



# Township of Wellington North

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

## Public Meeting

Monday, November 5th, 2012 at 7:00 p.m.

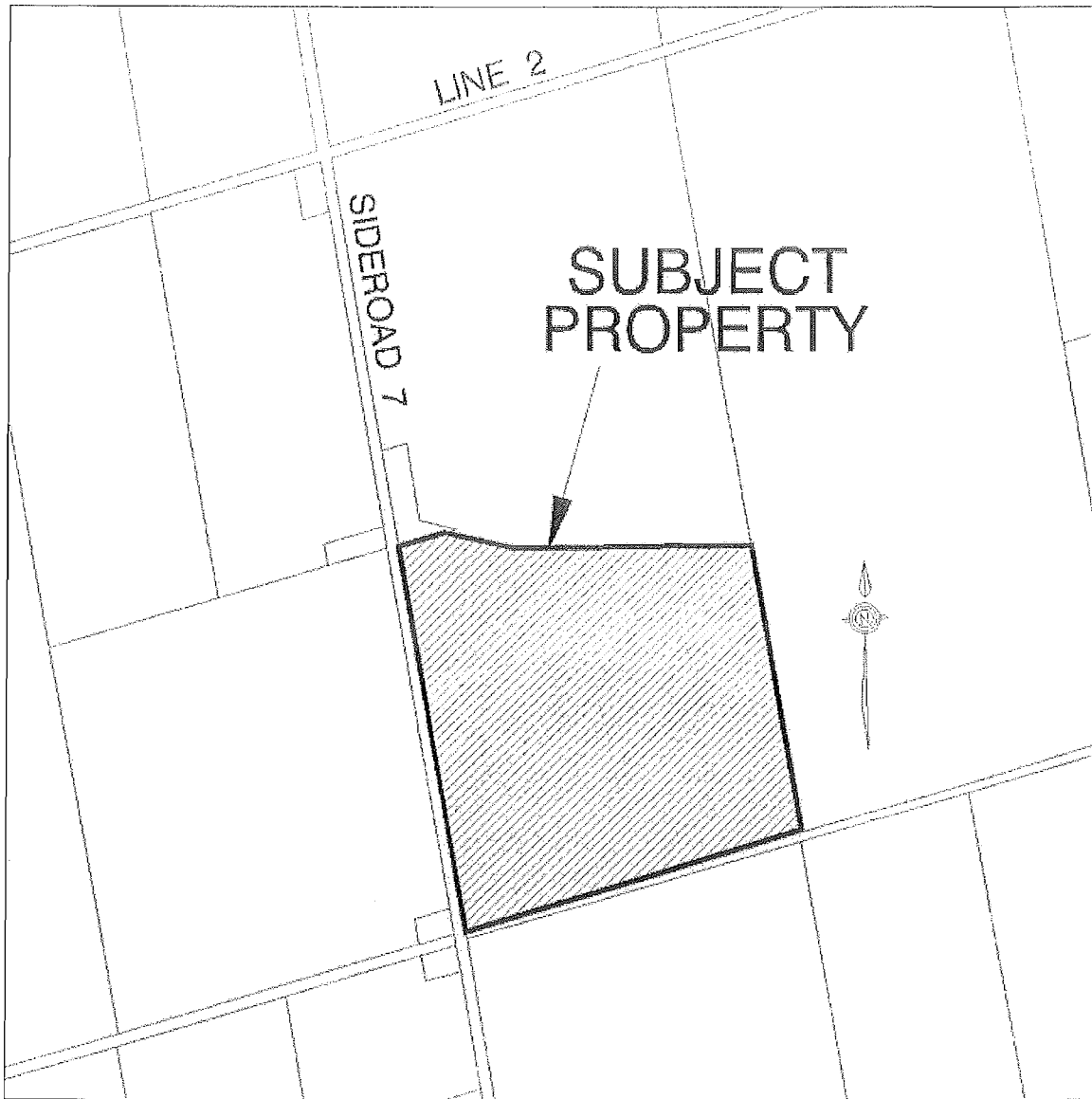
Municipal Office Council Chambers, Kenilworth

## A G E N D A

Page 1 of 2

AGENDA ITEM	PAGE NO.
<p><b>The Mayor will call the meeting to order.</b></p> <p><b>Declaration of Pecuniary Interest.</b></p> <p><b>Owners/Applicant: David Kelly and Cynthia Checkley</b></p> <p><b>Location of the Subject Land</b> The property subject to the proposed amendment is described as Part of Lot 7, Concession 2, Geographic Township of West Luther. The property is 36.4 hectares (89.9 acres) in size and the location is shown on the map attached.</p> <p><b>The Purpose and Effect of the Application</b> The purpose and effect of the proposed amendment is to rezone the subject lands to restrict any future residential development on the agricultural, “retained” portion of the property, and to permit an oversized accessory building (1,440 sq. ft.) on the severed portion. This rezoning is a condition of severance application B54/12, that was granted provisional approval by the Wellington County Land Division Committee.</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> <p>1. Notice for this public meeting was sent to property owners within 120 m and required agencies and posted on the property on October 12th, 2012.</p>	1

AGENDA ITEM	PAGE NO.
2. Application for Zoning By-law Amendment	2
3. Presentations by: <ul style="list-style-type: none"><li>- Mark Van Patter, Senior Planner</li><li>- See attached comments and draft by-law</li></ul>	11
4. Review of Correspondence received by the Township: <ul style="list-style-type: none"><li>- Fred, Natolochny, Supervisor of Resource Planning, GRCA</li><li>- No objection</li></ul>	18
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	



September 26, 2012

**BY COURIER**

Mr Darren Jones, BCQ  
Zoning Department  
Township of Wellington North  
7490 Sideroad 7 West  
Kenilworth, ON N0G 2E0

**RECEIVED**

**SEP 27 2012**

**TWP. OF WELLINGTON NORTH**

Re: Severance Application B54/12, Condition 11.

Dear Darren,

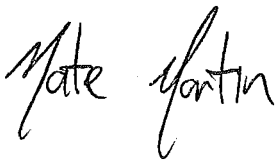
Please accept this submission of an Application for Zoning By-Law Amendment. The applicants are David Kelly and Cynthia Checkley and the subject property is located at 8458 Sideroad 7 in Arthur. Further to our email correspondence on September 17, 2012 you will note the application includes a request for zoning relief for an oversized accessory building on the proposed severed parcel.

Please find enclosed the following documents in relation to the application:

- One check for the application fee in the amount of \$1500;
- Three copies of the Application for Zoning By-Law Amendment; and
- Three copies of a sketch, individually attached to each By-Law Amendment.

We trust you find the above to your satisfaction and as always please do not hesitate to contact with any questions or concerns.

Yours very truly,  
**GRANT & ACHESON**



*for* Vincent J. Starratt, B.A., M.A., LL.B.  
VJS

direct line: 519-837-6932  
email: [vsarratt@smithvaleriotte.com](mailto:vsarratt@smithvaleriotte.com)  
assistant: [nspeers@smithvaleriotte.com](mailto:nspeers@smithvaleriotte.com)

MAILING ADDRESS  
P.O. Box 128, Fergus, ON N1M 2W7  
ADDRESS  
265 Bridge St., Fergus, ON N1M 1T7  
T 519 843 1960 F 519 843 6888

[smithvaleriotte.com](http://smithvaleriotte.com)

CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH

Application for Zoning By - law Amendment

Application No. \_\_\_\_\_

**A. THE AMENDMENT**

1. TYPE OF AMENDMENT?                      Site Specific [**X**]                      Other \_\_\_\_\_

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

To prohibit a new residential dwelling on the proposed retained parcel; and  
To request zoning relief for an oversized accessory building on the proposed severed parcel.  
\_\_\_\_\_

**B. GENERAL INFORMATION**

**3. APPLICANT INFORMATION**

a) Registered Owner's Name(s): David Kelly & Cynthia Checkley

Address: 8458 Sideroad 7, Arthur ON, N0G 1A0

Phone: Home (519) 848-2000                      Work (519) 820-0151                      Fax ( ) \_\_\_\_\_

b) Applicant (Agent) Name(s): Vincent J Starratt

Address: 268 Bridge Street, Fergus ON, N1M 2W7

Phone: Home ( ) \_\_\_\_\_                      Work (519) 843-1960 ex 115                      Fax (519) 843-6888

c) Name, Address, Phone of all persons having any mortgage charge or encumbrance on the property: N/A

d) Send Correspondence To?    Owner [ ]                      Agent [**X**]                      Other [ ] \_\_\_\_\_

e) When did the current owner acquire the subject land? February 24, 2012

**4. WHAT AREA DOES THE AMENDMENT COVER?** [**X**] 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: Wellington North (West Luthur)

Concession: 2 Lot: Pt Lt 7 Registered Plan No: \_\_\_\_\_

Area: 36.4 hectares      Depth: +/- 612 meters      Frontage (Width): +/- 687 meters  
\_\_\_\_\_ acres                                      \_\_\_\_\_ feet                                      \_\_\_\_\_ feet

6. PROVIDE A DESCRIPTION OF THE AREA TO BE AMENDED IF ONLY A "PORTION" OF THE PROPERTY (proposed retained agricultural land):

Area: 35.6 hectares      Depth: +/- 612 meters      Frontage (Width): +/- 672 meters  
\_\_\_\_\_ acres                                      \_\_\_\_\_ feet                                      \_\_\_\_\_ feet

7. WHAT IS THE CURRENT COUNTY OF WELLINGTON OFFICIAL PLAN DESIGNATION OF THE SUBJECT PROPERTY?

Prime Agriculture & Core Greenlands

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

Agriculture

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

Current Zoning: Agriculture & Natural Environment  
Permitted Uses: Agriculture

C. EXISTING AND PROPOSED LAND USES AND BUILDINGS

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

Agriculture

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

unknown

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

Retained Parcel: Continue existing agricultural use with a Prohibition on a New Residential Dwelling.

Severed Parcel: Continue existing agricultural use with an Oversized Accessory Building on the property.

13. PROVIDE THE FOLLOWING DETAILS FOR ALL BUILDINGS OR STRUCTURES ON THE SUBJECT LAND:

- Below pertains to an Accessory Building on the Proposed Severed Parcel
- NOTE: (1) The Barn has been removed; and  
(2) No Buildings/Structures on Proposed Retained Parcel

a) Type of Building: <b>Drive Shed</b>	<u>Existing</u>		<u>Proposed</u>	
b) Date of Construction				
c) Building Height	_____ (m)	_____ (ft)	_____ (m)	_____ (ft)
d) Number of Floors	1 Floor			
e) Total Floor Area (sq.m.)	_____ (sq m)	__1440_ (sq ft)	_____ (sq m)	_____ (sq ft)
f) Ground Floor Area (sq.m.) (exclude basement)	_____ (sq m)	__1440_ (sq ft)	_____ (sq m)	_____ (sq ft)
g) Distance from building/structure to the: <b>**See Attached Sketch**</b>	_____ (sq m)	_____ (sq ft)	_____ (sq m)	_____ (sq ft)
Front lot line	_____ (m)	_____ (ft)	_____ (m)	_____ (ft)
Side lot line	_____ (m)	_____ (ft)	_____ (m)	_____ (ft)
Side lot line	_____ (m)	_____ (ft)	_____ (m)	_____ (ft)
Rear lot line	_____ (m)	_____ (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                       Continually maintained municipal road                       Right-of-way   
 County Road                       Seasonally maintained municipal road                       Water access

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

Sideroad 7, Arthur ON \_\_\_\_\_

**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	( )	( )	(X)	( )	( )	(X)	( )
b) Proposed	( )	( )	( )	( )	( )	( )	( )

**18. HOW IS THE STORM DRAINAGE PROVIDED?**

Storm Sewers ( )                      Ditches ( )                      Swales ( )                      Other means (explain below)

Municipal Drain 42 [visible on attached sketch]  
 \_\_\_\_\_  
 \_\_\_\_\_



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 ( )
Zoning By-law Amendment	Yes ( )	No ( )
Minor Variance	Yes ( )	No ( )
Plan of Subdivision	Yes ( )	No ( )
Consent (Severance)	Yes (X)	No ( )
Site Plan Control	Yes ( )	No ( )

20. IF THE ANSWER TO QUESTION 19 IS YES, PLEASE PROVIDE THE FOLLOWING INFORMATION:

File No. and Date of Application: Application B54/12. Considered July 26, 2012.

Approval Authority: County of Wellington Planning & Land Division Committee

Lands Subject to Application: Wellington North (West Luthur) Part Lot 7, Concession 2

Purpose of Application: Surplus Farm Dwelling Severance

Status of Application: Provisional Consent granted August 1, 2012

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 BE MORE 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) David Kelly & Cynthia Checkley of the village of Arthur in the  
County / Region of Wellington North do hereby authorize Vincent J Starratt to

Act as my agent in this application.

  
Signature of Owner(s)

Sept 20, 2012  
Date

  
Signature of Owner(s)

Sept 20, 2012.  
Date

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

I (we) David Kelly & Cynthia Checkley of the Village of Arthur in the

Wellington County / Region of Wellington North 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 Wellington town of Fergus in the County / Region of

Wellington this 20<sup>th</sup> day of Sept.

 Cynthia Checkley  
Signature of Owner or Authorized Solicitor or Authorized Agent

Sept 20, 2012  
Date

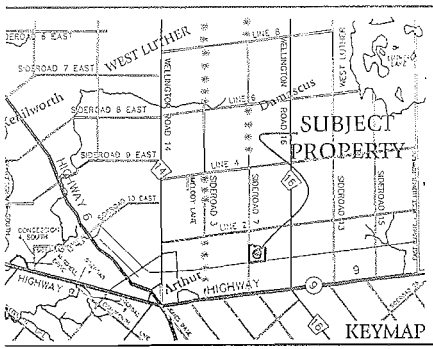
  
Signature of Commissioner

Sept 20, 2012  
Date

APPLICATION AND FEE OF \$ 1500 RECEIVED BY MUNICIPALITY

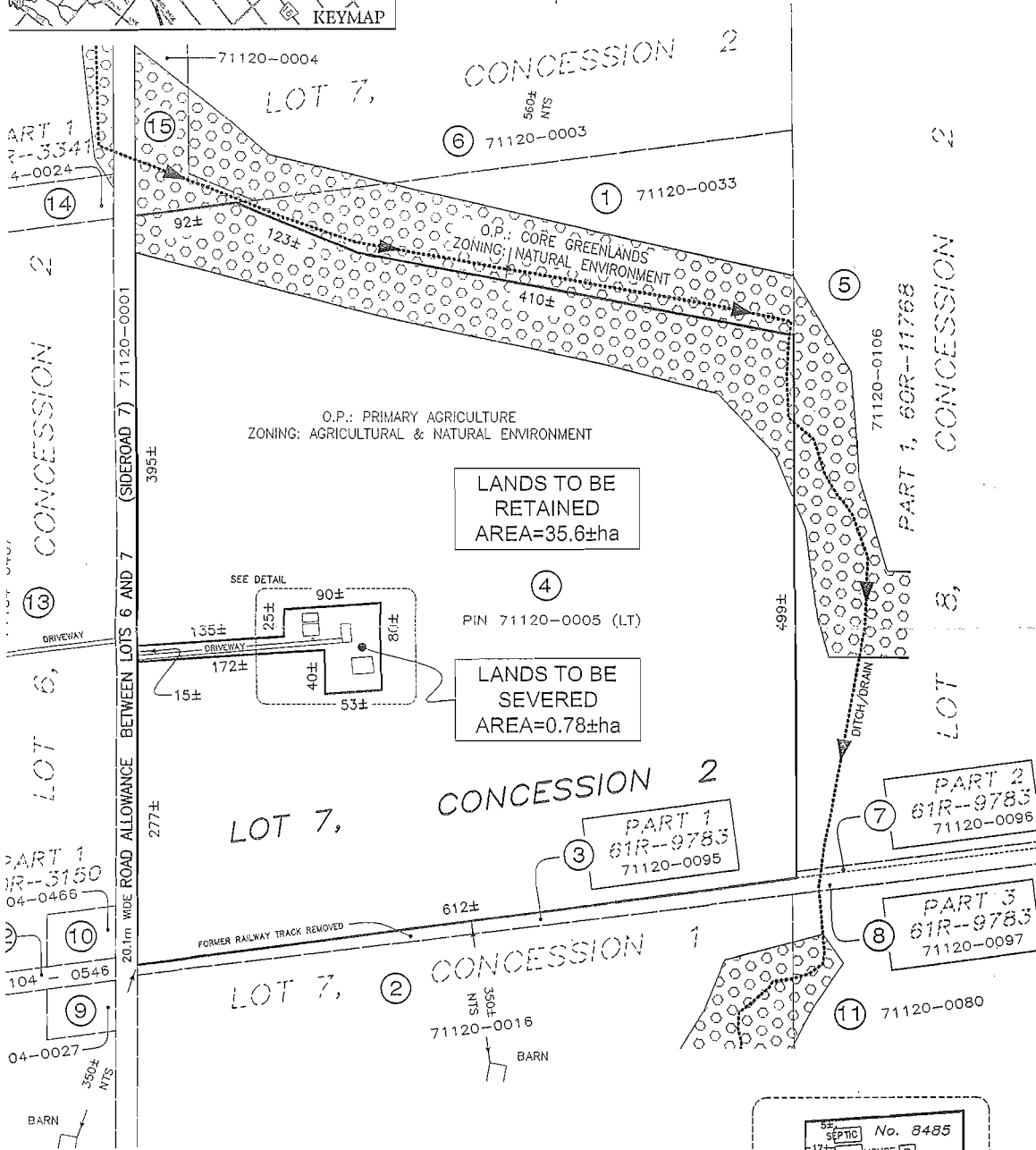
  
Signature of Municipal Employee

Sept 27, 2012  
Date



SEVERANCE SKETCH  
 PART OF LOT 7, CONCESSION 2  
 GEOGRAPHIC TOWNSHIP OF WEST LUTHER  
 TOWNSHIP OF WELLINGTON NORTH  
 COUNTY OF WELLINGTON

SCALE 1 : 4000  
 0 25 50 100 200 250metres  
 VAN HARTEN SURVEYING INC.



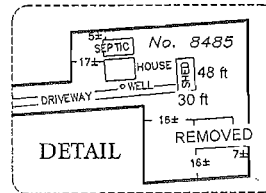
**SURVEYOR'S CERTIFICATE**


THIS SKETCH WAS PREPARED  
 ON THE 16th DAY OF MAY, 2012.

*Jeffrey E. Buisman*  
 JEFFREY E. BUISHAN  
 ONTARIO LAND SURVEYOR

**NOTES:**

1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
2. SUBJECT LANDS ARE ZONED AGRICULTURAL & NATURAL ENVIRONMENT.
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF PRIMARY AGRICULTURAL & CORE GREENLANDS.
4. DISTANCES TO BARNS ARE TAKEN FROM GRCA MAPPING WEBSITE.
5. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
6. SEE ATTACHED LIST OF NAMES AND ADDRESSES OF OWNERS.
7. NTS DENOTES NOT TO SCALE

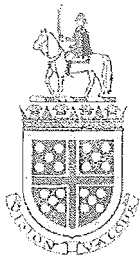




## Van Harten

SURVEYING INC.  
 LAND SURVEYORS and ENGINEERS

423 WOOLWICH STREET GUELPH - ONTARIO, N1H 3X3 PHONE: (519) 821 - 2763 FAX: 821 - 2770 www.vanharten.com	660 RIDDELL ROAD, UNIT 1 ORANGEVILLE - ONTARIO, L9W 5G5 PHONE: (519) 940 - 4110 FAX: 519 - 940 - 4113 www.vanharten.com
DRAWN BY: JAM	CHECKED BY: JEB
PROJECT No. 20612-12	
May 17, 2012-12:14pm G:\WEST LUTHER\con 2\ocad\SEV PLOT7 (KELLY) UTM.dwg	



## COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT  
GARY A. COUSINS, M.C.I.P., DIRECTOR  
T 519 837 2600  
F 519 823 1694  
1 800 663 0750

ADMINISTRATION CENTRE  
74 WOOLWICH STREET  
GUELPH ON N1H 3T9

November 1, 2012

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

Dear Mr. Jones:

**Re: David Kelly & Cynthia Checkley  
Pt Lot 7, Concession 2 (West Luther) – 8485 Sideroad 7  
Prohibit Future Residential / Recognize Over-sized Shed  
Zoning By-law Amendment**

### **PLANNING OPINION**

The zoning amendment is required as a condition of provisional consent (B54/12) granted by the Wellington County Land Division Committee. Both the PPS and County Official Plan provide for surplus farm dwelling severances, provided the agricultural lands are rezoned to prohibit future residential dwellings. In this case, the severed residential lot has a 1,440 sq. ft. shed that also needs to be recognized. I have no concerns with this application.

### **SUBJECT LAND**

The property subject to the proposed amendment is described as Part of Lot 7, Concession 2, Geographic Township of West Luther. The property is 36.4 hectares (89.9 acres) in size. [Note that the municipal address is incorrect on the application; it is 8485 Sideroad 7, not 8458.]

### **PURPOSE**

The purpose and effect of the proposed amendment is to rezone the subject lands to restrict any future residential development on the agricultural, "retained" portion of the property, and to permit an oversized accessory building (1,440 sq. ft.) on the severed portion. This rezoning is a condition of severance application B54/12, that was granted provisional approval by the Wellington County Land Division Committee.

### **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. This application is required as a condition 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."

## ZONING BY-LAW

The subject lands are zoned mainly Agricultural (A). There is a narrow band of Natural Environment (NE) zoning which follows a watercourse across the northern portion of the property; the NE zoning is to remain as is, unchanged. The attached draft by-law places a site specific exception to prohibit a dwelling on the retained agricultural parcel. A 1,440 sq. ft. accessory shed on the severed parcel needs relief, as the maximum ground floor area under Section 6.1.4 (ii) is only 1,000 sq. ft.

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

Sincerely,



Mark Van Patter  
Senior Planner MCIP

C: Vince Starratt, Applicant's Solicitor by email

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 7, Concession 2, geographic Township of West Luther, as shown on Schedule "A" attached to and forming part of this By-law, from Agricultural (A) to **Agricultural Exception (A-126)** and **Agricultural Exception (A-127)**.

2. THAT Section 33, Exception Zone 3 – Rural Areas, is amended by the inclusion of the following two new exceptions:

**"33.126 A-126  
Part of Lot 7, Con 2**

**Notwithstanding any other section of this by-law to the contrary, a residential dwelling shall be prohibited in this zone. Other agricultural uses, that are not accessory to a dwelling, are permitted."**

**"33.127 A-127  
Part of Lot 7, Con 2**

**Notwithstanding any other section of this by-law to the contrary, the 133.78 sq. m. (1,440 sq. ft.) existing shed, that is accessory to the residential dwelling, is permitted in this zone."**

3. THAT the existing **Natural Environment (NE)** zone, following the watercourse across the northern portion of the subject lands, remains unchanged.

4. 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.

5. 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 \_\_\_\_\_, 2012

READ A THIRD TIME AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012

\_\_\_\_\_  
MAYOR

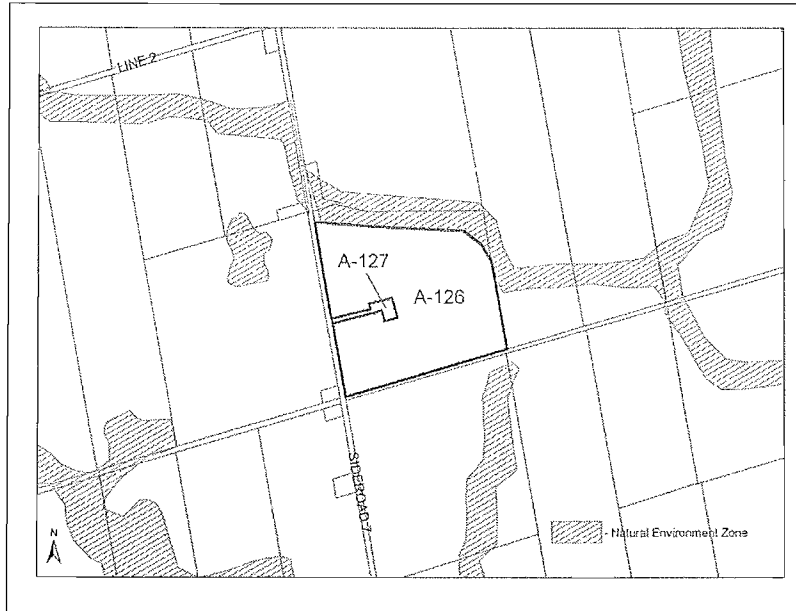
\_\_\_\_\_  
CLERK



THE TOWNSHIP OF WELLINGTON NORTH

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

Schedule "A"



Rezone from Agricultural (A) to Agricultural Exception (A-126) & (A-127)

Existing Natural Environment Zone Remains Unchanged

Passed this \_\_\_\_ day of \_\_\_\_\_ 2012.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

*EXPLANATORY NOTE*

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

**THE LOCATION** being rezoned is legally described as Part of Lot 7, Concession 2, geographic Township of West Luther, and has a civic address of 8485 Sideroad 7. The land to be rezoned is approximately 89.9 acres in size and is occupied by a dwelling and a 1,440 sq. ft. shed.

**THE PURPOSE AND EFFECT** of the amendment is to rezone the subject lands to satisfy a condition of severance application B54/12, that was granted provisional approval by the Wellington County Land Division Committee. The rezoning will place the severed existing farm dwelling (1.93 acres) into the Agricultural Exception A-127 zone, to recognize the existing over-sized accessory shed (1,440 sq. ft.). The remainder of the agricultural parcel (87.96 acres) is to be rezoned to Agricultural Exception A-126, to prohibit a dwelling. The existing watercourse which crosses over the northern part of the subject land is to remain zoned as Natural Environment (NE), as it presently is.



**PLAN REVIEW REPORT: Township of Wellington North  
Darren Jones, Chief Building Official**

**DATE:** October 29, 2012      **YOUR FILE:** N/A  
**GRCA FILE:** Wellington/NorthWell/2012/ZC/C      **RELATED APP:** B54/12

**RE:**      **Application for Zoning By-law Amendment**  
Part Lot 7, Concession 2, Township of Wellington North (West Luther)  
8485 Sideroad 7  
David Kelly and Cynthia Checkley

**GRCA COMMENT: \***

The Grand River Conservation Authority has no objection the proposed amendment to rezone the above noted lands to restrict any future residential development on the agricultural 'retained' portion of the property, and to permit an oversized accessory building (1,440 sq. ft.) on the severed portion.

**BACKGROUND:**

**1. Resource Issues:**

Information currently available at this office indicates that no resource features have been identified on the severed parcel. The retained lands contain Municipal Drain Number 42, an associated floodplain, slope valley feature and allowances adjacent to these features. Consequently, portions of the retained parcel are subject to Ontario Regulation 150/06.

In addition, the retained parcel contains a significant woodland feature that is identified as part of the Greenlands System within the County of Wellington Official Plan.

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

Future construction or other alteration on the retained lands within the regulated area may require prior written approval from the Grand River Conservation Authority in the form of a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses permit.

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

A plan review fee will not be required as payment was already received for our review of consent application B54/12.



Fred Natolochny, MCIP, RPP  
Supervisor of Resource Planning  
Grand River Conservation Authority  
FN/dh

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

cc: David Kelly and Cynthia Checkley - 8458 Sideroad 7, Arthur ON N0G 1A0



**8485 Sideroad 7**

**LEGEND**

- WATERSHED BOUNDARY (GRCA)
- UTILITY LINE (NRVIS)
- ROADS-ADDRESSED (MNR)
- RAILWAY (NRVIS)
- MUNICIPAL BOUNDARY (GRCA)
- DRAINAGE-NETWORK (GRCA)
- PARCELS-ASSESSMENT (MPAC)
- LOTS (NRVIS)
- FLOODPLAIN (GRCA)
- ENGINEERED
- APPROXIMATE
- ESTIMATED
- WETLAND (GRCA)
- SLOPE VALLEY (GRCA)
- STEEP
- OVERSTEEP
- SLOPE EROSION (GRCA)
- STEEP
- OVERSTEEP
- TDE
- REGULATION LIMIT (GRCA)
- 2010 ORTHO (ONT)



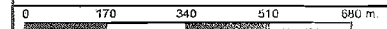
Subject Property

**GRCA Disclaimer**

This map is for illustrative purposes only. Information contained hereon 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:

<http://grms.grandriver.ca/docs/SourcesCitations1.htm>



NAD 1983, UTM Zone 17 Scale 1:14,410

