



Township of Wellington North

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

Public Meeting

Monday, March 4th, 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>The Mayor will call the meeting to order.</p> <p>Declaration of Pecuniary Interest.</p> <p>Owners/Applicant: Grech Outdoors Inc.</p> <p>Location of the Subject Land The property subject to the proposed amendment has a municipal address of 115 Fergus Street South in Mount Forest. The property is approximately 966.8 sq.m (0.4ac.) in size and its location is shown on the map attached.</p> <p>The Purpose and Effect of the Application The purpose and effect of the proposed amendment is to rezone the subject lands to permit a site specific zoning to allow a gunsmithing repair shop and accessory retail sales. The proposed use is currently located at 153 Main Street South, Mount Forest (Grech Outdoors Inc.) and is relocating to the proposed location to accommodate growth in the business. The use will be located within the existing industrial building.</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
<ol style="list-style-type: none"> 1. Notice for this public meeting was sent to property owners within 120 m and required agencies and posted on the property on February 11th, 2013. 2. Application for Zoning By-law Amendment 	02

AGENDA ITEM	PAGE NO.
3. Presentations by: <ul style="list-style-type: none">- Linda Redmond, Planner- See attached comments and draft by-law	15
4. Review of Correspondence received by the Township: <ul style="list-style-type: none">- Cherielyn Leslie, Environmental Planning Coordinator, SVCA- No objection	20
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: The Corporation of the Township of Wellington North</p> <p>DEFERRED FROM DECEMBER 17TH, 2012 AND JANUARY 28TH, 2013.</p>	
<ul style="list-style-type: none"> - Public Meeting Minutes, December 17th, 2012 (copy attached) - Second Public Meeting Minutes, January 28th, 2013 (copy attached) 	<p>21</p> <p>27</p>
<p>This third public meeting is to consider a zoning amendment for “housekeeping” revisions.</p>	
<p>Re: The changes are of a general nature and apply throughout the Township of Wellington North.</p>	
<p>The Purpose and Effect of the Application</p>	
<p>The purpose and effect of the proposed amendment is to provide for Township initiated “housekeeping” amendments to the Comprehensive Zoning By-law as itemized below:</p>	
<ul style="list-style-type: none"> i) General typographical and mapping corrections. ii) Clarification of text for regulations such as non-complying uses, buffer areas, common amenity area, hobby barns, yard encroachments. iii) Amend provisions for accessory uses, including clarifying number, size and location of structures. iv) Provide regulations for accessory residential uses in a Highway Commercial zone. v) Add new provisions to restrict dog kennels unless a site specific zoning amendment is obtained. vi) Add and update definitions, vii) Modify parking requirements related to street townhouse uses. 	
<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>	
<ol style="list-style-type: none"> 1. Notice for the original public meeting was sent to the required agencies and published in the Mount Forest Confederate and the Arthur Enterprise on November 21st, 2012 and in the Wellington Advertiser on November 23rd, 2012. Notice for the second public meeting was sent to those requesting notice in writing on January 16th, 2013. Notice for this public meeting was sent to those requesting notice in writing on February 20th, 2013. 	

AGENDA ITEM	PAGE NO.
2. Presentations by: - Linda Redmond, Planner - See attached comments and draft by-law 3. Review of Correspondence received by the Township: - None 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	34



CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH

Application for Zoning By-law Amendment

Application No. _____

A. THE AMENDMENT

1. TYPE OF AMENDMENT? Site Specific [X] Other _____

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

To allow the relocation of the existing gunsmithing repair shop and supporting retail store (Grech Outdoors Inc.) from the current location at 153 Main Street South to 115 Fergus Street South to accommodate growth in the gunsmithing operation. (Please attached business profile for additional information)

B. GENERAL INFORMATION

3. APPLICANT INFORMATION

a) Registered Owner's Name(s): Grech Outdoors Inc.

Address: 9250 Concession 4N RR4 Kenilworth ON N0G 2E0

Phone: Home (519) 323-4460 Work (519) 509-4867 Fax (519) 509-4866

Email: grechoutdoors@wightman.ca

Officers of the Corporation having the authority to bind the Corporation:

John Grech, President
Ellen McGaghey, Vice President & Secretary

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:

Tracey & Marjorie Andrews, 610 Queen Street W., Mount Forest N0G 2L1

02

d) Send Correspondence To? Owner Agent Other _____

e) When did the current owner acquire the subject land? January 4, 2013

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: 115 Fergus Street South, Mount Forest, ON

Concession: _____ Lot: Part Lots 14 & 15, Part 2 Registered Plan No: RP60R2290

Area: _____ hectares Depth: _____ meters Frontage (Width): _____ meters
0.24 acres 130.78 feet 77.53 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?

Residential Transition Area

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

All uses allowed in the Residential designation, as well as a wide variety of non-retail uses and service functions including, but not limited to, professional offices, studios, clinics, personal services establishments, day care centres and nursing homes. Ancillary retail uses secondary to the main service function may also be permitted.

Churches, service clubs and other community-oriented facilities are also allowed. Accessory apartments may also be permitted, as well as bed and breakfast establishments

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

03

Permitted uses include:

- any use permitted in the R2 Zone subject to the applicable regulations of that Zone (excluding a new single detached dwelling).
- any use permitted in the R3 Zone subject to the applicable regulations of that Zone.
- any of the following uses subject to the C1 Central Commercial Zone regulations:
 - Bus Depot
 - Business or Professional Office
 - Church/Place of Worship (subject to the IN institutionalized Zone regulations)
 - Commercial School or Studio
 - Cultural Entertainment Facility
 - Financial Office
 - Funeral home (subject to the regulations of the C2 Highway Commercial Zone)
 - Group Home
 - Hotel
 - Library
 - Medical Clinic
 - Parking Lots
 - Personal Service Shop
 - Private or Commercial Club
 - Public Buildings
 - Public Uses
 - Restaurants
 - Service or Repair Shop
 - Tavern
- Any of the following uses subject to the C3 Neighbourhood Commercial Zone regulations:
 - Convenience store
 - Neighbourhood store
 - Day Nursery
 - A Home for the Aged, Rest Home, Nursing Home subject to the regulations of the Institutional Zone

C. EXISTING AND PROPOSED LAND USES AND BUILDINGS

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

The building is a concrete block commercial building which has been used for a variety of electrical and building contractors throughout its life. Most recently it has been the home of a small engine repair shop.

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

61 years

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

Gunsmithing repair shop and supporting retail store. This is a relocation of an existing Mount Forest business. Please see attached business profile for additional details.

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)	Concrete block commercial building			
b) Date of Construction	1952			
c) Building Height	_____ (m)	_18_ (ft)	_____ (m)	_____ (ft)
d) Number of Floors	Single storey with mezzanine			
e) Total Floor Area (sq.m.)	_____ (sq m)	_2800_ (sq ft)	_____ (sq m)	_____ (sq ft)
f) Ground Floor Area (sq.m.) (exclude basement)	_____ (sq m)	_2400_ (sq ft)	_____ (sq m)	_____ (sq ft)
g) Distance from building/structure to the:				
Front lot line	_____ (m)	_46.8_ (ft)	_____ (m)	_____ (ft)
Side lot line	_____ (m)	_1.7_ (ft)	_____ (m)	_____ (ft)
Side lot line	_____ (m)	_38.83_ (ft)	_____ (m)	_____ (ft)
Rear lot line	_____ (m)	_18.68_ (ft)	_____ (m)	_____ (ft)
h) % Lot Coverage	23%			
i) # of Parking Spaces	10			
j) # of Loading Spaces	1			

D. EXISTING AND PROPOSED SERVICES

14. WHAT IS THE ACCESS TO THE SUBJECT PROPERTY?

Provincial Highway	<input type="checkbox"/>	Continually maintained municipal road	<input checked="" type="checkbox"/>	Right-of-way	<input type="checkbox"/>
County Road	<input type="checkbox"/>	Seasonally maintained municipal road	<input type="checkbox"/>	Water access	<input type="checkbox"/>

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

Fergus Street South

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)	()	()	()	()	()	()
b) Proposed	()	()	()	()	()	()	()

18. HOW IS THE STORM DRAINAGE PROVIDED?

Storm Sewers (x) 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.)

Grech Outdoors Inc. Business Profile dated January 24, 2013
Site Plan – 115 Fergus Street South
Aerial Photo showing 115 Fergus Street South

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) _____ 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) John Grech & Ellen McGaghey of the Township of Wellington North;
County / Region of _____ 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 11 day of February, 2013

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

Feb 11/13.
Date

[Signature]
Signature of Commissioner

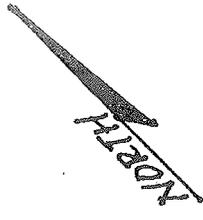
Feb 11/13.
Date

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

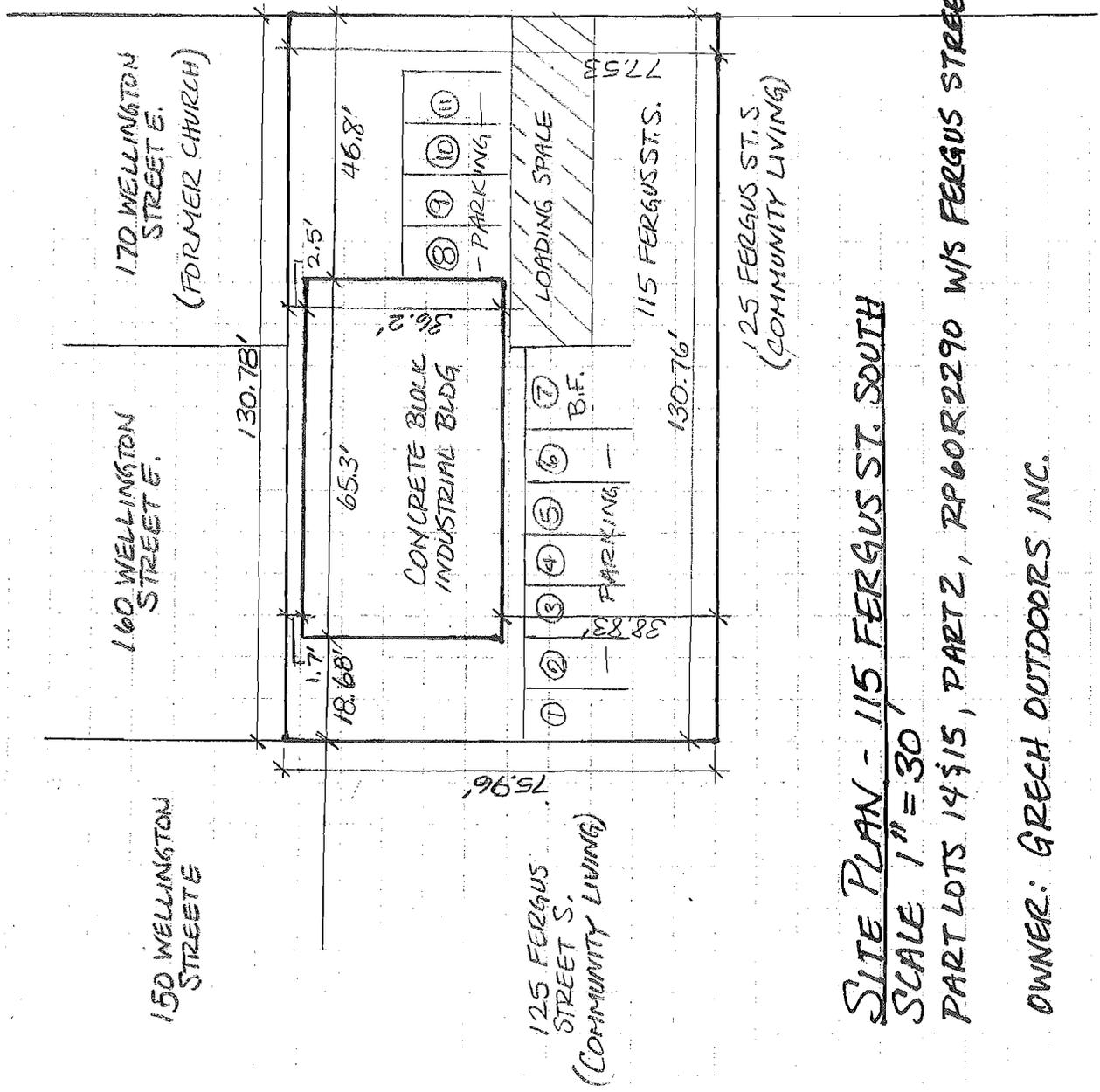
APPLICATION AND FEE OF \$ 500.00 RECEIVED BY MUNICIPALITY

[Signature]
Signature of Municipal Employee

Feb 11/13
Date



FERGUS STREET



SITE PLAN - 115 FERGUS ST. SOUTH
SCALE 1" = 30'

PART LOTS 14 & 15, PART 2, RP 60R2290 W/S FERGUS STREET

OWNER: GRECH OUTDOORS INC.

Business Owners: John Grech & Ellen McGaghey

History of Operations in Mount Forest:

- Began operations in a retail location at 183 Main Street South in August, 2006 selling firearms, hunting and fishing supplies and offering limited gunsmithing services.
- Relocated to 153 Main Street South in July, 2009 to offer full gunsmithing services. This new location was larger, had a rear door for shipping/receiving and was better suited to the gunsmithing operation because a portion of the space is slab-on-grade construction which can support the precision machining equipment required for quality gunsmithing. Retail operations were reduced to products complementary to the gunsmithing operation: firearms, ammunition and related hunting supplies.
- Purchased 115 Fergus Street South in January, 2013 to accommodate further growth in the gunsmithing business. This commercial building is significantly larger and more suited to the current and future direction of the business. By locating off the main street we hope to minimize the curiosity foot traffic and focus on our core gunsmithing business. Retail operations are expected to remain as is or ideally be reduced in the new location.

Proposed Use of 115 Fergus Street Building:

Ground Floor (~2400 sq.ft)

Gunsmithing and related activities: ~ 2000 sq.ft.

Retail/Customer waiting area: ~400 sq.ft.

Mezzanine (~400 sq.ft.)

Future use as a small classroom for hunter education and firearms safety classes.

Gunsmithing Operations:

Our core gunsmithing operation employs one fully licensed gunsmith (owner, John Grech), two gunsmith apprentices and two shipper/receivers providing the following services:

Warranty Services (60%):

- We provide Canada-wide warranty service for four major firearms manufacturers and are currently in negotiations with two other manufacturers to provide the same service.
- This work is primarily parts replacement, but occasionally involves machining or woodworking.

General Repair Services (30%):

- We provide over-the-counter repairs to all makes and models of firearms.
- We also provide general repair services for a number of gun stores in Ontario and elsewhere in Canada.

- This work ranges from cleaning and parts replacement to machining of new components.

Custom Services (10%):

- We do extensive modifications for fit, performance and appearance to firearms that customers own or purchase from us.
- We also build and sell custom firearms by assembling components and/or machining components on site.

Related Activities:

- shipping & receiving
- parts storage & management
- customer management
- documentation

Retail Operations:

Our retail operations are focused on those products which support the gunsmithing operation and/or attract potential gunsmithing customers. To provide some context, our total inventory is less than a quarter of what would be required to be viable as a true retail firearms operation. No staff are dedicated to retail sales and counter service is provided through interruption of the gunsmithing operation.

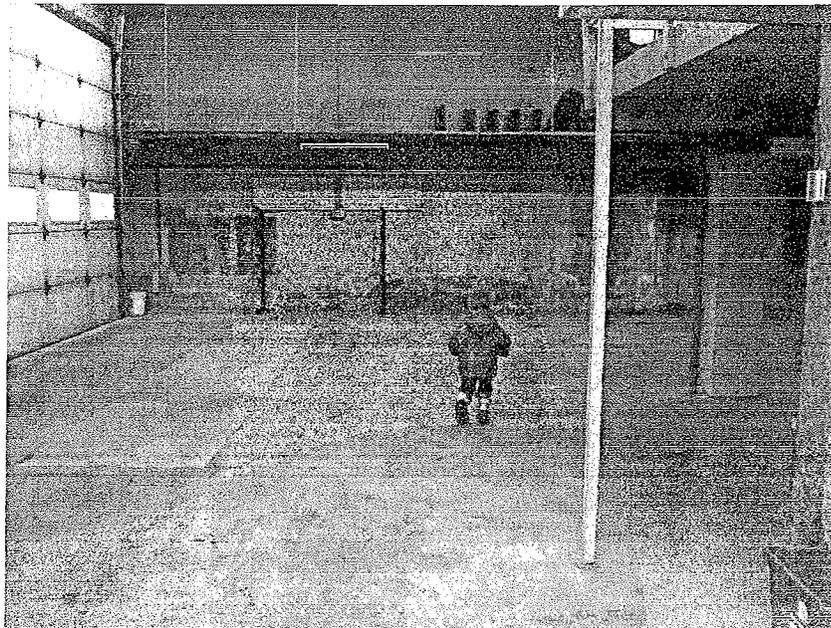
Our core sales are:

- New and used firearms
- Custom firearms assembled on site
- Ammunition and reloading supplies
- Firearms parts and components
- Firearms accessories (scopes, slings, cases etc.)

We also sell some related hunting supplies such as archery supplies, hunting dog supplies and hunting calls and decoys.

115 Fergus Street South:

The building is a concrete block commercial building which has been used for a variety of electrical and building contractors throughout its 60+ years. Most recently it has been the home of a small engine repair shop. Other than painting, upgrading the electrical service and the addition of security features required by the Chief Firearms Office (such as a service counter and partition to restrict customer access, alarm system and window bars) we do not plan to modify the building from its current configuration.



AERIAL PHOTO SHOWING
115 FERGUS ST. S. AND
SURROUNDING PROPERTIES
APPROX SCALE 1:1000



Map Printed On {2013-01-16 08:15}



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 27, 2013

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

Dear Mr. Jones:

**Re: Draft Zoning By-law Amendment
Grech Outdoors
115 Fergus Street South
Rezone to permit gunsmith business**

PLANNING OPINION

This zoning by-law amendment would allow for a gunsmith operation including repair, custom assembly, cleaning and warranty service of firearms. Additional limited retail sales of new and used firearms, ammunition, firearm and hunting accessories would be permitted as accessory to the gunsmith operation.

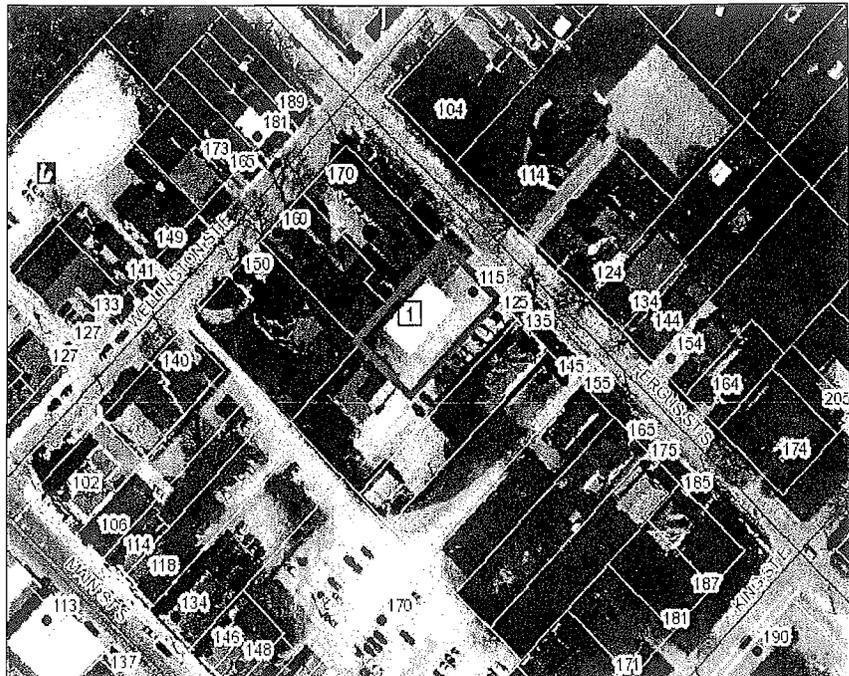
The property is currently zoned Mixed Use (MU1) and is located within an area of mixed residential, commercial and some industrial. The County Official Plan has provisions which recognize legally established uses which do not conform with the policies of an Official Plan but may be recognized as a permitted use in the local Zoning By-law. It further provides direction that a Council may consider zoning the property to allow a similar or more compatible use. In this instance the historical use of the property has been more industrial in nature. The proposed use, although not directly permitted, would meet the intent of the service or repair shop definition, which is permitted within a MU1 area. Staff have no concerns with the proposal.

SUBJECT LAND

The property subject to the proposed amendment has a municipal address of 115 Fergus Street South in Mount Forest. The property is approximately 966.8 sq.m (0.4ac.) in size and is occupied by an existing industrial building.

PURPOSE

The purpose of the amendment is to rezone the subject lands to permit a gunsmithing repair shop and accessory retail sales on the subject lands. The proposed use is currently located at 153 Main Street South, Mount Forest (Grech Outdoors Inc.) and is relocating to the proposed location to accommodate growth in the business. The use will be located within the existing industrial building



PROVINCIAL POLICY STATEMENT (PPS)

The subject property is considered to be within the settlement area of Mount Forest. Section 1.1.3.1 of the Provincial Policy Statement states that "settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted." Settlement areas are encouraged to include a mix of densities and land uses.

WELLINGTON COUNTY OFFICIAL PLAN

The subject lands are designated RESIDENTIAL TRANSITION (RT). This area is identified as a n area to provide an opportunity for non-retail commercial uses as well as other community services. Permitted uses within the RT areas of urban centres include those uses permitted in the RESIDENTIAL designation including a variety of residential housing types and some commercial. The RT designation also allows a wide variety of "non-retail uses and service functions, including ancillary retail uses secondary to the main service function.

Section 8.5.2 of the Official Plan identifies objectives for the RESIDENTIAL TRANSITION areas of urban centres, stating that an effort be undertaken to ensure potential compatibility issues between residential and other land uses are minimized.

Section 13.8.2 of the plan deals with Status Zoning and states "A legally established use which does not conform with the policies of an Official Plan may be recognized as a permitted use in the Zoning By-law in accordance with its current use and performance standards. A Council may also consider zoning the property to allow a similar or more compatible use or to provide for a limited expansion of the current use". In this regard the property has been used historically for more industrial type uses such as electrical and building contractor's yards.

ZONING BY-LAW

The subject lands are zoned Mixed Use (MU1). This zone permits a variety of residential and service commercial uses. The applicants are proposing to relocate their existing gunsmith business to this location. The proposal is as follows:

- Primary use, 2000 sq.ft. - repair, custom assembly, cleaning and warranty service of firearms.
- Accessory/ancillary use. 400 sq.ft. - retail sales of new and used firearms, ammunition and firearm and hunting accessories.

Under the MU1 zone the proposed use as described is not directly permitted as described although would fit most closely with the service or repair shop category. The zoning by-law defines a service or repair shop as follows:

Service or Repair Shop, means a building or part thereof for the repair or service of household articles including radio, television and electronic equipment, and small household appliances, and may include small engine repair, but does not include an industrial use or automotive body repair shop or automotive service station.

The draft by-law attached places a site specific exemption on the property to allow the gunsmith operation as well as limited accessory retail sales.

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 3 to By-law 66-01 is amended by changing the zoning on lands described as Pt Lot 14 & 15, RP60R2290, Part 2, with a civic address of 115 Fergus Street, S, as shown on Schedule "A" attached to and forming part of this By-law from **Mixed Use (MU1) to Mixed Use (MU1-48)**.
2. THAT Section 32, Exception Zone 2 – Mount Forest, is amended by the inclusion of the following new exception:

32.48 Pt Lot 14 & 15 RP60R2290, Part 2	MU1-48 Notwithstanding any other section of this by-law to the contrary, in addition to the uses permitted in the Mixed Use (MU1) Zone, the land zoned MU1-48 may also be used for a gunsmith operation, which includes but is not limited to the repair, custom assembly, cleaning and warranty service of firearms. Limited retail sales of new and used firearms, ammunition and firearm and hunting accessories shall also be permitted as accessory to the main use of a gunsmith operation. Subject to all the above uses being located within the existing building and no outside sales permitted.
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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 _____, 2013

READ A THIRD TIME AND PASSED THIS _____ DAY OF _____, 2013

MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "A"



Rezone from MU1 to MU1-48

Passed this ____ day of _____ 2013.

MAYOR

CLERK

EXPLANATORY NOTE

BY-LAW NUMBER _____.

THE LOCATION being rezoned is municipally described 115 Fergus Street South in Mount Forest. The property is approximately 966.8 sq.m (0.4ac.) in size and is occupied by an existing industrial building.

THE PURPOSE AND EFFECT of the amendment is to rezone the subject lands to permit a gunsmithing repair shop and accessory retail sales on the subject lands. The proposed use is currently located at 153 Main Street South, Mount Forest (Grech Outdoors Inc.) and is relocating to the proposed location to accommodate growth in the business. The use will be located within the existing industrial building.



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

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

February 21, 2013

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

ATTENTION: Darren Jones, CBO

Dear Mr. Jones:

RE: Proposed Zoning By-law Amendment
Part 2, RP 60R-2290
Part 116 Fergus St.
Geographic Town of Mount Forest
Township of Wellington North

The Saugeen Valley Conservation Authority (SVCA) has reviewed this 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 with respect to Plan Review. The SVCA has no objection to the approval of this proposed amendment that would permit a gunsmithing repair shop and accessory retail sales on the subject property.

For this particular property, there are no natural heritage features or natural hazards affecting the property.

All of the plan review functions listed in the Agreement have been assessed with respect to this zoning by-law amendment. The Authority is of the opinion that the proposed amendment appears to conform to the relevant policies of the Wellington Official Plan and Provincial Policies referred to in the Agreement.

We trust this information is 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)

Conservation
Through
Cooperation

A MEMBER OF



Conservation
ONTARIO
Natural Champions

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, December 17, 2012

The Public Meeting was held Monday, December 17, 2012 at 7:00 p.m. at the Township of Wellington North Council Chambers, Kenilworth to consider a Zoning Amendment application.

Present:

Mayor: Raymond Tout
Councillors: Sherry Burke
Mark Goetz
Dan Yake

Absent:

Councillor: Andy Lennox

Also Present:

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

Mayor Tout called the meeting to order.

Declaration of Pecuniary Interest:

None declared.

Owner/Applicant: The Corporation of the Township of Wellington North

This public meeting was held to consider a zoning amendment for "housekeeping" revisions.

Re: The changes are of a general nature and apply throughout the Township of Wellington North.

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, December 17, 2012

Page Two

The Purpose and Effect of the Application

The purpose and effect of the proposed amendment is to provide for Township initiated "housekeeping" amendments to the Comprehensive Zoning By-law as itemized below:

- i) General typographical and mapping corrections.
- ii) Clarification of text for regulations such as non-complying uses, buffer areas, common amenity area, hobby barns, yard encroachments, general industrial zone, Open space zone,
- iii) Add text to clarify the use of trailer boxes for storage or temporary uses.
- iv) Amend provisions for accessory uses, including clarifying number, size and location of structures.
- v) Clarify the requirements under the Natural Environment zone.
- vi) Provide regulations for accessory residential uses in a Highway Commercial zone.
- vii) Add new provisions to restrict dog kennels unless a site specific zoning amendment is obtained.
- viii) Add and update definitions, including clarifying the definition of modular homes.
- ix) Modify parking requirements related to street townhouse uses, aisle and access width and criteria for tandem parking requirements.
- x) Consideration to add new Light Industrial zone.
- xi) Rezone a portion of Part of Lot 33, Concession 1 from C2 to R2.
- xii) Add provisions for wellhead protection areas.

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

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

1. Notice for the public meeting was sent to the required agencies and published in the Mount Forest Confederate and the Arthur Enterprise on November 21st, 2012 and in the Wellington Advertiser on November 23rd, 2012.

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2. Presentation by:

Linda Redmond, Planner, reviewed her comments dated December 13, 2012.

This housekeeping amendment would introduce changes to the Township of Wellington North Zoning By-law 66-01 to correct typographical inaccuracies, clarify regulations and mapping, and improve or refine other by-law sections.

The Comprehensive Zoning By-law for the Township of Wellington North was adopted in 2001. Since that time we have tracked areas of the by-law that could be improved, refined or clarified. The Township's CBO, has also been consulted. This housekeeping amendment is the result of that effort.

The main changes proposed through this housekeeping amendment relate to typographical inaccuracies and wording clarification. However, there are other proposed amendments to change selected mapping, parking regulations for street townhouse uses, kennels and accessory structures.

New definitions have been introduced. In some cases they have been added to support or help to clarify existing regulations and some definitions have been added to support new regulations such as kennels.

New Definitions include:

Amenity Area	Garage sale	Machine Shop
Animal Shelter	Gravel Pit	Nursery
Drive-thru service facility	Home Improvement Centre	Outdoor storage
Driveway	Kennel	Postal or courier outlet
Floor area, Gross Leasable (GFLA)		

Clarification has been included regarding height requirement exemptions with respect to farm buildings such as silos, grain bins and corn cribs.

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Lot coverage has been amended to recognize different lot sizes in the rural area. The lot coverage will allow for larger accessory structures on larger parcels in the form of a sliding scale. The new criteria is as follows:

Current section 6.1.4 b)	Proposed
Provided the maximum lot coverage in i) is not exceed, the maximum floor area for an accessory building or structure not including a hobby barn in any residential zone including a lot subject to the reduced lot regulations of Section 8.5 shall not exceed 92.9 sq.m. (1000.0 sq.ft.) ground floor area.	Provided the maximum lot coverage is not exceeded for an accessory building or structure, the combined maximum floor area for all accessory buildings or structures not including a hobby barn or home industry in any residential zone including a lot subject to the reduced lot regulations of Section 8.5 shall not exceed 92.9 m ² (1000.0 ft ²) ground floor area for any lot 0.4 hectares (1.0 acres) or less in size. For each additional full 0.4 hectares (1.0 acres) of lot area, an additional 9.29 m ² (100 ft ²) of ground floor area may be added to the accessory building

Under the current by-law Kennels are not addressed. The proposed by-law will add provisions to restrict kennels unless a zone amendment has been obtained. A new By-law for the Keeping of Dogs and Dog Kennels is also proposed.

Accessory residential uses are permitted within the Highway Commercial zone currently, however there is no criteria to regulate this use. A new section has been added to the Highway Commercial zone to address this use.

Typographical corrections are proposed to recognize previously approved uses that were incorrectly numbered. There is also some mapping corrections in which the zoning was incomplete.

Clarification regarding the modular uses on lands located at Conestoga Estates, Spring Valley and Wellington Acres has been added to the site specific zones on those lands. The new clause states the following:

“Mobile home and modular homes shall not be permitted to have framed additions or basements.”

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The draft by-law was for discussion only at this point. Ms. Redmond recommended that the final by-law be addressed at a future meeting.

3. Review of Correspondence received by the Township:
 - Fred Natolochny, Supervisor Resource Planning, Grand River Conservation Authority
 - No objection
 - Brandi Walter, Environmental Planner/ Regulations Officer, Maitland Valley Conservation Authority
 - No concerns
4. The by-law will be considered at the Regular Council Meeting on January 14th. Mayor Tout asked those wishing to receive further notices regarding this application to make their request in writing.
5. Mayor Tout opened the floor for any questions/comments.

Gerald Shepetunko, 8720 Highway 6, Arthur, commented that the information regarding the draft by-law would take a lot of time to review to assess its impact. He asked if the financial impact of some of these changes had been looked at and if some of these changes are necessary. Specifically are the changes regarding storage trailers and kennels needed?

Terry Cudney, Property Manager of Conestoga Estates, stated that while he understood basements for mobile homes and modular homes not being permitted he did not think all additions to these homes should be restricted. Some prospective buyers are buying subject to being able to add on to the home. A statement restricting the size of additions would make more sense. Not allowing any additions would be unreasonable. Mobile homes and modular homes provide affordable housing for seniors and young families. Mayor Tout suggested that the additions that double the size of the home are the concern. Ms. Redmond stated that the change speaks to the intent as buildings are not moveable.

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Jens Dam, R.R. 1 Moorefield, stated that he had attended the office on December 7 and again the following Wednesday to get information about the zoning amendment. No information was available. Under the Planning Act information is supposed to be available 20 days prior to the meeting. He questioned if this was an information meeting or a public meeting. Mr. Dam stated that he will need time to sit down with the planner to see what Council is up to. Mr. Dam submitted a written statement that if this by-law goes ahead he will go to the OMB. He did not consider this meeting to be a public meeting in accordance with the Planning Act.

6. Comments/questions from Council.

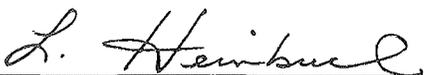
Councillor Burke questioned the changes to outdoor storage areas and the impact to businesses that set up seasonal displays, such as garden centres and Christmas tree lots set up in part of the business parking lot. Ms. Redmond provided that it would be a matter of interpretation for the building department.

Councillor Goetz inquired about the definition of "garage sale" and charity groups using garage sales for fund raising. Ms. Redmond clarified that the definition pertained to residential properties.

Councillor Goetz asked what will happen with existing railroad cars and trailers on properties. Who will enforce that part of the by-law? Ms. Redmond stated that temporary construction trailers will be allowed. This change deals with trailers that are being used as buildings. Trailers can be used but property owners will need to obtain appropriate approvals.

Councillor Yake inquired about the lot coverage changes. Is the Planner comfortable with the proposed increase of 100 sq. ft. per acre scale? Ms. Redmond commented that this is applicable for properties under 25 acres in section 6.1. Other areas are using this scale and it is working well.

7. Adjournment 7:48 p.m.


C.A.O./CLERK


MAYOR

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, January 28, 2013

The Second Public Meeting was held Monday, January 28, 2013 at 7:00 p.m. at the Township of Wellington North Council Chambers, Kenilworth to consider a Zoning Amendment application.

Present:

Mayor: Raymond Tout
Councillors: Sherry Burke
Mark Goetz
Andy Lennox
Dan Yake

Also Present:

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

Mayor Tout called the meeting to order.

Declaration of Pecuniary Interest:

None declared.

Owner/Applicant: The Corporation of the Township of Wellington North

This second public meeting was held to consider a zoning amendment for "housekeeping" revisions.

Re: The changes are of a general nature and apply throughout the Township of Wellington North.

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, January 28, 2013

Page Two

The Purpose and Effect of the Application

The purpose and effect of the proposed amendment is to provide for Township initiated “housekeeping” amendments to the Comprehensive Zoning By-law as itemized below:

- i) General typographical and mapping corrections.
- ii) Clarification of text for regulations such as non-complying uses, buffer areas, common amenity area, hobby barns, yard encroachments.
- iii) Add text to clarify the use of trailer boxes for storage or temporary uses.
- iv) Amend provisions for accessory uses, including clarifying number, size and location of structures.
- v) Provide regulations for accessory residential uses in a Highway Commercial zone.
- vi) Add new provisions to restrict dog kennels unless a site specific zoning amendment is obtained.
- vii) Add and update definitions,
- viii) Modify parking requirements related to street townhouse uses.

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

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

1. Notice for the original public meeting was sent to the required agencies and published in the Mount Forest Confederate and the Arthur Enterprise on November 21st, 2012 and in the Wellington Advertiser on November 23rd, 2012. Notice for this public meeting was sent to those requesting notice in writing on January 16th, 2013.

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2. Presentation by:

Linda Redmond, Planner, reviewed her comments dated January 23, 2013.

The following changes were made to the proposed housekeeping by-law as a result of the public meeting held at the December 17, 2012 Council meeting:

There are currently five active kennels within the Township that have obtained the appropriate approvals under the old system for a kennel license. With the introduction of the Keeping, Control and Licensing of Dogs within the Township of Wellington North By-law, combined with the restrictions for allowing kennels proposed under the zoning by-law, these kennels would become non compliant. In order to recognize these existing kennels so they may continue to operate within the parameters of the Zoning By-law we have included a site specific zoning on the properties that permits them to continue to have a dog kennel.

The changes proposed regarding the modular uses on lands located at Conestoga Estates, Spring Valley and Wellington Acres have been removed and will be addressed under a separate zone amendment.

Mr. Jens Dam raised a concern at the Public Meeting (December 17, 2012) that proper information was not available 20 days prior to the public meeting. He made reference to Section 17, subsection 19.1 of the Planning Act. This section relates to Official Plan Amendments, in which the draft amendment must be completed and made available 20 days before the public meeting. The following are the sections for information:

Section 17 of the Planning Act is located within Part III – Official Plans.

Section 17, subsection 19 – Timing of Public Meeting – The public meeting required under clause (15)(d) shall be held no earlier than 20 days after the requirements for giving notice have been complied with.

Section 17, subsection 19.1 – Information and material – The information and material referred to in clause (15)(c), including a copy of the current proposed plan, shall be made available to the public at least 20 days before the public meeting required under clause (15)(d) is held.

This above section is not applicable to the Housekeeping Zoning amendment.

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Section 34 of the Planning Act is located within Part V – Land Use Controls and Related Administration; this is the section that pertains to the Housekeeping Zone Amendment.

Section 34 – Zoning By-laws. Sub-section (12) – Information and public meeting; open house in certain circumstances, is applicable. Here, it is required that before passing a by-law under this section, sufficient information and material is made available to enable the public to understand generally the zoning proposal that is being considered by the council (sub section (12)(a)(i).

This section does not require information to be available to the public 20 days prior to the public meeting. In this case information was available on the Townships website at the same time that the information was available to Council. Also further clarification was provided at the public meeting. This is the normal practice for the Township and in most municipalities.

1. Review of Correspondence received by the Township:
 - Fred Natolochny, Supervisor Resource Planning, Grand River Conservation Authority, dated December 14, 2012
 - No objection
 - Cherielyn Leslie, Environmental Planning Coordinator, SVCA, dated December 14, 2012
 - No objection
 - Fred Natolochny, Supervisor Resource Planning, Grand River Conservation Authority, dated January 25, 2013
 - No objection
 - Cherielyn Leslie, Environmental Planning Coordinator, SVCA, dated January 25, 2013
 - No objection
 - GJ (Shep) Shepetunko
 - Concerns regarding restricted uses of containers, truck bodies, trailers, etc.

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2. The by-law will not be considered at the Regular Council Meeting following the public meeting. Mayor Tout asked those wishing to receive further notices regarding this application to make their request in writing.
3. Mayor Tout opened the floor for any questions/comments.

Alan Sharpe, owner of 351 Foster St., Mount Forest (former Acme Ruler property), expressed his concern regarding the restriction of container units. This property is a substantial property that cannot be built on because of the storm drain. His son Ryan operates Sligo Road Mini Storage on the site. The mini-storage business on the property uses containers. It is the only mini storage in Mount Forest. When planning this business they approached the building department and the planner to come up with setbacks for the placement of the containers. Both the building department and planner were aware of the plan to place up to thirty of these units on the property. If work is needed on the municipal storm drain they would have to vacate the property. They would like to put up a building but can't because of the storm drain. They feel it would not be fair for them to have to pay for a zone amendment and go through meetings for the business located on the property.

Jens Dam, 8751 Concession 9, noted that the section regarding mobile homes was removed and questioned why it was there to begin with.

Ms. Redmond commented that the CBO had asked for clarification for modular homes. It was addressed in the draft by-law as site specific and was removed due to concerns from those property owners about limiting all additions. Staff will be meeting with those owners to come to terms with the issue. The property owners want to allow minor additions.

Mayor Tout added that the issue of additions that double the size of the units is the reason it was included in the draft zone amendment by-law.

Roxanne Caughill, 9103 Highway 6, expressed concerns regarding the use of trailers for storage. Their property had a zoning amendment that included allowing them to have two units for storage. How long would they be allowed to keep the trailers on their property with this amendment? They don't want to find out later that they have to remove the units. If they have to build for storage the taxes will increase. A lot of small businesses that are barely surviving are very concerned about this change.

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Mayor Tout suggested that there could be a time limit for people to build while using the units temporarily. If someone already has these units on their property those units would be okay. They are looking at rules and regulations for all. The planner has suggested that units that are there now will be allowed to stay. This issue should go to the Building and Property Committee for further discussion.

Phil Green, 9103 Highway 6, questioned the \$1,500 fee for a zone amendment to allow a trailer for storage. He felt this was too costly. MPAC has greatly increased their assessment, which will increase taxes.

Ms. Caughill questioned if allowing a trailer storage unit could be done through a minor variance rather than a zone amendment.

4. Comments/questions from Council.

Councillor Lennox requested clarification of the purpose of the amendment restricting the use of shipping containers.

Ms. Redmond explained that the containers are being used as buildings. There are no permits or approvals required. Site Plan approval is not available and set backs are not maintained. The units are not captured but the building permit process would catch these and would require proper approvals.

Councillor Goetz commented that the draft by-law states that these units are not allowed.

Ms. Redmond stated that they would have to go through a zone amendment to be allowed. If it is a temporary use they could be placed in a temporary use by-law.

Mayor Tout commented that this is being addressed because this is a system that has been abused. The units can still be used if they go through the planning process but they can't be put wherever the owner wants.

Ms. Redmond stated that it is a loophole. There is nothing to show them being used in compliance with zoning. They are being used as a building. She spoke with the CBO, and he would prefer to see the existing units as legal non-conforming.

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Councillor Lennox questioned what the process would be and would there be criteria.

Ms. Redmond explained that the process would be to apply for a zone amendment to ask permission to allow the container. The applications would be looked at case by case. Criteria would be set out in the Zoning By-law, i.e. uses for industrial zone.

Councillor Lennox commented that the fee of \$1,500.00 would detract businesses from expanding and using the structures temporarily for storage.

Ms. Redmond explained that there is a section that allows for temporary uses, such as on a construction site. Perhaps the temporary uses need to be expanded. This amendment is about people who put the units on their property for 1, 5, 10 or more years. If it is there that long then the property owner should build a building.

Councillor Yake agreed with Councillor Lennox that a different solution is needed. There are very few units in town and most are in rural areas where they are not highly visible. He requested deferral to be able to look for alternatives through discussion with the building department.

Council deferred adoption of the by-law pending a report and recommendation from the Building and Property Committee regarding storage trailers.

5. Adjournment 7:33 p.m.

L. Heimbach
C.A.O./CLERK

[Signature]
MAYOR



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 27, 2013

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

Dear Mr. Jones:

**Re: DRAFT Housekeeping Amendment – Third Public Meeting
Township of Wellington North Zoning By-law 66-01**

Please find attached the Housekeeping Amending By-law for the Township of Wellington North Zoning By-law 66-01. The following changes have been made to the proposed housekeeping by-law as a result of the public meeting held at the January 28, 2013 Council meeting:

Restricted uses

The changes proposed regarding the use of shipping containers or trailers for storage purposes has been removed from the amending housekeeping by-law. As per Council direction a comprehensive review is underway to address this issue more broadly and will come back to Council at a later date for discussion. The following sections have been removed:

Section 5 Definitions

“OUTDOOR STORAGE, means the use of land for outdoor storage of equipment, goods or materials in the open air. It does not include storage in transport truck trailers”.

Section 6.35.2, Restricted Uses

“The locating or storing on any land for any purpose whatsoever any disused railroad car, street car body, truck body, shipping container, or a trailer without wheels, whether or not the same is situated on a foundation;”

The final housekeeping by-law is attached. 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 Section 5, Definitions, is amending by including the following new definitions in alphabetical order:

“AMENITY AREA, means an area situated on a residential lot that is intended for recreational purposes, and may include landscaped open spaces, patios, balconies, communal play areas, lounges, decks and other similar uses but shall not include a swimming pool or areas occupied at grade by service areas, parking areas, aisle or access driveways associated with the residential development or use. A Private Amenity Area means an amenity area, excluding a walkway, play area or other communal area, which is accessory to and outside of a dwelling unit, and is for the exclusive use of the occupants of the dwelling unit. A Common Amenity Area means an amenity area which is available for the use and enjoyment of the residents and guest of a residential development in common.

ANIMAL SHELTER, shall mean a building or part thereof, with or without related structures, wherein domestic household pets including, but not so as to limit the generality of the foregoing, dogs, cats, caged birds and specialty fish, but excluding any animals kept primarily for the purpose of providing food or skins, are given temporary shelter and accommodation or are treated or kept for treatment by a registered veterinarian, and includes the office of a registered veterinarian, but does not include any establishment engaged primarily in the retail sale of animals or in breeding animals for gain or profit, or a veterinarian’s clinic as defined herein.

DRIVE-THRU SERVICE FACILITY, means the use of a building or structure or a part thereof accessed by a designated stacking lane, where goods, products or services are offered to the public within a parked or stationary vehicle by way of a service window or kiosk. Service kiosks for parking control within a parking structure or parking are not considered to be drive-thru service facilities.

DRIVEWAY, shall mean a portion of a lot used to provide vehicular access from a street or lane to a parking space or off-street parking area or loading area located on the same lot.

FLOOR AREA, GROSS LEASABLE (GLFA), shall mean in the case of a commercial or industrial building, the aggregate of the area of all floors devoted to retail sales, customer service and/or office use measured from the outside face of exterior walls but excluding storage, mezzanine areas, mechanical rooms, parking structures and similar uses ancillary to the main use.

GARAGE SALE, shall mean an occasional use sale, conducted on a residential property by an occupant of such residential property, of household goods belonging to the occupier thereof and includes a yard sale and the like.

GRAVEL PIT, shall mean any open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral to supply such material for construction, industrial or manufacturing purposes. This definition does not include any excavation incidental to the construction of a building or structure for which a building permit has been issued; or any asphalt plant, cement manufacturing plant or concrete batching plant.

HOME IMPROVEMENT CENTRE, shall mean a garden centre; a furniture sales and service establishment, a floor covering sales and service establishment, a wall covering sales and service establishment, a lighting sales and service establishment, an electronics sales and service establishment, a major appliance sales and service establishment, or a swimming pool sales and service establishment.

KENNEL, means a place where more than 3 dogs are housed, groomed, bred, boarded, trained, sold or kept for hunting and includes both Boarding Kennels and Breeding Kennels, on a lot or parcel which is 25 acres or greater in size within an Agricultural Zone and which are licensed by the Township of Wellington North under the provisions of the By-law to Regulate and Provide for the Keeping, Control and Licensing of Dogs within the Township of Wellington North

MACHINE SHOP means a workshop in which work is machined to size and assembled.

NURSERY, means a place where trees, shrubs or plants are grown or stored for the purpose of transplanting , for use as stocks for building or grafting, or for the purpose of retail or wholesale, together with the sale of soil, planting materials, fertilizers or similar materials and includes a greenhouse.

POSTAL OR COURIER OUTLET, shall mean the provision of postal and courier pick-up and drop-off services for letters and small parcels, but does not include a postal or courier distribution or terminal facility.”

2. THAT Section 5.37, Definitions – Building Setback, is amended by adding the following wording to the end of the definition: **“excluding permitted architectural projections/encroachments.**
3. THAT Section 5.115, Definitions – Hobby Barn, is amended by deleting the words **“for personal use and pleasure”** after the word *animals*.
4. THAT Section 5.110, Definitions – Group Home is amended by deleting the definition in its entirety and replacing it with the following:

“5.110 GROUP HOME shall mean a single dwelling unit in a free standing building in which a range of three to ten residents (excluding staff or the receiving family) live under supervision and who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well being.”

5. THAT Section 5.203, Definitions – Salvage or Wrecking and Recycling Facility, is amended by adding the words “farm equipment” after the word *vehicles*.
6. THAT Section 6.1.2, Accessory Uses, is amended by adding a new subsection 6.1.2 (e), as follows:

“e) Notwithstanding Section 6.1.2 (a), (b) or (c), where a property is adjacent to a provincial highway, any setback regulations of the Ministry of Transportation shall prevail.”
7. THAT Section 6.1.2 b), location, is amended by adding the following wording to the end of the section **“or any other building or structure on the property”**.
8. THAT Section 6.1.3, Height, is amended by adding the following wording **“including a lot subject to the reduced lot regulations of Section 8.5”** after the words *“residential zone”* in the first line. AND further amended by adding the following sentence to the end of the section, **“Notwithstanding, the above provisions shall not apply to agricultural buildings such as but not limited to silos, grain bins and corn cribs as permitted in Section 8.1 and further defined in Section 6.4”**.
9. THAT Section 6.1.4, Lot Coverage, is amended by revising the subsection numbering from “i, ii and iii” to **“a, b and c”**.
10. THAT Section 6.1.4 (b), Lot Coverage, is amended by deleting section (b) in its entirety and replacing it with the following:

“b) Provided the maximum lot coverage is not exceeded for an accessory building or structure, the combined maximum floor area for all accessory buildings or structures not including a hobby barn or home industry in any residential zone including a lot subject to the reduced lot regulations of Section 8.5 shall not exceed 92.9 m² (1000.0 ft²) ground floor area for any lot 0.4 hectares (1.0 acres) or less in size. For each additional full 0.4 hectares (1.0 acres) of lot area, an additional 9.29 m² (100 ft²) of ground floor area may be added to the accessory building”.
11. THAT Section 6.3, Buffer Area, is amended by adding the following wording **“R3-Residential,”** after the words *“be provide on the”*.
12. THAT Section 6.5, Commercial Kennels and Pet Boarding Establishments, is amended by deleting the wording in its entirety and replacing it with the following paragraph:

“As per Section 6.35.2 of this By-law, a kennel is a restricted use in all zones within the Township of Wellington North. Kennels are prohibited uses unless specifically permitted by an amendment to this By-law. Where specifically permitted by an amendment to this By-law, no land, building or structure shall be used for a kennel, unless the land, building and structure is in compliance with the approved By-Law to Regulate and Provide for the Keeping, Control and Licensing of Dogs within the Township of Wellington North”.
13. THAT Section 6.6 a), Common Amenity Area, is amended by deleting the word **“outdoor”** after the word *“common”*.
14. THAT Section 6.22, Non-Complying Uses, is amended by adding the following new sentence at the end of the first paragraph **“Notwithstanding the above, new additions must be in**

compliance with the regulations of the Zone in which the building or structure is located”.

15. THAT Section 6.26, Outdoor Storage Areas, is amended by adding a new subsection 6.26 d), as follows:

“d) Not obstruct or occupy any required parking area.”

16. THAT Section 6.27.8, Parking Regulations - Calculation of Parking Regulations –Table # 3, is amended by deleting the “minimum number of parking space requirements for Townhouses/ Street as follows:

- **“Townhouses/ Street 1/unit”**

17. THAT Section 6.35.2, Restricted Uses, is amended by adding the following new uses to the list:

- **Kennel;**

18. THAT Section 6.36 f, Yard Encroachments, is amended by deleting the wording it in its entirety and replacing it with the following:

f. Single detached, semi-detached and duplex residential dwellings.	The requirements of this by-law for a minimum interior side yard and minimum rear yard may be interchanged where such building is located on a corner lot.
--	---

19. THAT Section 8.3.2 (a), Hobby Barn Setback, is amended by deleting the words **“of 27.9 m² (300.0 ft²)”** after the words *“A hobby barn of”*.

20. THAT Section 8.5.1, Reduced Lot Regulations, is amended by adding the following permitted use:

- **Accessory uses, building and structures**

21. THAT Section 17, Highway Commercial Zone, is amended by the addition of the following new Section 17.6 as follows:

17.6 ACCESSORY RESIDENTIAL USES

A permitted commercial use or building may contain one or more accessory residential apartments subject to the following:

- a) Each residential dwelling unit, accessory to a permitted commercial use or building shall be located above or to the rear of the main commercial use.**
- b) Where an accessory residential dwelling unit is to be located on the ground floor area of a main commercial building, it shall not occupy any more than forty-nine percent (49%) of the ground floor area of the rear portion of the building.**
- c) Each accessory residential dwelling unit shall have a minimum floor area of 50.0 m² (538.2 ft²).**
- d) Each accessory residential dwelling unit shall be completely self-contained.**

- e) Each accessory residential dwelling unit shall have a separate and direct means of access to a public street or lane via halls and /or stairs and/or across the subject property.
- f) Each accessory residential unit shall be provided with a minimum of one off-street parking space which is on the same lot as the accessory residential unit.

22. THAT Section 24.1, Industrial Zone permitted uses, is amended by deleting the word “Any” from the first bullet, and adding the words at the end of the first bullet “**or uses restricted in all zones as per section 6.35**”.

23. THAT Section 31 Exception Zone 1- Arthur Village, be amended by deleting site specific **31.22 – M1-22 Zone** in its entirety.

24. THAT Section 33.93 - A-93 Zone is amended by changing the exception zone heading from 33.93 - A-93 zone to “**33.132 A-132 zone**”.

25. THAT Section 33.119 - A-119 Zone is amended by changing the exception zone heading from 33.119 - A-119 zone to “**33.123 - A-123 zone**”.

26. THAT Section 33.120 - A-120 Zone is amended by changing the exception zone heading from 33.120 - A-120 zone to “**33.124 - A-124 zone**”.

27. THAT Section 33.95 - A-95 Zone is amended by changing the exception zone heading from 33.95 - A-95 zone to “**33.133 - A-133 zone**”.

28. THAT Section 33.23 – A-23 Zone is amended by adding the following permitted use:
“In addition to the uses permitted in the Agriculture (A) zone, section 8, the following additional use is permitted:

- a) the operation of a dog kennel.

And further that the use is subject to the By-law to Regulate and Provide for the Keeping, Control and Licensing of Dogs.”

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

33.134	A-134	In addition to the uses permitted in the Agriculture (A) zone, section 8, the following additional use is permitted:
Part Lot 13		a) the operation of a dog kennel.
Conc. 4		And further that the use is subject to the By-law to Regulate and Provide for the Keeping, Control and Licensing of Dogs.

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

33.135 Part Lot 13 Conc. 12	A-135	In addition to the uses permitted in the Agriculture (A) zone, section 8, the following additional use is permitted: a) the operation of a dog kennel. And further that the use is subject to the By-law to Regulate and Provide for the Keeping, Control and Licensing of Dogs.
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31. THAT Section 33, Exception Zone 3 – Rural Areas, is amended by the inclusion of the following new exception:

33.137 E. Part Lot 27, Conc. 2	A-137	In addition to the uses permitted in the Agriculture (A) zone, section 8, the following additional use is permitted: a) the operation of a dog kennel. And further that the use is subject to the By-law to Regulate and Provide for the Keeping, Control and Licensing of Dogs.
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32. THAT Section 33, Exception Zone 3 – Rural Areas, is amended by the inclusion of the following new exception:

33.138 Lot 15 WOSR	A-138	In addition to the uses permitted in the Agriculture (A) zone, section 8, the following additional use is permitted: a) the operation of a dog kennel. And further that the use is subject to the By-law to Regulate and Provide for the Keeping, Control and Licensing of Dogs.
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33. THAT Schedule "A" Map 3 – Mount Forest By-law 66-01 is amended by changing the zoning on lands described as Part of 33, Concession 1 as shown on Schedule "A" attached to and forming part of this By-law from **Commercial (C2)** to **"Residential (R2)**.
34. THAT Schedule "A" Map 3 – Mount Forest By-law 66-01 is amended by changing the zoning on the lands described as Lot 6, West of Elgin Street, Township of Wellington North, as shown on Schedule "B" attached to and forming part of this By-law from **Residential (R2)** to **Institutional (IN)**.
35. THAT Schedule "A" Map 2 – Arthur By-law 66-01 is amended by changing the zoning on the lands described as Pt Mill Property N/S Catherine St Pt Lot 32 S/S Francis St RP 61R7408 Parts;1 & 2, Township of Wellington North, as shown on Schedule "C" attached to and forming part of this By-law from **Residential Holding (R1H)** to **Residential Holding (R1C (H))**.
36. THAT Schedule "A" Map 1 – Wellington North By-law 66-01 is amended by changing the zoning on the lands described as Part of Lot 13, Concession 3 & 4, Township of Wellington North, as shown on Schedule "D" attached to and forming part of this By-law from **Agricultural Exception (A-93)** to **Agricultural Exception (A-132)**.
37. THAT Schedule "A" Map 1 – Wellington North By-law 66-01 is amended by changing the zoning on the lands described as Part of Lot 9, Concession 8, Township of Wellington North, as shown on Schedule "E" attached to and forming part of this By-law from **Agricultural**

Exception (A-119) and (A-120) to Agricultural Exception (A-123) and (A-124).

38. THAT Schedule "A" Map 1 – Wellington North By-law 66-01 is amended by changing the zoning on the lands described as Lot 28, Concession 4, Township of Wellington North, as shown on Schedule "F" attached to and forming part of this By-law from **Agricultural Exception (A-95) to Agricultural Exception (A-133)**.
39. THAT Schedule "A" Map 1 - Wellington North By-law 66-01 is amended by changing the zoning on lands described as Part Lot 13, Concession 4, as shown on Schedule "G" attached to and forming part of this By-law from **Agricultural (A) to Agricultural Exception (A-134)**.
40. THAT Schedule "A" Map 1 - Wellington North By-law 66-01 is amended by changing the zoning on lands described as Part Lot 13, Concession 12, as shown on Schedule "H" attached to and forming part of this By-law from **Agricultural (A) to Agricultural Exception (A-135)**.
41. THAT Schedule "A" Map 1 - Wellington North By-law 66-01 is amended by changing the zoning on lands described as E. Part Lot 27, Concession 2, as shown on Schedule "I" attached to and forming part of this By-law from **Agricultural (A) to Agricultural Exception (A-137)**.
42. THAT Schedule "A" Map 1 - Wellington North By-law 66-01 is amended by changing the zoning on lands described as Lot 15, WOSR, as shown on Schedule "J" attached to and forming part of this By-law from **Agricultural (A) to Agricultural Exception (A-138)**.
43. THAT except as amended by this By-law, the land as shown on the attached Schedules shall be subject to all applicable regulations of the Township of Wellington North Zoning By-law 66-01, as amended.
44. 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 _____, 2013

READ A THIRD TIME AND PASSED THIS ____ DAY OF _____, 2013

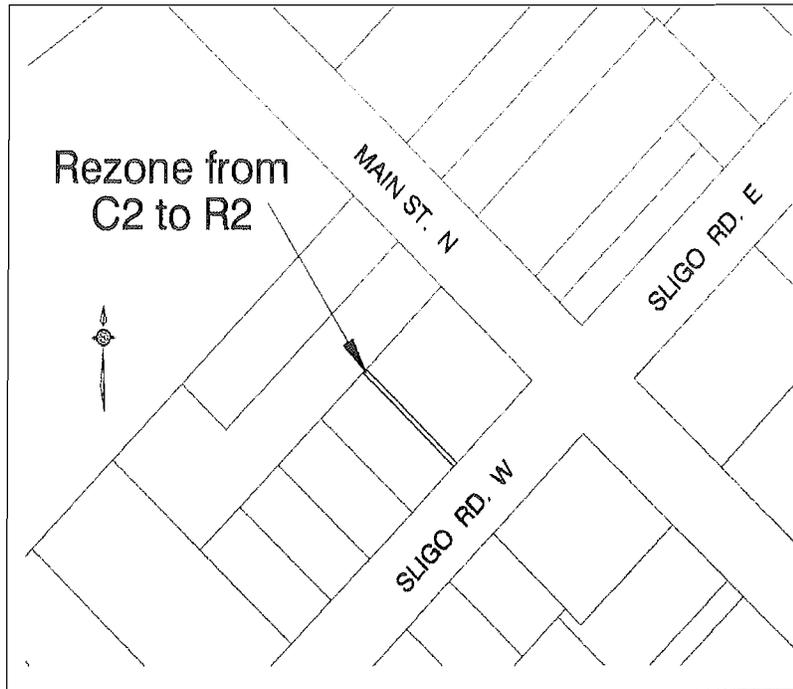
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "A"



Rezone from C2 to R2

Passed this ____ day of _____ 2013.

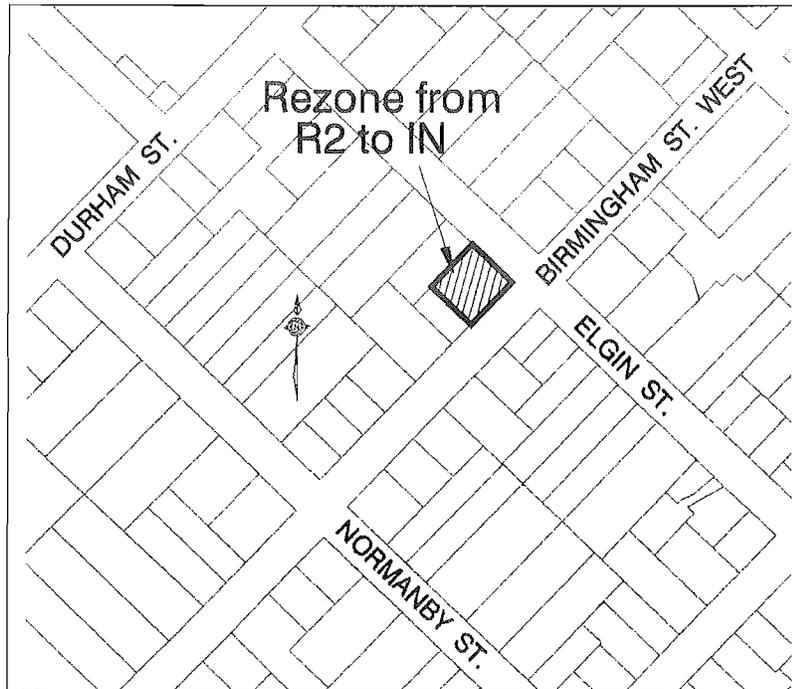
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "B"



Residential (R2) to Institutional (IN).

Passed this ____ day of _____ 2013.

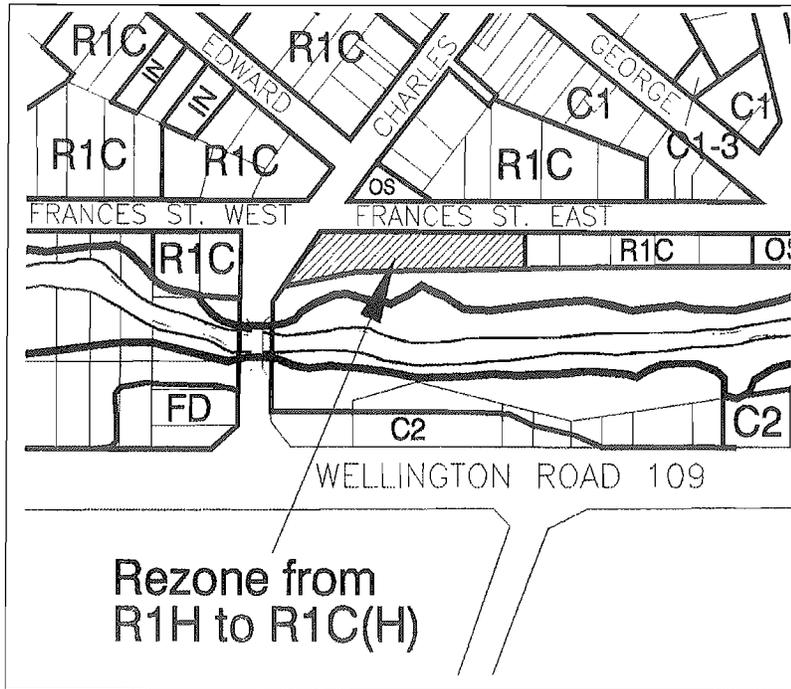
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "C"



Residential Holding (R1H) to Residential Holding (R1C (H)).

Passed this ____ day of _____ 2013.

MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "D"



Rezone from Agricultural Exception (A-93) to Agricultural Exception (A-132)

Passed this ____ day of _____ 2013.

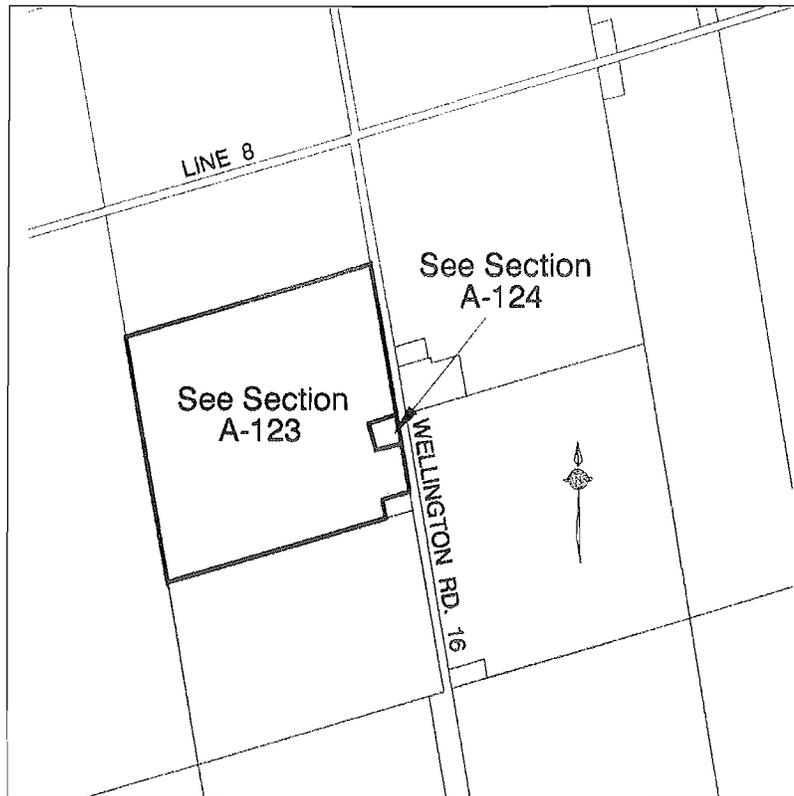
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "E"



Agricultural Exception (A-119) and (A-120) to Agricultural Exception (A-123) and (A-124)

Passed this ____ day of _____ 2013.

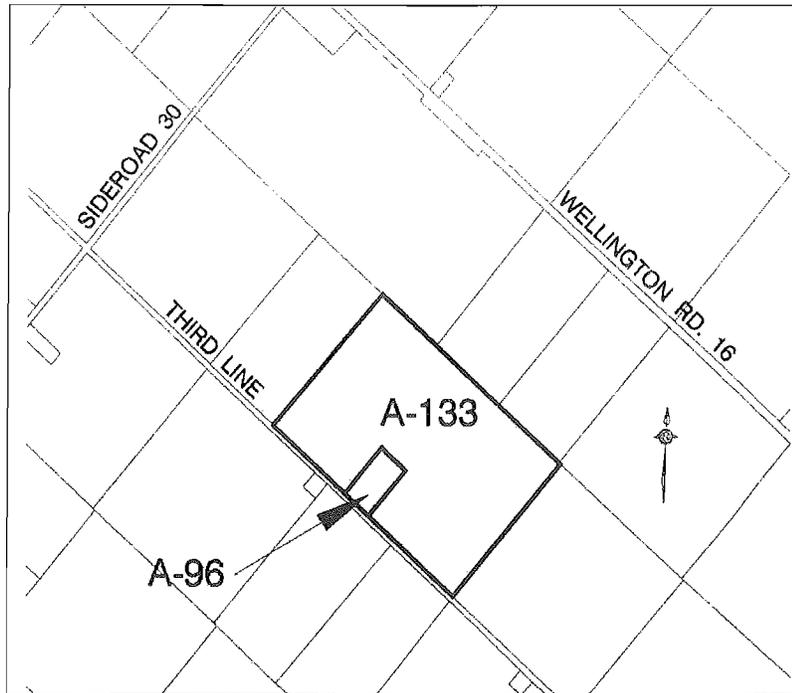
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "F"



Agricultural Exception (A-95) to Agricultural Exception (A-133).

Passed this ____ day of _____ 2013.

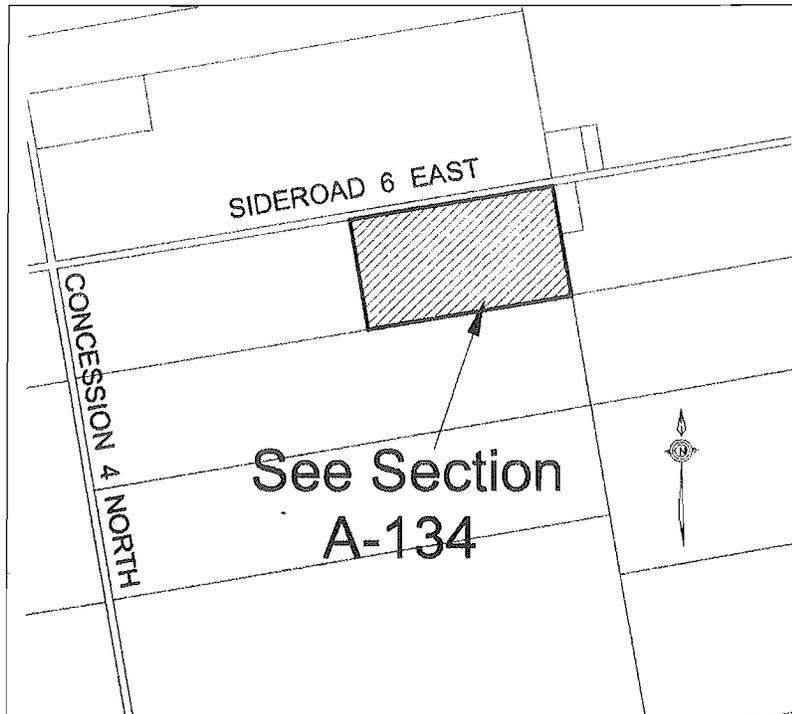
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "G"



Agricultural to Agricultural Exception (A-134).

Passed this ____ day of _____ 2013.

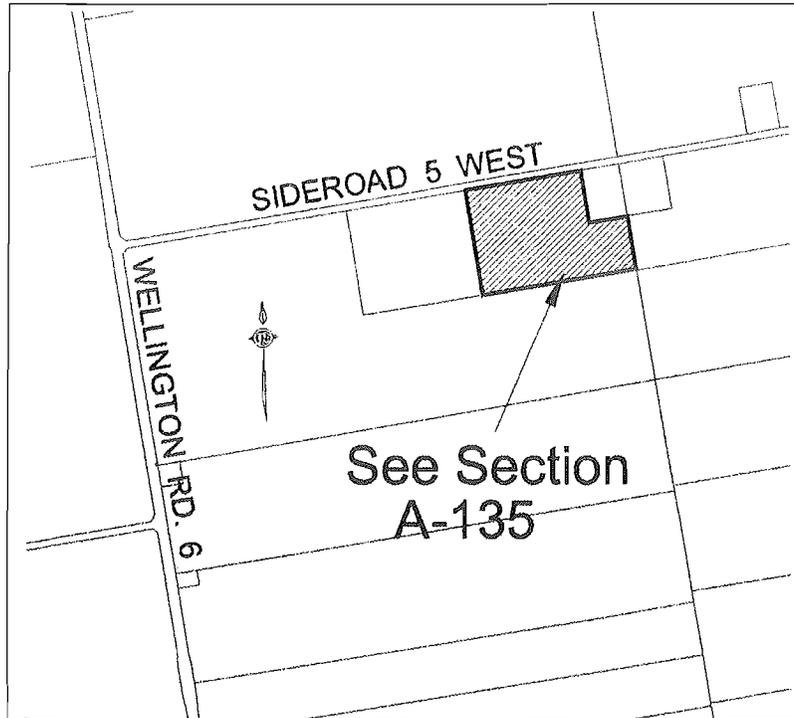
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "H"



Agricultural to Agricultural Exception (A-135).

Passed this ____ day of _____ 2013.

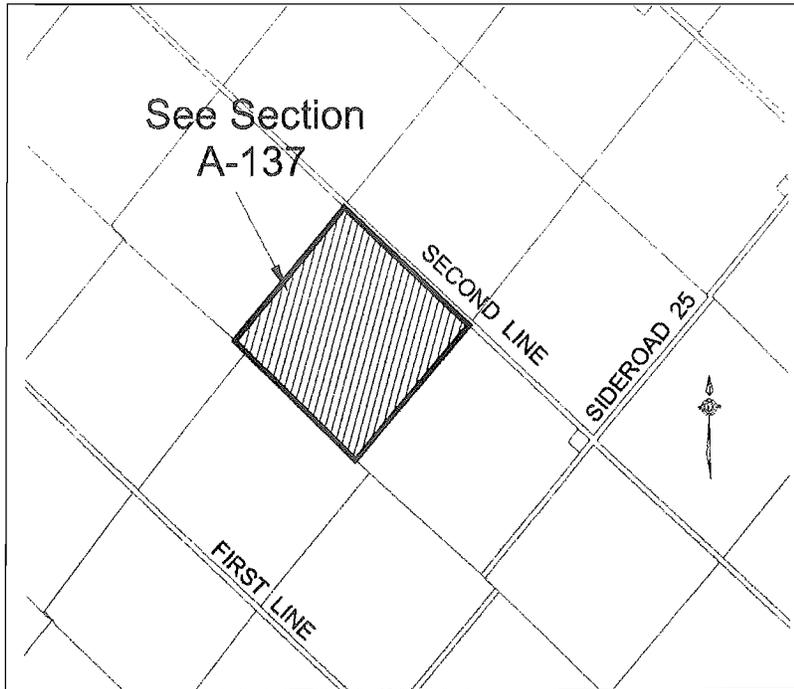
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "I"



Agricultural to Agricultural Exception (A-137).

Passed this ____ day of _____ 2013.

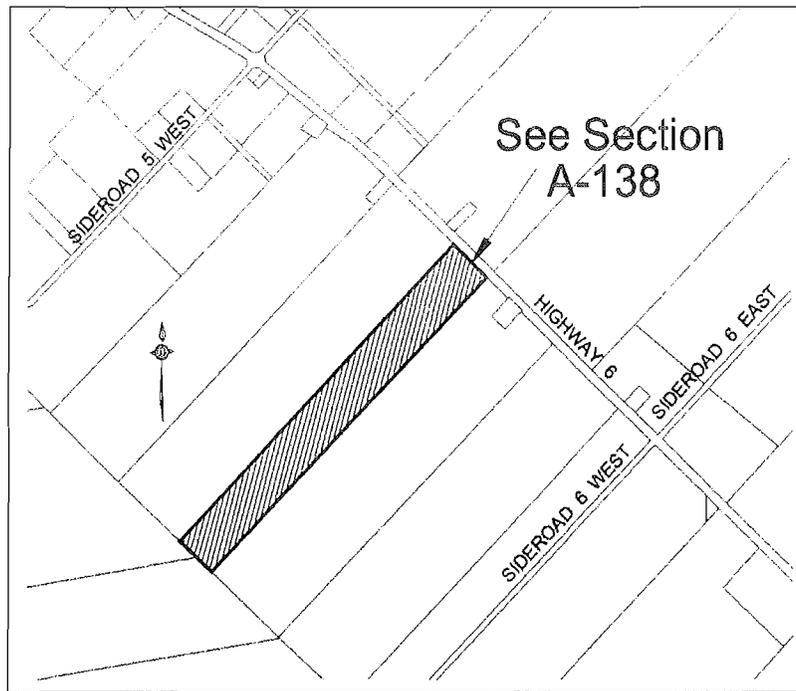
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____

Schedule "J"



Agricultural to Agricultural Exception (A-138).

Passed this ____ day of _____ 2013.

MAYOR

CLERK

EXPLANATORY NOTE

BY-LAW NUMBER _____.

THE PURPOSE AND EFFECT OF THE ZONING BY-LAW AMENDMENT is to provide for “housekeeping” changes to the Comprehensive Zoning By-law as itemized below:

- i) General typographical and mapping corrections.
- ii) Clarification of text for regulations such as non-complying uses, buffer areas, common amenity area, hobby barns, yard encroachments.
- iii) Amend provisions for accessory uses, including clarifying number, size and location of structures.
- iv) Provide regulations for accessory residential uses in a Highway Commercial zone.
- v) Add new provisions to restrict dog kennels unless a site specific zoning amendment is obtained.
- vi) Identify existing kennel operations within zoning by-law via site specific zoning.
- vii) Add and update definitions,
- viii) Modify parking requirements related to street townhouse uses.