



# Township of Wellington North

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

## PUBLIC MEETING

**Monday, March 19th, 2012 at 7:00 p.m.**

**Municipal Office Council Chambers, Kenilworth**

## A G E N D A

Page 1 of 4

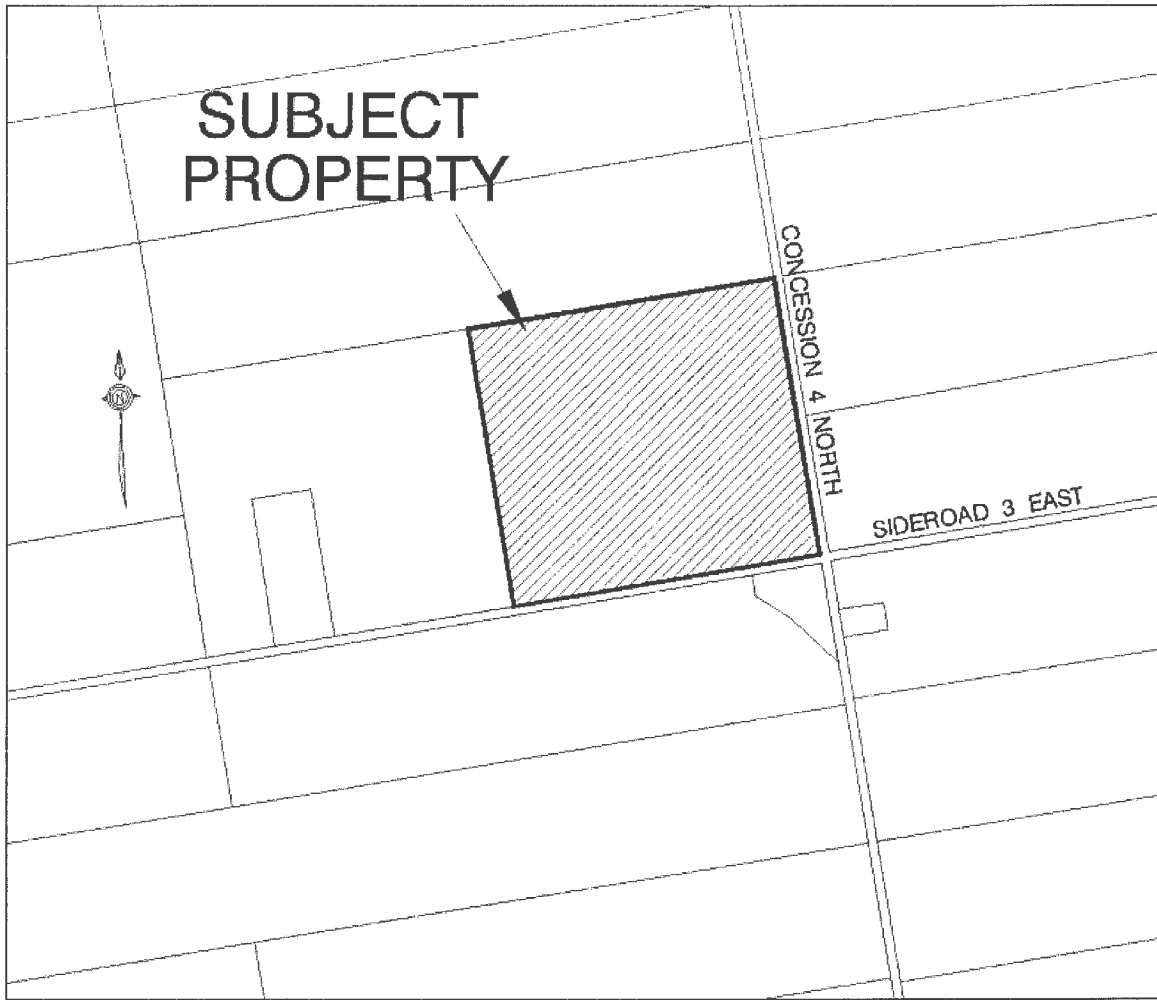
AGENDA ITEM	PAGE NO.
<p><b>The Mayor will call the meeting to order.</b></p> <p><b>Declaration of Pecuniary Interest.</b></p> <p><b>Owners/Applicant: Alette Holsteins Ltd.</b></p> <p>Location of the Subject Land The property subject to the proposed amendment is described as Part of Lot 6, Concession 5 and is municipally known as 7572 Sideroad 3 East. The property is 100.0 acres in size and the 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 a portion of the subject lands from Natural Environment (NE) to Agricultural (A) to allow the construction of a single family dwelling.</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> <ol style="list-style-type: none"><li>1. Notice for this public meeting was sent to property owners within 120 m and required agencies and posted on the property on February 21st, 2012.</li></ol>	01
<ol style="list-style-type: none"><li>2. Application for Zoning By-law Amendment</li></ol>	02

<b>AGENDA ITEM</b>	<b>PAGE NO.</b>
<p>3. Presentations by:</p> <ul style="list-style-type: none"><li>- Linda Redmond, Planner</li><li>- See attached comments and draft by-law</li></ul> <p>4. Review of Correspondence received by the Township:</p> <ul style="list-style-type: none"><li>- None</li></ul> <p>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.</p> <p>6. Mayor opens floor for any questions/comments.</p> <p>7. Comments/questions from Council.</p>	<p>16</p>

AGENDA ITEM	PAGE NO.
<p><b>Owners/Applicant: Schill-Land Holdings Inc.</b></p> <p>Location of the Subject Land            The property subject to the proposed amendment is described as Part of Lot 15, Concession 3 and is municipally known as 7716 Sideroad 7 East. The property is approximately 97 acres in size and the 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 restrict any future residential development on the agricultural, “retained” portion of the property. This rezoning is a condition of severance application B53/11, that was granted provisional approval by the Wellington County Land Division Committee in May 2011.</p> <p>Please note – Section 34 (12) of the Planning Act.</p> <p>(12) Information. – At a meeting under subsection (12), the council shall ensure that information is made available to the public regarding the power of the Municipal Board under subsection (14.1) to dismiss an appeal if an appellant has not provided the council with oral submissions at a public meeting or written submissions before a By-law is passed.</p> <p>8. Notice for this public meeting was sent to property owners within 120 m and required agencies and posted on the property on February 21st, 2012.</p> <p>9. Application for Zoning By-law Amendment</p> <p>10. Presentations by:</p> <ul style="list-style-type: none"> <li>- Linda Redmond, Planner</li> <li>- See attached comments and draft by-law</li> </ul> <p>11. Review of Correspondence received by the Township:</p> <ul style="list-style-type: none"> <li>- None</li> </ul> <p>12. The by-law will be considered at the regular council meeting following the public meeting. Persons wishing notice of the passing of the By-law must submit a written request.</p> <p>13. Mayor opens floor for any questions/comments.</p>	<p>21</p> <p>22</p> <p>32</p>

**Public Meeting Agenda**  
**March 19th, 2012 - 7:15 p.m.**

<b>AGENDA ITEM</b>	<b>PAGE NO.</b>
14. Comments/questions from Council.	
15. 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  Other \_\_\_\_\_

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

TO RE-ZONE A PORTION OF PLOT 6, CONS  
FROM NE TO AG TO CREATE A BUILDING LOT.

B. GENERAL INFORMATION

3. APPLICANT INFORMATION

a) Registered Owner's Name(s): BRAD + MICHELLE GIBENT

Address: 9531 CON 6, RR #6, MT FOREST ON, NOG 2L0

Phone: Home ( ) 519-323-4096 Work ( ) 519-323-7954 Fax ( ) —

b) Applicant (Agent) Name(s): BRUCE FULCHER

Address: 411199 SOUTHGATE SR41, MOUNT FOREST, ON NOG 2L0

Phone: Home ( ) 519-323-2099 Work ( ) 519-321-9051 Fax ( ) —

c) Name, Address, Phone of all persons having any mortgage charge or encumbrance on the property:

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

e) When did the current owner acquire the subject land? 10 YEARS

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: 7572 SIDEROAD 3 EAST, WELLINGTON NORTH.

Concession: 5 Lot: 6 Registered Plan No: \_\_\_\_\_

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

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

Area: 42 hectares Depth: 613.9 meters Frontage (Width): 685.8 meters

104 acres 2014 feet 2250 feet

*TO BE  
REZONED*

*1 ha*

*APPROX 400 FT*

*APPROX 420 FT (SEE DRAWING)*

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

AGRICULTURE & NATURAL ENVIRONMENT

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

AGRICULTURE

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

AGRICULTURE

**C. EXISTING AND PROPOSED LAND USES AND BUILDINGS**

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

AGRICULTURE

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

100 YEARS.

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

NO CHANGE.

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

NO EXISTING OR PROPOSED BUILDINGS.

(Please use a separate page if necessary.)

	<u>Existing</u>		<u>Proposed</u>	
a) Type of Building (s) -or Structure (s)				
b) Date of Construction				
c) Building Height	_____ (m)	_____ (ft)	_____ (m)	_____ (ft)
d) Number of Floors				
e) Total Floor Area (sq.m.)	_____ (sq m)	_____ (sq ft)	_____ (sq m)	_____ (sq ft)
f) Ground Floor Area (sq.m.) (exclude basement)	_____ (sq m)	_____ (sq ft)	_____ (sq m)	_____ (sq ft)
g) Distance from building/structure to the:				
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				



**D. EXISTING AND PROPOSED SERVICES**

**14. WHAT IS THE ACCESS TO THE SUBJECT PROPERTY?**

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

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

SIDE ROAD 3 EAST

**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.)**

None

**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
	<i>None</i>						
a) Existing	( )	( )	( )	( )	( )	( )	( )
b) Proposed	( )	( )	( )	( )	( )	( )	( )

**18. HOW IS THE STORM DRAINAGE PROVIDED?**

Storm Sewers ( )      Ditches       Swales ( )      Other means (explain below)

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

**E. OTHER RELATED PLANNING APPLICATIONS**

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

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

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

File No. and Date of Application: \_\_\_\_\_

Approval Authority: \_\_\_\_\_

Lands Subject to Application: \_\_\_\_\_

Purpose of Application: \_\_\_\_\_

Status of Application: \_\_\_\_\_

Effect on the Current Application for Amendment: \_\_\_\_\_

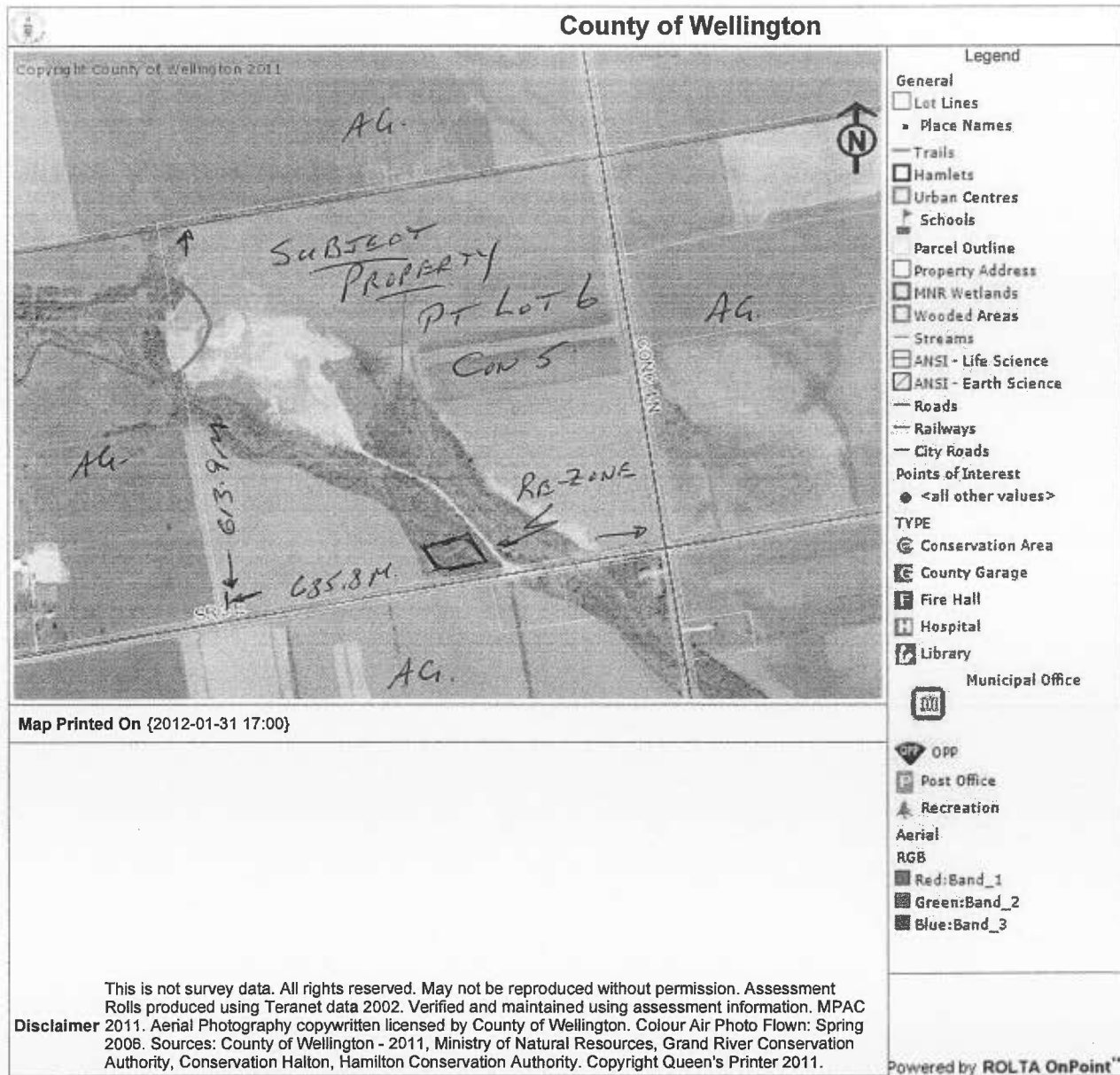
**F. OTHER SUPPORTING INFORMATION**

**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.)** *NOVEMBER 25/11 SUCA LETTER.*

**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;



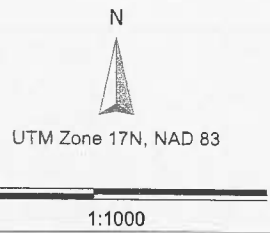
Ghent - Proposed Single Family Dwelling  
 and Sewage Disposal System  
 7572 Sideroad 3 East  
 Part Lot 6, Concession 5  
 Geographic Township of Arthur  
 Township of Wellington North





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**Legend**

-  Approximate Location of Subject Property
-  SVCA Opinion of Lands that are Appropriate to Remove from the Natural Environment (NE) Zone

**SVCA**  
 November 25, 2011



- 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) BRAD + MICHELE GHENT of the TWP of WELL. NORTH in the County / Region of WELLINGTON do hereby authorize BRUCE FULLER to

Act as my agent in this application.

Michele Ghent  
Signature of Owner(s)  
Brad Ghent

FEB 1/12.  
Date

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

I (we) BRUCE FURCHER of the TWP of the SOUTHGATE County / Region of CREY 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 Wellington North of Wellington in the County / ~~Region~~ of Wellington this 1<sup>st</sup> day of February, 2012

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

Feb 1/12  
Date

L. Heinbuch  
Signature of Commissioner

February 1, 2012  
Date

**LORRAINE HEINBUCH, CLERK  
CHIEF ADMINISTRATIVE OFFICER  
OF THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH  
COMMISSIONER FOR TAKING AFFIDAVITS**  
APPLICATION AND FEE OF \$ 150.00 RECEIVED BY MUNICIPALITY

[Signature]  
Signature of Municipal Employee

Feb 1/12  
Date



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

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

November 25, 2011

Brad & Michèle Ghent  
9531 Concession 6  
RR # 6  
Mount Forest, ON  
N0G 2L0

Dear Mr. & Mrs. Ghent:

RE: Proposed Single Family Dwelling  
and Sewage Disposal System  
7572 Sideroad 3 East  
Part Lot 6, Concession 5  
Geographic Township of Arthur  
Township of Wellington North

As requested, Saugeen Valley Conservation Authority (SVCA) staff met with Mr. Ghent at our property on November 3, 2011 to review your proposal to construct a single family dwelling. Preliminary site plan information was submitted to the SVCA with two potential dwelling locations, and you marked one of the proposed dwelling locations with stakes. Mapping has been enclosed which shows the two potential dwelling locations. Both of the potential dwelling locations are acceptable to the SVCA. We elaborate in the following paragraphs.

#### **SVCA Regulation**

Please be advised that a portion of your property is subject to the Saugeen Valley Conservation Authority's Development, Interference with Wetlands or Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 169/06). This regulation is in accordance with Section 28 of the *Conservation Authorities Act*, R.S.O., 1990, Chap. C. 27, as amended. For this particular property, the SVCA Regulated Area includes the unnamed tributary of the South Saugeen River, its floodplain, surrounding wetlands, plus a 30 metre offset distance from the wetland boundary.

Ontario Regulation 169/06 requires that a person obtain the written permission of the SVCA prior to any "development" in a Regulated Area or "alteration" to a watercourse or wetland.

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

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

- a) *the construction, reconstruction, erection or placing of a building or structure of any kind,*

Conservation  
Through  
*Cooperation*

A MEMBER OF



Conservation  
ONTARIO  
*Natural Environments*

- b) *any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure,*
- c) *site grading, or*
- d) *the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.*

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

Therefore, development or alteration including construction, grading, filling or excavation within the Regulated Area on your property requires permission from the SVCA. A permit from the SVCA will be required for the construction of the single family dwelling and the installation of the sewage disposal system if proposed within 30 metres from the wetland. The SVCA may require specific design criteria for development on the property. For example, depending on the final location of the proposed dwelling, the SVCA may require that the lowest floor level of the proposed dwelling be elevated well above the surrounding ground elevation. Through our permitting process, we will ensure that the proposed development on the property is acceptable to the Authority.

Please be advised that the SVCA is not responsible for the approval of the sewage disposal system. The Authority's interest in the septic bed only relates to the filling and regrading required for the installation of the system.

#### **Township of Wellington North Zoning By-Law No. 66-01**

The SVCA provides comments and assistance to the municipality and its residents for zoning matters relating to hazard land (Natural Environment zone) issues, but administration and final interpretation of the by-law is a municipal responsibility. We recommend you contact the Township of Wellington North to confirm the zoning status and for any other items relating to the zoning by-law.

According to the Township of Wellington North Zoning By-Law No. 66-01, a portion of the property is zoned Natural Environment (NE). In general, no new buildings or structures are permitted in the NE zone.

#### **Potential Dwelling Location # 1**

It is the understanding of SVCA staff that *Potential Dwelling Location # 1* is your preferred option for the construction of a single family dwelling on your property. Potential Dwelling Location # 1 is entirely within the Natural Environment (NE) zone, in the opinion of the SVCA. As indicated above, generally new buildings and structures are not permitted in the NE zone. As such, it is the SVCA's



opinion that you will require a site specific zoning by-law amendment to amend the Natural Environment zone on your property to facilitate the construction of a dwelling at Location # 1.

The SVCA would recommend approval of a zoning by-law amendment to revise the NE zone on the property to allow for the construction of a single family dwelling and the installation of a sewage disposal system at Location # 1. Mapping has been enclosed with the SVCA's opinion of the lands that are appropriate to remove from the NE zone at Location # 1.

All proposed development on the property, including the sewage disposal system, must be located outside of the NE zone to be acceptable to SVCA staff. Please be advised that Potential Building Location # 1 has a limited area suitable for development and may not be large enough to accommodate the construction of any other buildings or structures in addition to a single family dwelling and sewage disposal system.

#### **Potential Dwelling Location # 2**

Based on the SVCA site review and the site plan information submitted to the Authority, *Potential Dwelling Location # 2* is outside of the NE zone, in the opinion of the SVCA. However, it would appear that Location # 2 is within an area zoned Extractive Industrial (EI) in the Township of Wellington North Zoning By-Law No. 66-01. If the construction of a single family dwelling is not a permitted use in the EI zone, you may be required to apply for a zoning by-law amendment to change the zoning in this area. The SVCA would recommend approval of a zoning by-law amendment to change the EI zone on the property to allow for the construction of a single family dwelling at Location # 2.

For Potential Dwelling Location # 2, if development, including the sewage disposal system, is more than 30 metres from the wetland boundary, a permit from the SVCA will not be required. For Potential Dwelling Location # 2, the tree line is the approximate wetland boundary.

#### **Wellington County Official Plan**

According to Schedule A6 Township of Wellington North from the Wellington County Official Plan, portions of your property are designated Core Greenlands. Potential Dwelling Location # 1 is within the Core Greenlands designation. Section 5.6.3 of the Official Plan lists requirements for development proposed within the Greenland Systems. In the opinion of the SVCA, an Environmental Impact Assessment (EIS) may not be necessary to allow development at Potential Dwelling Location # 1. However, you should contact a Planner from the County of Wellington to discuss your proposal, as the County must be satisfied that Greenland policies are met when development is proposed within the Greenland Systems.

#### **Conclusion**

Specific development proposals are required to be submitted and reviewed by the SVCA on an individual basis. The SVCA has provided comments based on the preliminary information that is currently available. Should development not proceed for some time, or if the development proposal

Brad & Michele Ghent  
November 25, 2011  
Page 4

differs from what is currently proposed, there is no guarantee these comments will remain unchanged indefinitely.

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

Yours sincerely,



Candace Hamm  
Regulations Officer

CH/CK

Encl.

cc: Darren Jones, Chief Building Official, Township of Wellington North  
Mark Van Patter, Senior Planner, County of Wellington  
Mark MacKenzie, Director, SVCA (via e-mail) CK

Ghent - Proposed Single Family Dwelling  
 and Sewage Disposal System  
 7572 Sideroad 3 East  
 Part Lot 6, Concession 5  
 Geographic Township of Arthur  
 Township of Wellington North



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UTM Zone 17N, NAD 83

1:5000

**Legend**

 Approximate Location of Subject Property

 Potential Dwelling Locations

**SVCA**  
 November 25, 2011





# 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

March 13, 2012

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

Dear Mr. Jones:

**Re: Draft Zoning By-law Amendment  
Alette Holsteins Ltd – Pt Lot 15, Concession 3  
7572 Sideroad 3 East**

### PLANNING OPINION

This amendment is to rezone a 0.77 acre area of an existing vacant lot from Natural Environment to Agriculture in order to permit the construction of a residence. The Saugeen Valley Conservation Authority (SVCA) has provided comments in support of the building location and rezoning. We have no concerns with the request to rezone the lands.

### SUBJECT LAND

The subject land is legally described as Part of Lot 6, Concession 5 and is municipally known as 7572 Sideroad 3 East. The property is 97.8 acres in size and is vacant.

### PURPOSE

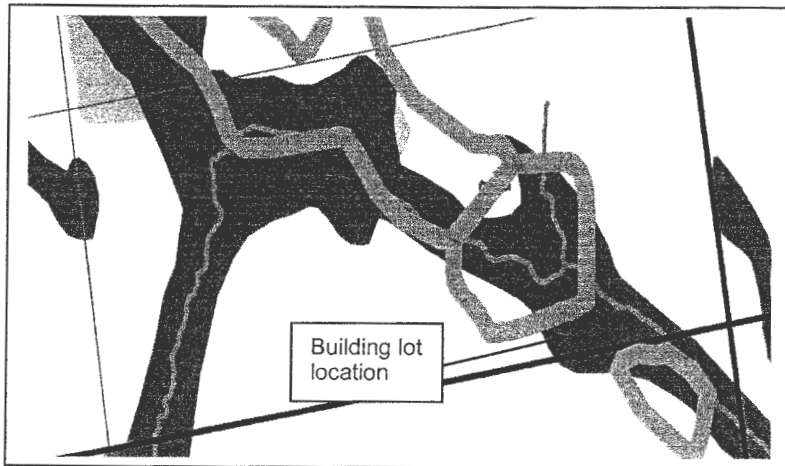
The purpose of the amendment is to rezone a 0.77 acre portion of the subject lands from Natural Environment (NE) to Agricultural (A) to allow the construction of a single family dwelling.

Figure 1 Official Plan Map

### WELLINGTON COUNTY OFFICIAL PLAN

The subject lands are designated PRIME AGRICULTURE and CORE GREENLANDS. The Core Greenlands designation protects hazard lands and a forested area. Prime Agriculture permits residential uses.

Section 14.2 of the Official Plan allows minor deviations from the text and mapping in order to prevent undue hardship. Given the comments of the SVCA we feel that this flexibility is warranted.



## ZONING BY-LAW

The subject lands are zoned Agricultural (A) and Natural Environment (NE). The applicants would like to construct a dwelling on the property in an area that is currently zoned NE. The attached draft by-law rezones a 0.77 acre portion of the property to allow the construction of a dwelling.

Section 2.6 of the By-law allows for interpretation of the boundaries of the NE zoned area's and states the following:

"The Natural Environment (NE) zone boundaries identified on the schedules to this By-law are intended to generally identify the location of potentially hazardous environmental features. During review of development applications and building permit applications, if necessary, the boundaries of the NE zone shall be more precisely determined in consultation with the Conservation Authority or other agencies having jurisdiction in the area. Where detailed resource mapping and/or site inspection results in a re-interpretation of the limits of the NE zone boundary, all requirements of this by-law shall be reviewed relative to the revised interpretation of the NE Zone boundary, including any applicable setbacks."

We have received correspondence from the Saugeen Valley Conservation Authority (SVCA) indicating they have no concerns with the location of the proposed lot and are supportive of rezoning the area identified in figure 2 to allow a dwelling.

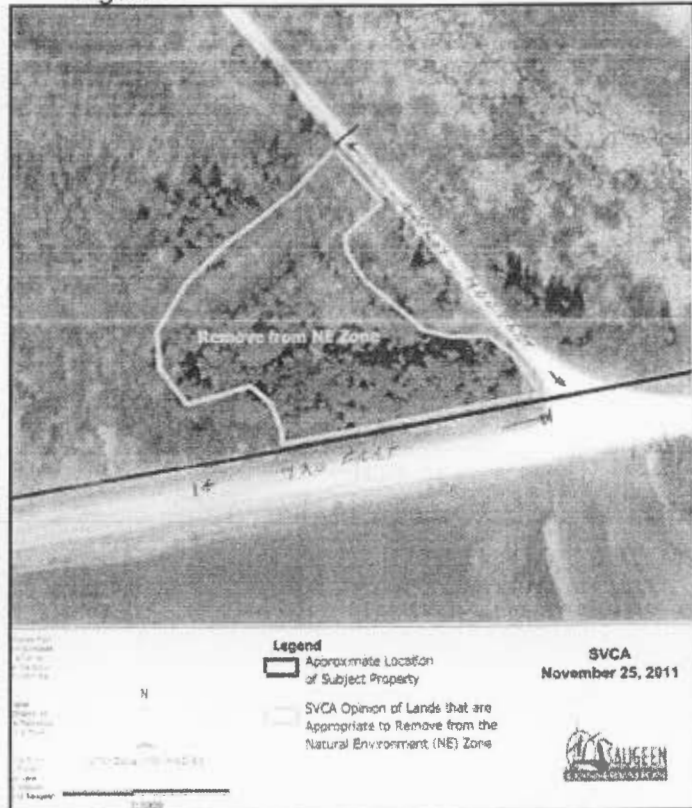
I trust that these comments will be of assistance to Council in their consideration of this matter.

Sincerely,



Linda Redmond B.A.  
Planner

Figure 2



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 a portion of the lands described as Part of Lot 6, Concession 5, as shown on Schedule "A" attached to and forming part of this By-law from **Natural Environment (NE)** to **Agricultural (A)**.
2. 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.
3. 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 \_\_\_\_\_, 2012

READ A THIRD TIME AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012

\_\_\_\_\_.

MAYOR

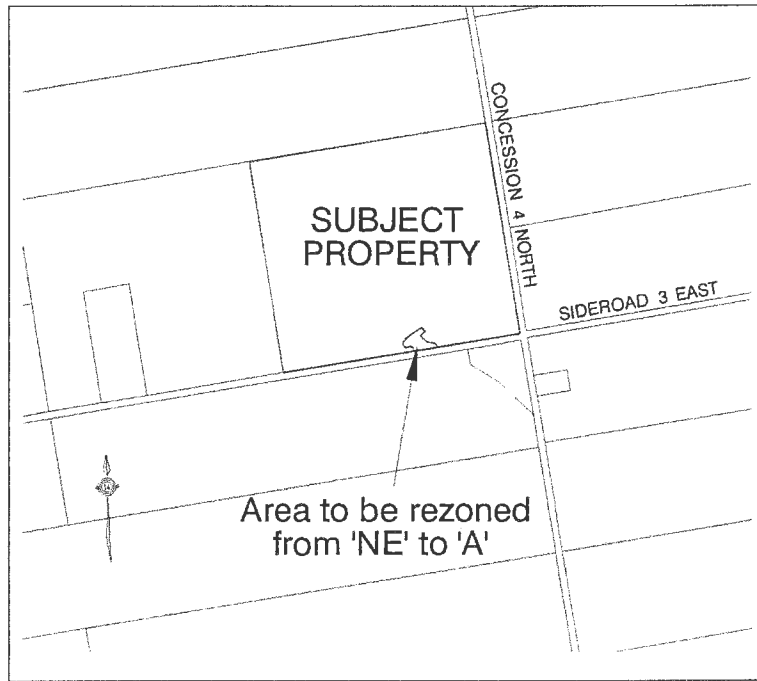
\_\_\_\_\_.

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

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

Schedule "A"



Rezoned from Natural Environment (NE) to Agricultural (A)

Passed this \_\_\_\_ day of \_\_\_\_\_ 2012.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

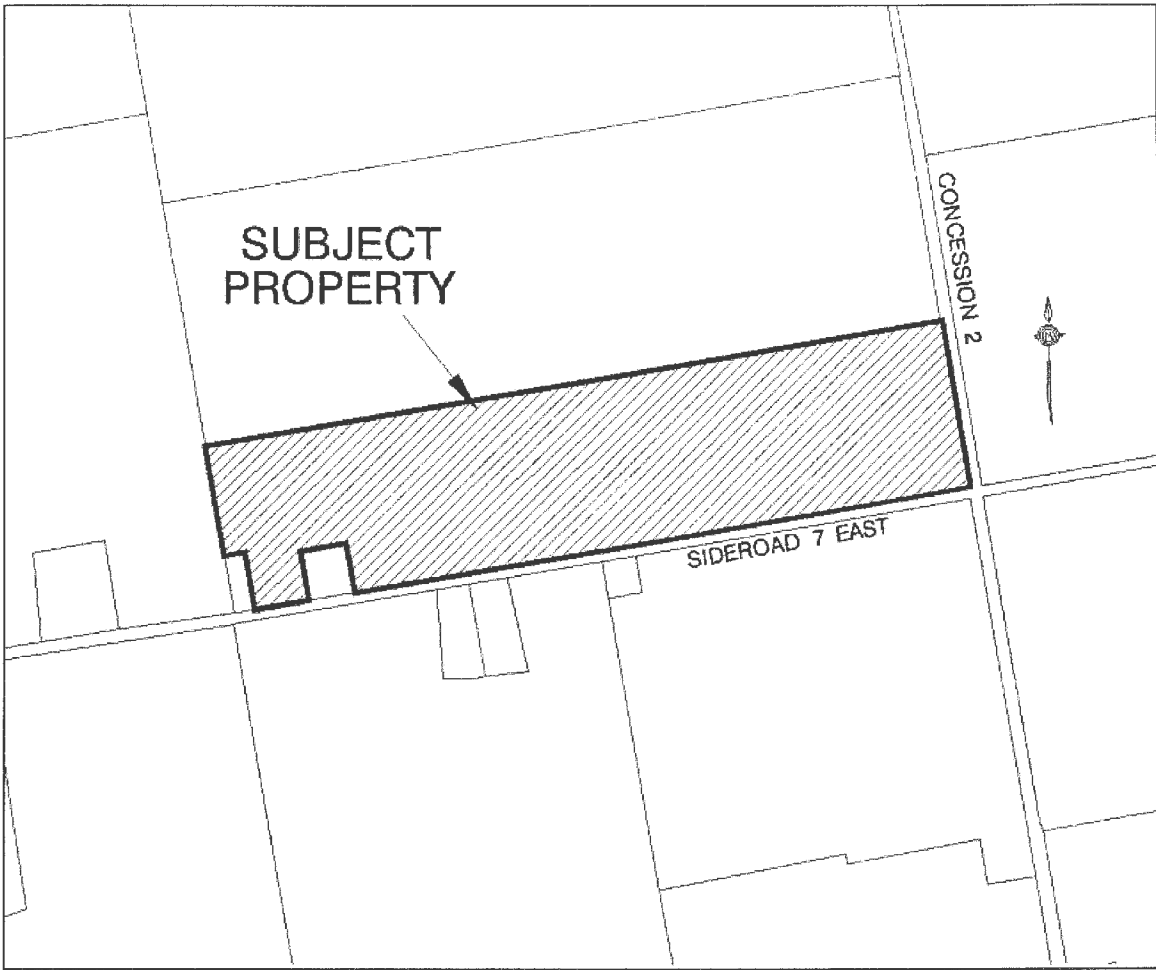
## EXPLANATORY NOTE

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

**THE LOCATION** being rezoned is legally described as Part of Lot 6, Concession 5 and is municipally known as 7572 Sideroad 3 East. The property is 97.8 acres in size and is vacant.

**THE PURPOSE AND EFFECT** of the amendment is to rezone a 0.77 acre portion of the subject lands from Natural Environment (NE) to Agricultural (A) to allow the construction of a single family dwelling.





COPY

*Woods, Clemens & Fletcher*

Professional Corporation - Lawyers

J. Arthur Woods, B.A., LL.B.  
William G. Clemens, B.A., LL.B.  
Mary-Lou Fletcher, B.A., LL.B.  
Tracey G. Cronin, B.A., LL.B.

9 Memorial Avenue, P.O. Box 216  
Elmira, Ontario N3B 2Z6  
**Tel. (519) 669-5101**  
Fax (519) 669-5618  
E-mail: [lawoffice@woodsclermens.ca](mailto:lawoffice@woodsclermens.ca)

February 8, 2012

Corporation of the Township  
of Wellington North  
Building/Zoning Dept.  
7490 Sideroad 7 West  
Kenilworth, ON N0G 2E0

Attention: Mr. Darren Jones

Dear Sir:

RE: **Schill-Land Holdings Inc. – Part Lot 15, Concession 3 (Arthur)**

We act for Schill-Land Holdings Inc. who have obtained approval to sever certain lands – Application No. B53/11. One of the conditions imposed is a rezoning of the severed land.

We enclose herewith the following:


1. Three copies of the Application Form;
2. Three copies of the Conditions of Severance;
3. Three copies of sketch;
4. Our client's cheque in the amount of \$1,500.00.

We trust this is sufficient to allow the process to begin. We thank you for your co-operation and assistance.

Yours very truly,

**WOODS, CLEMENS & FLETCHER**

Per:

  
(Mary-Lou Fletcher)

MLF/rb

CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH

Application for Zoning By-law Amendment

Application No. \_\_\_\_\_

**A. THE AMENDMENT**

1. TYPE OF AMENDMENT? Site Specific  Other \_\_\_\_\_

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

to satisfy conditions of Severance  
Application B53/11

**B. GENERAL INFORMATION**

3. APPLICANT INFORMATION

- a) Registered Owner's Name(s): SCHILL-LAND HOLDINGS INC  
Address: 5105 PERTH LINE 91, RR#2 PALMERSTON, ON N0G 2P0  
Phone: Home ( ) 519-343-4036 Work ( ) 519-897-1267 Fax ( ) \_\_\_\_\_
- b) Applicant (Agent) Name(s): WOODS, CLEMENS & FLETCHER  
Address: 9 MEMORIAL AVE, ELMIRA, ON N3B 2Z6  
Phone: Home ( ) 519-669-5101 Work ( ) 519-638-5767 Fax ( ) 519-669-5618
- c) Name, Address, Phone of all persons having any mortgage charge or encumbrance on the property: N/A.
- d) Send Correspondence To? Owner  Agent  Other [ ] \_\_\_\_\_
- e) When did the current owner acquire the subject land? JUNE 30, 2005

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: RR#4, KENILWORTH

Concession: 3 Lot: 15 Registered Plan No: \_\_\_\_\_

Area: \_\_\_\_\_ hectares Depth: \_\_\_\_\_ meters Frontage (Width): \_\_\_\_\_ meters

97.8 acres 4400 feet 990 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

1.8 acres 168' feet 480' feet

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

PRIME AGRICULTURAL

CORE GREENLANDS - east of severed Parcel

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

SEE SCHEDULE

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

AGRICULTURAL

NATURAL ENVIRONMENT

C. EXISTING AND PROPOSED LAND USES AND BUILDINGS

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

PORTION TO BE SEVERED - RESIDENTIAL.

RETAIN LANDS - CASH CROP FARMING

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

PRIOR TO TRANSFER JUNE 30, 2005 + CONTINUOUSLY THROUGH CURRENT OWNERSHIP

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

SEVERED LANDS - RESIDENTIAL - ~~RETH~~

RETAINED LANDS - AGRICULTURAL → PROHIBIT RESIDENTIAL USE

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

*(Please use a separate page if necessary.)*

	<u>Existing</u>		<u>Proposed</u>	
a) Type of Building (s) -or Structure (s)				
b) Date of Construction				
c) Building Height	_____ (m)	_____ (ft)	_____ (m)	_____ (ft)
d) Number of Floors	1 STOREY BRICK HOUSE.			
e) Total Floor Area (sq.m.)	_____ (sq m)	_____ (sq ft)	_____ (sq m)	_____ (sq ft)
f) Ground Floor Area (sq.m.) (exclude basement)	_____ (sq m)	_____ (sq ft)	_____ (sq m)	_____ (sq ft)
g) Distance from building/structure to the:	_____ (sq m)	_____ (sq ft)	_____ (sq m)	_____ (sq ft)
Front lot line	_____ (m)	_____ (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	SEE SCHEDULE.			
j) # of Loading Spaces				

D. EXISTING AND PROPOSED SERVICES

14. WHAT IS THE ACCESS TO THE SUBJECT PROPERTY?

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

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

SIDEROAD 7

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.)

N/A

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

18. HOW IS THE STORM DRAINAGE PROVIDED?

Storm Sewers ( )      Ditches ( )      Swales ( )      Other means (explain below)

TILE DRAINAGE + DRAINAGE DITCH.  
SEE SCHEDULE SKETCH

**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 (x)	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: COUNTY OF WELLINGTON - LAND DIVISION

Lands Subject to Application: \_\_\_\_\_

Purpose of Application: \_\_\_\_\_

Status of Application: \_\_\_\_\_

Effect on the Current Application for Amendment: \_\_\_\_\_

**F. OTHER SUPPORTING INFORMATION**

21. PLEASE LIST THE TITLES OF ANY SUPPORTING DOCUMENTS: (E.G. Environmental Impacts Study, Hydrogeological Report, Traffic Study, Market Area Study, Aggregate License Report, Stormwater Management Report, etc.)

**G. APPLICATION DRAWING**

22. PLEASE PROVIDE AN ACCURATE DRAWING OF THE PROPOSAL, PREFERABLY PREPARED BY A QUALIFIED PROFESSIONAL. IN SOME CASES IT MAY BE MORE APPROPRIATE TO SUBMIT ADDITIONAL DRAWINGS AT VARYING SCALES TO BETTER ILLUSTRATE THE PROPOSAL. THE DRAWING MUST INCLUDE THE FOLLOWING:

- Owners' / applicant's name;
- Legal description of property;
- Boundaries and dimensions of the subject property and its current land use;
- Dimensions of area of amendment (if not, the entire property);
- The size and use of all abutting land;
- All existing and proposed parking and loading areas, driveways and lanes;

- The nature of any easements or restrictive covenants on the property;
- The location of any municipal drains or award drains;
- Woodlots, forested areas, ANSI's, ESA's, wetlands, floodplain, and all natural watercourses (rivers, stream banks, etc);
- The dimensions of all existing and proposed buildings and structures on the subject land and their distance to all lot lines;
- The name, location and width of each abutting public or private road, unopened road allowance or right of way;
- If access to the subject land is by water only, provide the location of the parking and docking facilities to be used; and
- Other features both on site or nearby that in the opinion of the applicant will have an effect on the application (such as bridges, railways, airports, wells, septic systems, springs, slopes, gravel pits).

THE DRAWING SHOULD ALSO INCLUDE THE SCALE, NORTH ARROW AND DATE WHEN THE DRAWING WAS PREPARED.

**H. AUTHORIZATION FOR AGENTS / SOLICITOR TO ACT FOR OWNER:**

(If affidavit (I) is signed by an Agent / Solicitor on Owner's behalf, the Owner's written authorization below must be completed)

**OWNER'S AUTHORIZATION IF THE OWNER IS NOT THE APPLICANT:**

If the Owner is not the applicant the Owner must complete the following:

**NOTE:** If more than one owner is listed in item #2 of this application, then all owners must sign this authorization section of the application form or by a letter of authorization duly signed.

If the Owner is a corporation, the authorization must be by an officer of the corporation who has authority to bind the corporation.

I, (we), PETER SCHILL, PRES. of SCHILL-LAND HOLDINGS INC. the Registered Owners of  
PART LOT 15, CON. 3 Of the TWP OF WELLINGTON NORTH in the  
 County/Region of WELLINGTON severally and jointly, solemnly declare that

WOODS, CLEMENS + FLETCHER

Is authorized to submit an application for consent on my (our) behalf.



Signature(s) of Registered Owner(s) or Corporation's Officer



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

I (we) MARY-LOU FLETCHER of the Township of the Mapleton County / Region of Wellington solemnly declare that all the statements contained in this application are true, and I, (we), make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the CANADA EVIDENCE ACT.

DECLARED before me at the Township of Wellington NOETH in the County / Region of WELLINGTON this 8<sup>th</sup> day of FEBRUARY, 2012.

Mary-Lou Fletcher  
Signature of Owner or Authorized Solicitor or Authorized Agent

February 8, 2012  
Date

Catherine E. More  
Signature of Commissioner

February 8, 2012  
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 \$ 1500.00 RECEIVED BY MUNICIPALITY

[Signature]  
Signature of Municipal Employee

FEB. 8/12  
Date

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

ONTARIO PLANNING ACT, Section 53(14)

NOTICE of DECISION

On Application B53/11

APPLICANT:

Schill-Land Holdings Inc.  
5105 Perth Line 91  
RR#2  
Palmerston ON N0G 2P0

LOCATION of SUBJECT LANDS:

WELLINGTON NORTH (Arthur Twp)  
Part Lot 15  
Concession 3

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

In the matter of an application by Schill-Land Holdings Inc. pursuant to Section 53 of the Planning Act, R. S. O. 1990 as amended for consent to convey land for rural residential use, being Part of Lot 15, Concession 3, geographic Township of Arthur, now Township of Wellington North, **PROVISIONAL CONSENT IS GRANTED SUBJECT TO THE FULFILMENT OF EIGHT CONDITIONS OF APPROVAL.** The Planning and Land Division Committee has the opinion that a plan of subdivision of the subject lands is not necessary for the proper and orderly development of the municipality for this proposal; that the proposal satisfies generally the intent of the criteria of Section 51, subsection 24 of the Planning Act, R.S.O. 1990 as amended; and that the proposal is consistent with the intent and policies of the Provincial Policy Statement; and that it conforms generally to the intent and policies of the County's official plan; and, further, that the proposal represents compatible development, good planning and does not offend the public interest.

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

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

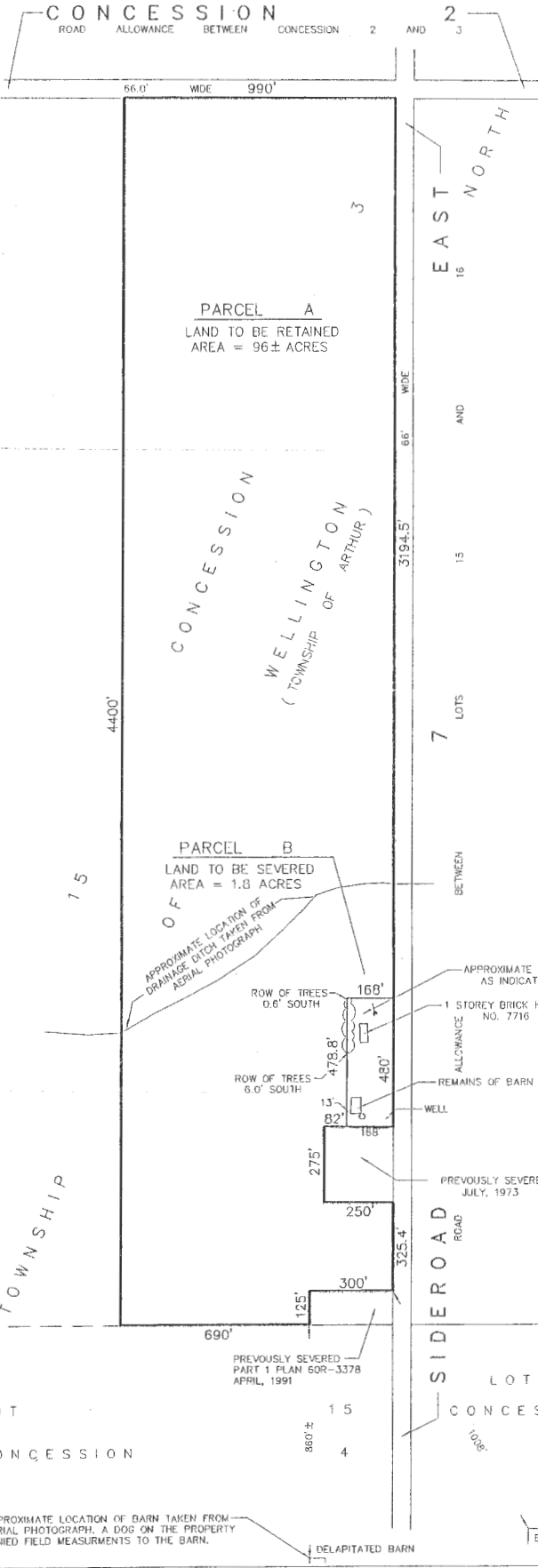
**CONDITIONS OF APPROVAL TO BE FULFILLED NO LATER THAN 4:30 p.m. MAY 19, 2012:**

- 1) **THAT** the Owner's solicitor, in preparation for the issuance of the Certificate of Consent, provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee a printed copy of the "completed electronic transfer document in preparation".
- 2) **THAT** the Solicitor for the Owner give an undertaking in writing to provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee within 30 days of the date of registration in the Land Registry/Land Titles Office for Wellington (No. 61) a copy of the receipted and registered electronic transfer document for Consent B53/11.
- 3) **THAT** the Owner, as provided for under Section 69 of the Planning Act, R.S.O. 1990, shall pay to the Treasurer of the County of Wellington the administrative fee which is in effect at the time of the payment of the fee for the review for and issuance of the Certificate of Consent.
- 4) **THAT** the transfer for registration with respect to description complies with Ontario Regulation 43-96; and if that description contains a reference to a Reference Plan(s), the Owner's solicitor **shall provide a full print of that deposited reference plan(s)** to the secretary-treasurer of the Planning and Land Division Committee.
- 5) **THAT** the Owner receive approval from the applicable road authority in a manner deemed acceptable to that road authority for an entrance to the retained parcel; and further that the applicable authority file a letter of clearance of this condition with the Secretary-Treasurer of the Planning and Land Division Committee as written proof of fulfilment of this condition.
- 6) **THAT** the Owner satisfy the requirements of the Local Municipality in reference to parkland dedication as provided for in the Planning Act, R.S.O. 1990; and that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 7) **THAT** the Owner receive zoning compliance and classification from the Local Municipality and the County of Wellington Planning Department to prohibit a new residential dwelling on the severed parcel in a manner deemed acceptable; and that the Local Municipality and the County of Wellington Planning Department file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 8) **THAT** the remains of the barn and any manure storage facilities on the severed parcel be removed to the satisfaction of the Township of Wellington North; and further that the Township of Wellington North file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

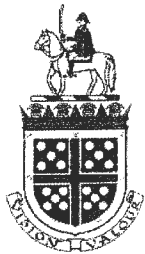
..... End of Conditions of Approval; see page two for signatures, dates and other information .....

LIMITS SHOWN HAVE NOT BEEN SURVEYED.

DISTANCES SHOWN ON THIS PLAN ARE IN FEET AND CAN BE CONVERTED TO METRES BY MULTIPLYING BY 0.3048



WAYNE D. TURPEL SURVEYING LIMITED      JANUARY 3, 2011      SKETCH NO. 10-4123 (ACAD)



## 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

March 8, 2012

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  
Schill Land Holdings – Pt Lot 15, Concession 3  
7716 Sideroad 7 East  
Restrict Agricultural Land from Future Residential**

### PLANNING OPINION

The zoning amendment is required as a condition of provisional consent (B53/11) by the Wellington County Land Division Committee. We have no objections to implementing this decision. Both the PPS and County Plan provide for surplus farm dwelling severances, provided the agricultural lands are rezoned to prohibit future residential dwellings. The intention of this policy is to allow farmers to reduce their costs of acquiring additional farm parcels where the impact on existing and future farm operations can be kept to a minimum.

### SUBJECT LAND

The subject land is legally described as Part of Lot 15, Concession 3 and has a civic address of 7716 Sideroad 7 East. The land is approximately 97.8 ha in size and is occupied by a dwelling.

### PURPOSE

The purpose of the amendment is to rezone the subject lands to restrict any future residential development on the agricultural portion of the property. This rezoning is a condition of severance application B53/11, that was granted provisional approval by the Wellington County Land Division Committee in May 2011. The consent will sever the existing farm dwelling 0.7 ha (1.8 ac) from the remainder of the agricultural parcel (38.8 ha (96 ac)). The property is currently zoned Agricultural.

### PROVINCIAL POLICY STATEMENT (PPS)

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

### WELLINGTON COUNTY OFFICIAL PLAN

The subject lands are designated PRIME AGRICULTURE. This application is required as a result of a severance application. Section 10.3.4 of the Official Plan implements the PPS and requires that the remnant parcel be rezoned to prohibit dwellings.

Section 10.3.4 of the Official Plan states:

“A severance may be considered for an existing residence that is surplus to a farming operation

as a result of farm consolidation, provided that:

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

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

### **ZONING BY-LAW**

The subject lands are zoned Agricultural (A). The attached draft by-law places a site specific exemption to prohibit a dwelling on the 100 acre agricultural parcel.

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

Sincerely,



Linda Redmond B.A.  
Planner

THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH  
BY-LAW NUMBER \_\_\_\_\_.

BEING A BY-LAW TO AMEND ZONING BY-LAW NUMBER 66-01  
BEING THE ZONING BY-LAW FOR THE TOWNSHIP OF WELLINGTON NORTH

WHEREAS, the Council of the Corporation of the Township of Wellington North deems it necessary to amend By-law Number 66-01;

NOW THEREFORE the Council of the Corporation of the Township of Wellington North enacts as follows:

1. THAT Schedule "A" Map 1 to By-law 66-01 is amended by changing the zoning on lands described as Part of Lot 15, Concession 3, as shown on Schedule "A" attached to and forming part of this By-law from Agricultural (A) to "Agricultural Exception (A-114)
2. THAT Section 33, Exception Zone 3 – Rural Areas, is amended by the inclusion of the following new exception:

**"33.114  
Part of Lot 15, Con 3**

**A-114 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 \_\_\_\_\_, 2012

READ A THIRD TIME AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012

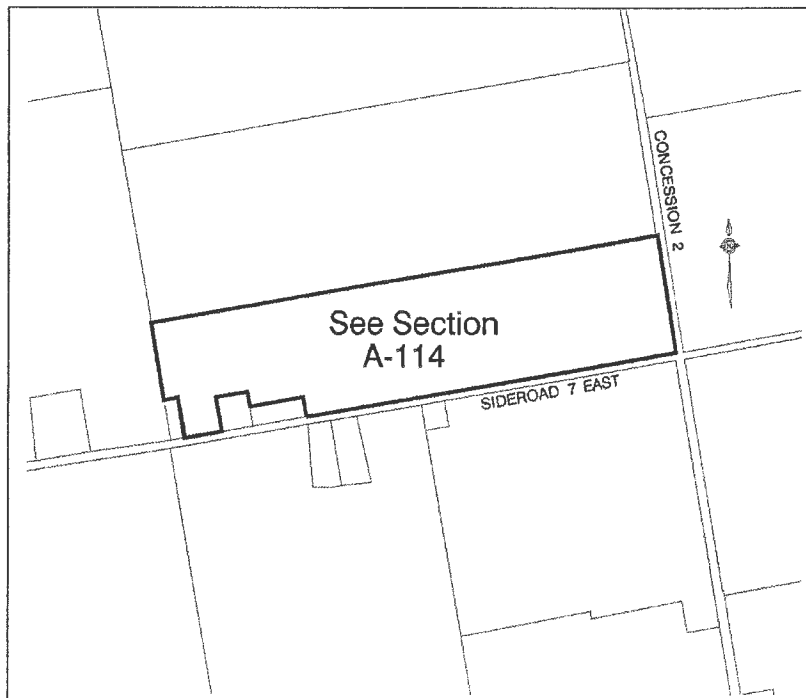
\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

THE TOWNSHIP OF WELLINGTON NORTH

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

Schedule "A"



Rezone from Agricultural (A) to Agricultural Exception (A-114)

Passed this \_\_\_\_ day of \_\_\_\_\_ 2012.

\_\_\_\_\_.

MAYOR

\_\_\_\_\_.

CLERK

## **EXPLANATORY NOTE**

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

**THE LOCATION** being rezoned is legally described as Part of Lot 15, Concession 3 and has a civic address of 7716 Sideroad 7 East. The land is approximately 97.8 ha in size and is occupied by a dwelling.

**THE PURPOSE AND EFFECT** of the amendment is to rezone the subject lands to restrict any future residential development on the agricultural portion of the property. This rezoning is a condition of severance application B53/11, that was granted provisional approval by the Wellington County Land Division Committee in May 2011. The consent will sever the existing farm dwelling 0.7 ha (1.8 ac) from the remainder of the agricultural parcel (38.8 ha (96 ac). The property is currently zoned Agricultural.