



Township of Wellington North

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

Public Meeting

Monday, September 9th, 2013 at 7:00 p.m.

Municipal Office Council Chambers, Kenilworth

A G E N D A

Page 1 of 2

AGENDA ITEM	PAGE NO.
<p>The Mayor will call the meeting to order.</p> <p>Declaration of Pecuniary Interest.</p> <p>Owners/Applicant: Gavin Frey</p> <p>THE LOCATION OF THE SUBJECT LAND is described as Part of Lot 1, Concession 5, Geographic Township of West Luther and is municipally known as 8789 Wellington Road 14. The property is approximately 2.37 acres in area and is shown on the map attached.</p> <p>THE PURPOSE AND EFFECT of the amendment is to change the zoning of the property from Agricultural Commercial (AC) to a zone that would permit a residential dwelling and use of the accessory building for commercial storage, for a roofing contractor. The parking of employee vehicles and smaller trailers would also be considered.</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">1. Notice for this public meeting was sent to property owners within 120 m and required agencies and posted on the property on August 15, 2013.	1
<ol style="list-style-type: none">2. Application for Zoning By-law Amendment	2

AGENDA ITEM	PAGE NO.
3. Presentations by: <ul style="list-style-type: none">- Linda Redmond, Senior Planner<ul style="list-style-type: none">- See attached comments and draft by-law prepared by Mark Van Patter, Senior Planner.	10
4. Review of Correspondence received by the Township: <ul style="list-style-type: none">- Pasquale Costanzo, County of Wellington Engineering Services<ul style="list-style-type: none">- No objection	15
5. The by-law will be considered at the regular council meeting following the public meeting. Persons wishing notice of the passing of the By-law must submit a written request.	
6. Mayor opens floor for any questions/comments.	
7. Comments/questions from Council.	
8. Adjournment	



CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH

Application for Zoning By-law Amendment

Application No. _____

A. THE AMENDMENT

1. TYPE OF AMENDMENT? Site Specific Other _____

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

- NO NEED FOR COMMERCIAL ZONING
-

B. GENERAL INFORMATION

3. APPLICANT INFORMATION

a) Registered Owner's Name(s): GAVIN FREY
GARRY & HEATHER LEE STEEGE
Address: 8789 WELLINGTON RD 14 RR #2 ARTHUR
NOG 1A0.
Phone: Home () 59-503-7378 Work () _____ Fax () _____

b) Applicant (Agent) Name(s): GARRY & HEATHER LEE STEEGE
Address: 577 GACAPRAVA ST E FERRIS, ONT N1M1E8.
Phone: Home () 59-843-4506 Work () 59-843-7530 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? ~~SEP~~ MAY 2, 2007

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: 8789 WELLINGTON RD 14.

Concession: 5 Lot: NORTH PART 1 Registered Plan No: 60R 3140

Area: _____ hectares Depth: ~~200~~ meters Frontage (Width): ~~400~~ meters

2.37 acres 260 feet 400 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?

PRIME AGRICULTURAL.

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

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

AGRICULTURAL COMMERCIAL

C. EXISTING AND PROPOSED LAND USES AND BUILDINGS

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

RESIDENCE & CONTRACTOR'S YARD

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

2007

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

RESIDENTIAL / HOME INDUSTRY

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)	<u>House</u>			
b) Date of Construction	<u>2008.</u>			
c) Building Height	_____ (m)	_____ (ft)	_____ (m)	_____ (ft)
d) Number of Floors				
e) Total Floor Area (sq.m.)	_____ (sq m)	<u>1716</u> (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)	<u>120</u> (ft)	_____ (m)	_____ (ft)
Side lot line	_____ (m)	<u>220</u> (ft)	_____ (m)	_____ (ft)
Rear lot line	_____ (m)	<u>125</u> (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	<input type="checkbox"/>	Continually maintained municipal road	<input type="checkbox"/>	Right-of-way	<input type="checkbox"/>
County Road	<input checked="" type="checkbox"/>	Seasonally maintained municipal road	<input type="checkbox"/>	Water access	<input type="checkbox"/>

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

WELLING TOWN RD 14

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	()	()	<input checked="" type="checkbox"/>	()	()	<input checked="" type="checkbox"/>	()
b) Proposed	()	()	()	()	()	()	()

18. HOW IS THE STORM DRAINAGE PROVIDED?

Storm Sewers	()	Ditches	<input checked="" type="checkbox"/>	Swales	()	Other means (explain below)
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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 ()	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: _____

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 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) Gavin Frey of the Town of Elmira in the
 County/ Region of Waterloo do hereby authorize Gary Heather to
for Stuep
 Act as my agent in this application.


 Signature of Owner(s)

July 24
 Date

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

I (we) Garry & Heather ter Steege of the Township of the Centre Wellington 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 1st day of August, 2013

Heather ter Steege
Signature of Owner or Authorized Solicitor or Authorized Agent

Aug 1, 2013
Date

[Signature]
Signature of Commissioner

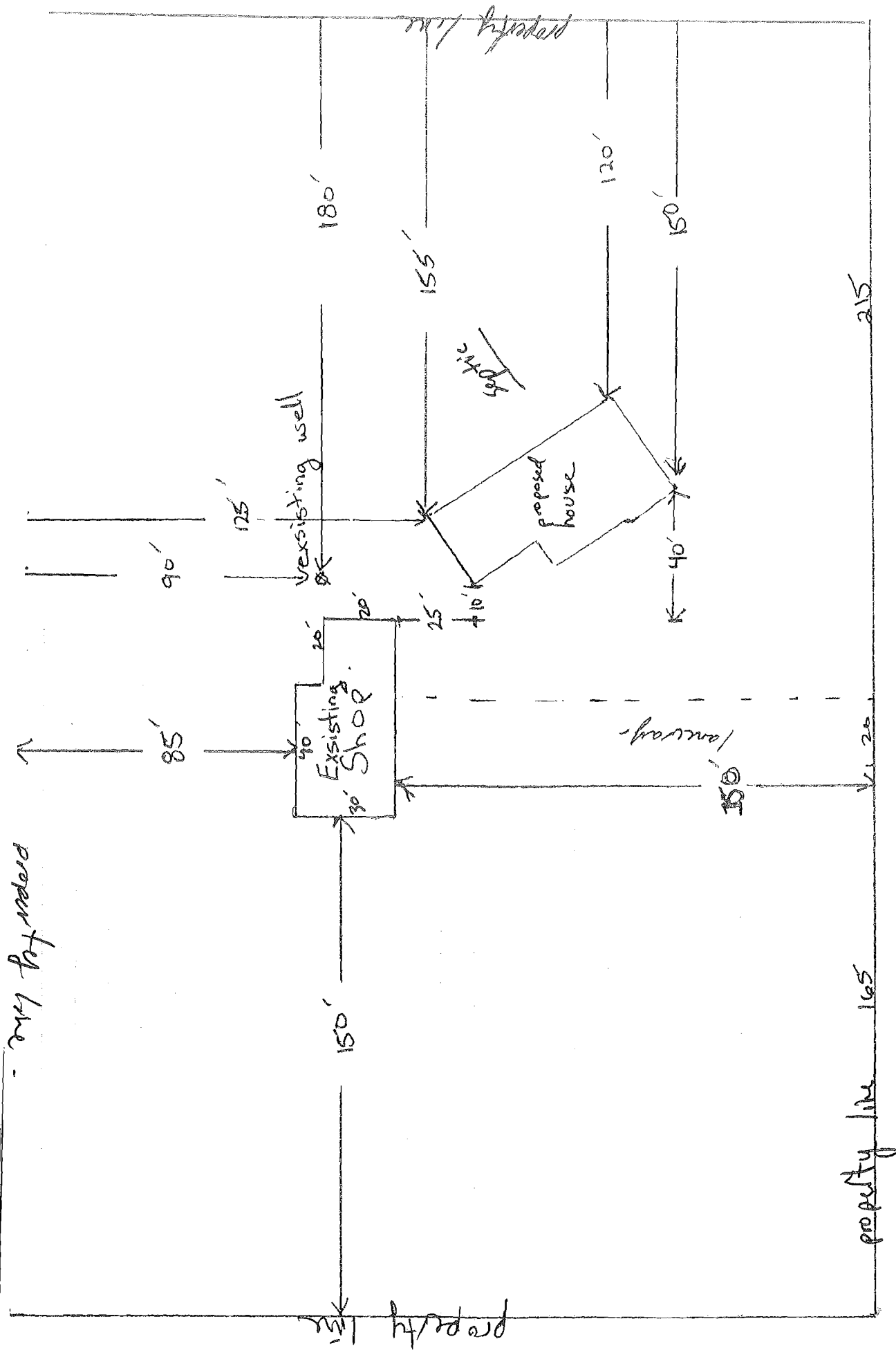
Aug 1 / 13
Date

Catherine E. More
CATHERINE E. MORE, a Commissioner,
etc., County of Wellington, Deputy Clerk
of the Corporation of the Township of
Wellington North. Aug 1/13

APPLICATION AND FEE OF \$ 1500 RECEIVED BY MUNICIPALITY

[Signature]
Signature of Municipal Employee

August 1, 2013
Date



Gavin + Michelle Frey
 #8789 Caty Rd #14
 Wellington N.
 date March 17/08
 (S19) 503-7378

Site plan.
 1/4" = 1 Ft.



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

September 2, 2013

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

Dear Mr. Jones:

**Re: Gavin Frey – Pt. Lot 1, Conc. 5 – 8789 Wellington Road 14
Storage for Roofing Business
Draft Zoning By-law Amendment**

PLANNING OPINION

I do not have any concerns with this minor rezoning. Placing the property into an Agricultural Exception zone allows the house to be the primary use and storage in the shed, an accessory use. The zone change represents a less intensive use, than the current Agricultural Commercial zoning, and it is more in line with the official plan.

THE LOCATION OF THE SUBJECT LAND is described as Part of Lot 1, Concession 5, Geographic Township of West Luther and is municipally known as 8789 Wellington Road 14. The property is approximately 2.37 acres in area.

THE PURPOSE AND EFFECT of the amendment is to change the zoning of the property from Agricultural Commercial (AC) to a zone that would permit a residential dwelling and use of the accessory building for commercial storage, for a roofing contractor. The parking of employee vehicles and smaller trailers would also be considered.

BACKGROUND

The property has an existing single detached dwelling and a 1,600 sq. ft. shop. As I understand it, the Frey's have recently bought this property to reside in the dwelling. Their son is in the roofing business and wishes to use the shop building for storage of roofing products. His trailers would be stored on site over winter and employees would meet here in the mornings.

PROVINCIAL POLICY STATEMENT

The subject property is considered to be within a PRIME AGRICULTURAL area. Within prime agricultural areas, permitted uses include agricultural uses, secondary uses and

agriculture-related uses.

WELLINGTON COUNTY OFFICIAL PLAN

The subject lands are designated PRIME AGRICULTURAL in the County of Wellington Official Plan. Agricultural-related uses are permitted in Prime Agricultural Areas and Section 6.4.5 of the Official Plan states

ZONING BY-LAW

The property is currently zoned Agricultural Commercial.

PLANNING CONSIDERATIONS

The Agricultural Commercial (AC) zone, Section 23.1, does not permit a contractors yard or commercial storage, so a rezoning is required.

It's my understanding that the primary use of the property is to be residential, with the storage being accessory. Given this, I am recommending that the property be put into a Agricultural Exception zone, to permit the storage use.

The nearest dwelling is immediately north approximately 750 feet away, so there should be no compatibility issues.

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

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 1, Concession 5, Geographic Township of West Luther, 8789 Wellington Road 14, as shown on Schedule "A" attached to and forming part of this By-law from **Agricultural Commercial (AC) to Agricultural Exception (A-154)**.
2. THAT Section 33, Exception Zone 3 – Rural Areas, is amended by the inclusion of the following new exception:

33.154 Part Lot 1, Con 5 WL	A-154 Notwithstanding any other section of this by-law to the contrary, the following accessory uses associated with a roofing business are permitted in this zone: <ul style="list-style-type: none">- Storage of roofing materials in accessory building- Parking of trailers- Parking of employee vehicles
--	---

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 _____, 2013

READ A THIRD TIME AND PASSED THIS _____ DAY OF _____, 2013

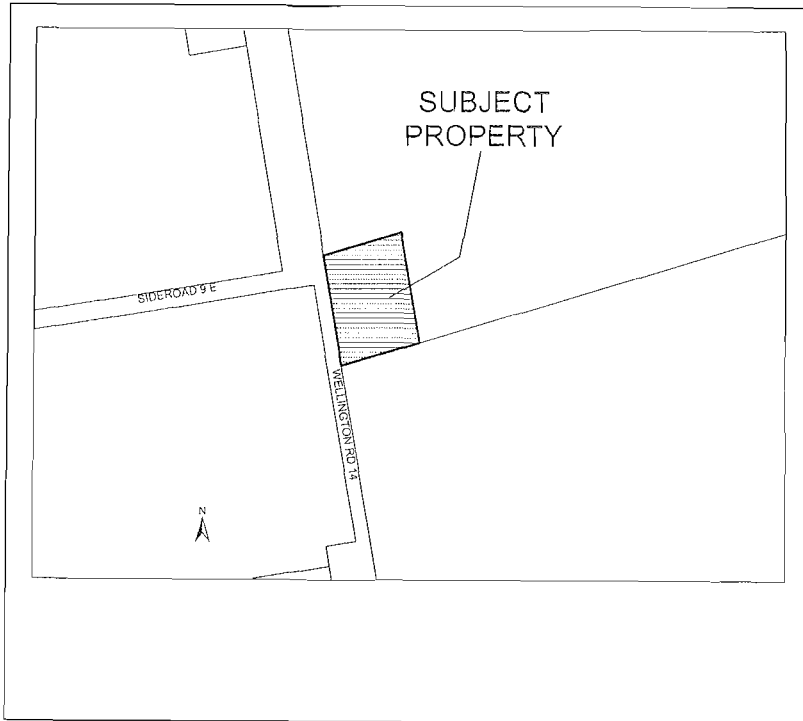
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "A"



Rezone from Agricultural Commercial (AC) to Agricultural Exceptions (A-154)

Passed this ____ day of _____ 2013.

MAYOR

CLERK

EXPLANATORY NOTE

BY-LAW NUMBER _____.

THE LOCATION OF THE SUBJECT LAND is described as Part of Lot 1, Concession 5, Geographic Township of West Luther and is municipally known as 8789 Wellington Road 14. The property is approximately 2.37 acres in area.

THE PURPOSE AND EFFECT of the amendment is to change the zoning of the property from Agricultural Commercial (AC) to Agricultural Exception (A-154), that would permit a residential dwelling and use of the accessory building for commercial storage, for a roofing contractor. The parking of employee vehicles and smaller trailers is also permitted.

COUNTY OF WELLINGTON

RECEIVED

THE TOWNSHIP OF WELLINGTON NORTH

AUG 19 2013

AUG 27 2013

NOTICE OF A PUBLIC MEETING FOR AN AMENDMENT TO THE WELLINGTON NORTH ZONING BY-LAW
And
NOTICE OF COMPLETE APPLICATION

(WP. OF WELLINGTON NORTH

ENGINEERING SERVICES
DEPARTMENT

TAKE NOTICE that the Council of the Corporation of the Township of Wellington North has received a complete application to consider a proposed amendment to the Comprehensive Zoning By-law 66-01, pursuant to Section 34 of the *Planning Act, R.S.O. 1990*, as amended.

PUBLIC MEETING Wellington North Council will consider this application at their meeting scheduled for:

Monday, September 9, 2013
Township of Wellington North Municipal Offices
Council Chambers
7490 Sideroad 7 West, Kenilworth
7:00 p.m.

THE LOCATION OF THE SUBJECT LAND is described as Part of Lot 1, Concession 5, Geographic Township of West Luther and is municipally known as 8789 Wellington Road 14. The property is approximately 2.37 acres in area and is shown on the map below.

THE PURPOSE AND EFFECT of the amendment is to change the zoning of the property from Agricultural Commercial (AC) to a zone that would permit a residential dwelling and use of the accessory building for commercial storage, for a roofing contractor. The parking of employee vehicles and smaller trailers would also be considered.

MAKING AN ORAL OR WRITTEN SUBMISSION

Any person or public body is entitled to attend the public meeting and make written or oral submissions in support of or in opposition to the proposed zoning by-law amendment. Written comments should be submitted to the Township Clerk at the address shown below.

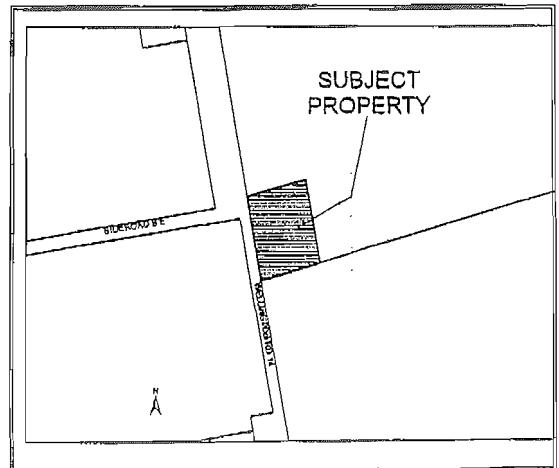
If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Wellington North before the by-law is passed, the person or public body is not entitled to appeal the decision of the Council of the Township of Wellington North to the Ontario Municipal Board.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Township of Wellington North before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

ADDITIONAL INFORMATION regarding this zoning amendment application is available for inspection at the Township of Wellington North Municipal Office, 7490 Sideroad 7 West in Kenilworth during regular office hours Monday to Friday.

Dated at the Township of Wellington North
This 15th day of August, 2013

Darren Jones, CBO
Township Wellington North
7490 Sideroad 7, W
Kenilworth, ON N0G 2E0
Phone: (519) 848-3620
Fax: (519) 848-1119



COUNTY OF WELLINGTON
ENGINEERING SERVICES
NO OBJECTION
NOTICE OF DECISION REQ'D.
[Signature]
PASQUALE COSTANZO, CET
ENGINEERING TECHNOLOGIST
AUG 27/13
Cets:

COPY TO COUNTY OF
WELLINGTON PLANNING
DEPARTMENT