

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, July 9, 2012

The Public Meeting was held Monday, July 9, 2012 at 7:00 p.m. at the Township of Wellington North Council Chambers, Kenilworth to consider two Zoning Amendment applications.

Present:

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

Also Present:

Deputy Clerk: Cathy More
Executive Assistant: Cathy Conrad
Township Planner: Linda Redmond

Mayor Tout called the meeting to order.

Declaration of Pecuniary Interest:

None declared.

Owner/Applicant: John Rooney and Nancy Rooney

THE LOCATION of 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.

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.

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

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

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, July 9, 2012

Page Two

1. Notice for the public meeting was sent to property owners within 120 m and required agencies and posted on the property on June 14, 2012.
2. Request for Deferral received from Angela Alaimo, Solicitor for the Applicant.

Council deferred the application as requested by the applicant.
3. Application for Zoning By-law Amendment
4. Presentation by:

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

Ms. Redmond explained that the Planning Department had concerns regarding the development of the property. If a house is constructed at the front of the property then development could not take place on the remaining lands. The neighbours are requesting that the wood lot be preserved. The Planning Department recommended that the building envelope protect the wood lot.
5. Review of Correspondence received by the Township:

Grand River Conservation Authority
- No objections
6. Mayor Tout opened the floor for any questions/comments.

None.
7. Comments/questions from Council.

None.

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, July 9, 2012

Page Three

Owner/Applicant: Roy May and Roger May

THE LOCATION of 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.

THE PURPOSE AND EFFECT of the 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 m² (1500 ft.²) 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.

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

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

8. Notice for this public meeting was sent to property owners within 120 m and required agencies and posted on the property on June 18, 2012.
9. Application for Zoning By-law Amendment

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, July 9, 2012

Page Four

10. Presentation by:

Linda Redmond, Planner, reviewed her comments dated June 28, 2012.

The zoning amendment is required as a condition of provisional consent (B7/12) by the Wellington County Land Division Committee. The Planning Department had no objections to implementing this decision. Both the Provincial Policy Statement 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 ft² and a height of 16 feet on the severed parcel. The Planning Department had no objections.

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.

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 ft² shed, with a height of 16 feet.

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

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, July 9, 2012

Page Five

Under the 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 Provincial Policy Statement 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.”

Under the 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 ft² shed, with a height of 16 ft., on the severed parcel.

11. Review of Correspondence received by the Township:

Grand River Conservation Authority
- No objections

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, July 9, 2012

Page Six

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.

13. Mayor opens floor for any questions/comments.

The applicant was present to answer any questions. The purchaser of the residential lot was present and indicated that the proposed shed will be used for storage.

14. Comments/questions from Council.

Councillor Lennox clarified that the shed does not exist but is proposed to be built.

15. Adjournment 7:20 p.m.

C.A.O./CLERK

MAYOR