

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH  
PUBLIC MEETING  
NOVEMBER 4, 2019 @ 2:00 P.M.  
MUNICIPAL OFFICE COUNCIL CHAMBERS, KENILWORTH**

**PAGE  
NUMBER**

**CALLING TO ORDER** - Mayor Lennox

**DISCLOSURE OF PECUNIARY INTEREST**

**OWNERS/APPLICANT**

Donald Haennel

**LOCATION OF THE SUBJECT LAND**

3

The land subject to the proposed amendment is described as East Part Lot 8, Concession 7 and is Municipally known as 8352 Line 6, Geographic Township of West Luther. The property is approximately 38.3 ha (94.64 ac) in size. *The location is shown on the map attached.*

**PURPOSE AND EFFECT OF THE APPLICATION**

The purpose and effect of the proposed amendment is to rezone the subject lands to prohibit a residential dwelling on the retained agricultural portion of property and permit a reduced side yard setback and increased ground floor area for an existing hobby barn on the severed portion of property. This rezoning is a condition of severance application B25/19, that was granted provisional approval by the Wellington County Land Division Committee. The consent will sever an approximate 1.35 ha (3.33 ac) rural residential parcel from the retained 37 ha (91.4 ac) agricultural parcel.

**NOTICE**

Notices were mailed to property owners within 120 m of the subject property as well as the applicable agencies and posted on the subject property on October 10<sup>th</sup>, 2019.

**PRESENTATIONS**

- Jessica Rahim, Planner, County of Wellington, Township of Wellington North
  - Planning Report dated October 29, 2019

5

**CORRESPONDENCE FOR COUNCIL'S REVIEW**

- Laura Warner, Resource Planner, Grand River Conservation Authority
  - Letter dated October 15, 2019 (No Objection)

10

**REQUEST FOR NOTICE OF DECISION**

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.

**MAYOR OPENS FLOOR FOR ANY COMMENTS/QUESTIONS**

**COMMENTS/QUESTIONS FROM COUNCIL**

## OWNERS/APPLICANT

861467 Ontario Inc.

## LOCATION OF THE SUBJECT LAND

4

The land subject to the proposed amendment is legally described as Plan Crown Survey, Part Park Lots 1 and 2, S Macaulay St, RP61R-20566, Part 1, and is municipally known as 510 Eliza Street, Arthur. The property is approximately 2 ha (5 ac) in size. *The location is shown on the map attached.*

## PURPOSE AND EFFECT OF THE APPLICATION

The purpose of the amendment is to remove the holding symbol from the subject lands to permit the construction of a new shop for the proposed contractor's yard. The Holding Symbol has been applied to the property in order to provide Council with an opportunity to ensure that sufficient municipal water and sewer capacity is available for the use, and stormwater management issues have been adequately addressed. Once the Holding symbol has been removed, the regulations of Industrial Zone M1, and all other applicable regulations of the Township of Wellington North Zoning By-law 66-01, shall apply to the subject land.

## NOTICE

Notices were mailed to property owners within 120 m of the subject property as well as the applicable agencies and posted on the subject property on October 22, 2019.

## PRESENTATIONS

- Jessica Rahim, Planner, County of Wellington, Township of Wellington North
  - Planning Report dated October 29, 2019

13

## CORRESPONDENCE FOR COUNCIL'S REVIEW

## REQUEST FOR NOTICE OF DECISION

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.

## MAYOR OPENS FLOOR FOR ANY COMMENTS/QUESTIONS

## COMMENTS/QUESTIONS FROM COUNCIL

## ADJOURNMENT

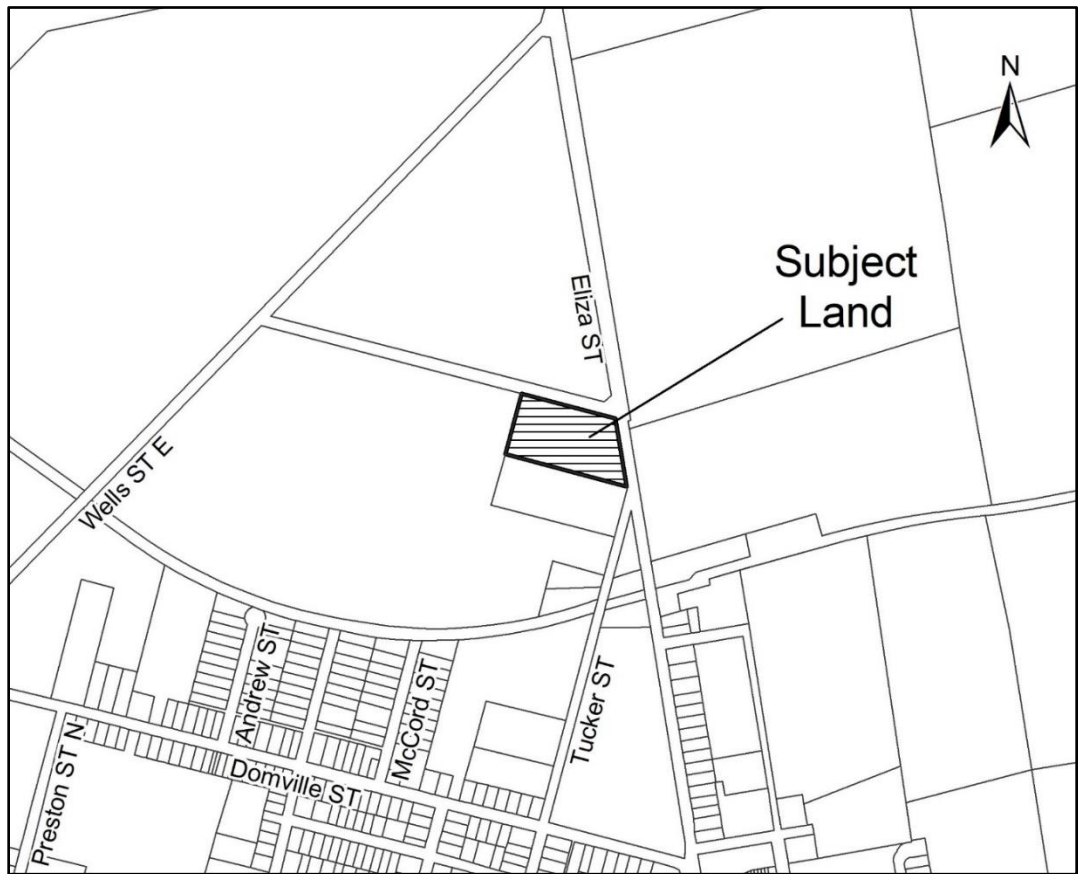
Recommendation:

THAT the Public Meeting of November 4, 2019 be adjourned at \_\_\_\_\_pm.

DONALD HAENNEL



861467 ONTARIO INC.





## PLANNING REPORT for the TOWNSHIP OF WELLINGTON NORTH

Prepared by the County of Wellington Planning and Development  
Department

**DATE:** October 29, 2019  
**TO:** Darren Jones, C.B.O.  
Township of Wellington North  
**FROM:** Jessica Rahim, Planner  
County of Wellington  
**SUBJECT:** **Donald Haennel**  
**Jeff Buisman, Van Harten Surveying**  
**E Part Lot 8, Concession 7 (West Luther)**  
**8352 Line 6, West Luther**  
**Zoning By-law Amendment**

### Planning Opinion

The purpose of this zoning amendment is to prohibit future residential development on the retained agricultural portion of the subject lands and permit a reduced side yard setback and increased ground floor area for an existing hobby barn on the severed lands. This rezoning is a condition of severance application B25/19, that was granted provisional consent by the Wellington County Land Division Committee. The consent will sever a 1.35 ha (3.33 ac) parcel from the retained 37 ha (91.4 ac) agricultural parcel.

We have no objections to the zoning amendment. Both the PPS and County Official Plan provide for surplus farm dwelling severances, provided the agricultural lands are rezoned to prohibit future development dwellings. This rezoning would satisfy a condition for consent application B25/19.

### INTRODUCTION

The property subject to the proposed amendment is described as E Part Lot 8, Concession 7, Geographic Township of West Luther, with a civic address of 8352 Line 6. The proposal is a condition of a recent severance application on the property, B25/19. The proposed severed parcel is 1.35 ha (3.33 ac) and the vacant retained parcel is 37 ha (91.4 ac) in size. The location of the property is shown on Figure 1.

### PROPOSAL

The purpose of the application is to rezone the subject lands to prohibit a

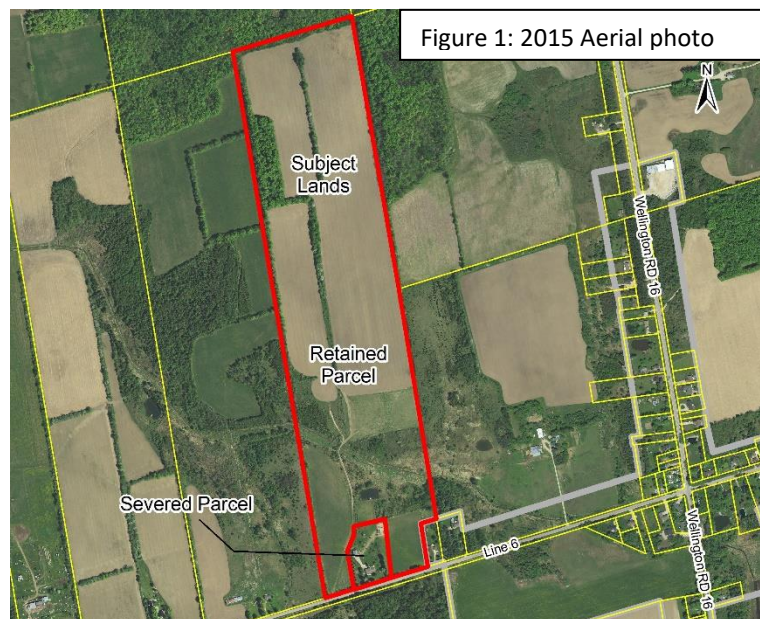


Figure 1: 2015 Aerial photo

residential dwelling on the retained agricultural portion of the property and permit a reduced side yard setback and increased ground floor area for an existing hobby barn on the severed portion of the property. This rezoning is a condition of severance application B25/19, that was granted provisional approval by the Wellington County Land Division Committee. The consent will sever an approximate 1.35 ha (3.33 ac) rural residential parcel from the retained 37 ha (91.4 ac) agricultural parcel.

### **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 and CORE GREENLANDS. This application is required as a result of a severance application B25/19. Section 10.3.4 of the Official Plan implements the PPS and requires that the remnant parcel be rezoned to prohibit 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.

### **WELLINGTON NORTH ZONING BY-LAW**

The subject lands are zoned Agricultural (A), Agricultural Exception (A-1) and Natural Environment (NE). Permitted uses in the Agricultural zone include agricultural uses, single detached dwellings and accessory uses, buildings and structures. The Agricultural Exception (A-1) zone represents an area of 1 kilometers around the urban boundary and permits all uses in the A zone except that new livestock facilities shall not be permitted. This zoning amendment will apply the standard A-2 exception to the retained agricultural parcel, which restrict any future residential development.

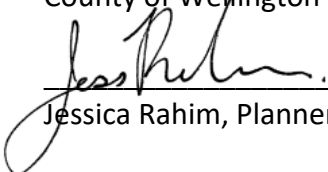
The applicants are also proposing a reduced side yard setback and increased ground floor area for the existing hobby barn on the severed rural residential lot. Section 8.3 of the By-law permits a hobby barn with a maximum ground floor area of 37.2 m<sup>2</sup> (400.4 ft<sup>2</sup>) on a rural residential lot this size. Due to the surrounding retained parcel being rezoned to restrict any neighbouring residential uses we have no concerns with the reduced side yard setback for the hobby barn.

### **Draft Zoning By-law Amendment**

A draft zoning by-law amendment has been prepared and attached to this report for Council's consideration.

Respectfully submitted

County of Wellington Planning and Development Department

  
\_\_\_\_\_  
Jessica Rahim, 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; as amended pursuant to Section 34 of The Planning Act, R.S.O. 1990, as amended

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 E Part Lot 4, Concession 9 (West Luther) with a civic address of 8352 Line 6, as shown on Schedule "A" attached to and forming part of this By-law from:
  - **Agricultural (A) to Agricultural Exception (A-2)**
  - **Agricultural Exception (A-1) to Agricultural Exception (A-2)**
  - **Agricultural Exception (A-1) to Agricultural Exception (A-95)**
2. THAT Section 33, Exception Zone, is amended by the inclusion of the following new exceptions:

<b>33-95</b> East Part Lot 8, Con 7 8352 Line 6, West Luther (Donald Haennel)	<b>A-95</b>	Notwithstanding the provisions of Section 8.3.1 a maximum ground floor area for a hobby barn of 75 m <sup>2</sup> (775 ft <sup>2</sup> ) is permitted.  Notwithstanding the provisions of Section 8.3.2 a) the hobby barn shall not be located closer than 10 m (32.8 ft) to the interior side yard.
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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 \_\_\_\_\_, 2019

READ A THIRD TIME AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019

\_\_\_\_\_.

\_\_\_\_\_.

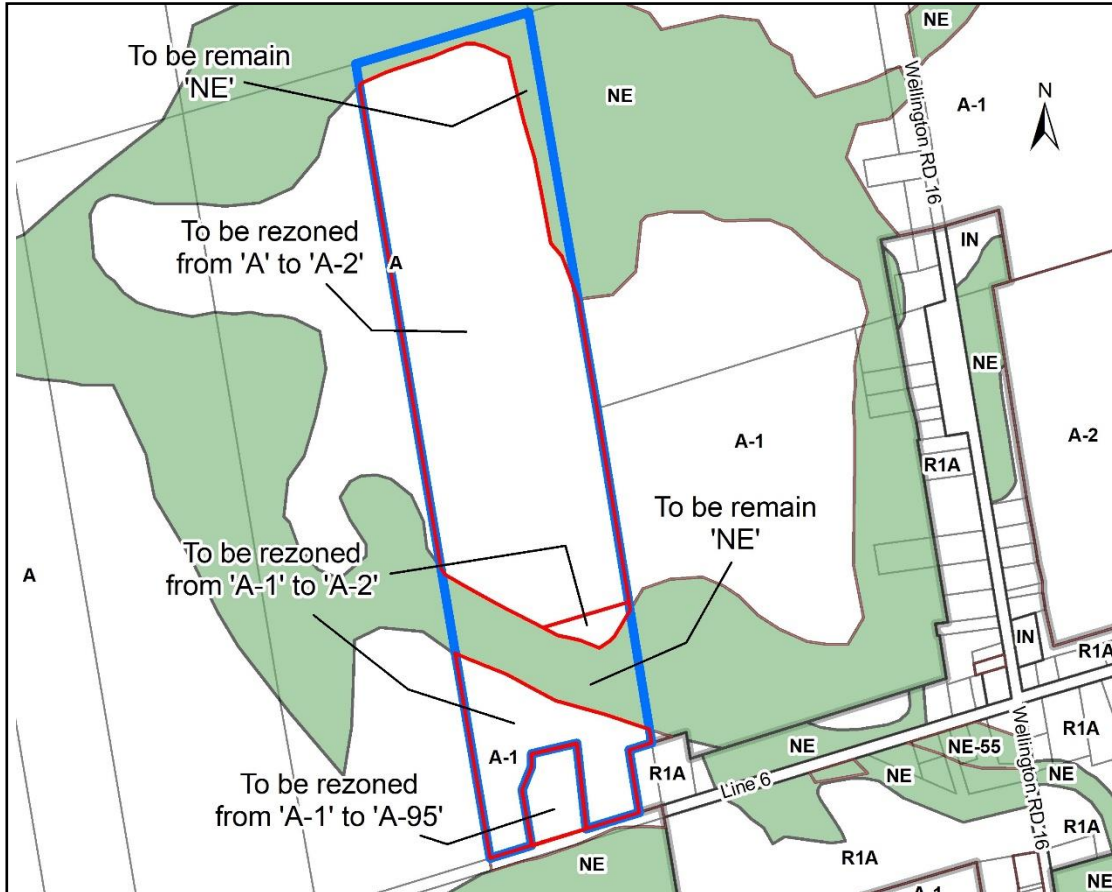
MAYOR

CLERK

**THE TOWNSHIP OF WELLINGTON NORTH**

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

**Schedule "A"**



This is Schedule "A" to By-law \_\_\_\_\_.

Passed this \_\_\_ day of \_\_\_\_\_ 2019

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK



## EXPLANATORY NOTE

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

### THE LOCATION OF THE SUBJECT LANDS

The subject property is legally described as East Part Lot 8, Concession 7 (West Luther) with a civic address of 8352 Line 6. The lands subject to the amendment is 38.3 ha (94.64 ac) in size and are currently zoned Agriculture (A), Agricultural Exception (A-1) and Natural Environment (NE).

**THE PURPOSE AND EFFECT** of the application is to rezone the subject lands to prohibit a residential dwelling on the retained agricultural portion of the property and permit a reduced side yard setback and increased ground floor area for an existing hobby barn on the severed portion of the property. This rezoning is a condition of severance application B25/19, that was granted provisional approval by the Wellington County Land Division Committee. The consent will sever an approximate 1.35 ha (3.33 ac) rural residential parcel from the retained 37 ha (91.4 ac) agricultural parcel.



400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

Phone: 519.621.2761 Toll free: 866.900.4722 Fax: 519.621.4844 Online: www.grandriver.ca

**PLAN REVIEW REPORT: Township of Wellington North  
Tammy Pringle, Development Clerk**

**DATE:** October 15, 2019 **YOUR FILE:** 8352 Line 6

**RE:** **Application for Zoning By-law Amendment**  
8352 Line 6, Township of Wellington North

**GRCA COMMENT:\***

The Grand River Conservation Authority (GRCA) has no objection to the proposed zoning by-law amendment.

**BACKGROUND:**

**1. Resource Issues:**

Information currently available at this office indicates that the subject parcel contains a watercourse, floodplain, and the lands adjacent to these features and the wetlands located on the adjacent properties.

**2. Legislative/Policy Requirements and Implications:**

The intent of this application is to rezone the subject lands to prohibit a residential dwelling on the agricultural portion of the property in order to clear the condition of severance application B25/19. It is our understanding that the amendment is only to change those lands currently designated as Agricultural and that the lands designated as Natural Environment will remain unchanged. Based on the information provided, GRCA staff do not anticipate any negative impacts on the regulated features as a result of this application.

Due to the presence of the above-noted features, a portion of the subject lands are regulated by the GRCA under the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 150/06). Any future development or site alteration within the regulated area will require a permit from our office.

**3. Additional Information/Suggestions provided in an advisory capacity:**

The applicant was previously invoiced on the related application B25/19. As plan review applications that fall into one or more categories will be charged one fee at the highest rate, a GRCA plan review fee is not required for processing this application.

We trust the above information is of assistance. Should you have any further questions please contact the undersigned at 519-621-2763 extension 2231.

Yours truly,



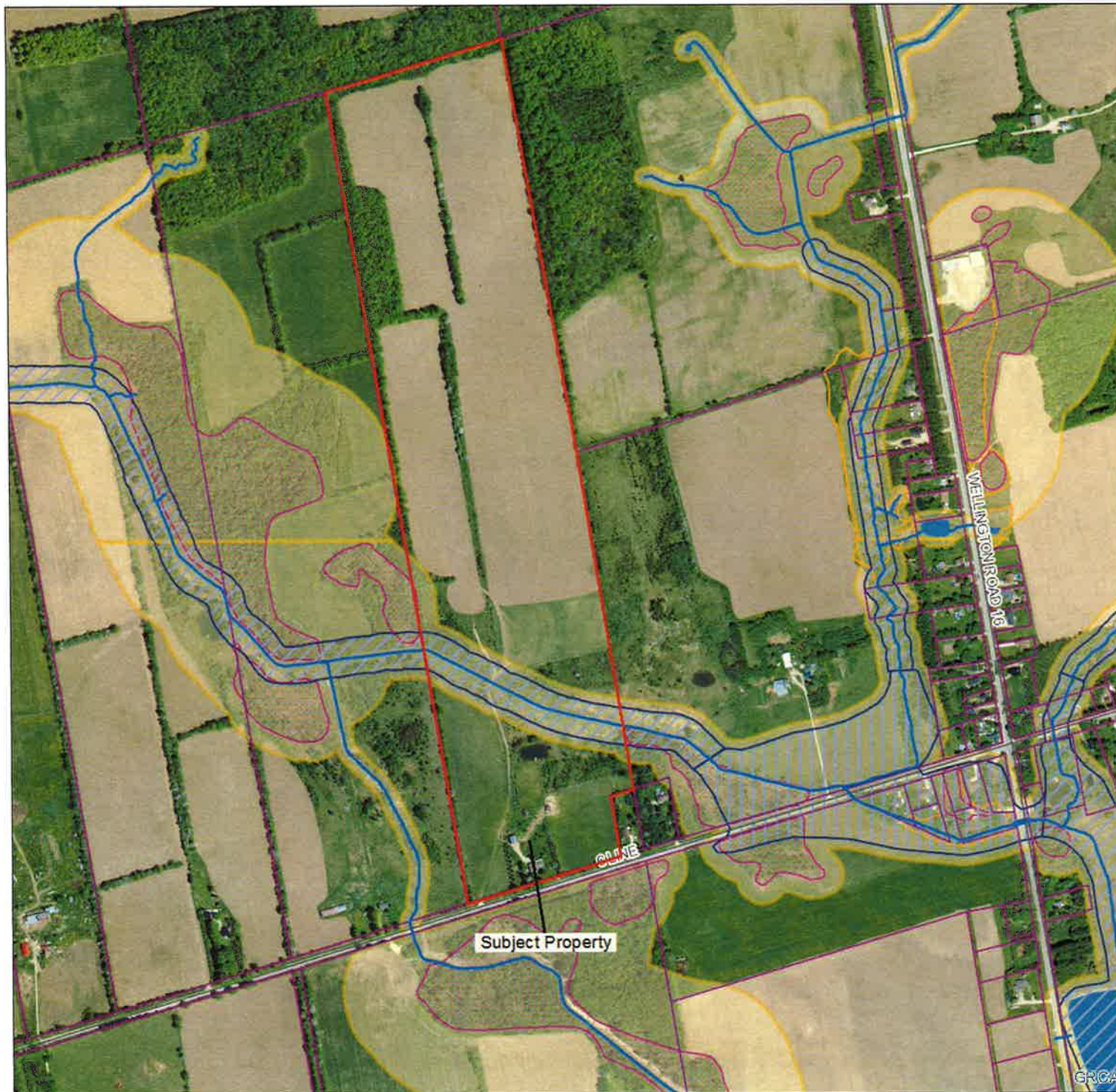
Laura Warner  
Resource Planner  
Grand River Conservation Authority

cc: County of Wellington  
Donald Haennel, 8352 Line 6, RR#4, Kenilworth, ON N0G 2E0  
Jeff Buisman, Van Harten Surveying Inc., 423 Woolwich Street, Guelph, ON N1H 3X3

- ***These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.***



8352 Line 6, Wellington North



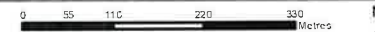
Legend

- Regulation Limit (GRCA)
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Floodplain (GRCA)
  - Engineered
  - Estimated
  - Approximate
  - Special Policy Area
- Slope Valley (GRCA)
  - Steep
  - Oversteep
  - Steep
- Slope Erosion (GRCA)
  - Oversteep
  - Toe
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)

This legend is static and may not fully reflect the layers shown on the map. The text of Ontario Regulation 150/06 supercedes the mapping as represented by these layers.

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Disclaimer: This map is for illustrative purposes only. Information contained herein is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.

The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to: <https://maps.grandriver.ca/Sources-and-Citations.pdf>





## PLANNING REPORT for the TOWNSHIP OF WELLINGTON NORTH

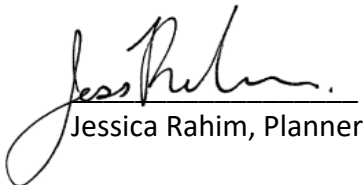
Prepared by the County of Wellington Planning and Development Department

DATE: October 29, 2019  
TO: Mike Givens, C.A.O.  
Township of Wellington North  
FROM: Jessica Rahim, Planner  
County of Wellington  
SUBJECT: **861467 Ontario Inc.**  
**510 Eliza Street, Arthur**  
**Removal of Holding (H ) Provision for a Construction Yard and New Shop**

Please find attached a by-law to remove the holding symbol from the subject lands. The purpose of the amendment is to remove the holding symbol (H) on the subject lands to permit the construction of a new shop for the proposed contractor's yard. The Holding Symbol has been applied to the property in order to provide Council with an opportunity to ensure that sufficient municipal water and sewer capacity is available for the use. Minor variance application A01/18 was approved in 2018 to permit the construction of a private well and septic system in the urban area of Arthur. Once the Holding symbol has been removed, the regulations of the Industrial (M1) zone, and all other applicable regulations of the Township of Wellington North Zoning By-law 66-01, shall apply to the subject land.

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

Respectfully submitted  
County of Wellington Planning and Development Department

  
Jessica Rahim, Planner

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH**  
**BY-LAW NUMBER \_\_\_\_\_**  
**Being a By-law to amend By-law 66-01, being a**  
**Zoning By-law for the Township of Wellington North**

**WHEREAS** the Council of the Corporation of the Township of Wellington North deems it desirable to amend said By-law Number 66-01, as amended.

**NOW THEREFORE** the Council of the Corporation of the Township of Wellington North enacts as follows:

1. That By-law Number 66-01, is hereby amended by changing the zoning on the map forming Schedule 'A-2' – Arthur, as it applies to 510 Eliza Street, as illustrated on Schedule 'A' attached to and forming part of this By-law, from **Industrial M1(H)** to **Industrial (M1)**.
2. That except as amended by this By-law, the subject lands, as shown on Schedule 'A' to this By-law, shall be subject to all other applicable regulations of By-law Number 66-01, as amended.
3. This By-law shall come into effect on the final passing thereof by the Council of Corporation of the Township of Wellington North, subject to compliance with the provisions of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

**READ** a first and second time this        day of        , 2019.

**READ** a third time and passed this        day of        , 2019.

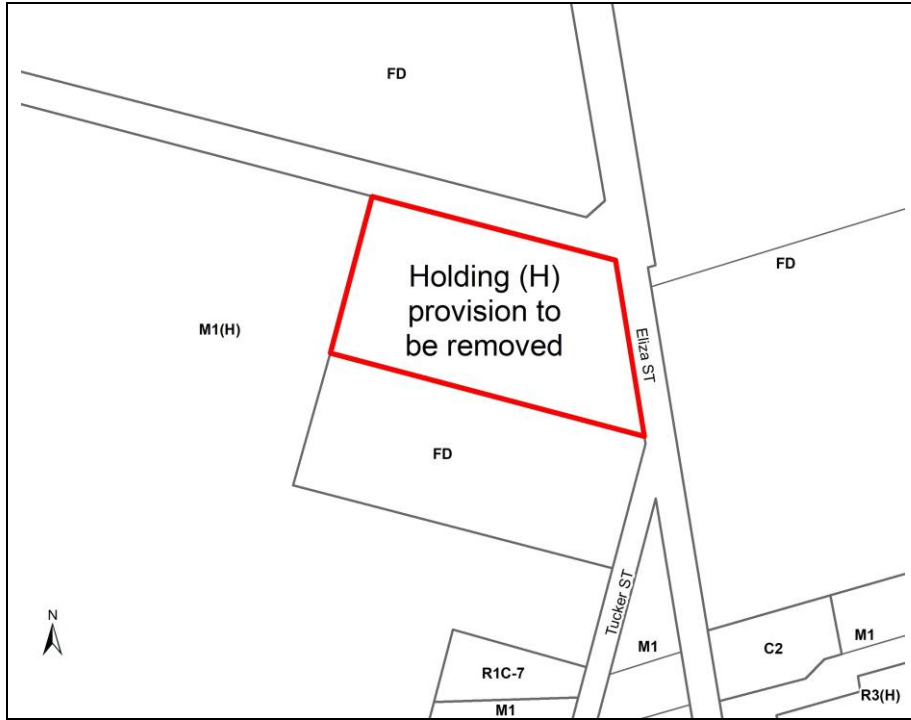
\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

**THE TOWNSHIP OF WELLINGTON NORTH**

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

**Schedule "A"**



**Rezone from Industrial Holding M1 (H) to Industrial M1**

This is Schedule "A" to By-law \_\_\_\_\_.

Passed this \_\_\_ day of \_\_\_\_\_ 2019.

\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**CLERK**

## **EXPLANATORY NOTE**

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

### **LOCATION**

The property subject to the proposed amendment is legally described as Plan Crown Survey, Part Park Lots 1 and 2, S Macaulay St, RP61R-20566, Part 1, and is municipally known as 510 Eliza Street, Arthur. The property is approximately 2 ha (5 ac) in size.

### **PURPOSE AND EFFECT**

The purpose of the amendment is to remove the holding symbol from the subject lands to permit the construction of a new shop for the proposed contractor's yard. The Holding Symbol has been applied to the property in order to provide Council with an opportunity to ensure that sufficient municipal water and sewer capacity is available for the use. Once the Holding symbol has been removed, the regulations of Industrial Zone M1, and all other applicable regulations of the Township of Wellington North Zoning By-law 66-01, shall apply to the subject land.