



# Township of Wellington North

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

## PUBLIC MEETING

Monday, July 9, 2012 at 7:00 p.m.

Municipal Office Council Chambers, Kenilworth

## A G E N D A

Page 1 of 4

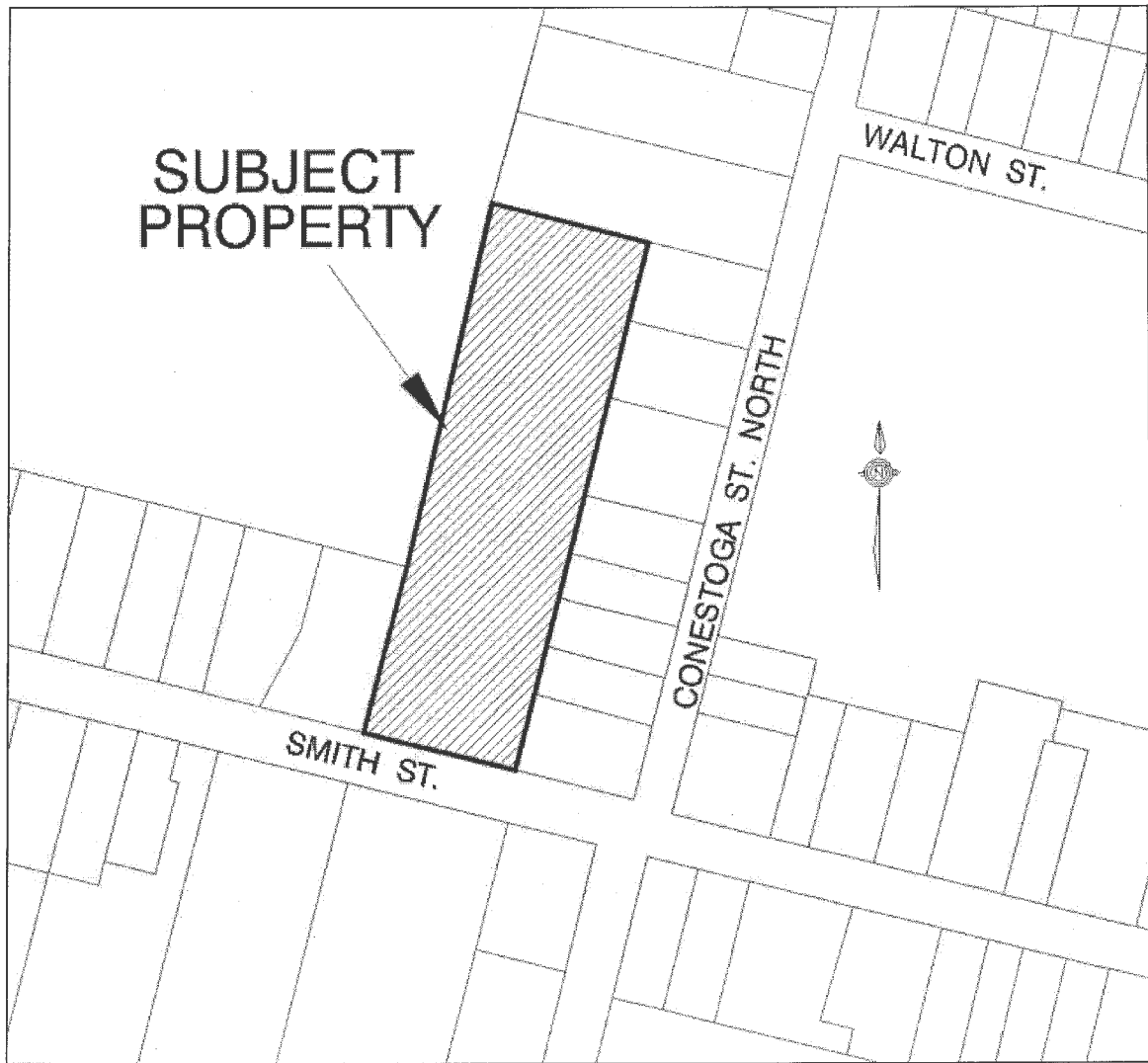
AGENDA ITEM	PAGE NO.
<p><b>The Mayor will call the meeting to order.</b></p> <p><b>Declaration of Pecuniary Interest.</b></p> <p><b>Owners/Applicant: John Rooney and Nancy Rooney</b></p> <p>Location of the Subject Land The property subject to the proposed amendment is described as Part of Park Lot 5, N/S Smith Street, Crown Survey, and is municipally known as 320 Smith Street in the Village of Arthur. The area to be rezoned is 1.26 hectares 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 address the location of an appropriate building envelope, protect the woodlands and provide for a reduced lot frontage. This rezoning is a condition of severance application B71/11, that was granted provisional approval by the Wellington County Land Division Committee.</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>1. Notice for this public meeting was sent to property owners within 120 m and required agencies and posted on the property on June 14th, 2012.</p>	<p>01</p>

**Public Meeting Agenda  
July 9, 2012 - 7:00 p.m.**

<b>AGENDA ITEM</b>	<b>PAGE NO.</b>
2. Request for Deferral received from Angela Alaimo, Solicitor for the Applicant	02
3. Application for Zoning By-law Amendment	03
4. Presentations by: - Linda Redmond, Planner - See attached comments	11
5. Review of Correspondence received by the Township: - None	
6. Mayor opens floor for any questions/comments.	
7. Comments/questions from Council.	

AGENDA ITEM	PAGE NO.
<p><b>Owners/Applicant: Roy May and Roger May</b></p> <p>Location of the Subject Land The property subject to the proposed amendment is described as Part of Lot 9, Concession 8 and is municipally known as 9042 Wellington Rd. 16. The property is 35.6 ha (88 ac) 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. Additionally relief from the zoning by-law for a proposed 139.3 m<sup>2</sup> (1500 ft.<sup>2</sup>) accessory structure is being requested. This rezoning is a condition of severance application B7/12, that was granted provisional approval by the Wellington County Land Division Committee in April 2012.</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>9. Notice for this public meeting was sent to property owners within 120 m and required agencies and posted on the property on June 18th, 2012.</p>	<p>13</p>
<p>10. Application for Zoning By-law Amendment</p>	<p>14</p>
<p>11. 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>23</p>

<b>AGENDA ITEM</b>	<b>PAGE NO.</b>
<p>12. Review of Correspondence received by the Township:</p> <ul style="list-style-type: none"><li>- None</li></ul> <p>13. 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>14. Mayor opens floor for any questions/comments.</p> <p>15. Comments/questions from Council.</p> <p>16. Adjournment</p>	



-----Original Message-----

From: Angela [<mailto:angela@janzenalaimo.ca>]  
Sent: Thursday, July 05, 2012 10:19 AM  
To: Lori Heinbuch  
Subject: John Rooney rezoning

Good morning Lori. I was speaking with Darren Jones yesterday. He had forwarded me a copy of the letter from Linda Redmond of the County Planner's Office, and in speaking with Linda, I would like to ask that Mr. Rooney's rezoning application be deferred from the public meeting on July 9 to a date to be determined. Mr. Rooney will be meeting with Ms.

Redmond in the near future and hopefully all of the concerns of the Planning Office and the Township council can be met and then we can deal with it in the public forum. Please advise if you require anything further. I would appreciate confirmation that the matter will not be going forward on Monday evening. Thank you, Angela

--

Angela Alaimo  
Janzen Alaimo  
Barristers & Solicitors  
197 George Street  
Arthur, Ontario N0G 1A0  
Telephone: 519-848-3916  
Fax: 519-848-2395

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)?  
required rezoning to comply with condition #9  
in Notice of Decision B71/11 - to create a  
holding zone + provide for reduced lot frontage

**B. GENERAL INFORMATION**

**3. APPLICANT INFORMATION**

a) Registered Owner's Name(s): John Wayne Rooney & Nancy Rooney  
Address: 312 McCord Street, Arthur, Ont. N0G 1A0  
Phone: Home () 519 848 5506 Work () \_\_\_\_\_ Fax () \_\_\_\_\_

b) Applicant (Agent) Name(s): Janzen Alaimo, Angela Alaimo  
Address: 197 George Street, Arthur Ont. N0G 1A0  
Phone: Home () 519 848 6950 Work () 519 848 3916 Fax () 519 848 2395

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? Dec. 8, 2010.

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: 320 Smith Street Arthur Out. NOG 1A0

Concession: \_\_\_\_\_ Lot: Park Lot 5 N15 Smith St. Crown Svy Registered Plan No: \_\_\_\_\_

Area: 1.26 hectares \_\_\_\_\_ acres  
Depth: 211.18 meters \_\_\_\_\_ feet  
Frontage (Width): 59.6 meters \_\_\_\_\_ feet

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

Area: 1.01 hectares \_\_\_\_\_ acres  
Depth: 211.18 <sup>irregular</sup> meters \_\_\_\_\_ feet  
Frontage (Width): 19.15 meters \_\_\_\_\_ feet

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

residential.

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

residential

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

residential

C. EXISTING AND PROPOSED LAND USES AND BUILDINGS

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

residential



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

since property created

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

residential

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				
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				
j) # of Loading Spaces				

*shed to be removed.*



**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 ( <input checked="" type="checkbox"/> )
Zoning By-law Amendment	Yes ( )	No ( <input checked="" type="checkbox"/> )
Minor Variance	Yes ( )	No ( <input checked="" type="checkbox"/> )
Plan of Subdivision	Yes ( )	No ( <input checked="" type="checkbox"/> )
Consent (Severance)	Yes ( )	No ( <input checked="" type="checkbox"/> )
Site Plan Control	Yes ( )	No ( <input checked="" type="checkbox"/> )

**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.)**

**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) \_\_\_\_\_ of the \_\_\_\_\_ of \_\_\_\_\_ in the  
 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 Wayne Rooney of the Township of the Wellington North 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 North in the County / Region of Wellington this 24<sup>th</sup> day of May 2012.

John Rooney  
Signature of Owner or Authorized Solicitor or Authorized Agent

May 24, 2012  
Date

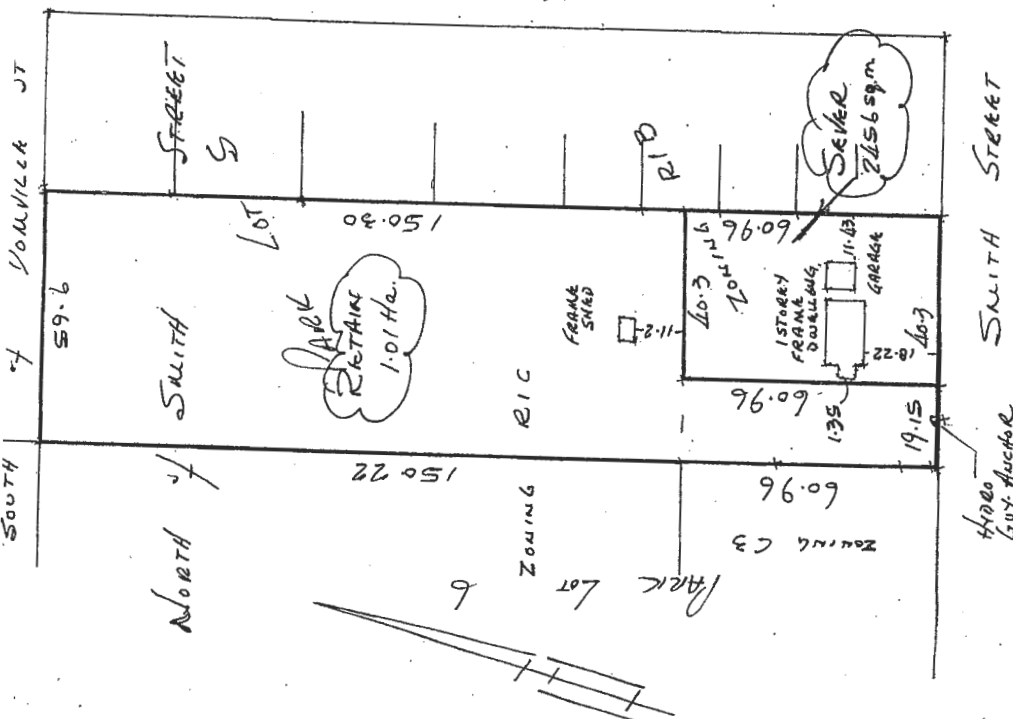
[Signature]  
Signature of Commissioner

May 24, 2012.  
Date

APPLICATION AND FEE OF \$ 1500 RECEIVED BY MUNICIPALITY

[Signature]  
Signature of Municipal Employee

May 25, 2012  
Date



SEWERAGE SKETCH IN THE  
 (VILLAGE OF ARTHUR)  
 TOWNSHIP OF WILKINSON NORTH  
 1:1250

May/11  
 8087  
*Dick*  
 Alex R Wilson Surveying Inc  
 Mount Forest  
 519 323 2451

271/11- John Rooney



## 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

July 4, 2012

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

Dear Mr. Jones:

**Re: Rooney**  
**320 Smith Street, Arthur**  
**Zoning By-law Amendment**

### **PLANNING OPINION**

The proposed zoning amendment is required as a condition of consent application B71/11, to address the lot frontage of the new lot and the woodlot on the rear portion of the lands.

Wellington North Council commented on the proposed severance and requested that a building envelope be identified so as to provide access to the balance of the lands (ie. the woodlot). The County Land Division Committee recommended that the woodlot be protected from future development following discussion with surrounding neighbours.

The frontage of the retained parcel is narrow and, depending on where a new house is placed, access to the balance of the retained lands would either be unavailable or limited. We require further information with respect to the proposed development and future use of the parcel in order to develop an appropriate zoning by-law for the subject lands. A draft by-law has not been prepared to date.

### **SUBJECT LAND**

The subject land is legally described as Part of Park Lot 5, N/S Smith Street, Crown Survey, and is municipally known as 320 Smith Street in the Village of Arthur. The land subject to the rezoning is approximately 1.01 ha (2.5 ac) in size.

### **PURPOSE**

The purpose of the amendment is to rezone a portion of the property to Residential R1C to reflect the frontage of the lands created by consent application B71/11. The rear portion of the lands, approximately (2 acres) is proposed to be rezoned to protect the woodlands. This rezoning is a condition of severance application B71/11, that was granted provisional approval by the Wellington County Land Division Committee.

### **WELLINGTON COUNTY OFFICIAL PLAN**

The subject lands are designated as RESIDENTIAL within the Arthur URBAN CENTRE. Section 8.3.3 of the County Official Plan states "the predominant use of land in those areas designated Residential shall be residential and a variety of housing types shall be allowed. In addition, non-residential uses such as parks are recognized within the Residential designation.

## **ZONING BY-LAW**

The subject lands are zoned Residential (R1B & R1C). There are two components to this zone amendment, lot frontage and tree protection. The subject lands have deficient frontage under the current zoning (R1B) which requires 20m (66 ft.). This portion of lands is proposed to be rezoned R1C to reflect the frontage of 19 m (62 ft).

The rear portion of the retained parcel has an area of approximately 0.8 ha (2 ac.) and is covered in trees. At the County Land Division Committee a number of neighbours who back onto this portion of property expressed concern with the protection of this wooded space. They requested that the lands be protected from development in order to preserve the woodlands.

A draft by-law has not been prepared to date. Further information is required with respect to the development of the lands.

## **PLANNING CONSIDERATIONS**

Wellington North Council commented on the proposed severance and requested that a building envelope be identified so as to provide access to the balance of the lands (ie. the woodlot). As stated earlier the County Land Division recommended that the woodlot be protected from future development following discussion with surrounding neighbours.

The frontage of the retained parcel is narrow and, depending on where a new house is placed, access to the balance of the retained lands would either be unavailable or limited. We require further information with respect to the proposed development and future use of the parcel in order to develop an appropriate zoning by-law for the subject lands.

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

Sincerely,



Linda Redmond B.A.  
Planner





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)?

THE APPLICANTS REQUEST ZONING RELIEF FOR A PROPOSED BUILDING OF 1500 SQ. FT. AND HEIGHT OF 16 FT. ON SEVERED PARCEL AND ZONING TO PROHIBIT A NEW RESIDENTIAL DWELLING ON THE RETAINED PARCEL

**B. GENERAL INFORMATION**

3. APPLICANT INFORMATION

a) Registered Owner's Name(s): ROY EDWARD MAY & ROGER EDWARD MAY

Address: RR#1 CONN. ONT. NOG 1ND

Phone: Home ( ) 519 848-9935 Work ( ) \_\_\_\_\_ Fax ( ) \_\_\_\_\_

b) Applicant (Agent) Name(s): R.G. JANZEN - JANZEN ALAIMO

Address: 197 GEORGE ST. ARTHUR, ONT NOG 1A0

Phone: Home ( ) ~~519 848-2916~~ Work ( ) 519 848-3916 Fax ( ) 519 848-2395

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? OCTOBER 2009

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: 09042 WELLINGTON RD. 16, WEST LUTHER  
Concession: 8 Lot: 9 Registered Plan No: \_\_\_\_\_  
Area: \_\_\_\_\_ hectares Depth: \_\_\_\_\_ meters Frontage (Width): \_\_\_\_\_ meters  
88 acres 1990 feet 1807 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?**

AGRICULTURAL

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

AGRICULTURAL

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

AGRICULTURAL

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

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

AGRICULTURAL

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

SINCE 1800's

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

AGRICULTURAL - RETAINED  
DWELLING WITH SHOP - SEVERED

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		100 YEARS?		
c) Building Height	___ (m)	<u>20</u> (ft)	___ (m)	___ (ft)
d) Number of Floors		<u>1 1/2</u>		<u>1</u>
e) Total Floor Area (sq.m.)	___ (sq m)	<u>1,200</u> (sq ft)	___ (sq m)	<u>1,500</u> (sq ft)
f) Ground Floor Area (sq.m.) (exclude basement)	___ (sq m)	<u>1,000</u> (sq ft)	___ (sq m)	<u>1,500</u> (sq ft)
g) Distance from building/structure to the:	___ (sq m)	___ (sq ft)	___ (sq m)	___ (sq ft)
Front lot line	___ (m)	<u>100</u> (ft)	___ (m)	<u>75</u> (ft)
Side lot line	___ (m)	<u>150</u> (ft)	___ (m)	<u>50</u> (ft)
Side lot line	___ (m)	<u>50</u> (ft)	___ (m)	___ (ft)
Rear lot line	___ (m)	<u>20</u> (ft)	___ (m)	___ (ft)
h) % Lot Coverage		<u>1%</u>		<u>3%</u>
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?

COUNTY ROAD 16

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

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 (X)
Zoning By-law Amendment	Yes ( )	No (X)
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: APPLICATION NO. B7/12

Approval Authority: COUNTY OF WELLINGTON PLANNING AND LAND DIVISION COMMITTEE

Lands Subject to Application: PART L9, C8, WEST LUTHER

Purpose of Application: SEVER RESIDENCE SURPLUS TO FARMING OPERATION

Status of Application: CONSENT GRANTED WITH CONDITIONS

Effect on the Current Application for Amendment: SATISFACTION OF CONDITION FOR CONSENT

**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)

I (we) ROY MAY AND  
ROGER MAY of the TWP. of WELLINGTON in the  
 County / Region of WELLINGTON do hereby authorize R. G. JANZEN to

Act as my agent in this application.

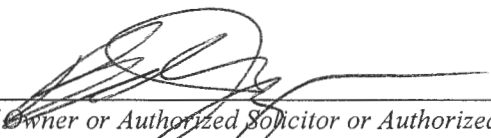
  
 \_\_\_\_\_  
 Signature of Owner(s)  
R. G. May

June 7, 2012  
 \_\_\_\_\_  
 Date

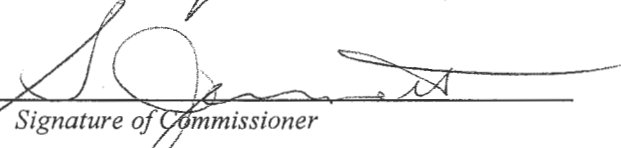
**I. AFFIDAVIT:** (This affidavit be signed in the presence of a Commissioner)

I (we) R. G. JANZEN of the TWP. of the WELLINGTON NORTH 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 Twp. of Wellington North in the County / Region of Wellington this 7<sup>th</sup> day of June, 2012

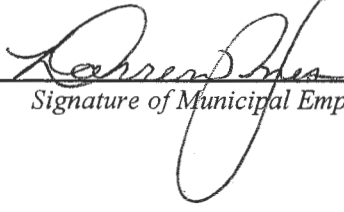
  
\_\_\_\_\_  
Signature of Owner or Authorized Solicitor or Authorized Agent

June 7, 2012  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Signature of Commissioner  
Susan Elizabeth Jemmett, a Commissioner, etc.,  
Province of Ontario, for Janzen Alaimo,  
Barristers and Solicitors.  
Expires May 13, 2013.

June 7, 2012  
\_\_\_\_\_  
Date

**APPLICATION AND FEE OF \$ 1500.00 RECEIVED BY MUNICIPALITY**

  
\_\_\_\_\_  
Signature of Municipal Employee

June 7, 2012  
\_\_\_\_\_  
Date



PART OF LOT 9 CONCESSION 8  
WEST LUTHER  
OWNED BY ROY MAY AND ROGER MAY  
SCALE 1" : 300'



(AGRICULTURE)  
45 AC

1990' ±

RETAINED PARCEL

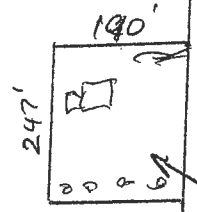
87 AC ±

(AGRICULTURE)

1952' ±

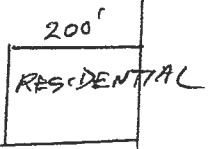
1179' ±

(AGRICULTURE) 200 AC.



SEVERED PARCEL

381' ±



1796' ±

(AGRICULTURE)

66 AC.

SEVERED PARCEL  
SCALE 1" : 50'  
PART LOT 9 CON. 8  
WEST LUTHER



190'



EXISTING  
DWELLING

247'



PROPOSED  
SHOP

COUNTY ROAD 16

⊙ ⊙ TREES ⊙



## 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

June 28, 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  
May – Pt Lot 9, Concession 8 (West Luther)  
9042 Wellington Road 16  
Restrict Agricultural Land from Future Residential and Proposed Shed**

### **PLANNING OPINION**

The zoning amendment is required as a condition of provisional consent (B7/12) 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 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.

Additionally, the applicants have requested zoning relief to allow for a proposed shed of 1500 ft<sup>2</sup> and a height of 16 feet on the severed parcel. We have no objections.

### **SUBJECT LAND**

The subject land is legally described as Part of Lot 9, Concession 8, geographic Township of West Luther, and has a civic address of 9042 Wellington Road 16. The land is approximately 88 acres in size and is occupied by a dwelling, with a barn recently removed as a condition of consent.

### **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 B7/12. The consent will sever the existing farm dwelling 1.07 acres from the remainder of the agricultural parcel 87 acres. Additionally, as part of this application a site specific zoning relief is requested for the severed property in order to allow the construction of 1500 ft<sup>2</sup> shed, with a height of 16 feet.

### **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 exception to prohibit a dwelling on the 87 acre agricultural parcel. An additional site specific exception would allow for a 1500 ft<sup>2</sup> shed, with a height of 16 ft., on the severed parcel.

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

Sincerely,



Logan Juffermans  
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 9, Concession 8, as shown on Schedule "A" attached to and forming part of this By-law from:

- **Agricultural (A) to "Agricultural Exception (A-119)**
- **Agricultural (A) to "Agricultural Exception (A-120)**

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

<b>33.119</b>	<b>A-119</b>	<b>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."</b>
<b>Part Lot 9, Con 8</b>		

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

<b>33.120</b>	<b>A-120</b>	<b>Notwithstanding Sections 6.1 or any other section of this by-law to the contrary, the floor area of one accessory building may be 139.3 sq. m. (1500 sq. ft.). Maximum lot coverage of 10% must be considered for any new buildings."</b>
<b>Part Lot 9, Conc. 8</b>		

4. 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.

5. 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

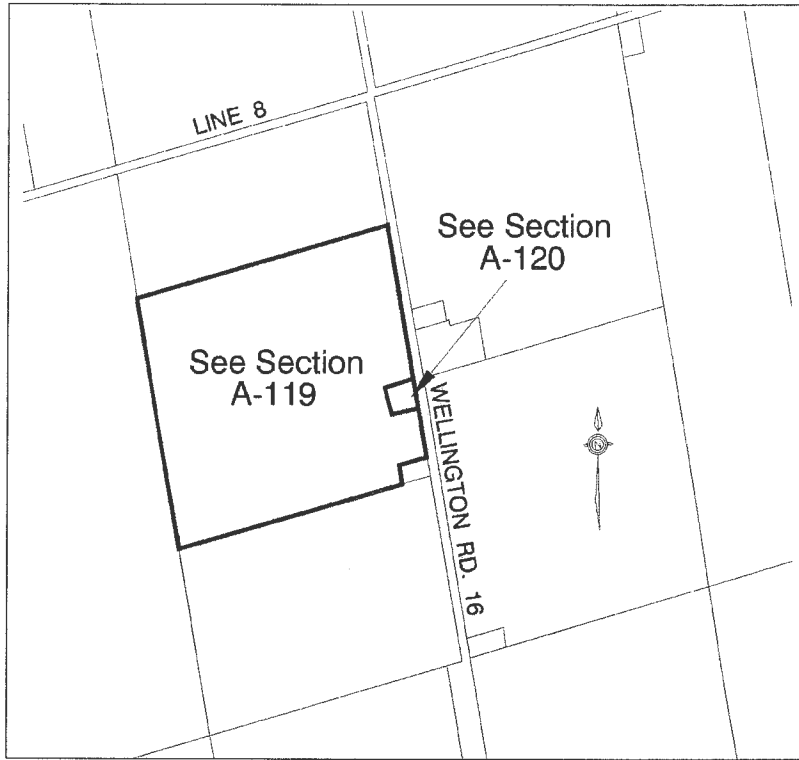
\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

THE TOWNSHIP OF WELLINGTON NORTH

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

Schedule "A"



Rezone from Agricultural (A) to Agricultural Exception (A-119 & A-120)

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

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

**EXPLANATORY NOTE**

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

**THE LOCATION** being rezoned is legally described as Part of Lot 9, Concession 8, geographic Township of West Luther, and has a civic address of 9042 Wellington Road 16. The land to be rezoned is approximately 88 acres in size and is occupied by a dwelling, with a barn recently removed as a condition of consent.

**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 B7/12, that was granted provisional approval by the Wellington County Land Division Committee. The consent will sever the existing farm dwelling (1.07 acres) from the remainder of the agricultural parcel (87 acres). The property is currently zoned Agricultural. Additionally, a the zone amendment will also permit an 1500 sq. ft accessory structure with a height of 16 feet on the 1.07 acre parcel.