

# TOWNSHIP OF WELLINGTON NORTH

## PUBLIC MEETING - MINUTES

**Monday, October 7, 2013**

The Public Meeting was held Monday, October 7, 2013 at 7:00 p.m. at the Township of Wellington North Council Chambers, Kenilworth to consider a Zoning Amendment application.

**Present:**

**Mayor: Raymond Tout**  
**Councillors: Sherry Burke**  
**Mark Goetz**  
**Dan Yake**

**Absent:**

**Councillor: Andy Lennox**

**Also Present:**

**C.A.O.: Michael Givens**  
**Deputy Clerk: Catherine More**  
**Executive Assistant: Cathy Conrad**

**Mayor Tout called the meeting to order. (7:00 p.m.)**

**Declaration of Pecuniary Interest:**

None declared.

**Owner/Applicant: Larry and Elizabeth Coe**

**Location of the Subject Land**

The property subject to the proposed amendment is described as Part of Lot 4, Concession 1, geographic Township of West Luther, with a civic address of 8174 Wellington Road 109, Arthur. The property is 40 hectares (98.8 acres) in size.

**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, "severed" portion of the property. Additional relief from the zoning by-law is required for an over-sized accessory building on the retained portion. This rezoning is a condition of severance application B53/13 under the surplus farm dwelling policies that was granted provisional approval by the Wellington County Land Division Committee July 25<sup>th</sup>, 2013.

# TOWNSHIP OF WELLINGTON NORTH

## PUBLIC MEETING - MINUTES

**Monday, October 7, 2013**

### Page Two

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.

1. Notice for this public meeting was sent to property owners within 120 m and required agencies and posted on the property on September 13, 2013.

2. Presentation by:

Mayor Tout reviewed the comments provided by, Jameson Pickard, Junior Planner, dated September 3, 2013.

The zoning amendment is required as a condition of provisional consent (B53/13) by the Wellington County Land Division Committee. We have 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.

Additional zoning relief is also required for the existing accessory structure on the retained residential parcel. The applicant would like to retain the 2,400 sq.ft shed for personal use. Council should be satisfied that the accessory building is intended for personal use and not for commercial purposes.

The subject land is legally described as Part Lot 4, Concession 1 with a civic address of 8174 Highway 109, Arthur. The land is approximately 40 hectares (98.8 acres) in size.

# TOWNSHIP OF WELLINGTON NORTH

## PUBLIC MEETING - MINUTES

Monday, October 7, 2013

### Page Three

The purpose of the amendment is to rezone the subject lands to restrict any future residential development on the agricultural portion of the property and to address the oversized drive shed on the residential portion of the subject lands. This rezoning is a condition of severance application B53/13, that was granted provisional approval by the Wellington County Land Division Committee on April 11th, 2013. The consent will sever the agricultural parcel (39.4 ha. (97.4 ac) from the retained lands which include the existing farm dwelling and accessory building (1.06 ha. (2.6 ac).

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.

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 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.”

# TOWNSHIP OF WELLINGTON NORTH

## PUBLIC MEETING - MINUTES

**Monday, October 7, 2013**

### Page Four

The subject lands are zoned Agricultural (A). There will be two site specific zones required on the subject lands. The first site specific provision will prohibit a dwelling on the 39.4 ha (97.4 ac) agricultural parcel and the second will address the accessory structure on the 1.06 ha (2.6 ac) residential parcel.

As a result of the severance, the residential dwelling would be considered the main use and the existing accessory structure would be reviewed under section 6.1 as accessory uses to a residential dwelling. In this case there is a shed with a floor area of 245 sq.m (2,637 sq.ft), which exceeds the allowable ground floor area for this lot of 102.2 sq.m (1,100 sq. ft). (Section 6.1.4 ii).

3. Review of Correspondence received by the Township:
  - Nathan Garland, Resource Planner, GRCA
    - No objection
  - Pasquale Costanzo, Engineering Technologist, County of Wellington Engineering Services
    - No objection
4. The by-law will be considered at the Regular Council Meeting following the public meeting. Mayor Tout asked those wishing to receive further notices regarding this application to make their request in writing.
5. Mayor Tout opened the floor for any questions/comments.

The applicants were present to answer any questions.

Adam Rice, employee of applicants solicitor, was present to provide further information. The applicants have no intention of using the oversized shed for commercial activities. The shed will be used for storage of personal items such as their RV.

**TOWNSHIP OF WELLINGTON NORTH**

**PUBLIC MEETING - MINUTES**

**Monday, October 7, 2013**

**Page Five**

6. Comments/questions from Council.

Mayor Tout confirmed that the shed will be used for personal storage.

7. Adjournment 7:06 p.m.

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**DEPUTY CLERK**

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**MAYOR**