

# **Township of Wellington North** P.O. Box 125 • 7490 Sideroad 7 W • Kenilworth • ON • NOG 2E0

# **PUBLIC MEETING**

## Monday, September 13th, 2010 at 7:15 p.m.

## Municipal Office Council Chambers, Kenilworth

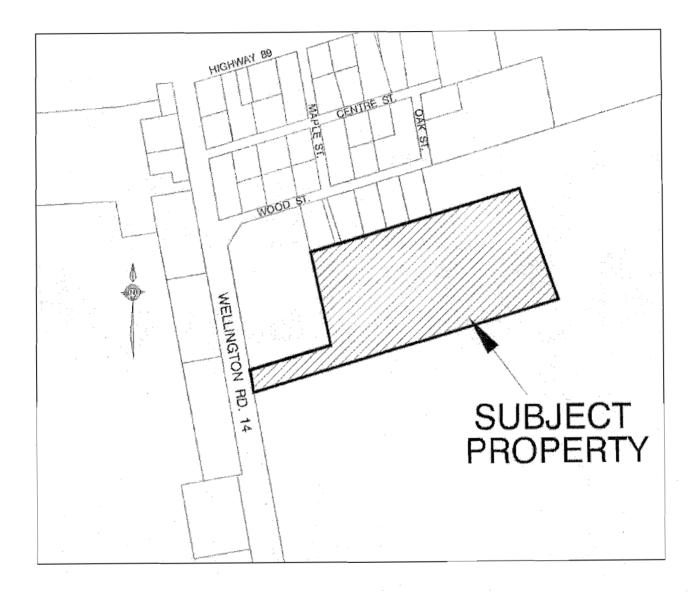
# <u>AGENDA</u>

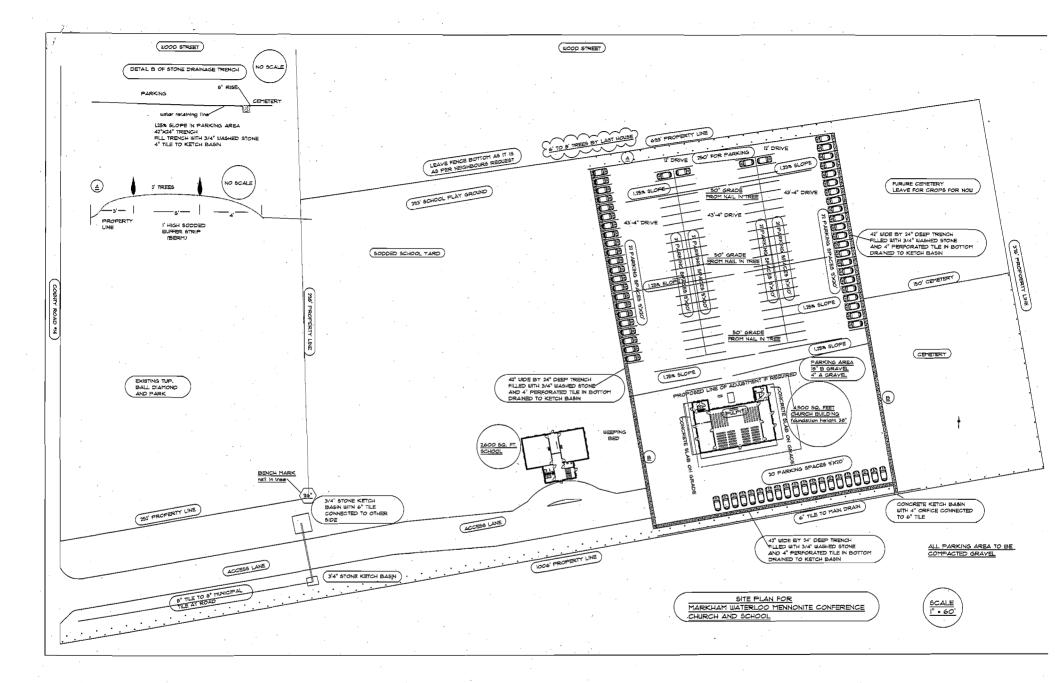
### Page 1 of 2

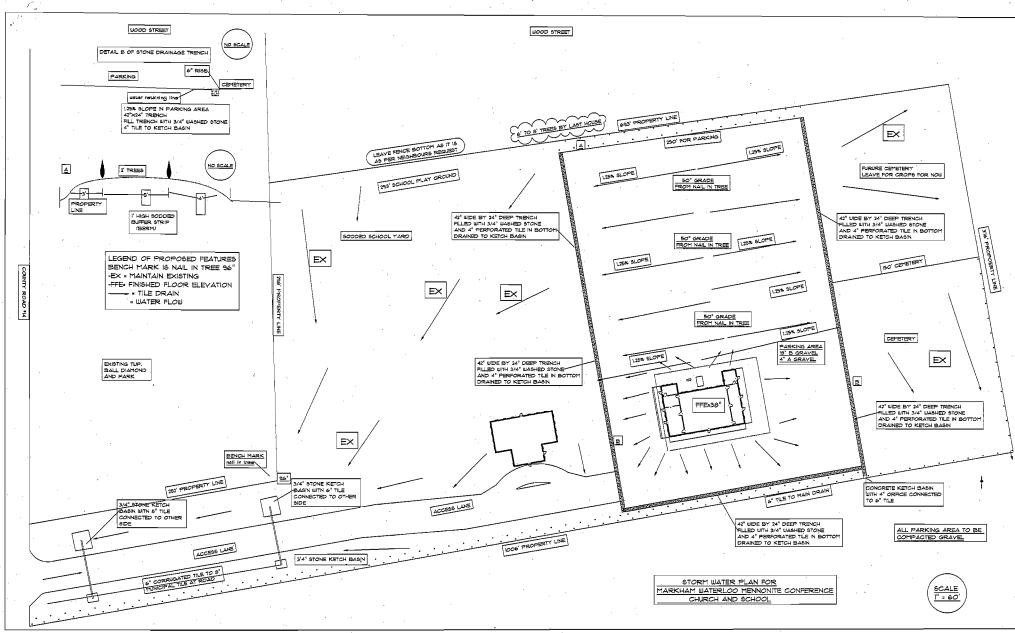
AGENDA ITEM	PAGE NO.
The Mayor will call the meeting to order.	
Declaration of Pecuniary Interest.	
Owners/Applicant: Lardeb Farms Limited	
THE LOCATION OF THE SUBJECT PROPERTY is described as Lot 1, Concession 14 and is located mainly in the Hamlet of Conn. The parcel subject to this application is currently farmed and consists of approximately 2.8 ha (7 ac).	01
THE PURPOSE AND EFFECT of the amendment is to rezone the lands to Institutional to permit a parochial school, church, cemetery and related uses. The subject land was granted a severance (B49/10) on June 10, 2010 by the Wellington County Land Division Committee.	
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.	
1. Notice for this public meeting was sent to those requesting notice in writing on August 23rd, 2010.	
2. Proposed Site Plan and Lot Grading Plan —	02

# Public Meeting Agenda September 13th, 2010

	AGENDA ITEM	PAGE NO.
3.	Presentations by:	
	<ul> <li>Mark Van Patter, Township Planner</li> <li>See attached comments dated: <ul> <li>September 9, 2010</li> <li>May 4, 2010</li> <li>March 4, 2010</li> </ul> </li> </ul>	04 09 11
4.	Review of Correspondence received by the Township:	
	<ul> <li>Pasquale Costanzo, County of Wellington Engineering Services</li> <li>No objection</li> </ul>	14
	<ul> <li>Cara Holtby, Environmental Planning Coordinator, SVCA</li> <li>No objection</li> </ul>	15
	<ul> <li>Raymond and Julia Gotez, 21 Wood Street, Conn</li> <li>Object</li> </ul>	16
	<ul> <li>David K. Parker, Wellington Federation of Agriculture, President         <ul> <li>Strongly Supports</li> </ul> </li> </ul>	17
	<ul> <li>Paul Brophy and Jo-Anne Krusky, 27 Wood Street, Conn and Donna Brooks, 25 Wood Street, Conn <ul> <li>Object</li> </ul> </li> </ul>	18
	<ul> <li>Garth Noecker, Drainage Superintendent, Township of Wellington North         <ul> <li>Recommendations</li> </ul> </li> </ul>	19
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.	







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September 9, 2010

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

Dear Mr. Jones:

#### Re: Additional Comments Markham / Waterloo Mennonite Conference Church, School and Cemetery – Hamlet of Conn <u>Draft Zoning By-law Amendment</u>

#### PLANNING OPINION

There is some additional information on related planning files to update Council. We have no objections to the approval of the draft zoning amendment. Drainage matters can be taken care of during the site plan control process.

#### SEVERANCES

- **B49/10** larger parcel severed from Lardeb Farms for church, school and cemetery granted provisional consent on June 10, 2010 by Land Division Committee.
- B104/10 and B105/10 lot line adjustment applications from Lardeb Farms, adding small narrow parcels off of Wood Street to abutting residential properties – being considered by Land Division Committee today.
- B106/10 creating a 20 foot wide private drainage easement needed for development of the church, school and cemetery property – being considered by Land Division Committee today.

#### SITE PLAN CONTROL

Charlie Toman of our office provided comments on the site plan in his letter of July 27 to CBO Jones. While there were several recommended revisions, none would require delaying the approval of the zoning amendment.

#### DRAFT ZONING AMENDMENT

I have attached a draft zoning by-law amendment. The amendment rezones the church, school and cemetery land from Agricultural Exception (A-1) and Residential (R1A) to Institutional (IN).

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

Sincerely,

Mark Van Patter, RPP Senior Planner

#### THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH

#### BY-LAW NUMBER \_\_\_\_\_

#### 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 and Map 6 (Conn) to By-law 66-01 are amended by changing the zoning on a portion of the land described as Part of Lot 1, Concession 14, former Township of West Luther, as shown on Schedule "A" attached to and forming part of this By-law, from Agricultural Exception (A-1) and Residential (R1A) to Institutional (IN).
- 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.
- 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 \_\_\_\_\_, 2010

READ A THIRD TIME AND PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2010

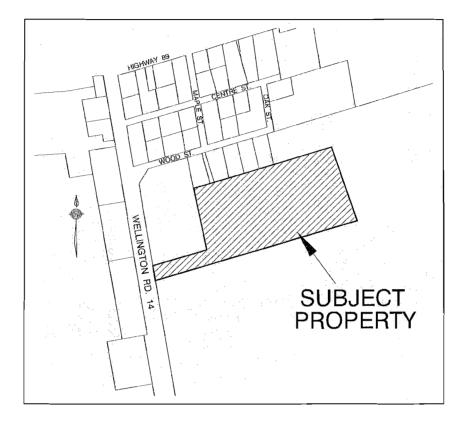
MAYOR

CLERK

## THE TOWNSHIP OF WELLINGTON NORTH

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

Schedule "A"



Rezone from Agricultural (A-1) and Residential (R1A) to Institutional (IN)

Passed this \_\_\_\_ day of \_\_\_\_\_2010.

MAYOR

CLERK

## **EXPLANATORY NOTE**

#### BY-LAW NUMBER \_\_\_\_\_\_.

**THE LOCATION OF THE SUBJECT PROPERTY** is described as Lot 1, Concession 14 and is located mainly in the Hamlet of Conn. The parcel subject to this application is currently farmed and consist of approximately 2.8 ha (7 ac).

**THE PURPOSE AND EFFECT** of the amendment is to rezone the lands to Institutional to permit a parochial school, church, cemetery and related uses. The subject land was granted a severance (B49/10) on June 10, 2010 by the Wellington County Land Division Committee.

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May 4, 2010

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

Dear Mr. Jones:

#### Re: Markham / Waterloo Mennonite Conference Church, School and Cemetery – Hamlet of Conn Draft Zoning By-law Amendment

I am providing some additional comments to my March 3 letter for Council's information.

#### Minimum Distance Separation

It is my understanding that there were some concerns expressed about impact on area barns by the proposed school / church / cemetery. In my opinion, there will be <u>no</u> <u>additional impacts</u>. There are three barns on the west side of Wellington Road 14, to the south. All three barns are already impacted by the southwestern corner of the Hamlet designation in the Official Plan. This corner is closer to all of the barns than the subject property, including its entrance. (Please see attached sketch).

#### Minor Revision of Draft Zoning Map

I wanted to draw Council's attention to a minor revision of the zoning map. There is a small finger of land on the subject property that goes up to Wood Street, just where Maple Street comes in. Initially, I did not show this area as part of the subject property. It is my understanding that the developer may sell this land to one or two of the abutting neighbours. I am now showing this finger on the zoning map, with it to remain as Residential (R1A).

#### Additional Site Plan Information

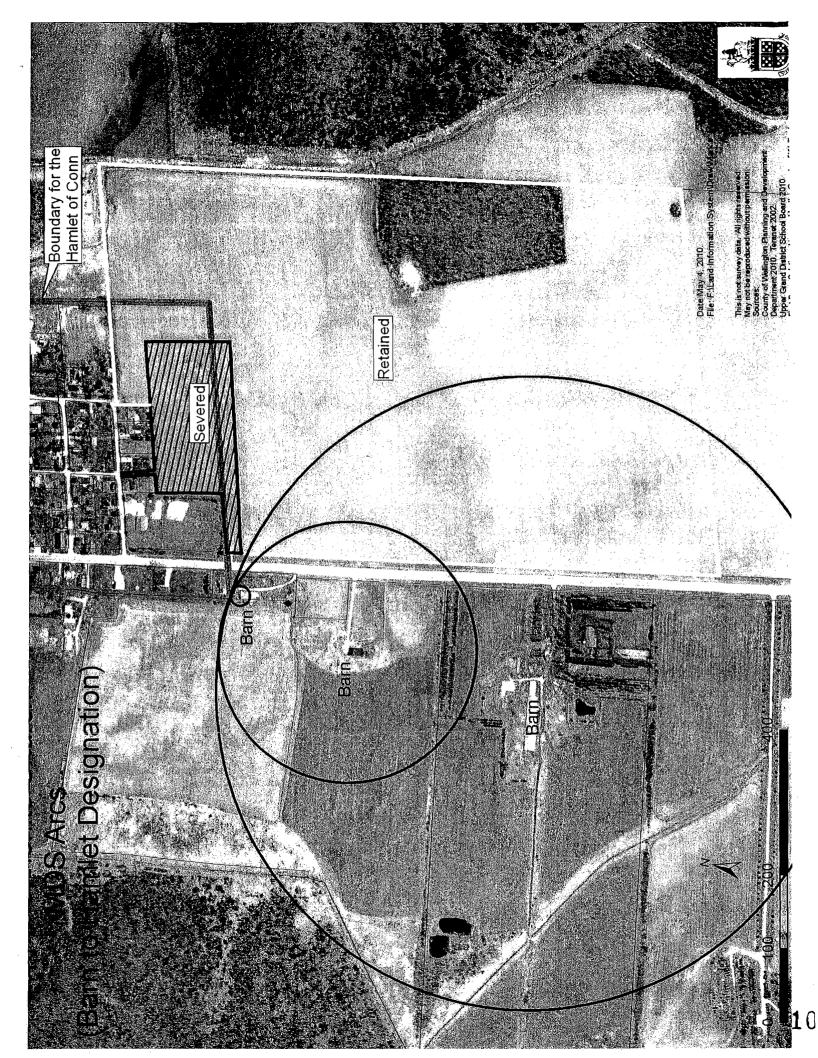
In my last comments, I requested that the applicant provide a detailed site plan to aid in understanding how the site is to be developed in terms of parking lot, buildings and cemetery locations, setbacks to neighbours and vegetative buffers. The draft by-law may need to be revised to include setbacks and buffering regulations. I would recommend that approval of the by-law not be given until this is done.

Sincerely,

Mark Van Patter, RPP Senior Planner

C: Ralph Martin, agent

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March 4, 2010

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

Dear Mr. Jones:

#### Re: Markham / Waterloo Mennonite Conference Church, School and Cemetery – Hamlet of Conn Draft Zoning By-law Amendment

#### PLANNING OPINION

I am of the opinion that the proposal is in conformity with the Provincial Policy Statement and County Official Plan. Urban centres and hamlets are where institutional uses should be located. The property is large enough that the uses can be situated so they will be compatible with the neighbours to the north. I would recommend that the applicant provides a detailed site plan so that we can get a better understanding of how the parcel will be developed. The draft zoning by-law may need to be amended to include setbacks and buffering regulations. I would also recommend that the rezoning not be approved until the Land Division Committee has dealt with the severance application April 8.

#### THE SUBJECT LAND

The location of the subject is described as Lot 1, Concession 14 and is located mainly in the Hamlet of Conn. The area is currently farmed.

#### PROPOSAL

The proposal is to sever a flag-pole shaped property of about 7 acres in the Hamlet of Conn for the purpose of developing a school, church and cemetery. The severance application file number is B49/10, which is to be considered at the County's Land Division Committee on April 8. This will result in a retained agricultural parcel to the south of 97.4 acres. I provide some specific details on the application below:

#### <u>Church</u>

- 4,100 square feet
- 300 person seating
- 70 to 95 cars on Sunday
- No outdoor lighting no evening use
- No youth activity
- No fellowship hall
- No kitchen facilities

#### <u>School</u>

- 2,600 square feet
- May not be built for several years
- 30 to 45 students
- No showers or cafeteria

#### **Cemetery**

- 150 by 176 feet = 26,400 square feet = 0.61 acres
- About 350 plots
- Would take 80 years to fill

#### <u>Access</u>

- Access would be south of the ball field from Wellington Road 16
- This is the reason for flag-pole shape
- Would not use any roads inside Conn itself

#### PROVINCIAL POLICY STATEMENT (PPS)

Development is generally directed to urban areas, including Hamlet areas.

#### WELLINGTON COUNTY OFFICIAL PLAN

The Official Plan in Section 7.4.1, Hamlet designation, indicates that "other uses including local commercial, small scale industrial, institutional .... may also be permitted where compatible and where adequate levels of service can be provided".

#### PLANNING CONSIDERATIONS

#### Proposed Uses

I do not have any concerns with the proposed uses. Urban areas are where they should be located.

#### Hamlet Boundary - Official Plan Interpretation

One hundred feet of the southern limit of the proposed area to be rezoned is outside of the Hamlet boundary. Section 14.2 of the Official Plan states that: *"To ensure the public interest and to prevent undue hardship, flexibility may be used to allow minor deviations from the text or map".* The County is satisfied that

flexibility is warranted in this situation and that the southern portion of the area should be interpreted to be within the Hamlet. An official plan amendment is not necessary.

#### Compatibility with Neighbouring Uses

Given the size of the property and the small scale of the uses proposed, I have no concerns with compatibility in general. The lands to the west are occupied by the ball diamond. To the north, there are four dwellings, which are the most sensitive neighbours. To the south and east, the land is agricultural.

Having said this, I think the applicant should provide a site plan showing how the site is going to be developed in terms of parking lot, buildings and cemetery locations, setbacks to neighbours and vegetative buffers.

I would recommend that the cemetery be situated as far as possible from the existing dwellings and wells (i.e. southeast corner of property).

We may want to include special setback regulations in the amending by-law to ensure the above.

#### <u>Services</u>

The applicant has provided a letter of February 1, from CMT Engineering, indicating that the property is of sufficient size to handle septic systems.

#### Road Access

The County of Wellington's Engineer's Office has indicated "No Objection" to the rezoning in its response of February 24.

#### DRAFT AMENDMENT

I have attached a draft zoning by-law amendment. As noted above, we may wish to include some special regulations for setbacks and buffering once we have a better idea how the site will be developed.

#### SITE PLAN CONTROL

Site plan control will be applied to the development.

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

Sincerely,

Mark Van Patter, RPP Senior Planner

C: Ralph Martin, by fax

FEB-24-2010(WED) 14:44

Wellington County Eng Services

# RECEIVED

FEB 2 4 2010

#### THE TOWNSHIP OF WELLINGTON NORTH

TWP. OF WELLINGTON NORT NOTICE OF A PUBLIC MEETING FOR AN AMENDMENT TO THE WELLINGTON NORTH ZONING BY-LAW

#### NOTICE OF COMPLETE APPLICATION

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, March 8, 2010

Township of Weilington North Municipal Offices Council Chambers 7490 Sideroad 7 West, Kenliworth 7:00 n.m.

THE LOCATION OF THE SUBJECT PROPERTY is described as Lot 1, Concession 14 and is located in the Hamlet of Conn. The percel subject to this application is currently farmed and consist of approximately 2.8 ha (7 ac) and is shown on the map below.

THE PURPOSE AND EFFECT of the amendment is to rezone the lands to institutional to permit a parochial school, church, cametery and related uses.

#### 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.

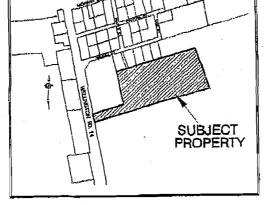
If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Weilington North before the by-law is passed, the person or public body is not enlitted to appeal the decision of the Council of the Township of Weilington North to the Ontario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

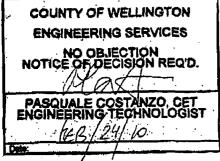
If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Township of Wellington North before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal – - Board unless, 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 Weilington North Municipal Office, 7480 Sideroad 7 West in Kenliworth during regular office hours Monday to Friday.

Dated at the Township of Wellington North This 12th day of February, 2010

Darren Jones, Building/Zoning Dept. Township Wellington North 7490 Sideroad 7, W Kanilworth, ON NOG 2E0 Phone: (519) 848-3620 (519) 848-1119 Fax:





COUNTY OF WELLINGTON

FEB 1 7 2010 ENGINEERING SERVICES DEPARTMENT 8...

RECEIVED

February 25, 2010

MAR 2 2010

TWP. OF WELLINGTON NORTH

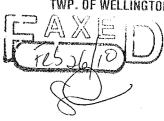


261123 Grey Rd. 28 Municipality of West Grey (former Normanby Twp.)

Mailing Address: R.R. I. Hanover, ON Canada N4N 3B8

Tel 519-364-1255 Fax 519-364-6990 www.svca.on.ca publicinfo@svca.on.ca

Township of Wellington North 7490 Sideroad 7 West P.O. Box 125 Kenilworth, ON N0G 2E0



ATTENTION: Darren Jones - Building/Zoning Dept.

Dear Mr. Jones:

RE: Application for Zoning By-law Amendment Part Lot 1, Concession 14 Geographic Township of West Luther Township of Wellington North

The Saugeen Valley Conservation Authority has reviewed the above noted application in accordance with the SVCA's mandate and policies. The SVCA has no objection to the approval of the application.

There are no significant natural heritage features or natural hazards affecting the lands subject to the amendment. The balance of the lands are adjacent to Conn Swamp and Municipal Drain #3.

We trust these comments are helpful. Should you have any questions, please do not hesitate to contact this office.

Mark McKenzie, SVCA Director (via email)

Yours sincerely,

Cara Holtby Environmental Planning Coordinator

CH/

cc:

Conservation Cooperation Through



# Atta-Lori Heinbuch

Raymond and Julia Goetz 21 Wood Street 80x 35 Conn, ON N8G 1N8

March 8, 2010

County of Wellington Planning and Land Division Committee Deborah Turchet, Secretary-Treasurer Wellington County Administration Centre 74 Woolwich Street Guelph, ON N1H 3T9

To Whom It May Concern:

Rc: File No. B49/10

Please be advised that we object the application to sever an irregular shaped lot for a potential Church, School and possible Cemetery. We feel that this will provide no benefit to the community as the proposed facilities to be built would not be available for use by others in the community.

Will a hydrogeoligical study be performed for the water flow?

We are concerned about the property values in the Hamlet of Conn, especially the dwellings adjacent to the proposed severed parcel will be adversely affected.

We wish to be notified of the date and time of the consideration for this application and to be notified of the decision for this application as well as a copy of the decision.

Sincerely,

Raymond and Julia Goetz



**David Parker** 

President RR 4 Belwood ON N0B 1J0 519-843-4478 david.parker@sympatico.ca WELLINGTON FEDERATION OF AGRICULTURE

www.wfofa.on.ca

Lisa Hern Secretary-Treasurer RR 2 Kenilworth ON N0G 2E0 519-848-3774 jplh@golden.net

May 14, 2010

Township of Wellington North

7490 Sideroad 7 W Kenilworth, Ont N0G 2E0

Dear Council:

Re: Amendment to the Comprehensive Zoning By-law 66-01, pursuant to Section 34 of the Planning Act, R.S.O. 1990, as amended. Lot 1, Concession 14, Conn. Written submission for Public Meeting.

The Wellington Federation of Agriculture represents over 1400 farm families and agribusiness in the County of Wellington.

The Federation strongly supports this application to rezone these lands to Institutional to permit a parochial school, church, and cemetery.

The Mennonite community is a very valuable component of our farming community and our economic development as a whole, and any such development will serve to greatly enhance the Wellington North community. This application is supported fully by the WFA.

Respectfully,

David losker

David K. Parker President

May 17, 2010

Via fax #519-848-1119 - 1 page only

Attention: Darren Jones, Building/Zoning Dept., Township of Wellington North	. '	RECEIVED
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From: Paul Brophy, Jo-Anne Krusky, Donna Brooks

Re: Re-zoning of Lot 1, Concession 14, Conn (File #B49/10)

MAY 1: 7 2010

Darren:

We oppose the re-zoning of lot 1, concession 14, Conn, ON. Paul Brophy and Jo-Anne Krusky plan to attend tonight's meeting at your office. Donna Brooks is unable to attend the meeting as she is working but would like to be informed of the board's decision.

Like we've said in our previous letter(s) to Deborah Turchet at the County of Wellington Planning and Land Division Committee in Guelph, we have nothing against Mennonites or their right to worship or schooling. We just don't want it in our back yard and that's exactly where it will be. We moved here specifically for the peace and quiet and the view of the field. We will lose our privacy, peace and quiet and peaceful view. Instead of a field and bush we will look at a building and parking lot. There will be increased noise, traffic and air pollution. We work out of town and commute all week. Most weeks we only have Sunday off. The day in which the proposed church will be the most active. Our quality of life will be affected by this. It's hard enough to sell property in Coan. The view and peace and quiet is a major selling feature. That will be gone. And potential buyers may be spooked about a cemetery so close by.

As we believe, the proposed school/church/cemetery will be Mennonite memberships. How will this will benefit the community of Conn? As far as we know, none of the residents of Conn will be using these facilities.

During the meeting held at the church in March, we were told that the reason the Mennonites are building here is because the government has told them they aren't allowed to continue to build their facilities on farmland. Our question is why is this County allowing them to do exactly that? If agricultural land is to be valued by this province/country, it needs to be valued everywhere!

Thank you for taking our comments into consideration before making a re-zoning decision.

Sincerely,

Paul Brophy & Jo-Anne Krusky 27 Wood Street, Conn Donna Brooks 25 Wood Street, Conn

## K. SMART ASSOCIATES LIMITED

CONSULTING ENGINEERS AND PLANNERS

KITCHENER • SUDBURY • CHATHAM • NEW LISKEARD • RAINY RIVER

85 McIntyre Drive Kitchener, ON N2R 1H6 Tel: 519-748-1199 Fax: 519-748-6100

Cathy Moore, Deputy Clerk Township of Wellington North 7490 - Sideroad 7 West, P. O. Box 125 Kenilworth, Ontario N0G 2E0

June 9, 2010

File No. 10-124

#### RE: Letter of Advice, Land Division in Arthur Drain 2 Watershed

#### Dear Ms. Moore:

Further to a request of Mr. Ralph Martin, we have investigated a proposed severance/land division involving part of Lot 1, Concession 14, West Luther geographical Township, for the purpose of commenting on drainage.

#### Background

The proposed severance is to create a +/- 7 acre lot south of the hamlet of Conn for a proposed church/school/cemetery for the Markham-Waterloo Mennonite Conference (see attachment 1).

We spoke with yourself, the proponent Mr. Ralph Martin, the applicants land surveyor Wayne Turpel, O.L.S, County of Wellington Planner Ms. Sarah Wilhelm, and drainage engineers in our office.

We have examined various plans and surveys supplied by the applicants as well as our files and the current drainage report for this area.

#### **Observations**

- 1. I have determined that the proposed land division is fully within the watershed of Arthur Drain 2
- 2. The proposed severance affects and drains to Branches 'H', 'K' and 'L' of Drain 2 (see attachment 2). The current engineers report in effect in the area of the severance is by E.W. Shifflett, P.Eng., dated March 28<sup>th</sup>, 1974, and enacted by by-law 1208 of 1974.
- 3. The lands have the legal right to drain to the 3 branches of Arthur Drain 2.



Watershed.doc Consulting Engineers of Ontario E:\2010\10-124\Correspondence\10-124 Letter of Advice on Land Division on Arthur Drain 2

4. The drainage to the municipal drain as shown in a proposed draft drainage plan (attachment 3) are generally acceptable. This generally proposes a 6" diameter tubing (or similar) restricted connection to Branch 'K' to drain the Westerly portion of the property and a similar connection to Branch 'H' to drain the Easterly part of the proposed severance. There would be some storm water management provision on the parking and lawn areas of the severance.

#### Recommendations

- 1. That the clerk of the municipality instruct an Engineer to apportion the assessments to reflect the land division as provided for in Section 65 of the Drainage Act
- 2. That the design of the final drainage plan be approved by the drainage superintendent or engineer of the municipality prior to construction.
- 3. That a method of securing a legal right of access be put in place to take the Easterly drainage outlet across approximately 100 meters of private lands to access Branch 'H'. This could be by Easement, municipal drain extension, or other method satisfactory to the municipality.
- 4. That the costs of all drainage work involved with the land division, including physical changes and administrative changes, including this letter of advice, be the responsibility of the applicant and not the municipality and accounts to be settled as a condition of severance.

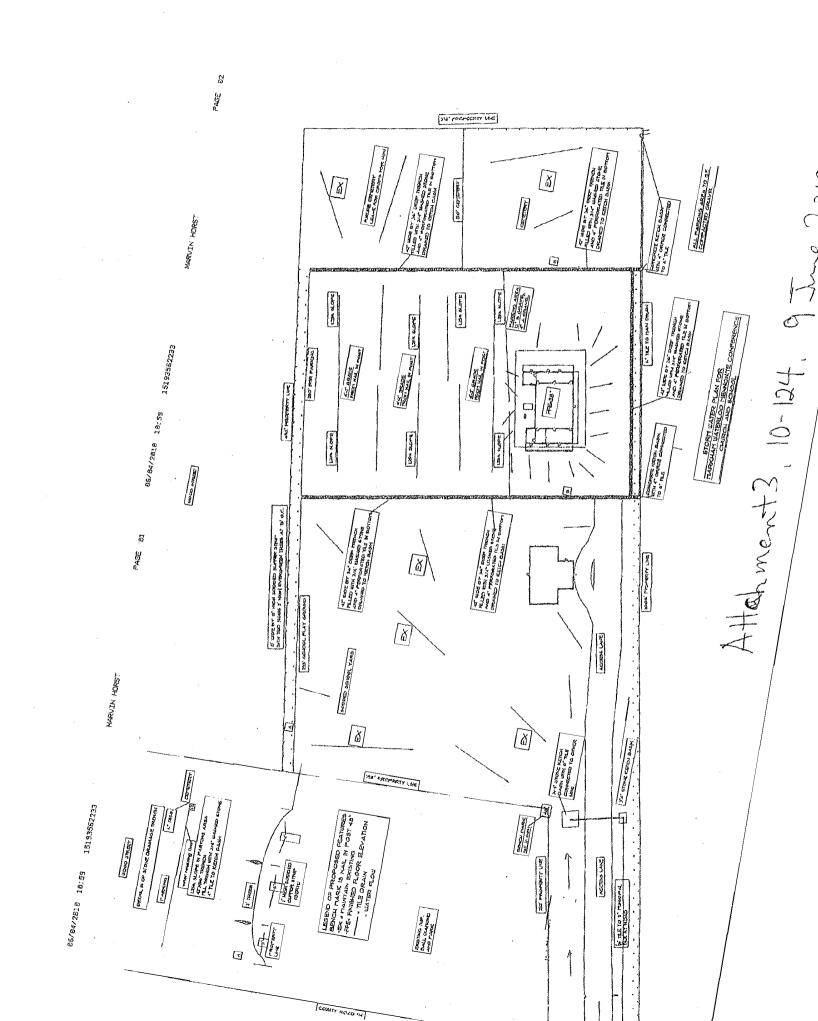
If there are any questions or clarifications regarding the foregoing, please do not hesitate to contact me.

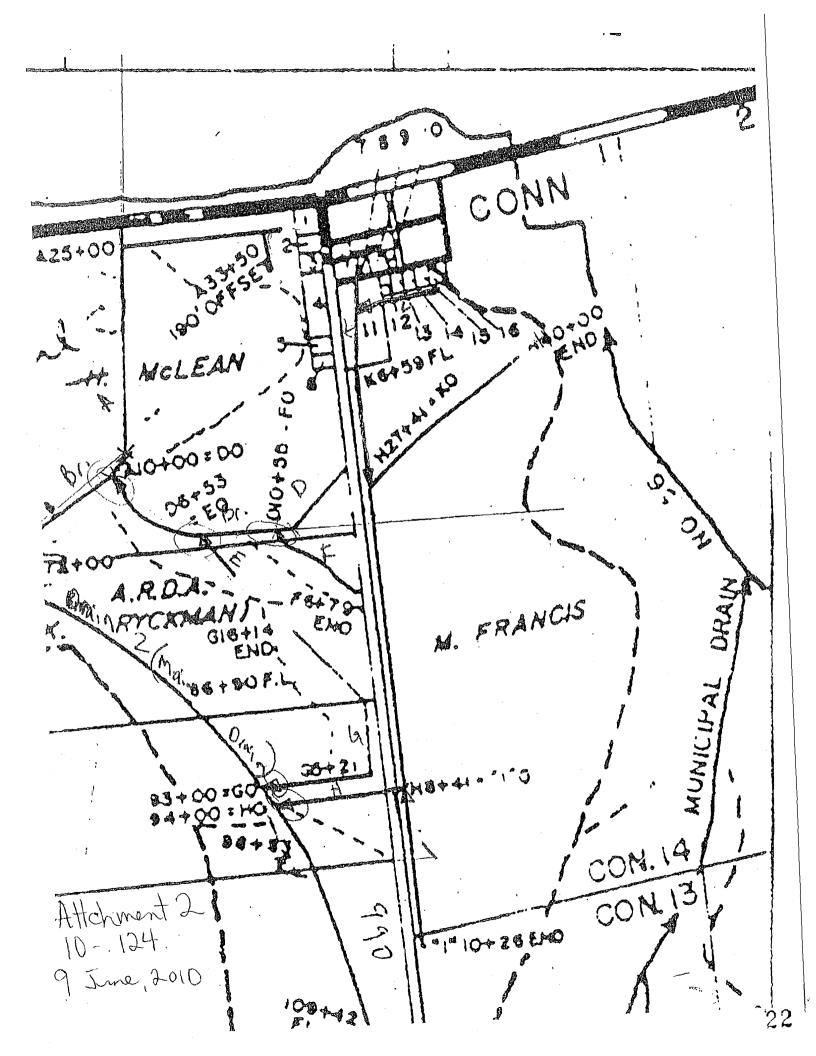
Yours truly, Garth Noecker, CST, CEX

Drainage Superintendent Township of Wellington North

cc. Ralph Martin Sarah Wilhelm, County of Wellington

E:\2010\10-124\Correspondence\10-124 Letter of Advice on Land Division on Arthur Drain 2





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