

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.

PROPOSAL

The purpose 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.

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 m² (400.4 ft²) 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.

CORRESPONDENCE FOR COUNCIL'S REVIEW

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

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

The Applicant and the Applicant's Agent, Hailey Keast, Van Harten Surveying Inc., were present to answer questions regarding the application.

COMMENTS/QUESTIONS FROM COUNCIL

There were no comments or questions from Council.

Mayor Lennox returned to the Council Chambers and resumed the Chair.

OWNERS/APPLICANT

861467 Ontario Inc.

LOCATION OF THE SUBJECT LAND

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.

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

- Linda Redmond, Manager of Planning and Environment reviewed comments provided by Jessica Rahim, Planner, County of Wellington, Township of Wellington North
 - Planning Report dated October 29, 2019

A by-law to remove the holding symbol from the subject lands has been prepared and attached to this report for Council's consideration. 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.

CORRESPONDENCE FOR COUNCIL'S REVIEW

- Pasquale Costanzo, Engineering Services, County of Wellington
 - No Objection

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

No one present to provide comments or questions.

COMMENTS/QUESTIONS FROM COUNCIL

There were no comments or questions from Council.

ADJOURNMENT

RESOLUTION: 009-2019

Moved: Councillor McCabe

Seconded: Councillor Burke

THAT the Public Meeting of November 4, 2019 be adjourned at 3:03 p.m.

CARRIED

CLERK

MAYOR