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Public Meeting

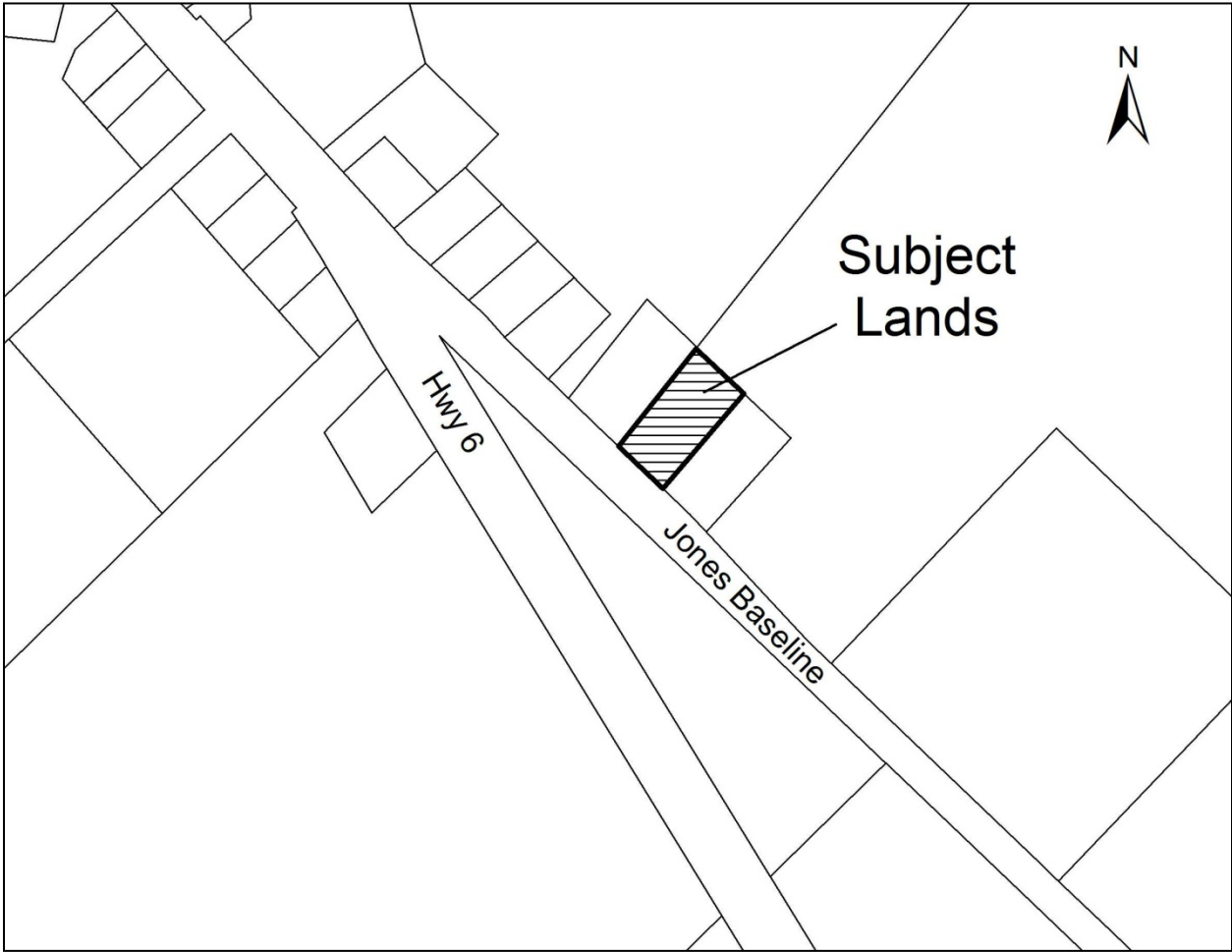
Monday, February 12th, 2018 at 2:00 PM

Municipal Office Council Chambers, Kenilworth

AGENDA

AGENDA ITEM	PAGE NO.
<p><u>CALLING TO ORDER</u></p> <ul style="list-style-type: none">- Mayor Lennox	
<p><u>DISCLOSURE OF PECUNIARY INTEREST(S) AND THE GENERAL NATURE THEREOF</u></p> <p><u>OWNERS/APPLICANT</u></p> <ul style="list-style-type: none">- James Cox and Trudy Matusinec	
<p><u>LOCATION OF THE SUBJECT LAND</u></p> <p>The land subject to the proposed amendment is described as Lot 36, Concession 1, Geographic West Garafraxa Township and is Municipally known as 7619 Jones Baseline. The property is 0.29 hectares (0.71 acres) in size. The location is shown on the map attached.</p>	1
<p><u>PURPOSE AND EFFECT OF THE APPLICATION</u></p> <p>The purpose and effect of the proposed amendment is to rezone the subject lands to allow a reduced frontage and area. The parcel has recently received provisional approval to divide the lot into two residential lots. The rezoning will also place a holding zone on the lands until sewage capacity is available to service the vacant lot. This rezoning is a condition of severance application B42/17, that was granted provisional approval by the Wellington County Land Division Committee.</p>	

AGENDA ITEM	PAGE NO.
<p><u>NOTICE</u></p> <p>Notices were mailed to property owners within 120 m of the subject property as well as the applicable agencies and posted on the subject property on January 18th, 2018.</p> <p><u>PRESENTATIONS</u></p> <p>Linda Redmond, Manager of Planning and Environment</p> <ul style="list-style-type: none">- See attached report and draft by-law prepared by Curtis Marshall, MCIP, RPP, Senior Planner <p><u>CORRESPONDENCE FOR COUNCIL'S REVIEW</u></p> <ul style="list-style-type: none">- None. <p><u>REQUEST FOR NOTICE OF DECISION</u></p> <p>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><u>MAYOR OPENS FLOOR FOR ANY COMMENTS/QUESTIONS</u></p> <p><u>COMMENTS/QUESTIONS FROM COUNCIL</u></p> <p><u>ADJOURNMENT</u></p>	<p>2</p>



James Cox and Trudy Matusinec



PLANNING REPORT for the TOWNSHIP OF WELLINGTON NORTH

Prepared by the County of Wellington Planning and Development
Department

DATE: February 2, 2018
TO: Mike Givens, C.A.O.
Township of Wellington North
FROM: Curtis Marshall, Senior Planner
County of Wellington
SUBJECT: **James Cox & Trudy Matusinec**
Lot 36, Con 1 (West Garafraxa)
7619 Jones Baseline
Zoning By-law Amendment

PLANNING OPINION

This rezoning is a condition of severance application B42/17, which has been granted provisional approval by the Wellington County Land Division Committee. The consent application creates a 0.15 ha (0.37 acre) vacant residential parcel and a 0.14 ha (0.34 acre) retained parcel occupied by an existing residential dwelling. The purpose of the amendment is to rezone the subject lands to permit a reduced lot frontage and lot area for both the proposed severed and retained lots. The rezoning will also place a holding zone prohibiting the issuance of a building permit on the severed lot until sewage capacity is available, the lots are connected to municipal services, and the existing well and septic are de-commissioned which serve the retained lot.

Planning Staff have no concerns with the application as it satisfies conditions of severance application B42/17. A draft Zoning By-law amendment has been prepared for Council's consideration.

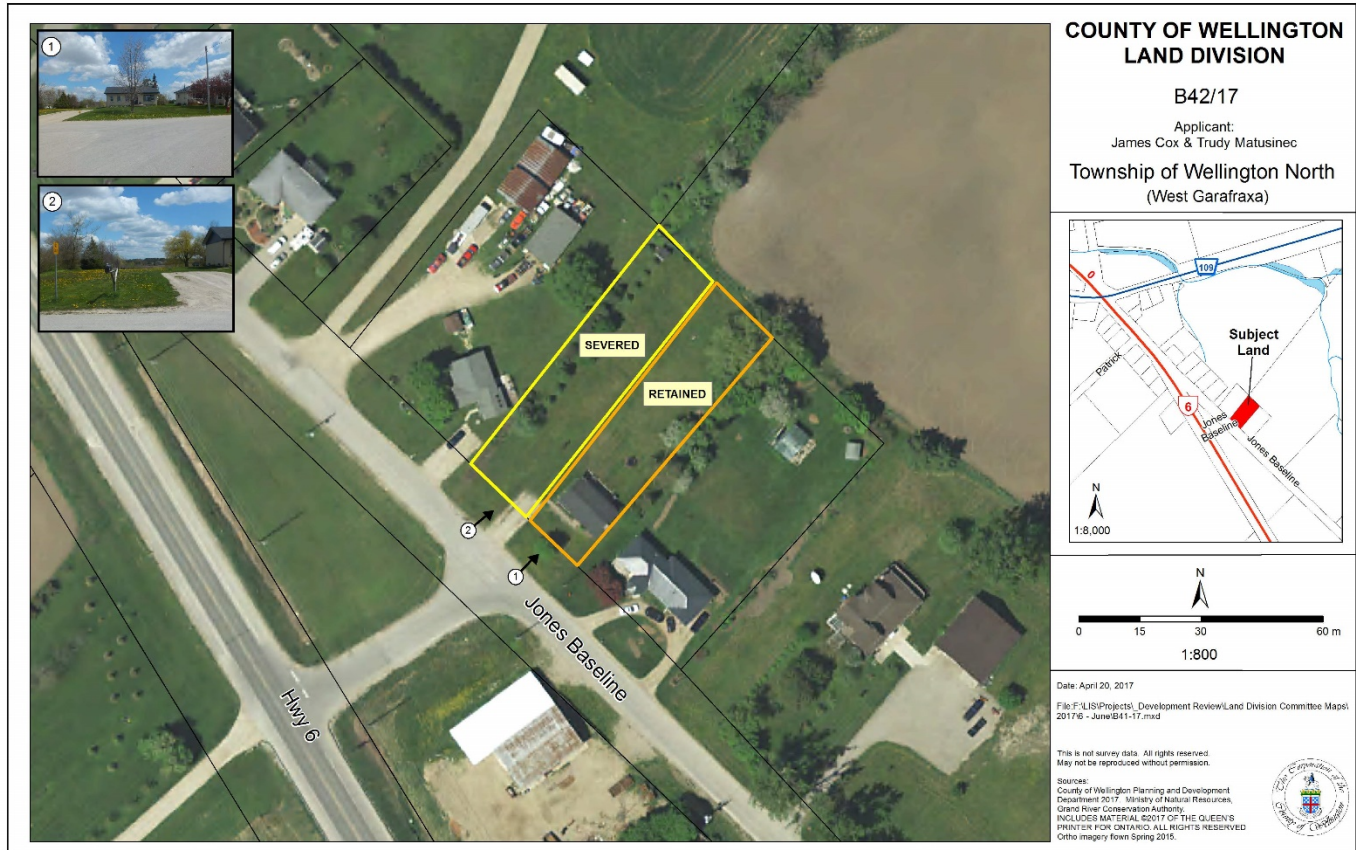
LOCATION

The subject property is legally described as Lot 36, Con 1 (West Garafraxa) with a civic address of 7619 Jones Baseline. The subject property is approximately 0.29 hectares (0.71 acres) in size and contains an existing single detached dwelling.

PROPOSAL

This rezoning is a condition of severance application B42/17, which has been granted provisional approval by the Wellington County Land Division Committee. The consent application creates a 0.15 ha (0.37 acre) vacant residential parcel and a 0.14 ha (0.34 acre) retained parcel occupied by an existing residential dwelling. The purpose of the amendment is to rezone the subject lands to permit a reduced lot frontage and lot area for both the proposed severed and retained lots. The rezoning will also place a holding zone prohibiting the issuance of a building permit on the severed lot until sewage capacity is available, the lots are connected to municipal services, and the existing well and septic are de-commissioned which serve the retained lot. An air photo showing the proposed severed and retained lots is provided below.

Figure 1: Air Photo Showing Lots



COUNTY OFFICIAL PLAN

The subject property is designated Prime Agricultural. Permitted uses include single detached dwellings.

WELL HEAD PROTECTION AREA

The subject property is located within a Wellhead Protection Area (WHPA) D, with a Vulnerability Score of 2 and 4.

ZONING BY-LAW

The subject lands are zoned Agricultural Exception 33.1 (A-1). Permitted uses include single detached dwellings. The exception restricts new livestock facilities within close proximity to urban areas such as Arthur. The applicant has applied to amend the lot area and frontage standards as follows:

Proposed Severed Lot:

	Required	Proposed
Minimum Lot Area Section 8.5.2.1	0.4 ha (1.0 acre)	0.15 ha (0.37 acre)
Minimum Lot Frontage Section 8.5.2.2	30.5 m (100.1 ft)	17.0 m (55.7 ft)

Proposed Retained Lot:

	Required	Proposed
Minimum Lot Area Section 8.5.2.1	0.4 ha (1.0 acre)	0.14 ha (0.34 acre)
Minimum Lot Frontage Section 8.5.2.2	30.5 m (100.1 ft)	18.0 m (59.05 ft)

A holding provision (H symbol) is also being added to the severed lot which will not allow for the issuance of a building permit on the property until the following conditions are met:

- a. That the owner apply for and be allocated sewage units for both the severed and retained lots;
- b. That the dwelling on the retained lot connect to municipal water and sewer services;
- c. That the existing well and septic system on the retained lot be decommissioned to the satisfaction of the Township of Wellington North.

PLANNING DISCUSSION

R1C Zone Proposal:

A Residential Low Density (R1C) has been proposed by the applicant for the severed and retained lots as an appropriate zone to address the lot area and frontage deficiencies. Planning Staff do not prefer this zoning category as the R1C is intended to apply in the urban area and not the rural area. Planning Staff have proposed that the property remain zoned Agricultural (A) with site specific exceptions to address the deficiencies.

Agricultural Exception 33.1 (A-1):

The subject property is currently zoned Agricultural Exception 33.1 (A-1). Permitted uses include single detached dwellings. The exception restricts new livestock facilities within close proximity to urban areas such as Arthur. Planning Staff have proposed to remove this exception on the subject property as the lots are too small for a livestock facility and therefore the restriction is not necessary.

Servicing:

The intention is that the proposed severed and retained lots will be connected in the future to municipal sewer and water, as services run past the property. Presently there is not capacity available in the Arthur sewage system for these lots to connect. In the mean time the existing dwelling (retained lot) will utilize the existing well and septic system until servicing capacity becomes available.

Minimum Lot Size:

Planning Staff have no concerns with the reduced lot size as the lots are to be serviced with municipal sewage and water.

Draft Zoning By-law:

A draft zoning by-law has been prepared for Council's consideration which proposes to apply site specific exceptions to each of the proposed lots permitting reduced lot areas and frontages, and applying a holding provision (H symbol) to the severed lot. The draft by-law is attached to this report.

Respectfully submitted
County of Wellington Planning and Development Department



Curtis Marshall, MCIP, 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; as amended pursuant to Section 34 of The Planning Act, R.S.O. 1990, as amended

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 Lot 36, Con 1 (West Garafraxa) with a civic address of 7619 Jones Baseline, as shown on Schedule "A" attached to and forming part of this By-law from **Agricultural Exception 33.1 (A-1)** to **Agricultural Exception with a Holding Provision (A-195(H))** and **Agricultural Exception (A-196)**;
2. THAT Section 33 Exception Zone 3 – Rural Areas, is amended by the inclusion of the following new exceptions:

<p>33.195 Lot 36, Con 1 (West Garafraxa)</p>	<p>A-195(H)</p>	<p>Notwithstanding the provisions of section 8.5.2.1 a minimum lot area of 0.15 ha (0.37 acre) is permitted.</p> <p>Notwithstanding the provisions of section 8.5.2.2 a minimum lot frontage of 17.0 m (55.7 ft) is permitted.</p> <p>A Holding Provision (H) shall apply to the property until removed by Council. Council may pass a by-law removing the holding symbol once it is satisfied that the following matters have been adequately addressed:</p> <ol style="list-style-type: none"> a. That the owner apply for and be allocated sewage units for both the severed and retained lots; b. That the dwelling on the retained lot connect to municipal water and sewer services; and, c. That the existing well and septic system on the retained lot be decommissioned to the satisfaction of the Township of Wellington North. <p style="text-align: right;">(B42/17 Cox & Matusinec - Severed lot)</p>
<p>33.196 Lot 36, Con 1 (West</p>	<p>A-196</p>	<p>Notwithstanding the provisions of section 8.5.2.1 a minimum lot area of 0.14 ha (0.34 acre) is permitted.</p>

Garafraxa), 7619 Jones Baseline		Notwithstanding the provisions of section 8.5.2.2 a minimum lot frontage of 18.0 m (59.05 ft) is permitted. (B42/17 Cox & Matusinec - Retained lot)
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3. 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.

4. 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 _____, 2018

READ A THIRD TIME AND PASSED THIS _____ DAY OF _____, 2018

_____.

MAYOR

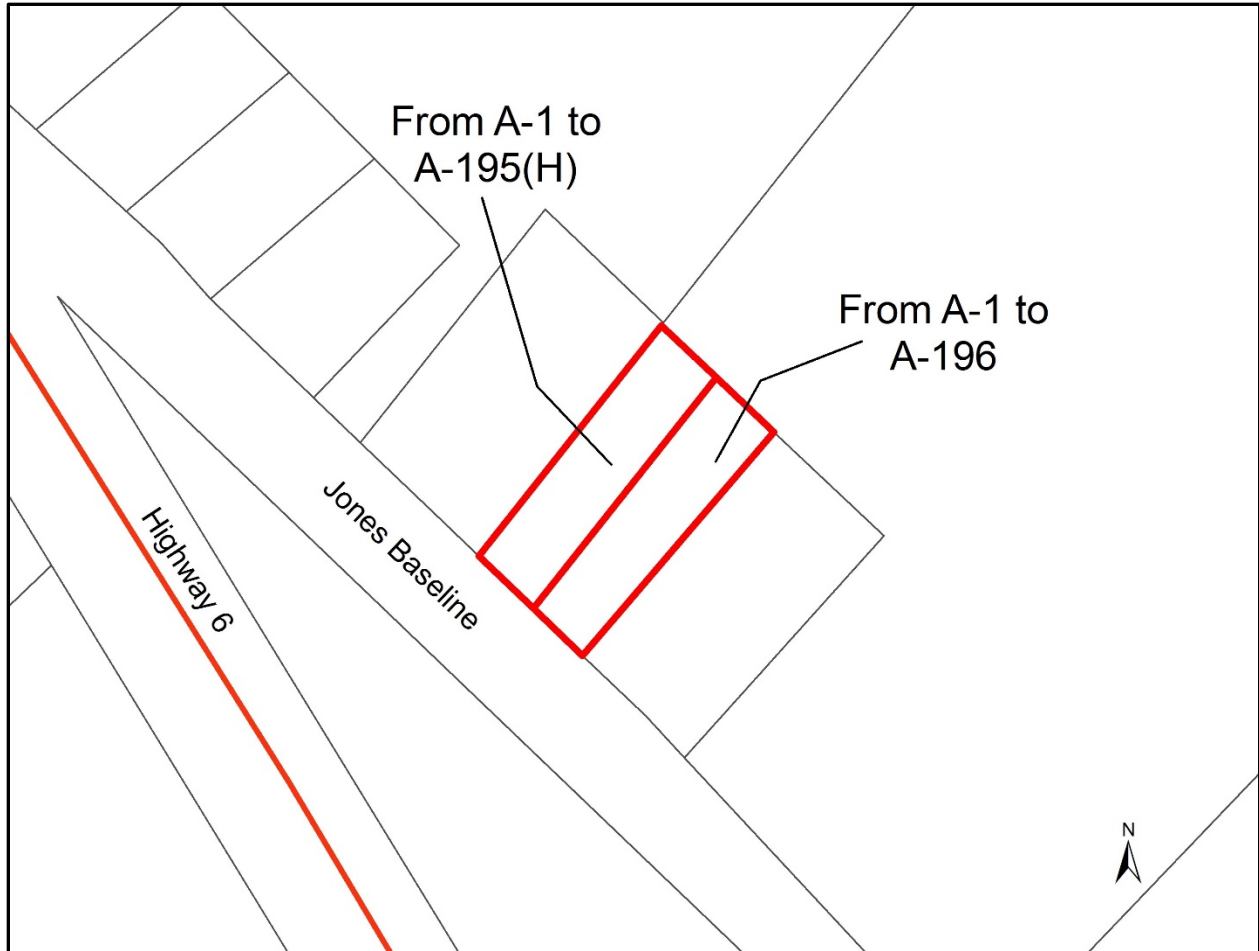
_____.

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO. _____

Schedule "A"



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

Passed this ___ day of _____ 2018

MAYOR

CLERK

EXPLANATORY NOTE

BY-LAW NUMBER _____.

THE LOCATION OF THE SUBJECT LANDS

The subject property is legally described as Lot 36, Con 1 (West Garafraxa) with a civic address of 7619 Jones Baseline. The subject property is approximately 0.29 hectares (0.71 acres) in size and contains an existing single detached dwelling.

THE PURPOSE AND EFFECT of the amendment is to rezone the subject lands to permit a reduced lot frontage and lot area for both the proposed severed and retained lots. The rezoning will also place a holding zone prohibiting the issuance of a building permit on the severed lot until sewage capacity is available, the lots are connected to municipal services, and the existing well and septic are de-commissioned which serve the retained lot. This rezoning is a condition of severance application B42/17, which has been granted provisional approval by the Wellington County Land Division Committee. The consent application creates a 0.15 ha (0.37 acre) vacant residential parcel and a 0.14 ha (0.34 acre) retained parcel occupied by an existing residential dwelling.