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Public Meeting

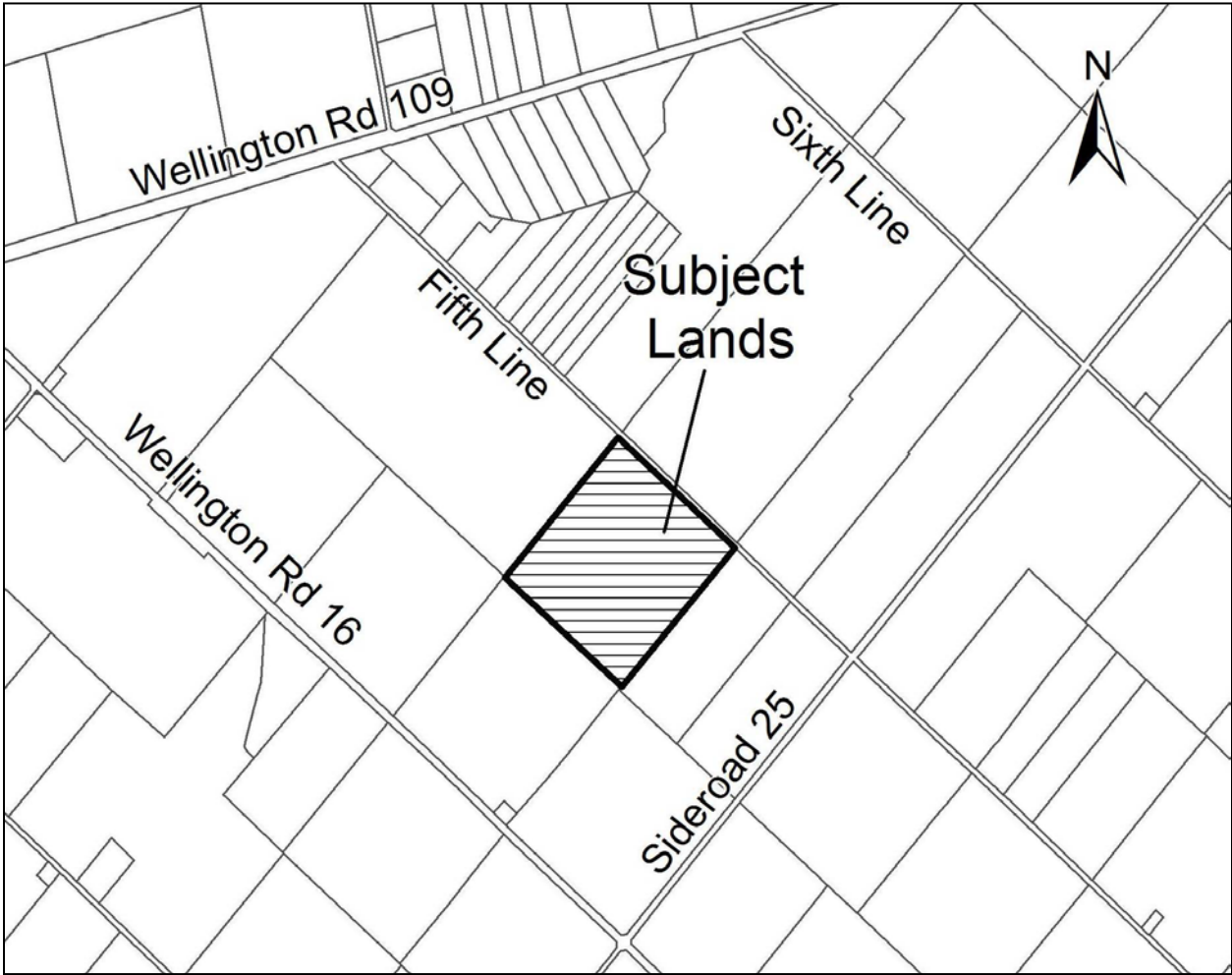
Monday, April 10, 2017 at 2:00 PM

Municipal Office Council Chambers, Kenilworth

AGENDA

AGENDA ITEM	PAGE NO.
<p><u>CALLING TO ORDER</u></p> <ul style="list-style-type: none">- Mayor Lennox <p><u>DISCLOSURE OF PECUNIARY INTEREST(S) AND THE GENERAL NATURE THEREOF</u></p> <p><u>OWNERS/APPLICANT</u></p> <ul style="list-style-type: none">- 2432895 Ontario Inc. <p><u>LOCATION OF THE SUBJECT LAND</u></p> <p>The land subject to the proposed amendment is described as Lot 27, Concession 5, municipally known as 7240 Fifth Line, Geographic Township of West Garafraxa. The property is 42.5 hectares (105 acres) in size. The location is shown on the map attached.</p> <p><u>PURPOSE AND EFFECT OF THE APPLICATION</u></p> <p>The purpose and effect of the proposed amendment is to revise the site specific zoning (A-78) on the subject land to permit a permanent washroom with a septic system, and a two bedroom cottage or a trailer for use by the owner.</p>	1

AGENDA ITEM	PAGE NO.
<u>NOTICE</u> Notices were mailed to property owners within 120 m of the subject property as well as the applicable agencies and posted on the subject property on March 17, 2017.	
<u>PRESENTATIONS</u> Jameson Pickard, B. URPL, Planner. <ul style="list-style-type: none">- See attached report and draft by-law prepared by Mark Van Patter, RPP, MCIP, Manager of Planning and Environment	2
<u>CORRESPONDENCE FOR COUNCIL'S REVIEW</u> Darren Jones, Chief Building Official <ul style="list-style-type: none">- Requests deferral	8
<u>REQUEST FOR NOTICE OF DECISION</u> 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.	
<u>MAYOR OPENS FLOOR FOR ANY COMMENTS/QUESTIONS</u>	
<u>COMMENTS/QUESTIONS FROM COUNCIL</u>	
<u>ADJOURNMENT</u>	



2432895 Ontario Inc.



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

March 23, 2017

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

Dear Mr. Jones:

**Re: Ole Toiro – Fernando Marques
Washroom / Septic System and Cottage / Trailer for Running of the Bull
Lot 27, Concession 5 – 7240 Fifth Line – Former West Garafraxa Twp.
Zoning By-law Amendment**

PLANNING OPINION

The Ministry of the Environment and Climate Change is requiring improvements to the washroom and septic system. Mr. Marques has no choice in the matter as I understand it. CBO Jones and I have had discussions and feel that the septic system can be decommissioned if the running of the bull use ever discontinues. The washroom building may be converted to another farm use. I don't have any concerns with adding a mobile home for the owner as a permitted use. A two bedroom cottage would be permitted now, as the land is vacant without a dwelling.

SUBJECT LAND

The land subject to the proposed amendment is described as Lot 27, Concession 5, municipally known as 7240 Fifth Line, Geographic Township of West Garafraxa. The property is 42.5 hectares (105 acres) in size. The location is shown on the air photo on next page.

PURPOSE AND EFFECT

The purpose and effect of the proposed amendment is to revise the site specific zoning (A-78) on the subject land to permit a washroom with a septic system, and a two bedroom cottage or a trailer for use by the owner.

BACKGROUND

As I understand it, the Ministry of Environment and Climate Change (MOECC) requires that the use on the property has to have a washroom and septic system. Our original support for the running of the bull was premised on the idea that no permanent buildings or structures should be allowed. This would allow the property to revert to agricultural use in the future. Given the current wording in the by-law, we feel that some clarification is required.



PROVINCIAL POLICY STATEMENT (PPS)

As I have noted in past comments, I would consider the proposal to be an agricultural-related use, provided the land remains devoted to agriculture and the running of the bull events occur only on an "occasional" basis in a year. In addition, no permanent buildings or structures that are non-agriculturally related should be erected.

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated PRIME AGRICULTURAL in the Wellington County Official Plan. Section 6.4.3 (b) and (c), and Section 6.4.4 of the Plan provides consideration for agriculture-related uses.

WELLINGTON NORTH TOWNSHIP ZONING BY-LAW

The property is currently zoned Agricultural Exception (A-78) to permit the Running of the Bull use.

PLANNING CONSIDERATIONS

Washroom and Septic System

The MOECC is requiring improvements to the washroom and septic system. Mr. Marques has no choice in the matter as I understand it.

I have had discussions with Mr. Jones, Chief Building Official, and we agree that if the Running of the Bull use is ever abandoned in the future, the septic system could be disconnected and the septic tank dealt with. The land could revert back to agriculture. Similarly, the washroom could be converted to a farm related building.

For the sake of clarity, I would suggest adding wording to the permitted uses to make it clear that the washroom and septic system is a permitted use.

Two Bedroom Cottage or Mobile Home

The application also requests a two bedroom cottage or mobile home for the owner's use. The property is currently vacant with no dwelling. Therefore, a two bedroom cottage would be permitted now. However, a mobile home would not be permitted in the current zoning by-law. I don't have any concerns with a mobile home for the owner; however, it also should be specified in the by-law for clarity purposes.

DRAFT ZONING BY-LAW AMENDMENT

I have attached a draft zoning by-law amendment for Council's review. The wording of the regulations has been revised to permit the septic system and washroom, and a mobile home for the owner's use.

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

Sincerely,



Mark Van Patter, RPP, MCIP
Manager of Planning and Environment

C: Kelly Vader, B.M. Ross

**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 the zoning regulations are revised for the lands described as Lot 27, Concession 5, with a civic address of 7240 Fifth Line, West Garafraxa, as illustrated on Schedule "A" attached to and forming part of this By-law.
2. THAT Section 33.78, Exception Zone, is amended by revising the Permitted Uses - Section 33.78 (a) with the changes shown in boldface as follows:

*In addition to the uses permitted in Section 8.1, the land zoned A-78 may also be used for a limited number of "running of the bull" special events. Minor accessory uses related to the running of the bull events such as ~~washrooms~~, food sales, picnicking, family games such as soccer, baseball, etc. are also permitted. **In addition, a washroom and a septic system, and a mobile home for use by the owner are permitted.** However, overnight camping by the public or the parking of recreational trailers by the public shall not be 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 _____, 2017

READ A THIRD TIME AND PASSED THIS _____ DAY OF _____, 2017

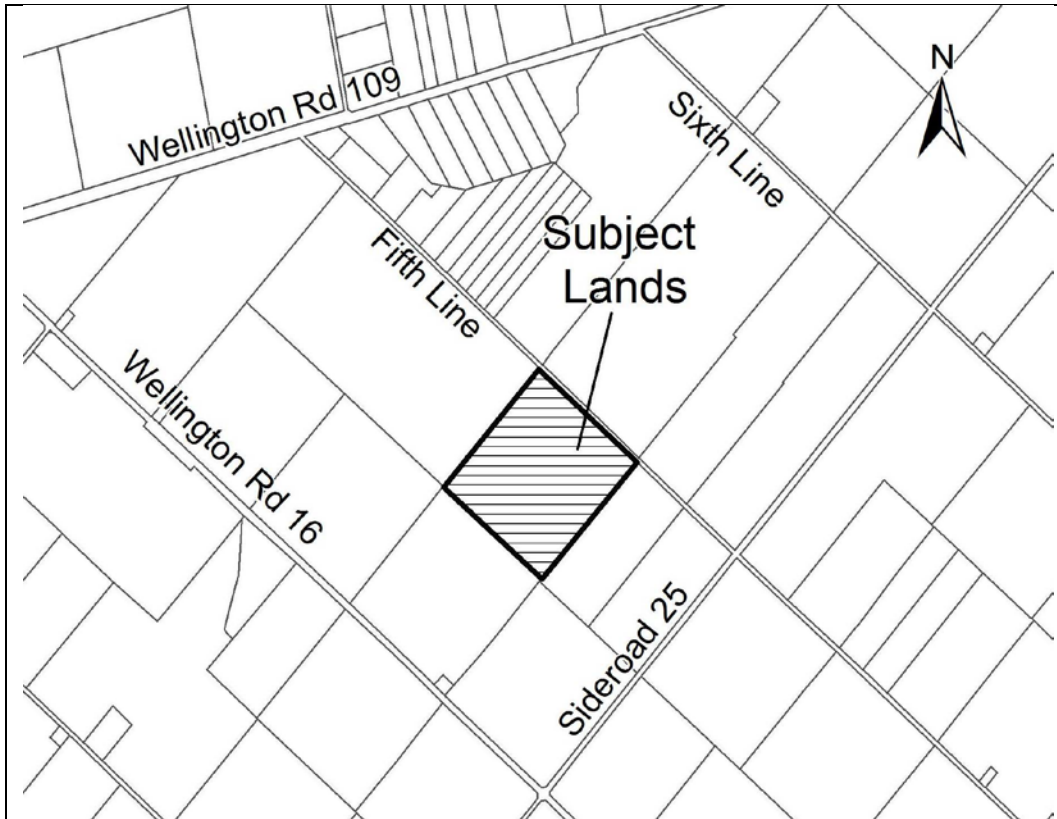
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "A"



Revise the Regulations for Agricultural Exception (A-78)

Passed this ____ day of _____ 2017.

MAYOR

CLERK

EXPLANATORY NOTE

BY-LAW NUMBER _____.

SUBJECT LAND

The land subject to the proposed amendment is described as Lot 27, Concession 5, municipally known as 7240 Fifth Line, Geographic Township of West Garafraxa. The property is 42.5 hectares (105 acres) in size.

PURPOSE AND EFFECT

The purpose and effect of the proposed amendment is to revise the site specific zoning regulations (A-78) on the subject land, to permit a washroom with a septic system, and either a mobile home for use by the owner. The washroom and septic system are being required by the Ministry of the Environment and Climate Change.



**TO: MAYOR AND MEMBERS OF COUNCIL
MEETING OF April 10, 2017**

**FROM: DARREN JONES
CHIEF BUILDING OFFICIAL**

**SUBJECT: CBO 2017-05 ZONING AMENDMENT APPLICATION
2432895 ONTARIO INC.**

RECOMMENDATION

THAT the Council of the Corporation of the Township of Wellington North receive report CBO 2017-05 being a report regarding a Zoning By-law Amendment for 2432895 Ontario Inc.

AND FURTHER THAT the Council of the Corporation of the Township of Wellington North defer a decision until such time as the property is brought into compliance with the current zoning by-law or that the deficiencies are addressed through a planning application.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

NONE.

BACKGROUND

The location of the subject property is described as Lot 25, Concession 5, geographic Township of West Garafraxa with a civic address of 7240 Fifth Line.

The subject property is 105 acres in area and zoned Agricultural Exception Zone (A-78). A-78 states that overnight camping by the public or the parking of recreational trailers by the public shall not be permitted.

There are a number of structures labeled as Change Room on Figure No. 2.0 of the application that appear to be recreational trailers or temporary structures that may have been constructed without the benefit of a building permit.

At this point I have been unable to schedule an appointment to review the site with the applicant and the applicant's consultant due to conflicting schedules.

FINANCIAL CONSIDERATIONS

None.

STRATEGIC PLAN

This report does not directly relate to the implementation of the Township of Wellington North Strategic Plan.

Do the report's recommendations advance the Strategy's implementation?

- Yes No N/A

Which pillars does this report support?

- | | |
|---|--|
| <input type="checkbox"/> Community Growth Plan | <input type="checkbox"/> Community Service Review |
| <input type="checkbox"/> Human Resource Plan | <input type="checkbox"/> Corporate Communication Plan |
| <input type="checkbox"/> Brand and Identity | <input type="checkbox"/> Positive Healthy Work Environment |
| <input type="checkbox"/> Strategic Partnerships | <input checked="" type="checkbox"/> None |

PREPARED BY:	RECOMMENDED BY:
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DARREN JONES CHIEF BUILDING OFFICIAL	MICHAEL GIVENS CHIEF ADMINISTRATIVE OFFICER
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