. 1990 as amended; and that the proposal is consistent with the intent and policies of the Provincial Policy Statement; and that it conforms generally to the intent and policies of the County's official plan; and, further, that the proposal represents compatible development, good planning and does not offend the public interest.

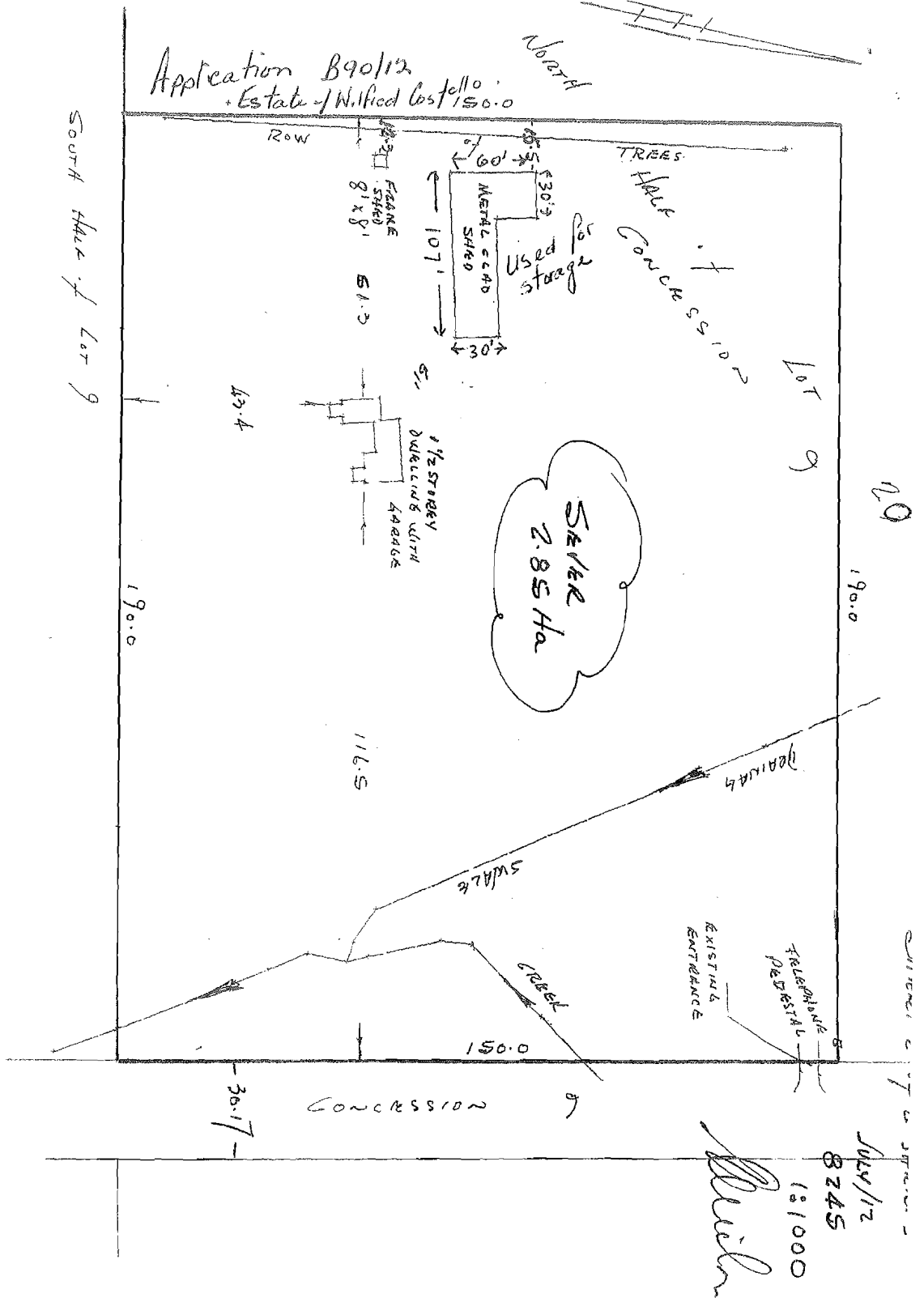
**FINAL CONSENT IS DEEMED TO BE GIVEN** when the Secretary-Treasurer of the Planning and Land Division Committee has received written proof that all of the conditions of approval have been fulfilled within the prescribed period of time.

**THE PLANNING AND LAND DIVISION COMMITTEE ADVISES THE APPLICANT** that all of the conditions of approval for this provisional consent must be fulfilled within a period of one year after written notice of this decision was given or consent shall be deemed to be refused. In the event of an appeal to the Ontario Municipal Board, the application for consent shall not be deemed to be refused for failure to fulfill the conditions until the expiry of one year from the date of the order or date of the notice of the Ontario Municipal Board issued in respect of the appeal.

**CONDITIONS OF APPROVAL TO BE FULFILLED NO LATER THAN 4:30 p.m. DECEMBER 15, 2013:**

- 1) **THAT** the Owner's solicitor, in preparation for the issuance of the Certificate of Consent, provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee a printed copy of the "completed electronic transfer document in preparation".
- 2) **THAT** the Solicitor for the Owner give an undertaking in writing to provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee within 30 days of the date of registration in the Land Registry/Land Titles Office for Wellington (No. 61) a copy of the receipted and registered electronic transfer document for Consent B90/12.
- 3) **THAT** the Owner, as provided for under Section 69 of the Planning Act, R.S.O. 1990, shall pay to the Treasurer of the County of Wellington the administrative fee which is in effect at the time of the payment of the fee for the review for and issuance of the Certificate of Consent.
- 4) **THAT** the transfer for registration with respect to description complies with Ontario Regulation 43-96; and if that description contains a reference to a Reference Plan(s), the Owner's solicitor **shall provide a full print of that deposited reference plan(s)** to the secretary-treasurer of the Planning and Land Division Committee.
- 5) **THAT** the Owner receive approval from the applicable road authority in a manner deemed acceptable to that road authority for an entrance to the severed and retained parcel; and further that the applicable authority file a letter of clearance of this condition with the Secretary-Treasurer of the Planning and Land Division Committee as written proof of fulfilment of this condition.
- 6) **THAT** the Owner satisfy all the requirements of the local municipality, financial and otherwise which the local municipality may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands; and further that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 7) **THAT** the Owner satisfy the requirements of the Local Municipality in reference to parkland dedication as provided for in the Planning Act, R.S.O. 1990; and that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 8) **THAT** the Owner receive zoning compliance and classification from the Local Municipality in a manner deemed acceptable by the Local Municipality regarding the oversized shed; and that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 9) **THAT** the Owner receive zoning compliance and classification from the Local Municipality and the County of Wellington Planning Department to prohibit a new residential dwelling on the retained parcel in a manner deemed acceptable; and that the Local Municipality and the County of Wellington Planning Department file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

Application B90112  
 Estate of Wilfred Costello 150.0



Dec. Oct 11/12  
 - Bob Gochy measured the outbligs today  
 - Measurements are on above sketch.  
 Corby

2011

20



## 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

February 5, 2013

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

Dear Mr. Jones:

**Re: Costello – Part lot 20, Concession 9  
Restrict Agricultural Land from Future Residential  
Permit oversized accessory structure  
Draft Zoning By-law Amendment**

### **PLANNING OPINION**

The zoning amendment is required as a condition of provisional consent (B90/12) 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 agricultural lands are rezoned to prohibit future residential dwellings. The intention of this policy is to allow farmers to reduce their costs of acquiring additional farm parcels where the impact on existing and future farm operations can be kept to a minimum.

Additional zoning relief is also required for the existing accessory structure on the retained residential parcel. The applicant would like to retain the 4110 sq.ft shed for personal use. Council should be satisfied that the accessory building is intended for personal use and not for commercial purposes.

### **SUBJECT LAND**

The subject land is legally described as Part Lot 20, Concession 9 with a civic address of 8890 Concession 9. The land is approximately 40.75 hectares (100.7 acres) in size.

### **PURPOSE**

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 address the oversized shed on the residential portion of the subject lands. This rezoning is a condition of severance application B90/12, that was granted provisional approval by the Wellington County Land Division Committee in January, 2013. The consent will sever the existing farm dwelling and accessory building (2.85 ha. (7.04 ac) from the remainder of the agricultural parcel (37.9 ha. (93.65 ac).

### **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 and CORE GREENLANDS. This application is required as a result of a severance application. Section 10.3.4 of the Official Plan

implements the PPS and requires that the remnant parcel be rezoned to prohibit dwellings.

Section 10.3.4 of the Official Plan states:

“A severance may be considered for an existing residence that is surplus to a farming operation as a result of farm consolidation, provided that:

- a) The remaining vacant farmland is large enough to function as a significant part of the overall farm unit; and
- b) The result of removing the surplus dwelling from the farm does not render the remaining farmlands difficult or inefficient to farm; and
- c) The amount of good farmland retained with the surplus house is kept to a minimum size needed for residential purposes, taking into consideration environmental and topographic features; and
- d) The surplus residence is habitable and is not expected to be demolished by a future owner; and
- e) The Minimum Distance Separation formula will be met, and
- f) The vacant parcel of farmland is rezoned to prohibit a residential use.”

The intention of this policy is to allow farmers to reduce their costs of acquiring additional farm parcels, where the impact on existing and future farm operations can be kept to a minimum.”

### **ZONING BY-LAW**

The subject lands are zoned Agricultural (A) and Natural Environment (NE). There will be two site specific zones required on the subject lands. The first site specific will prohibit a dwelling on the 93.65 acre agricultural parcel and the second one will address the accessory structure on the 7.04 acre residential parcel.

As a result of the severance, the residential dwelling would be considered the main use and the existing accessory structure would be reviewed under section 6.1 as accessory uses to a residential dwelling. In this case there is a shed with a floor area of 4110 sq.ft, which exceeds the allowable ground floor area of 1,000 sq. ft. (Section 6.1.4 ii).

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 Lot 20, Concession 9 as shown on Schedule "A" attached to and forming part of this By-law from:

- **Agricultural (A) to "Agricultural Exception (A-139)**
- **Agricultural (A) to "Agricultural Exception (A-140)**

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

<b>33.139</b>  <b>Part Lot 33, Concession 9</b>	<b>A-139</b> <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.</b>
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3. THAT Section 33, Exception Zone 3 – Rural Areas, is amended by the inclusion of the following new exception:

<b>33.140</b>  <b>Part Lot 33, Concession 9</b>	<b>A-140</b> <b>Notwithstanding Section 6.1.4 ii or any other section of this by-law, the shed existing on the day of passing of this by-law may have a maximum floor area of 381.8 sq.m. (4110 sq.ft). Subject to the following conditions:</b>  <ul style="list-style-type: none"> <li>a) <b>enlargement of this shed is not permitted.</b></li> <li>b) <b>additional accessory structures are not permitted including a hobby barn or building under the home industry provisions.</b></li> <li>c) <b>removal of the existing shed shall void this provision.</b></li> </ul>
---	--

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 \_\_\_\_\_, 2013

READ A THIRD TIME AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013

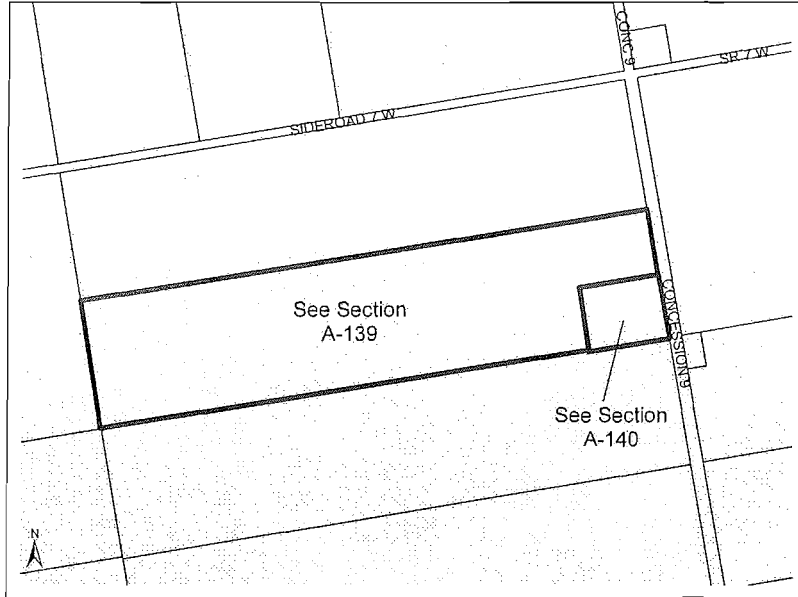
\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO \_\_\_\_\_.

Schedule "A"



Rezoned from Agricultural (A) to Agricultural Exceptions (A-139 and A-140)

Passed this \_\_\_\_ day of \_\_\_\_\_ 2013.

\_\_\_\_\_

MAYOR

\_\_\_\_\_

CLERK

## EXPLANATORY NOTE

BY-LAW NUMBER \_\_\_\_\_.

**THE LOCATION** being rezoned is in Part lot 20, Concession 9 with a civic address of 8890 Concession 9. The property is approximately 40.75 hectares (100.7 acres) in size and is occupied by a residence and shed.

**THE PURPOSE AND EFFECT** of the amendment is to rezone the subject lands to restrict any future residential development on the agricultural land (A-139) and to allow an oversized shed on the residential portion of the lands (A-140). This rezoning is a condition of severance application B90/12, that was granted provisional approval by the Wellington County Land Division Committee in January, 2013. The consent will sever the existing farm dwelling, and accessory building (2.85 ha. (7.04 ac) from the remainder of the agricultural parcel (37.9 ha. (93.65 ac).



**PLAN REVIEW REPORT: Township of Wellington North  
Darren Jones, CBO/Building Department**

**DATE:** February 6<sup>th</sup>, 2013

**YOUR FILE:**

**GRCA FILE:** Wellington/NorthWell/2013/ZC/C

**RE:** Application for Rezoning  
8890 Concession 9  
Part of Lot 20, Concession 9  
Wellington North (Arthur Township)

**GRCA COMMENT: \***

The Grand River Conservation Authority (GRCA) has no objection to the proposed rezoning of the retained portions to restrict any future residential development on the property as a condition of B90/12. GRCA also has no objections to the proposed rezoning of the severed parcel to allow for a 381.8 sq. m. (4110 sq. ft) outbuilding to be retained.

**BACKGROUND:**

**1. Resource Issues:**

The severed lands contain two tributaries of the Conestogo River, associated floodplain and the allowance adjacent to these features.

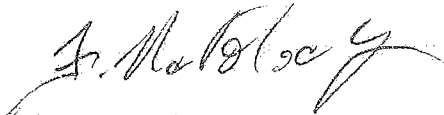
**2. Legislative/Policy Requirements and Implications:**

Information currently available at this office indicates that the retained lands contain a tributary of the Conestogo River (Thomas Evans Award Drain), associated floodplain and the allowance adjacent to this feature. Consequently, a portion of the retained lands are subject to Ontario Regulation 150/06.

Future construction or other alteration on the severed or retained lands within the regulated area will require prior written approval from the GRCA in the form of a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Permit. Please be advised that no development is permitted within the floodplain.

3. Additional Information/Suggestions provided in an advisory capacity:

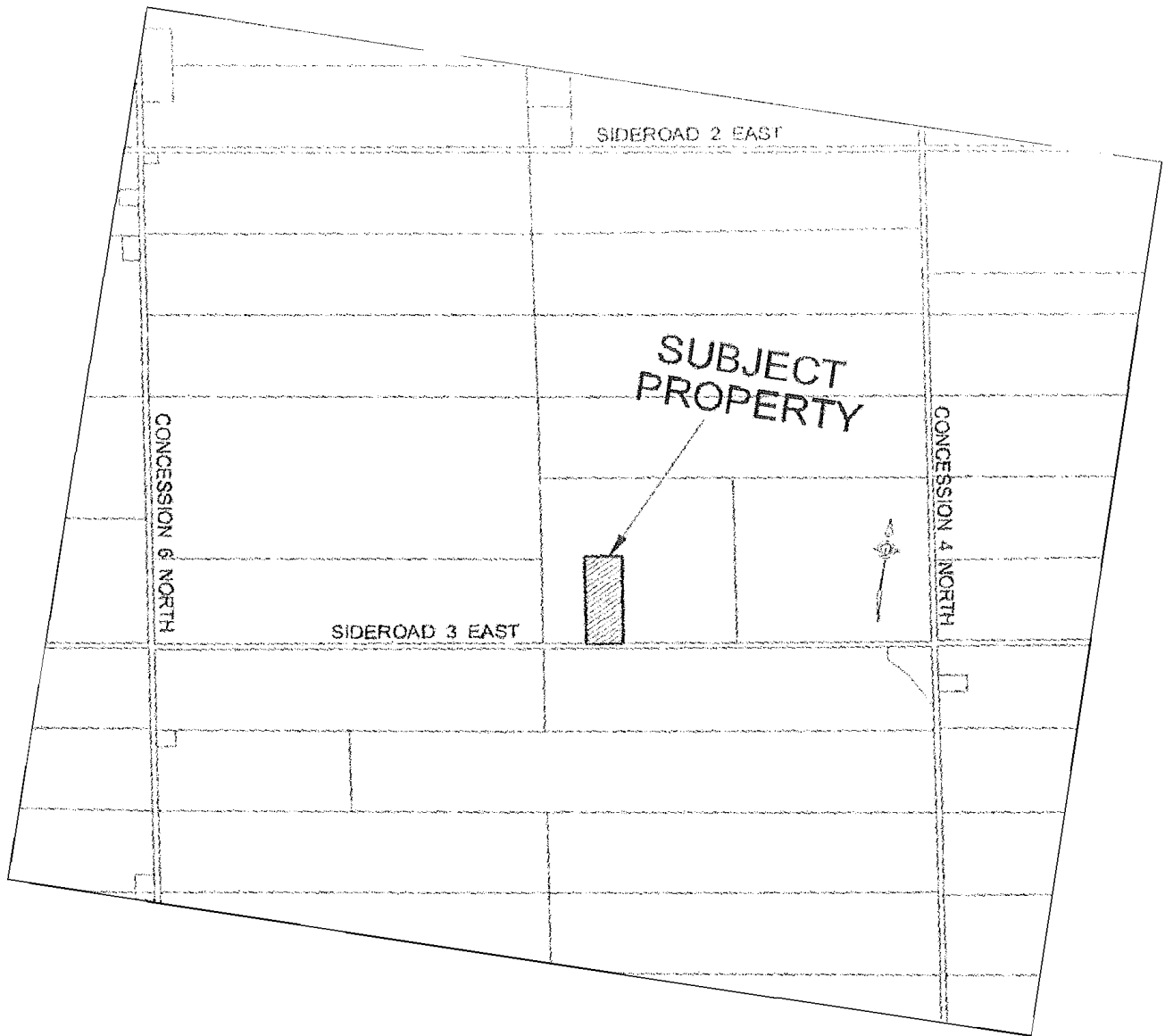
None



Fred Natolochny  
Supervisor Resource Planning  
Grand River Conservation Authority  
EN/ng

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

cc: Township of Wellington North  
County of Wellington



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 install a garden suite on property

**B. GENERAL INFORMATION**

**3. APPLICANT INFORMATION**

a) Registered Owner's Name(s): Allan M Martin / Diane Marie (Frey) Martin  
Address: 7514 Sdrd 3 E RR#6 Mount Forest ON NOG 2L0  
Phone: Home ( ) 519 323 1682 Work ( ) 519 323 4289 Fax ( ) 519 323 1682 call first

b) Applicant (Agent) Name(s): Allan M Martin  
Address: 7514 Sdrd 3 E RR#6 Mount Forest ON NOG 2L0  
Phone: Home ( ) 519 323 1682 Work ( ) 519 323 4289 Fax ( ) 519 323 1682 call first

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? Mar 31 1999

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:

Municipal Address: 7514 5<sup>th</sup> Rd 3 East

Concession: 5W Lot: PT Lot 6 Registered Plan No: 60R 2435

Area: \_\_\_\_\_ hectares      Depth: \_\_\_\_\_ meters      Frontage (Width): \_\_\_\_\_ meters  
10.02 acres                      1020 feet                      428 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?

Prime Agricultural

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

Agricultural / Residential

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

Agricultural / Residential

C. EXISTING AND PROPOSED LAND USES AND BUILDINGS

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

Existing single family dwelling ~~Proposed~~



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

since 1988

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

garden suite

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		<u>1988</u>		<u>2013</u>
c) Building Height	_____ (m)	<u>18</u> (ft)	_____ (m)	<u>18</u> (ft)
d) Number of Floors		<u>1</u>		<u>1</u>
e) Total Floor Area (sq.m.)	_____ (sq m)	<u>1290</u> (sq ft)	_____ (sq m)	<u>1000</u> (sq ft)
f) Ground Floor Area (sq.m.) (exclude basement)	_____ (sq m)	<u>1290</u> (sq ft)	_____ (sq m)	<u>1000</u> (sq ft)
g) Distance from building/structure to the:	_____ (sq m)	_____ (sq ft)	_____ (sq m)	_____ (sq ft)
Front lot line	_____ (m)	<u>135</u> (ft)	_____ (m)	<u>83</u> (ft)
Side lot line	_____ (m)	<u>132</u> (ft)	_____ (m)	<u>178</u> (ft)
Side lot line	_____ (m)	<u>228</u> (ft)	_____ (m)	<u>228</u> (ft)
Rear lot line	_____ (m)	<u>860</u> (ft)	_____ (m)	<u>893</u> (ft)
h) % Lot Coverage		<u>0.3%</u>		<u>0.2%</u>
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?

Sideroad 3 East Wellington North

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 (X)
Zoning By-law Amendment	Yes ( )	No (X)
Minor Variance	Yes ( )	No (x)
Plan of Subdivision	Yes ( )	No (x)
Consent (Severance)	Yes ( )	No (x)
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: \_\_\_\_\_

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 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) Diane Marie Martin of the Township of Wellington North in the  
 County / Region of Wellington do hereby authorize Allan M Martin to  
 Act as my agent in this application.

Diane Martin  
 Signature of Owner(s)

Jan 10 2013  
 Date

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

I (we) Allan M Martin 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 Wellington North in the County / ~~Region~~ of Wellington this 10 day of January, 2013

[Signature]  
Signature of Owner or Authorized Solicitor or Authorized Agent

Jan 10 2013  
Date

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

Jan 10, 2013  
Date

APPLICATION AND FEE OF \$ 1500 RECEIVED BY MUNICIPALITY

[Signature]  
Signature of Municipal Employee

[Signature] January 10, 2013  
Date

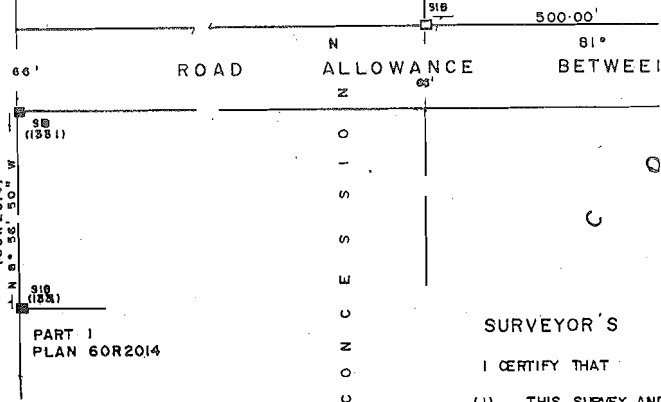
PLAN OF SURVEY OF  
 PART OF THE NORTH HALF &  
 PART OF THE SOUTH HALF OF  
 LOT 6, CONCESSION 5

TOWNSHIP OF ARTHUR  
 COUNTY OF WELLINGTON

SCALE: 1" = 200'

ALEX R. WILSON SURVEYING INC  
 1987

ROAD ALLOWANCE BETWEEN CONCESSIONS 6 & 7



LIMIT BE'

INST NO 19917D

PART 1  
 PLAN 60R2014

SURVEYOR'S  
 I CERTIFY THAT

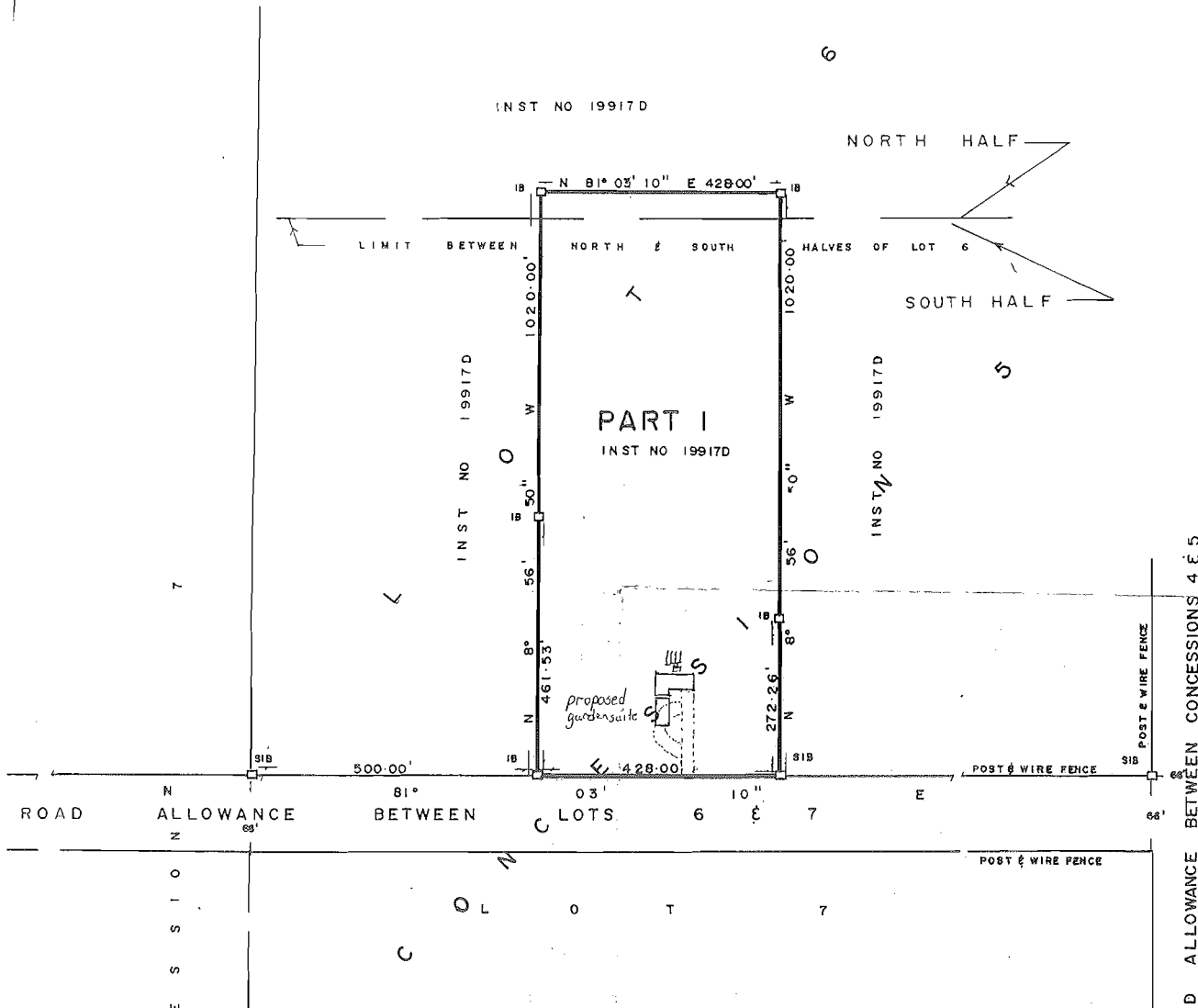
- (1) THIS SURVEY AND WITH THE SURVEY REGULATIONS MA
- (2) THE SURVEY WAS

13 MARCH 1988  
 DATE

CLIENT - T. RIDGEWAY  
 PROJECT- 87-2869

CAUTION

THIS PLAN IS NOT A PLAN OF SUBDIVISION  
WITHIN THE MEANING OF THE PLANNING ACT



SURVEYOR'S CERTIFICATE

I CERTIFY THAT

- (1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE REGISTRY ACT AND THE REGULATIONS MADE THEREUNDER,
- (2) THE SURVEY WAS COMPLETED ON THE 13 DAY OF MARCH 1987

13 MARCH 1987  
DATE

*Alex R. Wilson*  
ALEX R. WILSON  
Ontario Land Surveyor

CAUTION

THIS PLAN IS NOT A PLAN OF SUBDIVISION  
WITHIN THE MEANING OF THE PLANNING ACT

PLAN 60 - R 2435

RECEIVED AND DEPOSITED

(DATE) May 7<sup>th</sup> 1987

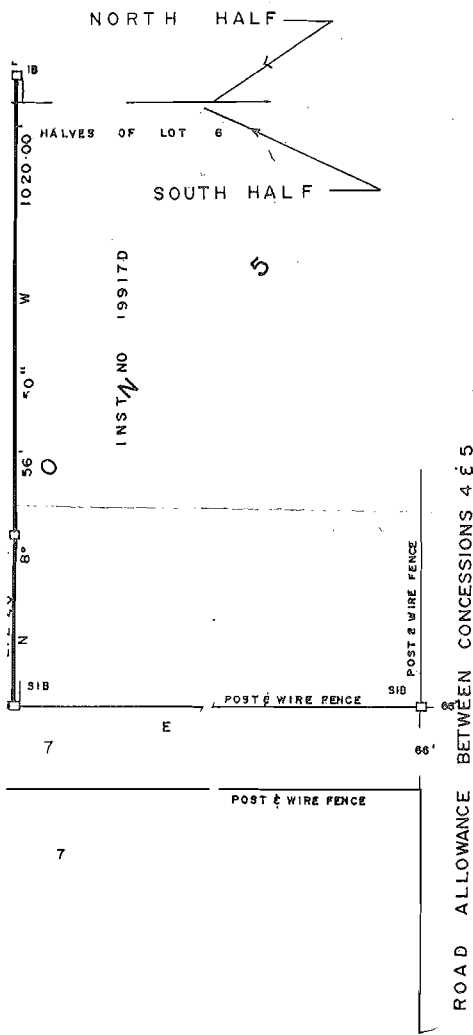
*Ann Dambey*  
LAND REGISTRAR FOR  
THE REGISTRY DIVISION OF  
WELLINGTON NORTH (NO.60)

I REQUIRE THIS PLAN TO BE  
DEPOSITED UNDER THE REGISTRY  
ACT.

(DATE) May 7, 1987

*Grace Lush*  
GRACE LUSH

PART	LOT	CON	INST NO	AREA
1	P1/2 of LOT 6	5	19917D	10.022Ac



NOTE

SIB - DENOTES STANDARD IRON BAR (1"SQ)  
IB - DENOTES IRON BAR (5/8"SQ)  
BEARINGS SHOWN HEREON ARE ASTRONOMIC AND  
REFERRED TO THE WESTERLY LIMIT OF LOT 7  
CONCESSION 6 AS NB 8° 56' 50" W IN  
ACCORDANCE WITH PLAN 60R2014

ALEX R. WILSON  
SURVEYING INC  
ONTARIO LAND SURVEYORS  
BOX 294, MOUNT FOREST  
NOG 2LO 519-323-2451  
MARCH 17, 1987



MIT BETWEEN NORTH E SOUTH HALVES

INST NO 19917D

1020.00'

1020.00'

W

W

# PART I

INST NO 19917D

O

50"

50"

56'

56'

O

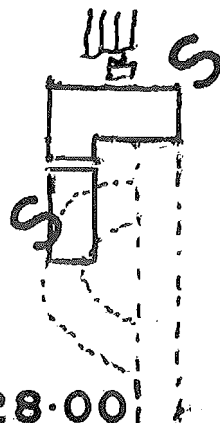
8°

8°

N 461.53'

N 272.26'

*proposed  
gardensuite*



E 428.00'

SIB

00'

81°

03'

10"

29

BETWEEN

LOTS

E

S

7



approx 500' from existing house to barn @ 7522

approx 500' from proposed modular to closest barn @ 7513



County of Wellington

**FARM DATA SHEET**  
Minimum Distance Separation I (MDSI)

**NOTE TO THE FACILITY OWNER:**  
Your cooperation in filling out this sheet will help to ensure that new land uses will be located a suitable distance from your operation.

File No. \_\_\_\_\_  
Applicant \_\_\_\_\_

Owner of Livestock Facility Allen Martin  
 Telephone (519) 323 4832 Civic Address 792 Sideroad 3 East (7522)  
 Municipality Wellington North Lot P16 Concession 5 DIV \_\_\_\_\_  
 Tillable Hectares/Acres\* on the lot where the livestock facility is located \_\_\_\_\_ hectares 70 acres  
 Closest distance from the livestock facility to the new lot and/or land use \_\_\_\_\_ metres 425 feet  
 Closest distance from the manure storage system to the new lot and/or land use \_\_\_\_\_ metres 500 feet  
 Signature of Livestock Facility Owner AM Martin Date Jan 10 2013

**Permanent Manure or Material Storage Types**

- Solid Manure: 18% dry matter, or more  
 Liquid Manure: Less than 18% dry matter  
 Digestate: Less than 18% dry matter
- 0 No storage required (manure/material stored for less than 14 days)
  - V1 Solid, inside, bedded pack
  - V2 Solid, outside, covered
  - V3 Solid, outside, no cover, greater than or equal 30% dry matter
  - V4 Solid, outside, no cover, 18% to less than 30% dry matter, with covered liquid runoff storage
  - L1 Solid, outside, no cover, 18% to less than 30% dry matter, with uncovered liquid runoff storage
  - V5 Liquid, inside, underneath slatted floor
  - V6 Liquid, outside, with a permanent, tight fitting cover
  - V7 Liquid, (digestate), outside, no cover
  - L2 Liquid, outside, with a permanent floating cover
  - M1 Liquid, outside, no cover, straight-walled storage
  - M2 Liquid, outside, roof, but with open sides
  - H1 Liquid, outside, no cover, sloped-sided storage

Animal Type or Material	Description	Housing Capacity* (maximum)	Manure Storage Type* (select from list above)
Beef Cattle	Cows, including calves to weaning (all breeds)		
	Feeders (7 – 16 months)		
	Backgrounders (7 – 12.5 months)		
	Shortkeepers (12.5 – 17.5 months)		
Dairy Cattle	Milking-age cows (dry or milking)	2	V3
	Large-framed; 545 kg – 636 kg (for example - Holsteins)		
	Medium-framed; 455 kg – 545 kg (for example - Guernseys)		
	Small-framed; 364 kg – 455 kg (for example - Jerseys)		
	Heifers (5 months to freshening)		
	Large-framed; 182 kg – 545 kg (for example - Holsteins)		
	Medium-framed; 148 kg – 455 kg (for example - Guernseys)		
	Small-framed; 125 kg – 364 kg (for example - Jerseys)		
	Calves (0 – 5 months)		
	Large-framed; 45 kg – 182 kg (for example - Holsteins)		
Medium-framed; 39 kg – 148 kg (for example - Guernseys)			
Small-framed; 30 kg – 125 kg (for example - Jerseys)			
Swine	Sows with litter, dry sows/boars; Segregated Early Weaning (SEW)		
	Sows with litter, dry sows or boars (non-SEW)		
	Breeder gilts (entire barn designed specifically for this purpose)		
	Weaners (7 kg – 27 kg)		
	Feeders (27 kg – 105 kg)		
Horses	Large-framed, mature; >681 kg (including unweaned offspring)		
	Medium-framed, mature; 227 kg – 680 kg (including unweaned offspring)	2	V3
	Small-framed, mature; <227 kg (including unweaned offspring)		
Sheep	Ewes & rams (for meat lambs; includes unweaned offspring & replacements)		
	Ewes & rams (dairy operation; includes unweaned offspring & replacements)		
	Lambs (dairy or feeder lambs)		

Animal Type or Material	Description	Housing Capacity*	Manure Storage Type* (select from list above)
Goats	Does & bucks (for meat kids; includes unweaned offspring & replacements)		
	Does & bucks (for dairy; includes unweaned offspring & replacements)	350	V3
	Kids (dairy or feeder kids)		
Chickens	Layer hens (for eating eggs; after transfer from pullet barn)	20	V3
	Layer pullets (day olds until transferred into layer barn)		
	Broiler breeder growers (males/ females transferred out to layer barn)		
	Broiler breeder layers (males/ females transferred in from grower barn)		
	Broilers on an 8 week cycle		
	Broilers on a 9 week cycle		
	Broilers on a 10 week cycle		
	Broilers on a 12 week cycle		
Turkeys	Broilers on any other cycle, or unknown		
	Turkey pullets (day old until transferred to layer turkey barn)		
	Turkey breeder layers (males/ females transferred in from grower barn)		
	Breeder toms		
	Broilers (day olds to 6.2 kg)		
Veal	Hens (day olds up to 6.2 kg to 10.8 kg; 7.5 kg is typical)		
	Toms (day olds to over 10.8 kg to 20 kg; 14.5 kg is typical)		
	Turkeys at any other weights, or unknown		
	Milk-fed		
Other	Grain-fed		
Manure imported to a lot not generating manure	Maximum capacity of permanent storages at any time: solid or liquid capacity		
Anaerobic Digester	Maximum capacity of permanent storages at any time: solid or liquid capacity		

\*see terms defined on reverse side of page



County of Wellington

# FARM DATA SHEET

## Minimum Distance Separation I (MDSI)

**NOTE TO THE FACILITY OWNER:**  
 Your cooperation in filling out this sheet will help to ensure that new land uses will be located a suitable distance from your operation.

File No. \_\_\_\_\_  
 Applicant \_\_\_\_\_

Owner of Livestock Facility HEDGE APPLE FARMS LTD  
 Telephone (519) 323 4642 Civic Address 7513 rd 3 E  
 Municipality \_\_\_\_\_ Lot 7 Concession 5 DIV \_\_\_\_\_

Tillable Hectares/Acres\* on the lot where the livestock facility is located \_\_\_\_\_ hectares 30 acres  
 Closest distance from the livestock facility to the new lot and/or land use \_\_\_\_\_ metres 365 feet  
 Closest distance from the manure storage system to the new lot and/or land use \_\_\_\_\_ metres 685 feet

Signature of Livestock Facility Owner [Signature] Date Jan 10 2013

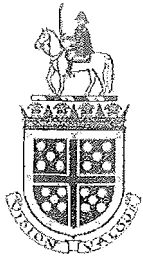
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	Sows with litter, dry sows or boars (non-SEW)		
	Breeder gilts (enure barn designed specifically for this purpose)		
	Weaners (7 kg – 27 kg)		
	Feeders (27 kg – 105 kg)		
Horses	Large-framed, mature; >681 kg (including unweaned offspring)		
	Medium-framed, mature; 227 kg – 680 kg (including unweaned offspring)		
	Small-framed, mature; <227 kg (including unweaned offspring)		
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	Kids (dairy or feeder kids)		
Chickens	Layer hens (for eating eggs; after transfer from pullet barn)		
	Layer pullets (day olds until transferred into layer barn)		
	Broiler breeder growers (males/ females transferred out to layer barn)		
	Broiler breeder layers (males/ females transferred in from grower barn)		
	Broilers on an 8 week cycle	20000	V7
	Broilers on a 9 week cycle		
	Broilers on a 10 week cycle		
	Broilers on a 12 week cycle		
Turkeys	Broilers on any other cycle, or unknown		
	Turkey pullets (day old until transferred to layer turkey barn)		
	Turkey breeder layers (males/ females transferred in from grower barn)		
	Breeder toms		
	Broilers (day olds to 6.2 kg)		
Veal	Hens (day olds up to 6.2 kg to 10.8 kg; 7.5 kg is typical)		
	Toms (day olds to over 10.8 kg to 20 kg; 14.5 kg is typical)		
	Turkeys at any other weights, or unknown		
	Milk-fed		
Other	Grain-fed		
Manure imported to a lot not generating manure	Maximum capacity of permanent storages at any time: solid or liquid capacity		
Anaerobic Digester	Maximum capacity of permanent storages at any time: solid or liquid capacity		

\*see terms defined on reverse side of page



## COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT  
GARY A. COUSINS, M.C.I.P., DIRECTOR  
T 519.837.2600  
F 519.823.1694  
1.800.663.0750

ADMINISTRATION CENTRE  
74 WOOLWICH STREET  
GUELPH ON N1H 3T9

February 6, 2013

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

Dear Mr. Jones:

**Re: Martin – Part lot 6, Concession 5  
Permit Garden Suite  
7514 Sideroad 3 East  
Draft Zoning By-law Amendment**

### **PLANNING OPINION**

We have no concerns with the request for a garden suite, provided the construction of such residential use complies with the requirements of the Building Code and the remaining regulations of the Zoning By-law, including those specific to garden suites under section 6.12. The Official Plan provides for consideration for this type of land use. It is our opinion that the application meets the general intent of the By-law and County Official Plan.

### **SUBJECT LAND**

The subject land is legally described as Part of Lots 6, Concession 5 with a civic address of 7514 Sideroad 3 East. The property is approximately 4.1 hectares (10 acres) in size and is occupied by a residential dwelling.

### **PURPOSE**

The purpose of the amendment is to allow a temporary garden suite in the form of a mobile home to be located on the subject lands for a 20 year period.

### **WELLINGTON COUNTY OFFICIAL PLAN**

The property is designated PRIME AGRICULTURAL and CORE GREENLANDS. Section 6.4.3 and 6.4.6 of the Prime Agricultural Areas land use policies provide for consideration of accessory residential uses such as a garden suite provided that they are established near the farm buildings. An adequate water supply and sewage disposal system must also be available.

### **LOCAL ZONING BY-LAW**

The subject lands are zoned Agricultural (A), and Natural Environment (NE). The General Provisions of the Zoning By-law permit a garden suite in the Agricultural Zone pursuant to the Temporary Use Regulations of the Planning Act. The draft by-law will rezone the property to a site-specific exception zone permitting a garden suite on a temporary basis of up to 20 years.

Upon successfully receiving a temporary use rezoning from the municipality, Section 6.12 of the By-law regulates the establishment of a garden suite, including matters such as placement,

access, servicing, portability. etc. Additionally Section 39 of the Planning Act authorizes Council to enter into an agreement with the owner as a condition to passing a by-law allowing the temporary use of a garden suite. This agreement deals with matters related to the temporary use of the garden suite such as the installation, period of occupancy and removal of the garden suite. This agreement is also required under section 6.12 (m) of the Zoning By-law.

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

Sincerely,

A handwritten signature in cursive script that reads "L. Redmond".

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 Lot 6, Concession 5 as illustrated on Schedule "A" attached to and forming part of this By-law from **Agriculture (A)** to **Agriculture Exception (A-141)**.
2. THAT Section 33, Exception Zone – Rural Areas, is amended by the inclusion of the following new exception:

<p><b>33.141</b></p> <p><b>Part Lot 6, Concession 5</b></p>	<p><b>A-141</b></p> <p>In addition to the uses permitted in the Agriculture (A) zone, a second residential dwelling (1 unit) is permitted, provided that the dwelling take the form of a garden suite and is subject to the following conditions and special provisions:</p> <ol style="list-style-type: none"> <li>i) That the provisions of section 6.12 (Garden Suites) are complied with; and,</li> <li>ii) That pursuant to Section 39(3) of the Planning Act, R.S.O. 1990, c.P.13, as amended, the mobile home/garden suite is permitted until February 11, 2033.</li> </ol>
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3. That except as amended by this By-law, the subject lands, as shown on Schedule 'A' to this By-law, shall be subject to all other applicable regulations of By-law Number 66-01, as amended.
4. This By-law shall come into effect on the final passing thereof by the Council of Corporation of the Township of Wellington North, subject to compliance with the provisions of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

READ A FIRST AND SECOND TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013

READ A THIRD TIME AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO \_\_\_\_\_.

Schedule "A"



This is Schedule "A" to By-law \_\_\_\_\_.

Passed this \_\_\_ day of \_\_\_\_\_ 2013.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK



## EXPLANATORY NOTE

BY-LAW NUMBER \_\_\_\_\_.

### **SUBJECT LAND**

The subject land is legally described as Part of Lots 6, Concession 5; with a civic address of 7514 Sideroad 3 East. The property is approximately 4.1 hectares (10 acres) in size and is occupied by a residence.

### **PURPOSE**

The purpose of the amendment is to allow a temporary garden suite in the form of a mobile home to be located on the subject lands for a twenty year period.



1078 Bruce Rd. 12,  
P.O. Box 150  
Formosa ON  
Canada N0G 1W0

Tel 519-367-3040  
Fax 519-367-3041  
publicinfo@svca.on.ca  
www.svca.on.ca

January 31, 2013

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

ATTENTION: Darren Jones, CBO

Dear Mr. Jones:

RE: Proposed Zoning By-Law Amendment  
Part Lot 6, Concession 5  
7514 Sideroad 3 East  
Geographic Township of Arthur  
Township of Wellington North

The Saugeen Valley Conservation Authority (SVCA) has reviewed the proposed Zoning By-law Amendment in accordance with the SVCA's mandate and policies and the Memorandum of Agreement between the Authority and the County of Wellington relating to Plan Review. The proposed amendment would permit a temporary residence (garden suite) on the property. The proposed Zoning By-law Amendment is acceptable to the Authority provided the Natural Environment (NE) zone remains in force and effect. The following comments are offered.

#### Significant Natural Heritage

The significant natural heritage feature on the subject property is the fish habitat associated with the unnamed tributary of Bell's (Bethel) Creek.

#### Wellington County Official Plan

The unnamed watercourse and its associated floodplain and valley slopes are designated Core Greenland in the County Official Plan.

Sections 5.6.3 and 5.6.4 of the Official Plan require that development impacts be evaluated prior to the approval of a development located within 30 metres of the Core Greenland designation. The proposed garden suite is located within 30 metres of the Core Greenland designation. Due to the relatively small scale of this particular development proposal, the location of the existing dwelling and other factors, the SVCA is satisfied that the proposed garden suite will not negatively impact the surrounding natural heritage features. The Authority is of the opinion that an Environmental Impact Study is not required for this proposal and that the Core Greenland policies in the Official Plan have been addressed.

Conservation  
Through  
*Cooperation*

A MEMBER OF



Conservation  
ONTARIO  
*Natural Champions*

### **Township of Wellington North Zoning By-Law 66-01, as amended**

According to the Township of Wellington North Zoning By-Law No. 66-01, the unnamed tributary, its floodplain and valley slopes are zoned Natural Environment (NE). In general, no buildings or structures shall be permitted within the NE zone. The SVCA recommends the NE zone remain unchanged.

Section 6.20 of Zoning By-Law 66-01 states:

*a) No building or structure, including a private sewage treatment system and any associated tile weeping bed, shall be constructed closer than 30.0 m (98.4 ft) from the limit of a Natural Environment NE zone.*

*b) Notwithstanding the required setbacks in subsection (a) above:*

*i) Accessory buildings/structures to existing residential dwellings, or enlargements of existing buildings/structures, and reconstruction of existing buildings/structures including environmental improvements to manure storage systems associated with an existing livestock facility but not a hobby barn, are permitted provided that a setback of 3.0 m (9.8 ft) from the NE zone boundary is maintained.*

The SVCA brings this section of the By-law to the attention of the Building Department as the proposed garden suite is located within 30 metres of the NE zone. If the garden suite is considered an accessory structure than an exemption to the By-law is not required, however, if the garden suite is not an accessory structure, the draft by-law may require an amendment to this section.

### **SVCA Regulation**

The majority of the property is subject to the Saugeen Valley Conservation Authority's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 169/06). This Regulation is in accordance with Section 28 of the Conservation Authorities Act, R.S.O, 1990, Chap. C. 27. This Regulation requires that a person obtain the written permission of the SVCA prior to any "development" in a Regulated Area or "alteration" to a wetland or watercourse.

### **"Development" and "Alteration"**

Subsection 28(25) of the *Conservation Authorities Act* defines "development" as:

- a) the construction, reconstruction, erection or placing of a building or structure of any kind,
- b) 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,
- c) site grading, or

- d) the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

According to Section 5 of Ontario Regulation 169/06, "alteration" generally includes the straightening, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

The proposed garden suite is located within the SVCA Regulated Area and, therefore, a permit from the SVCA is required prior to the building being placed on the property or any site alteration occurring.

### **Conclusion**

All of the plan review functions listed in the Agreement have been assessed with respect to this application. The Authority is of the opinion that the proposed Zoning By-law Amendment conforms to the relevant policies in the Wellington County Official Plan and Provincial Policies referred to in the Agreement. The SVCA has no objection to the proposed Zoning By-law Amendment provided the Natural Environment (NE) zone remains in force and effect.

Please forward a copy of this letter to the applicant as their mailing information was not provided to the Authority.

We trust these comments are helpful. Should questions arise, please do not hesitate to contact this office.

Sincerely,



Cherielyn Leslie  
Environmental Planning Coordinator

CL/

Cc: Terry Fisk, SVCA Director (via e-mail)