

Township of Wellington North

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

Public Meeting

Monday, March 10, 2014 at 7:00 p.m.

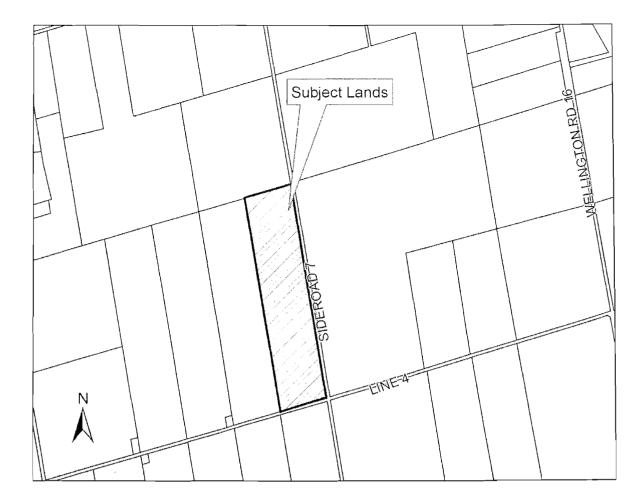
Municipal Office Council Chambers, Kenilworth

<u>AGENDA</u>

Page 1 of	2
AGENDA ITEM	PAGE NO.
The Mayor will call the meeting to order.	
Declaration of Pecuniary Interest.	
Owners/Applicant: Brian O'Donnell	
Location of the Subject Land The property subject to the proposed amendment is described as Lot 6, Concession 5, Geographic Township of West Luther, with a civic address of 8754 Sideroad 7. The property is 41.6 hectares (103 acres) in size and the location is shown on the map attached.	1
The Purpose and Effect of the Application The purpose and effect of the proposed amendment is to rezone the "retained" agricultural (41 ha) portion of the subject lands to restrict future residential development. This rezoning is a condition of a surplus farm dwelling severance B129/12, granted by the Wellington County Land Division Committee December 5th, 2013.	
Please note – Section 34 (12) of the Planning Act.	
(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.	

Page 2 of 2

	AGENDA ITEM	PAGE NO.
1.	Notice for this public meeting was sent to property owners within 120 m and required agencies and posted on the property on February 14, 2014.	
2.	Application for Zoning By-law Amendment	2
3.	Presentations by:	
	 Jameson Pickard, Junior Planner See attached comments and draft by-law 	9
4.	Review of Correspondence received by the Township:	
	 Nathan Garland, Resource Planner, GRCA No objection. 	13
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.	
8.	Adjournment	



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 rezone the retained lands to not allow a residence.

B. GENERAL INFORMATION

3. APPLICANT INFORMATION

a) Registered Owner's Name(s): Brian O'Donnell
Address: RR #2, Arthur ON NOG 1A0
Phone: Home ()519-829-5392 Work () Fax ()Fax ()519-848-2981
b) Applicant (Agent) Name(s): Jeff Buisman, Van Harten Surveying Inc
Address: 423 Woolwich Street, Guelph, ON N1H 3X3
Phone: Home() Work() Fax()_519-821-2763x225 Email: Jeff.Buisman@vanharten.com
c) Name, Address, Phone of all persons having any mortgage charge or encumbrance on the property:
d) Send Correspondence To? Owner [] Agent [A] Other []
e) When did the current owner acquire the subject land? October 31, 2012

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

oncession:	5	Lot: <u>6</u>		Registered Plan No	:	
		Depth: <u>1360</u>				
. <u></u>	_ acres		feet			_ feet
PROVIDE A I THE PROPER		N OF THE AREA TO	BE AME	NDED IF ONLY A	VIPORT	ION" OI
Area:1	hectares	Depth: <u>1360</u>	meters	Frontage (Width):	306	_ meters
SUBJECT PRO	E CURRENT (DPERTY?	COUNTY OF WELLI al & Core Greer	NGTON (DESIGNA	
WHAT IS THI SUBJECT PRO Primary A	E CURRENT (DPERTY? Agricultur	COUNTY OF WELLI	NGTON (DFFICIAL PLAN I	DESIGNA 	TION 0
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WHAT IS THI SUBJECT PRO Primary 7 LIST LAND US Agricultu	E CURRENT O DPERTY? Agricultur SES THAT AR ral and Er HE CURREN	COUNTY OF WELLI al & Core Greer	NGTON (alands CURRENT	OFFICIAL PLAN I	DESIGNA	TION O

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

Farm Fields and some wetlands

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

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

Agricultural as part of a larger farm operation.

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

(Please use a separate page if necessary a) Type of Building (s) -or Structure (s)	e.) Existing	Proposed
b) Date of Construction	NO BUILDING E	XISTING OR PROPOSED
c) Building Height	(m) (i	ft) (m) (ft)
d) Number of Floors		
e) Total Floor Area (sq.m.)	(sq m) (s	sq ft) (sq m) (sq ft)
f) Ground Floor Area (sq.m.) (exclude basement)	(sq m) (s	sq ft) (sq m) (sq ft)
g) Distance from building/structure to the:	(sq m) (s	sq ft) (sq m) (sq ft)
Front lot line	(m)	(ft) (m) (ft)
Side lot line	(m)	(ft) (m) (ft)
Side lot line	(m)	(ft) (m) (ft)
Rear lot line	(m)	(ft) (m) (ft)

h) % Lot Coverage

i) # of Parking Spaces

j) # of Loading Spaces

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D. EXISTING AND PROPOSED SERVICES

14. WHAT IS THE ACCESS TO THE SUBJECT PROPERTY?

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

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

Sideroad 7 & Line 4

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:

	Ì	Municipal Sewers	Communal Sewers	Private Wells	Other Water Supply	Communal Sewers	Private Septic	Other Sewage Disposal
a)	Existing	()	()	()	()	()	()	()
b)	-	. ,	. ,		() etained par	. ,	()	()

18. HOW IS THE STORM DRAINAGE PROVIDED? Storm Sewers () Ditches (X) Swales () Other means (explain below)

E. OTHER RELATED PLANNING APPLICATIONS

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

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

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

 File No. and Date of Application:
 B129/12, Dec. 20, 2012

 Approval Authority:
 County of Wellington Land Division Committee

 Lands Subject to Application:
 Same as this Zone Change

 Purpose of Application:
 Surplus Farm Residence Severance

 Status of Application:
 Approved Subject to Conditions

Effect on the Current Application for Amendment: _____Required as a condition of Severance

F. OTHER SUPPORTING INFORMATION

21. PLEASE LIST THE TITLES OF ANY SUPPORITNG DOCUMENTS: (E.G. Environmental Impacts Study, Hydrogeological Report, Traffic Study, Market Area Study, Aggregate License Report, Stormwater Management Report, etc.) None

G. APPLICATION DRAWING

22. PLEASE PROVIDE AN ACCURATE DRAWING OF THE PROPOSAL, PREFERABLY PREPARED BY A QUALIFIED PROFESSIONAL. IN SOME CASES IT MAY MOORE APPROPRIATE TO SUBMIT ADDITONAL 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)Brian O'Donnell	of the Township of in the
County / Region of Wellington	do hereby authorize <u>Jeff Buisman</u> to
Act as my agent in this application.	<u>Jan 02 2014</u> Date

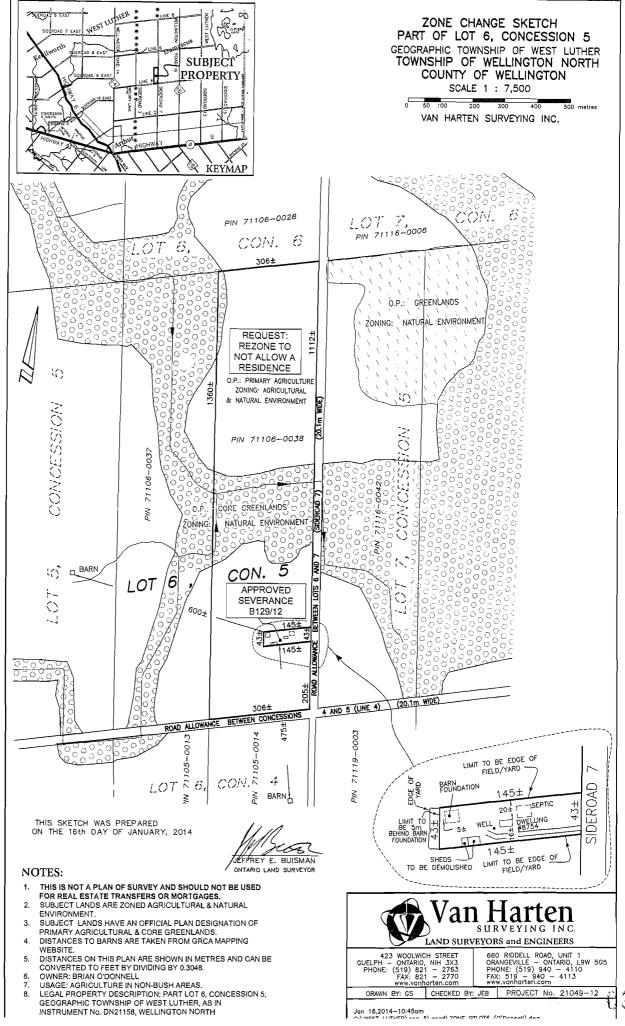
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I. AFFIDAVIT: (This affidavit be signed in the presence of a Commissioner)

I (we) ______ of the ______ of the ______ of the

<u>Guelph</u> County / Region of <u>Wellington</u> 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 <u>City</u>		of \underline{Guelph} in the County / Region of
Wellington	this 15-6h	_ day of <u>January</u> 2014
Signature of Obtodrov Authorized Soli	2	Jan. 15, 2014
Signature of Owner or Authorized Solid	citor or Authorized Agent	Duit
(1 cm) a		Jan 15/2014 Date
Signature of Commission	ner	Date
James Michael Laws, a Commissioner, etc., Province of Ontario, for Van Hart Surveying Inc. Expires May 11, 2015,	ca	
APPLICATION AND FEE OF \$	1500-00 RECE	IVED BY MUNICIPALITY
Signature of Municipal Em	mes ployee	January 22, 2014 Date





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 NIH 3T9

March 4th, 2014

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

Dear Mr. Jones:

Re: Brian O'Donnell – Lot 6, Con. 5 (West Luther) – 8754 Sideroad 7 Restrict Future Residential <u>Draft Zoning By-law Amendment</u>

PLANNING OPINION

The zoning amendment is required as a condition of provisional consent (B129/12) 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 (the retained parcel) 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.

SUBJECT LAND

The property subject to the proposed amendment is described as Part Lot 6, Concession 5, Geographic Township of West Luther, with a civic address of 8754 Sideroad 7. The property is 41.6 ha (101.3 ac) in size.

PURPOSE

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. This rezoning is a condition of severance application B129/12 under the surplus farm dwelling policies that was granted provisional approval by the Wellington County Land Division Committee December 5th, 2013.

PROVINCIAL POLICY STATEMENT (PPS)

The subject property is considered to be within a PRIME AGRICULTURAL and CORE GREENLAND 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 land is designated PRIME AGRICULTURE and CORE GREELANDS. Section 10.3.4 of the Official Plan implements the PPS and requires that the remnant parcel be rezoned to prohibit dwellings.

ZONING BY-LAW

March 2014

O'Donnell

1

The subject lands are zoned Agricultural (A) and Natural Environment (NE). This zoning by-law amendment will re-zone the retained agricultural lands to a site specific zone, which will include provisions to prohibit a dwelling on the 99.5 acre agricultural parcel. This rezoning is a requirement for applications which are submitted under the surplus farm dwelling polices of the official plan.

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

Sincerely,

Jameson Pickrand

Jameson Pickard, BURPL Junior 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, Geographic Township of West Luther, as shown on Schedule "A" attached to and forming part of this By-law from:
 - Agricultural (A) to Agricultural Exception (A-159),
 - Natural Environment (NE) to Natural Environment Exception (NE -159)
- 2. THAT Section 33, Exception Zone 3 Rural Areas, is amended by the inclusion of the following new exception:

33.159	A-159
Part Lot 6, Con. 5 W. Luther	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.

- 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 _____, 2014

READ A THIRD TIME AND PASSED THIS _____ DAY OF _____,2014

MAYOR

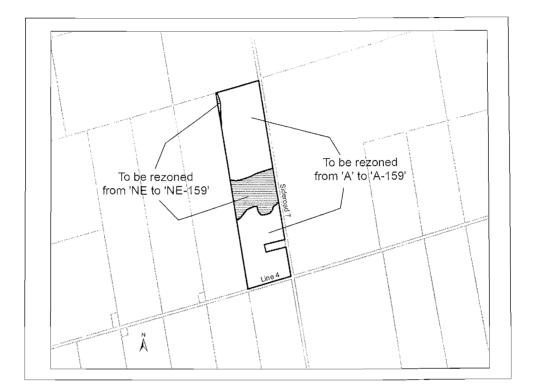
CLERK

March 2014

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO_____.

Schedule "A"



Rezone from Agricultural (A) to Agricultural Exceptions (A-159 & NE-159)

Passed this ____ day of _____2014.

MAYOR

CLERK

EXPLANATORY NOTE

BY-LAW NUMBER ______.

THE LOCATION being rezoned is in Part Lot 6, Concession 5, Geographic Township of West Luther, with a civic address of 8754 Sideroad 7. The property is approximately 41.6 hectares (103 acres) in size and is occupied by a residence.

THE PURPOSE AND EFFECT of the amendment is to rezone the subject lands to restrict any future residential development on the agricultural land (A-159 & NE-159). This rezoning is a condition of severance application B129/12, that was granted provisional approval by the Wellington County Land Division Committee. The consent will sever the existing farm dwelling (0.6 ha. (1.5 ac.) from the remainder of the agricultural parcel (41 ha. (101 ac.).



400 Clyde Poacl, F.O. Rox 729, Cambridge, DH (HTE 5778) Phone: 519-521-2751 Tell free: 866-900-4722 - www.grandmivel.ca

PLAN RE	VIEW REPORT: Township of Welli Darren Jones, CBG	ngton North)		
DATE:	February 24, 2014 LE: Wellington/NorthWell/2014/ZC/C	YOUR FILE:	N/A	
GRCA FII				MAR + 1.76 B
RE:	Zoning By-Law Amendment 8754 Sideroad 7 Brian O'Donnell			IVA DOMESTICA NO

GRCA COMMENT: *

The Grand River Conservation Authority (GRCA) has no objection to the rezoning of the subject lands to restrict future residential development.

BACKGROUND:

1. Resource Issues:

Information currently available at this office indicates that the subject property contains wetlands, Municipal Drain Number 37, floodplain and the allowances adjacent to these features.

2. Legislative/Policy Requirements and Implications:

Due to the above mentioned features, portions of the subject lands are regulated by the GRCA under *Ontario Regulation 150/06 - Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation.* Any future development and/or site alteration within the regulated area will require a permit from our office.

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

We wish to acknowledge receipt of the applicable plan review fee for the associated consent application B129/12. As such, a plan review fee for this application is not required.

Should you have any questions or comments, please feel free to contact me at 519-621-2763 ext. 2236.

N:\Watershed Resources Planning\Resource Planning\WELLINGTON\NORTHWELL\2014\ZC\ZBA 8754 Sideroad 7 -O'Donnell.docx

Yours truly,

در المسلم من الم

Nathan Garland Resource Planner Grand River Conservation Authority NG/ah

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

c.c. Linda Redmond, County of Wellington Brian O'Donnell – 8277 Line 4, R.R. #2 Arthur, ON NOG 1A0

