



Township of Wellington North

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

Public Meeting

Monday, November 19th, 2012 at 7:00 p.m.

Municipal Office Council Chambers, Kenilworth

A G E N D A

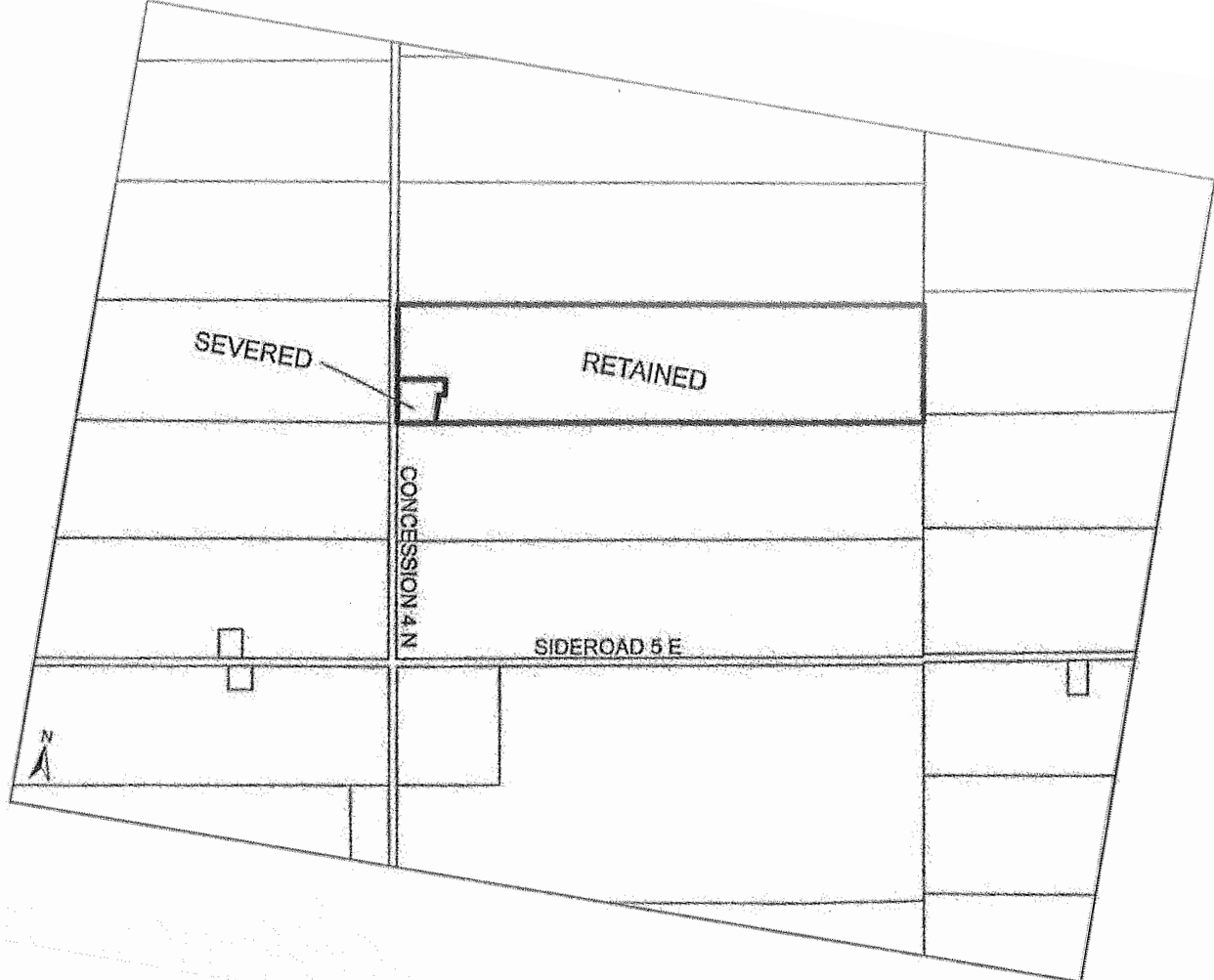
Page 1 of 4

AGENDA ITEM	PAGE NO.
<p>The Mayor will call the meeting to order.</p> <p>Declaration of Pecuniary Interest.</p> <p>Owners/Applicant: Piller Farms Ltd.</p> <p>Location of the Subject Land The property subject to the proposed amendment is described as Part of Lot 8, Concession 4 and is municipally known as 9325 Concession 4N. The subject property consists of the severed parcel 2.97 ac. and the retained parcel 99.8 ac., and the locations are shown on the map attached.</p> <p>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, retained portion of the property. Regulations are also required for the existing barn on the retained parcel, to prohibit livestock usage except for 2 horses, and to recognize a deficient side yard of 52.4 ft. Additionally, relief from the zoning by-law is required for an over-sized accessory building on the severed – frame shed (1,140 sq. ft.). This rezoning is a condition of severance application B96/12, 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>	01

AGENDA ITEM	PAGE NO.
1. Notice for this public meeting was sent to property owners within 120 m and required agencies and posted on the property on October 29th, 2012.	
2. Application for Zoning By-law Amendment	2
3. Presentations by: <ul style="list-style-type: none">- Mark Van Patter, Senior Planner- See attached comments and draft by-law	12
4. Review of Correspondence received by the Township: <ul style="list-style-type: none">- Erik Downing, Environmental Planning Technician- No objection	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.	

AGENDA ITEM	PAGE NO.
<p>Owners/Applicant: Piller Poultry Ltd.</p> <p>Location of the Subject Land The property subject to the proposed amendment is described as Part of Lot 9, Concession 4 and is municipally known as 9307 Concession 4 N. The subject property consists of the severed parcel 2.84 ac. and the retained parcel 97.1 ac., and the locations are shown on the map attached.</p> <p>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, retained portion of the property. Additionally relief from the zoning by-law is required for over-sized accessory buildings on the severed portion – barn (3,630 sq. ft.) and shed (1,200 sq. ft.). This rezoning is a condition of severance application B68/12, 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>8. Notice for this public meeting was sent to property owners within 120 m and required agencies and posted on the property on October 29th, 2012.</p>	<p>20</p>
<p>9. Application for Zoning By-law Amendment</p>	<p>21</p>
<p>10. Presentations by:</p> <ul style="list-style-type: none"> - Mark Van Patter, Senior Planner - See attached comments and draft by-law 	<p>31</p>

AGENDA ITEM	PAGE NO.
11. Review of Correspondence received by the Township:	
- Tony Piller, Piller Poultry Ltd.	37
- Building consideration	
- Cherielyn Leslie, Environmental Planning Coordinator	40
- No objection	
- Darren Jones, Chief Building Official	42
- Building concerns	
12. 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.	
13. Mayor opens floor for any questions/comments.	
14. Comments/questions from Council.	
15. Adjournment	



CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH

Application for Zoning By-law Amendment

Application No. B96/12

A. THE AMENDMENT

1. TYPE OF AMENDMENT? Site Specific Other Severance

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

Removing Dwellings ^{as a permitted use} from Farm. (farm retained parcel)
Permit 2 horses in retained barn on retained parcel
Relief for oversized shed on severed parcel

B. GENERAL INFORMATION

3. APPLICANT INFORMATION

a) Registered Owner's Name(s): Piller Pottery Farms, Ltd.
Address: RR2 #9369 Corners Kenilworth
Phone: Home () 519 323.1306 Work () 519.323.6452 Fax () 519.323.4901

b) Applicant (Agent) Name(s): Tony Piller
Address: _____
Phone: Home () _____ Work () _____ Fax () _____

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

d) Send Correspondence To? Owner Agent Other _____

e) When did the current owner acquire the subject land? 1998

4. WHAT AREA DOES THE AMENDMENT COVER? 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 W.

Concession: 4 Lot: 8 Registered Plan No: _____

Area: 40.4 hectares Depth: 206 meters Frontage (Width): 1341 meters
_____ acres _____ feet _____ feet

6. PROVIDE A DESCRIPTION OF THE AREA TO BE AMENDED IF ONLY A "PORTION" OF THE PROPERTY:

Area: ~~72~~ hectares Depth: ~~722~~ meters Frontage (Width): ~~1118~~ meters
Retained 40.4 hec _____ meters
_____ acres _____ feet _____ feet
Severed 1.2 hec.

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

Agriculture

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?

Agriculture on Retained / Residential on Severed.

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?

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

Agriculture on Retained / Residential on Severed.

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

See attached.

(Please use a separate page if necessary.)

	<u>Existing</u>		<u>Proposed</u>	
a) Type of Building (s) -or Structure (s)				
b) Date of Construction	1980 ±			
c) Building Height	_____ (m)	_____ (ft)	_____ (m)	_____ (ft)
d) Number of Floors				
e) Total Floor Area (sq.m.)	_____ (sq m)	_____ (sq ft)	_____ (sq m)	_____ (sq ft)
f) Ground Floor Area (sq.m.) (exclude basement)	_____ (sq m)	_____ (sq ft)	_____ (sq m)	_____ (sq ft)
g) Distance from building/structure to the:				
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?

Arthur Con 4 N.

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

18. HOW IS THE STORM DRAINAGE PROVIDED?

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

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

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

File No. and Date of Application: B 68/12

Approval Authority: County of Wellington

Lands Subject to Application: Lot 9

Purpose of Application: Severance

Status of Application: "Notice of Decision"

Effect on the Current Application for Amendment: None

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 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) _____ of the _____ of _____ in the
 County / Region of _____ do hereby authorize _____ to

Act as my agent in this application.

Signature of Owner(s) _____ *Date*

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

I (we) Tony Pillar of the Township of ~~the~~
Wellington North 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 Township of Wellington North in the County / ~~Region~~ of
Wellington this 24 day of October, 2012

[Signature]
Signature of Owner or Authorized Solicitor or Authorized Agent

Oct. 24/12
Date

[Signature]
Signature of Commissioner

Oct 24/12
Date

CATHERINE E. MORE, a Commissioner,
etc., County of Wellington, Deputy Clerk
of the Corporation of the Township of
Wellington North.

APPLICATION AND FEE OF \$ 1500.- RECEIVED BY MUNICIPALITY

[Signature]
Signature of Municipal Employee

Oct. 24/12
Date

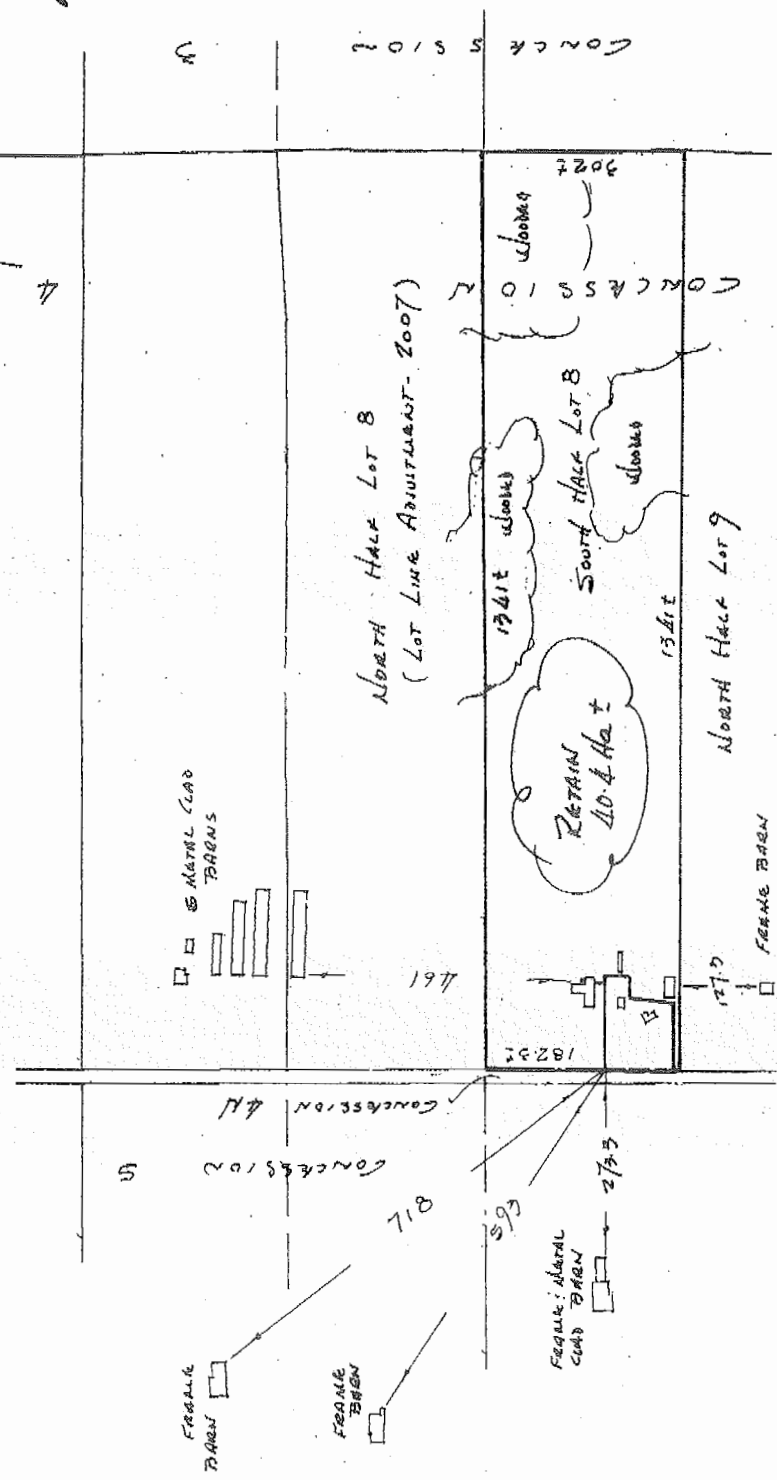
SHEET 1 of 2 SHEETS

Alex R Wilson

Alex R Wilson
SUDLEY INC
MOUNT FOREST
519 323 2451

SEVERANCE SKETCH IN THE
(Township of Acton)
Township of Wellington North
County of Wellington
1:8000

8282
Oct/12



COUNTY of WELLINGTON PLANNING & LAND DIVISION COMMITTEE
Wellington County Administration Centre
74 Woolwich Street Guelph, Ontario N1H 3T9

ONTARIO PLANNING ACT, Section 53(14)

NOTICE of DECISION

On Application B96/12

APPLICANT:

Piller Farms Ltd. - Tony Piller
R. R. #2
KENILWORTH, ON N0G 2E0

LOCATION of SUBJECT LANDS:

WELLINGTON NORTH (Arthur Township)
Lot 8
Concession 4

The Planning and Land Division Committee, considering all of the evidence presented, and being assured that it had jurisdiction to consider the matter which was submitted to it, concludes that:

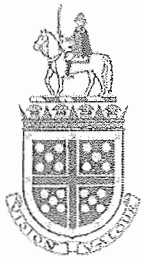
In the matter of an application by Piller Farms Ltd. pursuant to Section 53 of the Planning Act, R. S. O. 1990 as amended for consent to convey land for rural residential lot, being Part of Lot 8, Concession 4, geographic Township of Arthur, now Township of Wellington North, **PROVISIONAL CONSENT IS GRANTED SUBJECT TO THE FULFILMENT OF TWELVE CONDITIONS OF APPROVAL.** The Planning and Land Division Committee has the opinion that a plan of subdivision of the subject lands is not necessary for the proper and orderly development of the municipality for this proposal; that the proposal satisfies generally the intent of the criteria of Section 51, subsection 24 of the Planning Act, R.S.O. 1990 as amended; and that the proposal is consistent with the intent and policies of the Provincial Policy Statement; and that it conforms generally to the intent and policies of the County's official plan with the reduction in size of the severed parcel; and, further, that the proposal represents compatible development, good planning and does not offend the public interest.

FINAL CONSENT IS DEEMED TO BE GIVEN when the Secretary-Treasurer of the Planning and Land Division Committee has received written proof that all of the conditions of approval have been fulfilled within the prescribed period of time.

THE PLANNING AND LAND DIVISION COMMITTEE ADVISES THE APPLICANT that all of the conditions of approval for this provisional consent must be fulfilled within a period of one year after written notice of this decision was given or consent shall be deemed to be refused. In the event of an appeal to the Ontario Municipal Board, the application for consent shall not be deemed to be refused for failure to fulfill the conditions until the expiry of one year from the date of the order or date of the notice of the Ontario Municipal Board issued in respect of the appeal.

CONDITIONS OF APPROVAL TO BE FULFILLED NO LATER THAN 4:30 p.m. OCTOBER 18, 2013:

- 1) **THAT** the Owner's solicitor, in preparation for the issuance of the Certificate of Consent, provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee a printed copy of the "completed electronic transfer document in preparation".
- 2) **THAT** the Solicitor for the Owner give an undertaking in writing to provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee within 30 days of the date of registration in the Land Registry/Land Titles Office for Wellington (No. 61) a copy of the receipted and registered electronic transfer document for Consent B96/12.
- 3) **THAT** the Owner, as provided for under Section 69 of the Planning Act, R.S.O. 1990, shall pay to the Treasurer of the County of Wellington the administrative fee which is in effect at the time of the payment of the fee for the review for and issuance of the Certificate of Consent.
- 4) **THAT** the transfer for registration with respect to description complies with Ontario Regulation 43-96; and if that description contains a reference to a Reference Plan(s), the Owner's solicitor shall provide a full print of that deposited reference plan(s) to the secretary-treasurer of the Planning and Land Division Committee.
- 5) **THAT** the Owner receive approval from the applicable road authority in a manner deemed acceptable to that road authority for an entrance to the severed and retained parcel; and further that the applicable authority file a letter of clearance of this condition with the Secretary-Treasurer of the Planning and Land Division Committee as written proof of fulfillment of this condition.
- 6) **THAT** the Owner satisfy all the requirements of the local municipality, financial and otherwise which the local municipality may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands; and further that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 7) **THAT** the Owner satisfy the requirements of the Local Municipality in reference to parkland dedication as provided for in the Planning Act, R.S.O. 1990; and that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 8) **THAT** the County of Wellington Planning Department submit to the Secretary-Treasurer of the Planning and Land Division Committee written approval which indicates that the Minimum Distance Separation required under Formula 1 are met.
- 9) **THAT** the frame lean-to for animal housing must be removed or that the retained is to be zoned to allow a 5m setback to the satisfaction of the Township of Wellington North; and further that the Township of Wellington North file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 10) **THAT** the Owner receive zoning compliance and classification from the Local Municipality in a manner deemed acceptable by the Local Municipality regarding the oversized frame shed on the severed lot; and that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 11) **THAT** the Owner receive zoning compliance and classification from the Local Municipality and the County of Wellington Planning Department to prohibit a new residential dwelling on the retained parcel in a manner deemed acceptable; and that the Local Municipality and the County of Wellington Planning Department file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 12) **THAT** the Registered Reference Plan reflects the decision of the Planning and Land Division Committee as submitted (barn on retained) and lot line behind shed to be brought forward 15m.



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 15, 2012

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

Dear Mr. Jones:

**Re: Piller Farms Ltd. - Pt Lot 8, Concession 4 (Arthur) – 9325 Concession 4N
Prohibit Residential / Minimum Distance Separation / Accessory Shed
Zoning By-law Amendment**

PLANNING OPINION

The zoning amendment is required as a condition of provisional consent (B96/12) 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 needs to be recognized. The retained, agricultural parcel has an existing barn, in which livestock usage is to be prohibited, except for two horses. The barn's side yard is somewhat deficient and is 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 8, Concession 4, former Township of Arthur, and is municipally known as 9325 Concession 4N. The subject property consists of the severed parcel 2.97 acres and the retained parcel 99.8 acres.

PURPOSE

The purpose and effect of the proposed amendment is to rezone the agricultural, retained parcel to prohibit future residential development. Regulations are also required for the existing barn on the retained parcel, to prohibit livestock usage except for two horses, and to recognize a deficient side yard of 52.4 ft. Additionally, relief from the zoning by-law is required for an over-sized accessory building on the severed – frame shed (1,140 sq. ft.). This rezoning is a condition of severance application B96/12, 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. Section 10.3.4 of the Official Plan implements the PPS and requires that the remnant parcel be rezoned to prohibit dwellings.

ZONING BY-LAW

The subject lands are zoned mainly Agricultural (A). There is a small area of Natural Environment (NE) zoning located in the centre of the retained.

PLANNING CONSIDERATIONS

Restrict Future Dwelling on Retained

This is to be placed into Agricultural Exception (A-130). No concerns.

Hobby Use of Barn on Retained - Reduced Sideyard

Normally, we would recommend prohibiting livestock usage of a barn this close to a separate residential property, as it could not meet the Minimum Distance Separation (MDS) requirements. However, it's my understanding that an arrangement has been made with the person purchasing the dwelling, to keep 2 horses in Mr. Piller's barn on the retained. This seems pretty minor, so I have prohibited livestock usage, except for two horses in the draft by-law.

The barn is setback approximately 16 m. (52.5 ft.) from the severed parcels lot line. In the Wellington North Zoning By-law, the required sideyard setback for livestock buildings is 60 feet (plus meeting MDS), and for hobby barns, 74.8 feet. Thus, it is necessary to provide relief for this deficiency. No concerns.

Oversized Accessory Buildings

There is a 1,140 sq. ft. shed present on the severed parcel, which exceeds the maximum permitted ground floor area of 1,000 sq. ft., in Section 6.1.4 (ii) of the by-law. I have structured the Agricultural Exception (A-131) zone accordingly and have no concerns.

NE Zone Unchanged

The NE zoning is to remain as is, unchanged.

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

Sincerely,



Mark Van Patter
Senior Planner MCIP

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 8, Concession 4, geographic Township of Arthur, as shown on Schedule "A" attached to and forming part of this By-law, from Agricultural (A) to **Agricultural Exception (A-130)** and **Agricultural Exception (A-131)**.
2. THAT Section 33, Exception Zone 3 – Rural Areas, is amended by the inclusion of the following two new exceptions:

**"33.130 A-130
Part of Lot 8, Con 4**

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.

Livestock usage of the existing barn is prohibited, save and except for the housing of a maximum of two horses. Notwithstanding any other section of this by-law to the contrary, the minimum interior side yard between the existing barn and the residential lot shall be 16 m. (52.49 ft.)."

**"33.131 A-131
Part of Lot 8, Con 4**

Notwithstanding Section 6.1.4 (ii) of this by-law, the maximum ground floor area for the existing, accessory shed shall be 105.91 sq. m. (1,140 sq. ft.)."

3. THAT the existing **Natural Environment (NE)** zone 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

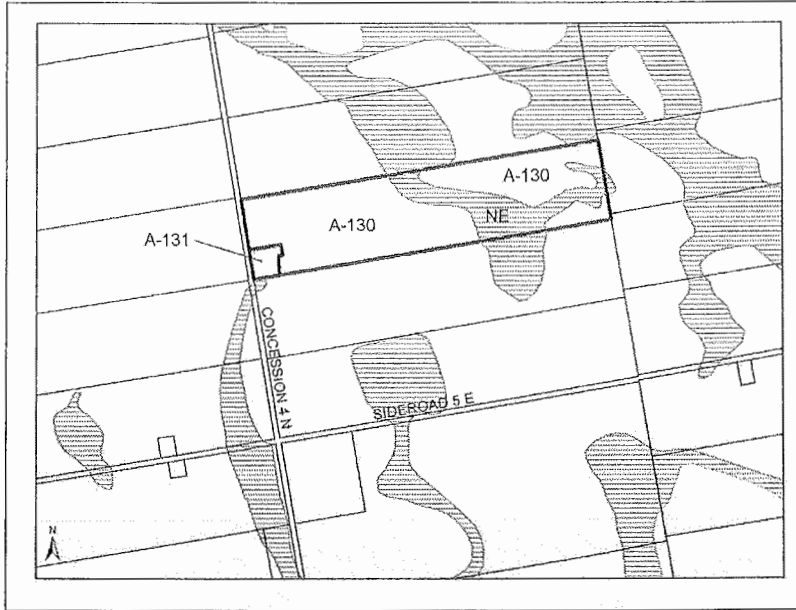
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "A"



Rezone from Agricultural (A) to Agricultural Exceptions (A-130) & (A-131)

Existing Natural Environment Zone Remains Unchanged

Passed this ____ day of _____ 2012.

MAYOR

CLERK

EXPLANATORY NOTE

BY-LAW NUMBER _____.

Location of the Subject Land

The property subject to the proposed amendment is described as Part of Lot 8, Concession 4, former Township of Arthur, and is municipally known as 9325 Concession 4N. The subject property consists of the severed parcel 2.97 acres and the retained parcel 99.8 acres.

The Purpose and Effect of the Application

The purpose and effect of the amendment is to rezone the agricultural, retained portion of the property to Agricultural Exception (A-130), to restrict any future residential development. Use of the existing barn for livestock housing is prohibited, except for two horses. Additionally, relief is required for a small deficiency in interior side yard setback for the barn.

An existing 1,140 sq. ft. accessory shed on the severed, residential parcel exceeds the maximum 1,000 sq. ft. ground floor area permitted in the by-law. Relief is provided to recognize this in the amendment.

This rezoning is a condition of severance application B96/12, that was granted provisional approval by the Wellington County Land Division Committee.



1078 Bruce Rd. 12,
P.O. Box 150
Formosa ON
Canada N0G 1W0

Tel 519-367-3040
Fax 519-367-3041
publicinfo@svca.on.ca
www.svca.on.ca

November 13, 2012

Township of Wellington North
7490 Sideroad 7, W
Kenilworth, ON
N0G 2E0

RECEIVED

NOV 13 2012

TWP. OF WELLINGTON NORTH

ATTENTION: Darren Jones, CBO

Dear Mr. Jones:

RE: Proposed Zoning By-Law Amendment
Lot 8, Concession 4
Geographic Township of Arthur
Township of Wellington North

The Saugeen Valley Conservation Authority (SVCA) has reviewed this proposed Zoning By-law amendment in accordance with the SVCA's mandate and policies and the Memorandum of Agreement between the Authority and the County of Wellington with respect to Plan Review. Please note that a portion of the subject property appears to be within the Grand River Conservation Authority's (GRCA) jurisdiction. The associated severance lands are entirely in the GRCA's jurisdiction. Please refer to the GRCA's comments with regard to portions of the subject property within their jurisdiction. This proposed Zoning By-law amendment is acceptable to the SVCA.

For this particular property, there are no significant natural heritage features or natural hazards affecting the proposed Zoning By-law amendment. Central and Eastern portions of the lot are zoned NE associated with a watercourse and Provincially Significant Wetland located partially on the property. The SVCA's Regulation is applicable to these areas, and an appropriate offset from these features. The owner should contact the SVCA for more specific comments on these features and the applicable Regulations and restrictions. No changes to the NE zone are proposed associate with this proposed Zoning By-law amendment the SVCA understands.

All of the plan review functions listed in the agreement have been assessed with respect to this proposed Zoning By-law amendment. The Authority is of the opinion that the proposed Zoning By-law amendment appears to comply with the relevant policies of the Wellington Official Plan and Provincial Policies referred to in the agreement.

Conservation
Through
Cooperation

A MEMBER OF



Conservation
ONTARIO
Natural Champions

Township of Wellington North
November 13, 2012
Page 2

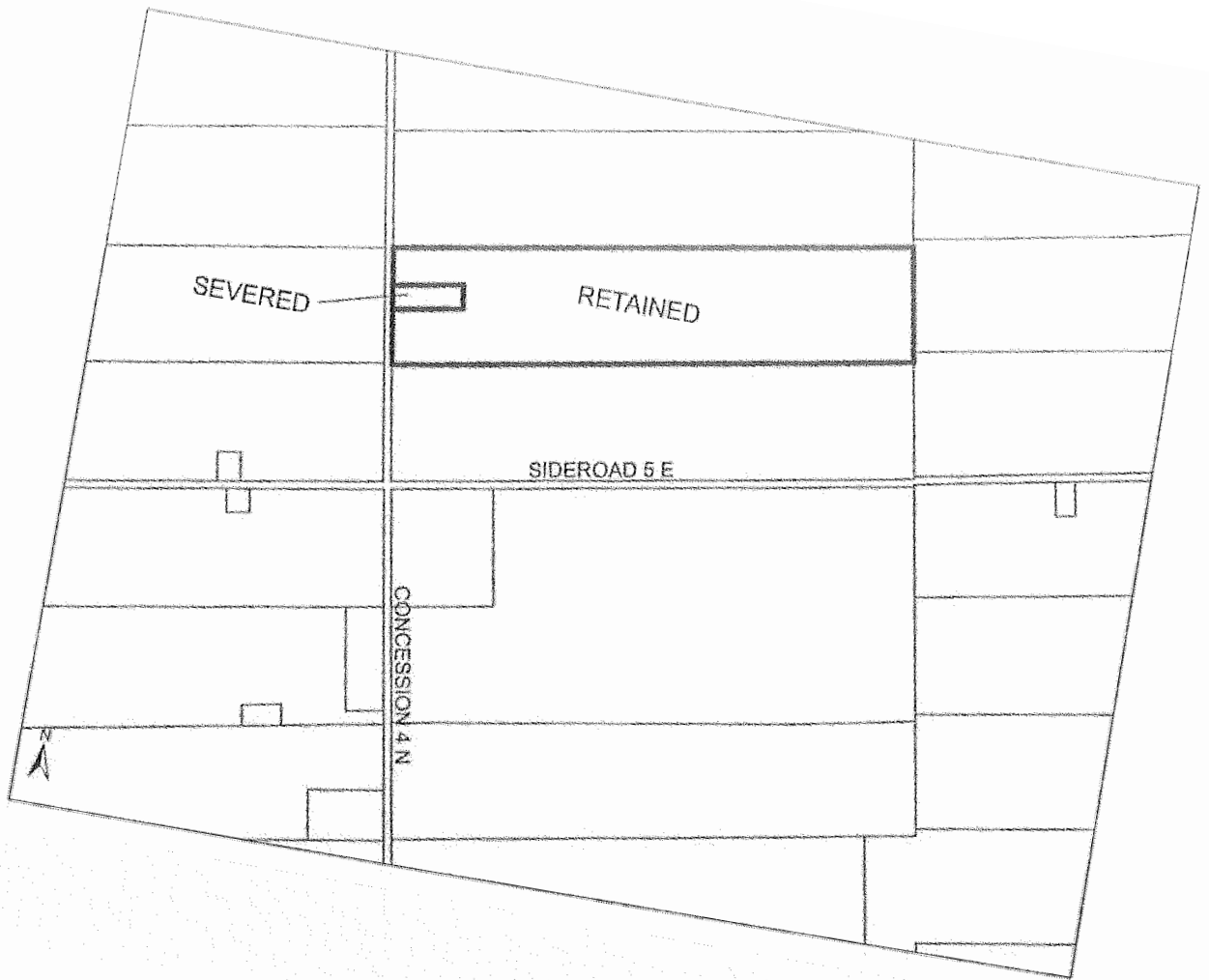
We trust this information is helpful. Should questions arise, please do not hesitate to contact this office.

Yours Sincerely,



Erik Downing
Environmental Planning Technician

ED/



CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH

Application for Zoning By-law Amendment

Application No. BC 8/12

A. THE AMENDMENT

1. TYPE OF AMENDMENT? Site Specific [] Other Severance

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

Removing Dwelling from farm land
Relief for oversized accessory buildings
See #9-112 B68/12 condition

B. GENERAL INFORMATION

3. APPLICANT INFORMATION

a) Registered Owner's Name(s): Piller Poultry Ltd.

Address: RR 2 #9369^{con 4, N} Kenilworth

Phone: Home () 519 323-1306 Cell 519 323 6452 Work () 519 323 6452 Fax () 519 323.4901

email Tony@hspx.ca

b) Applicant (Agent) Name(s): Tony Piller

Address: - Same -

Phone: Home () _____ Work () _____ Fax () _____

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

d) Send Correspondence To? Owner [] Agent [] Other [] _____

e) When did the current owner acquire the subject land? 2010

4. WHAT AREA DOES THE AMENDMENT COVER? 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: Co Wellington North

Concession: 4 Lot: 9 Registered Plan No: _____

Area: 39.3 hectares Depth: 1341 meters Frontage (Width): 302 meters
_____ acres _____ feet _____ feet

6. PROVIDE A DESCRIPTION OF THE AREA TO BE AMENDED IF ONLY A "PORTION" OF THE PROPERTY:

Area: 1.15 hectares Depth: 185 meters Frontage (Width): 62 meters
Severed - 1.15 ha _____ feet _____ feet
Retained - 39.3 ha

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

Agri.

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

Agri

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

Agriculture Only on Retained ~~Residential~~ on Severed.

C. EXISTING AND PROPOSED LAND USES AND BUILDINGS

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

Agri

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

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

Agriculture on Retained / Residential on Several,

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

(Please use a separate page if necessary.)

	<u>Existing</u>		<u>Proposed</u>	
a) Type of Building (s) -or Structure (s)				
b) Date of Construction	1910 ↔ 1970			
c) Building Height	_____ (m)	_____ (ft)	_____ (m)	_____ (ft)
d) Number of Floors				
e) Total Floor Area (sq.m.)	_____ (sq m)	_____ (sq ft)	_____ (sq m)	_____ (sq ft)
f) Ground Floor Area (sq.m.) (exclude basement)	_____ (sq m)	_____ (sq ft)	_____ (sq m)	_____ (sq ft)
g) Distance from building/structure to the:	_____ (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?

Arthur Con 4 North

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 (X) Swales () Other means (explain below)

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 (<input checked="" type="checkbox"/>)
Zoning By-law Amendment	Yes ()	No (<input checked="" type="checkbox"/>)
Minor Variance	Yes ()	No (<input checked="" type="checkbox"/>)
Plan of Subdivision	Yes ()	No (<input checked="" type="checkbox"/>)
Consent (Severance)	Yes (<input checked="" type="checkbox"/>)	No ()
Site Plan Control	Yes ()	No (<input checked="" type="checkbox"/>)

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

File No. and Date of Application: B 96/12

Approval Authority: County of Wellington

Lands Subject to Application: Lot 8

Purpose of Application: Severance

Status of Application: "Notice of Decision"

Effect on the Current Application for Amendment: Non

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) _____ of the _____ of _____ in the
 County / Region of _____ do hereby authorize _____ to

Act as my agent in this application.

Signature of Owner(s)

Date

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

I (we) Tony Piller of the Township of ~~the~~
Wellington North County / Region of Wellington 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 Township of Wellington North in the County / Region of
Wellington this 24 day of October, 2012



Signature of Owner or Authorized Solicitor or Authorized Agent

Oct. 24/12

Date



Signature of Commissioner

Oct 24/12

Date

CATHERINE E. MORE, a Commissioner,
etc., County of Wellington, Deputy Clerk
of the Corporation of the Township of
Wellington North.

APPLICATION AND FEE OF \$ 1500.- RECEIVED BY MUNICIPALITY



Signature of Municipal Employee

Oct 24/12

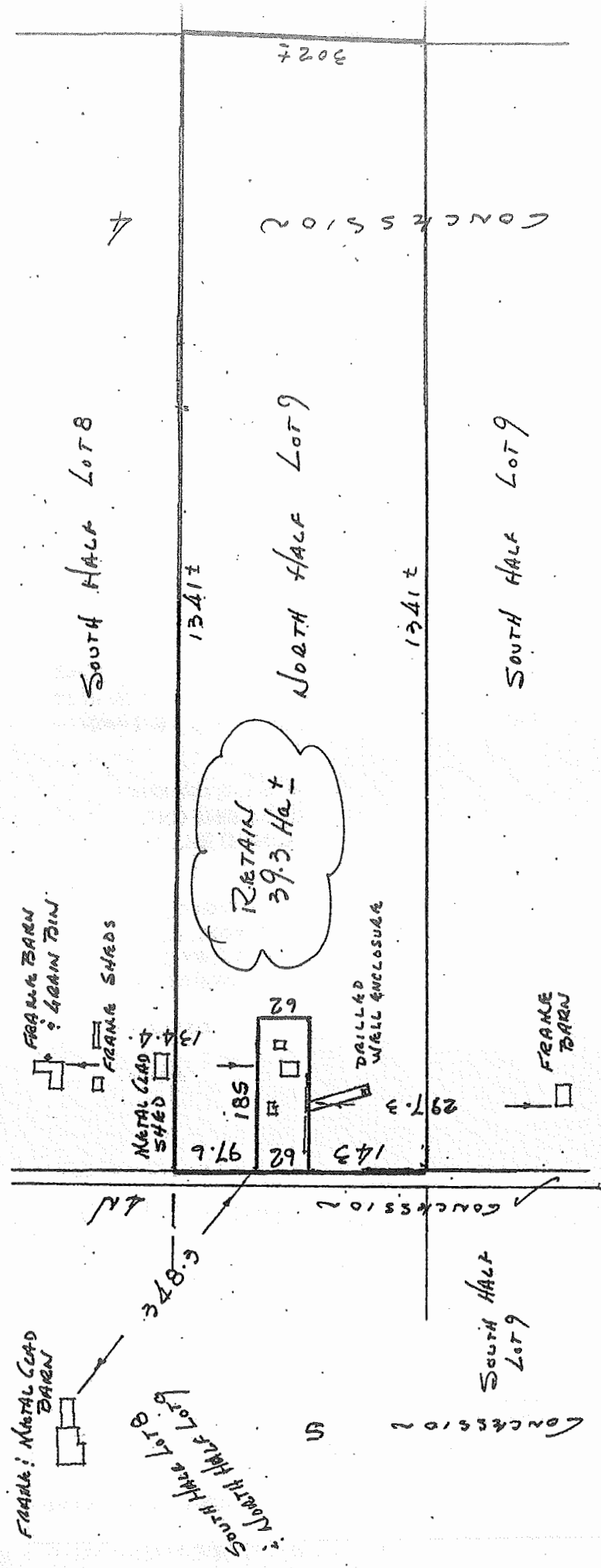
Date

Wells

PLANCK SKETCH IN THE SHIP. of ARTHUR

STIP. of WELLSINGTON NORTH June/12
BY of WELLSINGTON 8261
7000

Alex R. Wilson Surveyors Inc
MOUNT FOREST
519 323 2451



WELLS DILL-BRI

Sheet 2 of 2 Sheets

June/12 1:1500

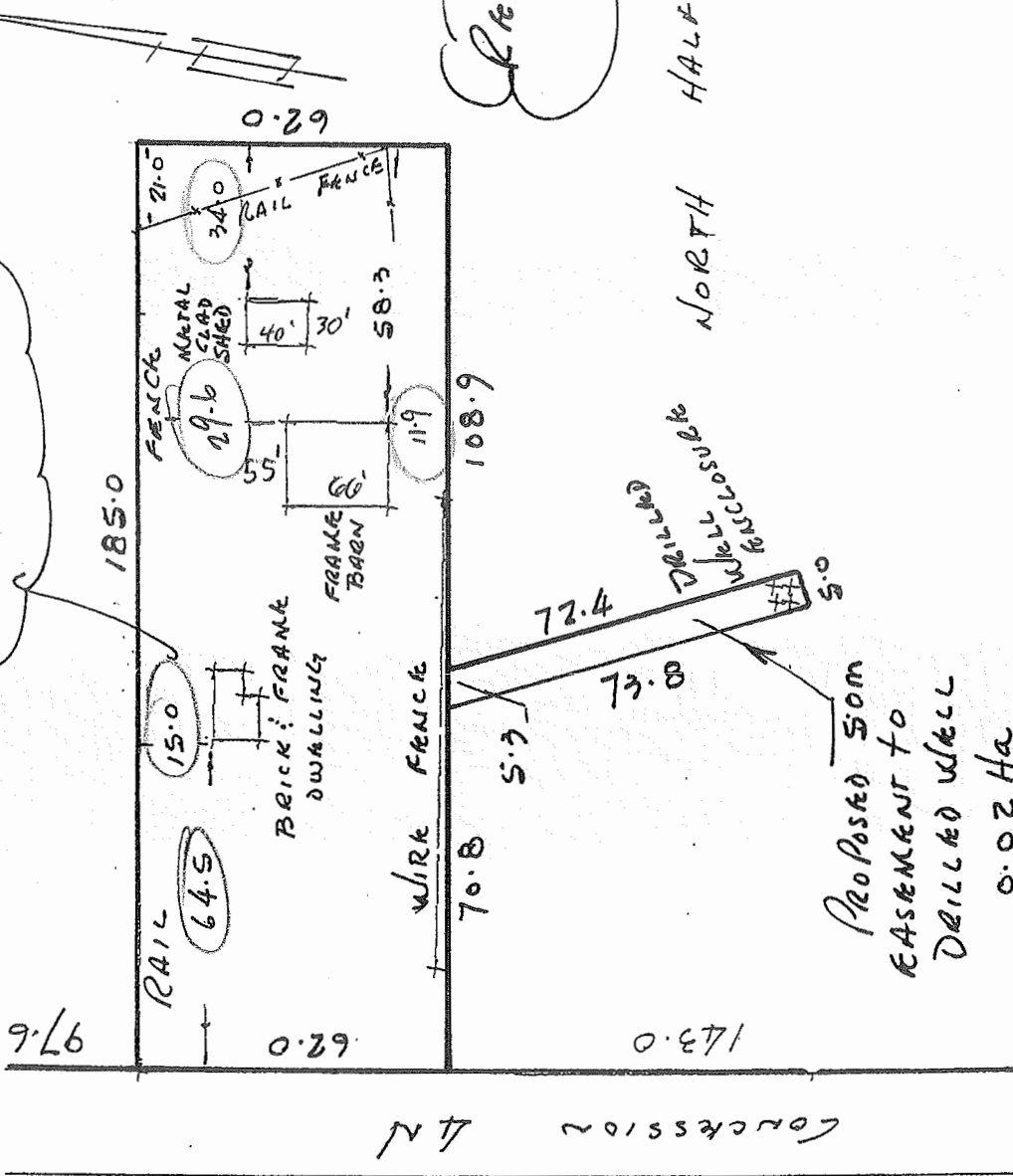
8261

Wilson

SEVER 1.15 Ha

RETAIN 39.3 Ha ±

HALF LOT 9



DRILLED WELL PROPOSED

Proposed 50m EASEMENT TO DRILLED WELL 0.02 Ha

COUNTY of WELLINGTON PLANNING & LAND DIVISION COMMITTEE
Wellington County Administration Centre
74 Woolwich Street Guelph, Ontario N1H 3T9

ONTARIO PLANNING ACT, Section 53(14)

NOTICE of DECISION

On Application B68/12

APPLICANT:

Piller Poultry Ltd
9369 Concession 4, RR#2
Kenilworth ON N0G 2E0

LOCATION of SUBJECT LANDS:

WELLINGTON NORTH (Arthur Township)
Part Lot 9
Concession 4

The Planning and Land Division Committee, considering all of the evidence presented, and being assured that it had jurisdiction to consider the matter which was submitted to it, concludes that:

In the matter of an application by Piller Poultry Ltd. pursuant to Section 53 of the Planning Act, R. S. O. 1990 as amended for consent to convey land for rural residential use, being Part of Lot 9, Concession 4, geographic Township of Arthur, now Township of Wellington North, **PROVISIONAL CONSENT IS GRANTED SUBJECT TO THE FULFILMENT OF ELEVEN CONDITIONS OF APPROVAL.** The Planning and Land Division Committee has the opinion that a plan of subdivision of the subject lands is not necessary for the proper and orderly development of the municipality for this proposal; that the proposal satisfies generally the intent of the criteria of Section 51, subsection 24 of the Planning Act, R.S.O. 1990 as amended; and that the proposal is consistent with the intent and policies of the Provincial Policy Statement; and that it conforms generally to the intent and policies of the County's official plan; and, further, that the proposal represents compatible development, good planning and does not offend the public interest.

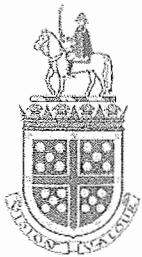
FINAL CONSENT IS DEEMED TO BE GIVEN when the Secretary-Treasurer of the Planning and Land Division Committee has received written proof that all of the conditions of approval have been fulfilled within the prescribed period of time.

THE PLANNING AND LAND DIVISION COMMITTEE ADVISES THE APPLICANT that all of the conditions of approval for this provisional consent must be fulfilled within a period of one year after written notice of this decision was given or consent shall be deemed to be refused. In the event of an appeal to the Ontario Municipal Board, the application for consent shall not be deemed to be refused for failure to fulfill the conditions until the expiry of one year from the date of the order or date of the notice of the Ontario Municipal Board issued in respect of the appeal.

CONDITIONS OF APPROVAL TO BE FULFILLED NO LATER THAN 4:30 p.m. OCTOBER 18, 2013:

- 1) THAT the Owner's solicitor, in preparation for the issuance of the Certificate of Consent, provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee a printed copy of the "completed electronic transfer document in preparation".
- 2) THAT the Solicitor for the Owner give an undertaking in writing to provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee within 30 days of the date of registration in the Land Registry/Land Titles Office for Wellington (No. 61) a copy of the receipted and registered electronic transfer document for Consent B68/12.
- 3) THAT the Owner, as provided for under Section 69 of the Planning Act, R.S.O. 1990, shall pay to the Treasurer of the County of Wellington the administrative fee which is in effect at the time of the payment of the fee for the review for and issuance of the Certificate of Consent.
- 4) THAT the transfer for registration with respect to description complies with Ontario Regulation 43-96; and if that description contains a reference to a Reference Plan(s), the Owner's solicitor shall provide a full print of that deposited reference plan(s) to the secretary-treasurer of the Planning and Land Division Committee.
- 5) THAT the Owner receive approval from the applicable road authority in a manner deemed acceptable to that road authority for an entrance to the severed and retained parcel; and further that the applicable authority file a letter of clearance of this condition with the Secretary-Treasurer of the Planning and Land Division Committee as written proof of fulfilment of this condition.
- 6) THAT the Owner satisfy all the requirements of the local municipality, financial and otherwise which the local municipality may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands; and further that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 7) THAT the Owner satisfy the requirements of the Local Municipality in reference to parkland dedication as provided for in the Planning Act, R.S.O. 1990; and that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 8) THAT the Owner satisfy the requirements of the Wellington North Chief Building Official that the existing septic system is >3m from the proposed lot; and that the Township of Wellington North file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 9) THAT the severed parcel be rezoned to restrict future replacement or renovation of the barn and shed to the satisfaction of the Township of Wellington North; and that the Township of Wellington North file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 10) THAT the Owner receive zoning compliance and classification from the Township of Wellington North in a manner deemed acceptable by the Local Municipality to restrict commercial use; and that the Township of Wellington North file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 11) THAT the Owner receive zoning compliance and classification from the Local Municipality and the County of Wellington Planning Department to prohibit a new residential dwelling on the retained parcel in a manner deemed acceptable; and that the Local Municipality and the County of Wellington Planning Department file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

..... End of Conditions of Approval; see page two for signatures, dates and other information



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 14, 2012

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

Dear Mr. Jones:

**Re: Piller Poultry - Pt Lot 9, Concession 4 (Arthur) – 9307 Concession 4N
Prohibit Future Residential / Recognize Over-sized Accessory Buildings
Zoning By-law Amendment**

PLANNING OPINION

The zoning amendment is required as a condition of provisional consent (B68/12) 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. The severed residential lot has an existing barn and shed with a total ground floor area of 4,830 sq. ft. that requires relief. I have no concern about this, especially since the applicant has requested it only be for the lifetime of the buildings.

SUBJECT LAND

The property subject to the proposed amendment is described as Part of Lot 9, Concession 4, former Township of Arthur, and is municipally known as 9307 Concession 4N. The subject property consists of the severed parcel 2.84 acres and the retained parcel 97.1 acres.

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. The applicant has also asked for relief from the zoning by-law for over-sized accessory buildings on the severed portion – barn (3,630 sq. ft.) and shed (1,200 sq. ft.), for the lifetime of these buildings. This rezoning is a condition of severance application B68/12, 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. Section 10.3.4 of the Official Plan implements the PPS and requires that the remnant parcel be rezoned to prohibit dwellings.

ZONING BY-LAW

The subject lands are zoned mainly Agricultural (A). There is a small area of Natural Environment (NE) zoning located in the centre of the retained, along the north boundary.

PLANNING CONSIDERATIONS

Restrict Future Dwelling on Retained

This is to be placed into Agricultural Exception (A-128). No concerns.

Oversized Accessory Buildings

As noted, there is a barn (3,630 sq. ft.) and shed (1,200 sq. ft.) present, which exceed the maximum ground floor area of 1,000 sq. ft., in Section 6.1.4 (ii) of the by-law. It is my understanding that the applicant is asking that these buildings be recognized only for their lifetime. I have structured the Agricultural Exception (A-129) zone accordingly and have no concerns.

NE Zone Unchanged

The NE zoning is to remain as is, unchanged.

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

Sincerely,



Mark Van Patter
Senior Planner MCIP

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 9, Concession 4, geographic Township of Arthur, as shown on Schedule "A" attached to and forming part of this By-law, from Agricultural (A) to **Agricultural Exception (A-128)** and **Agricultural Exception (A-129)**.

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

**"33.128 A-128
Part of Lot 9, Con 4**

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."

**"33.129 A-129
Part of Lot 9, Con 4**

Notwithstanding any other section of this by-law to the contrary, the existing barn at 337.2 sq. m. (3,630 sq. ft.) and existing shed at 111.48 sq. m. (1,200 sq. ft.) shall be deemed to comply to the maximum ground floor requirement of Section 6.1.4 (ii), but only for the lifetime of the existing buildings. Once these buildings are demolished, the maximum ground floor area for all accessory buildings shall be 92.9 sq. m. (1,000 sq. ft.)."

3. THAT the existing **Natural Environment (NE)** zone 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

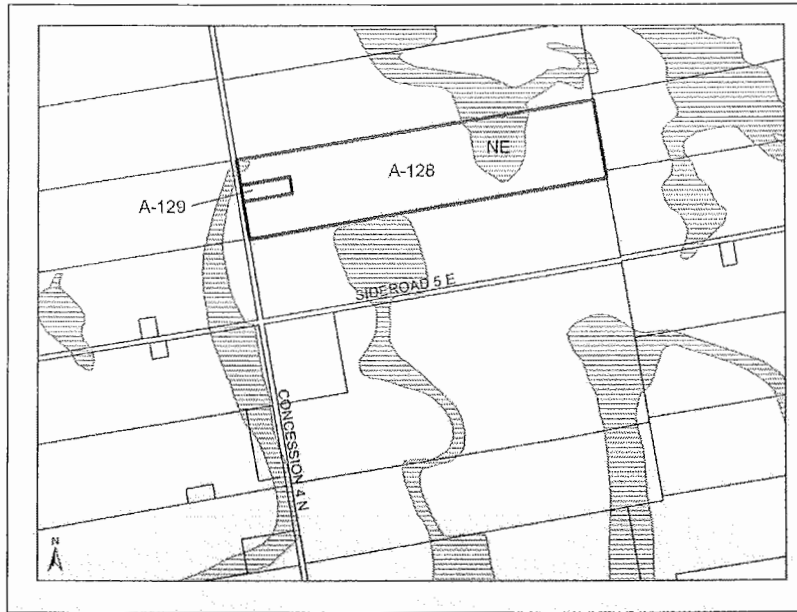
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "A"



Rezone from Agricultural (A) to Agricultural Exceptions (A-128) & (A-129)

Existing Natural Environment Zone Remains Unchanged

Passed this ____ day of _____ 2012.

MAYOR

CLERK

EXPLANATORY NOTE

BY-LAW NUMBER _____.

Location of the Subject Land

The property subject to the proposed amendment is described as Part of Lot 9, Concession 4, former Township of Arthur, and is municipally known as 9307 Concession 4N. The subject property consists of the severed parcel 2.84 acres and the retained parcel 97.1 acres.

The Purpose and Effect of the Application

The purpose and effect of the proposed amendment is to rezone the agricultural, retained portion of the property to Agricultural Exception (A-128), to prohibit any future residential development. Additionally, relief from the zoning by-law is required for oversized accessory buildings on the severed portion – barn (3,630 sq. ft.) and shed (1,200 sq. ft.). This area is being zoned Agricultural Exception (A-129), deeming the existing buildings to meet the maximum ground floor area, but only for the lifetime of the buildings. Then, the maximum area of 1,000 sq. ft. applies.

This rezoning is a condition of severance application B68/12, that was granted provisional approval by the Wellington County Land Division Committee.

Oct 29, 2012

Piller Poultry Ltd
RR#2 #9369 Con 4N.
Kenilworth
tony@hsfx.ca

RECEIVED

OCT 31 2012

TWP. OF WELLINGTON NORTH

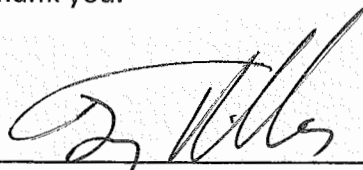
Re: B68/12 Severance application..... Building Consideration

To: Re- Zoning Committee

I would like to thank the council in there consideration for keeping the existing buildings on the severed Lot. These structures, especially the bank barn have a very large significance to the Dineen Family. This was their original homestead, purchased in 1942 and has remained in the family since. This building has remained in its original state, with no additions and has been kept in good repair. It is a hard wood frame and deemed in good condition according to local Mennonite, Irvine Bauman. (See attached pictures) This homestead means a lot to the Dineen family. And I understand that keeping it as it is and not taking down these buildings will keep their family heritage site alive and for me, build good neighbors.

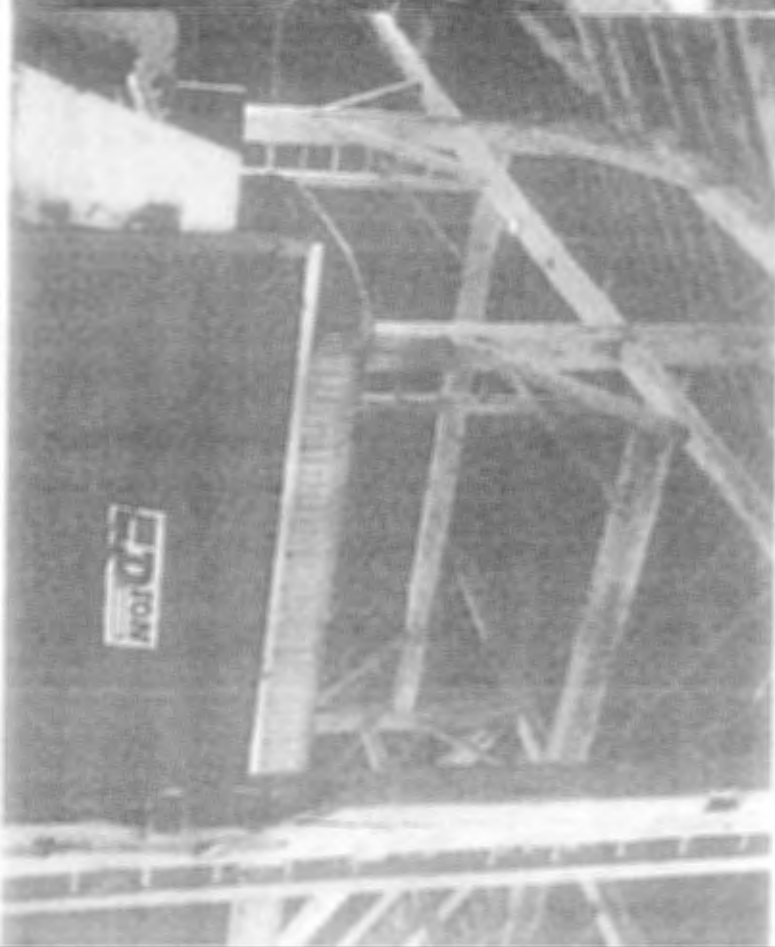
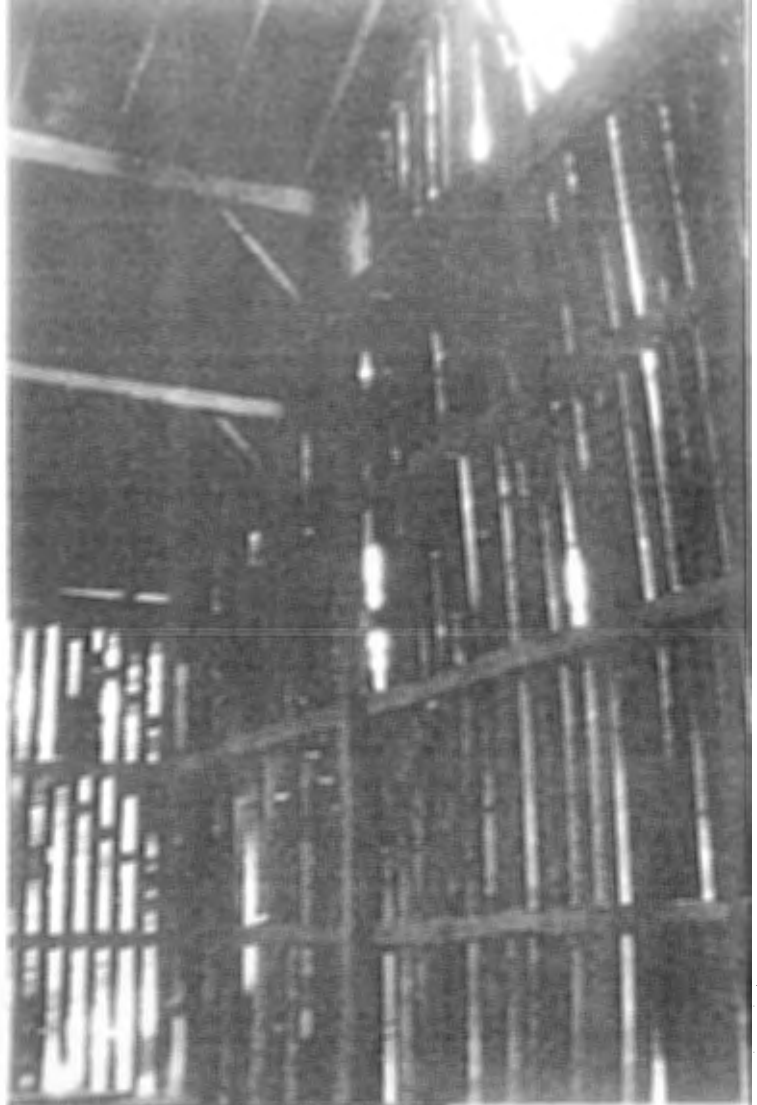
I believe that council is making a good compromise with allowing the buildings to stay up, but not allowing them to be replaced.

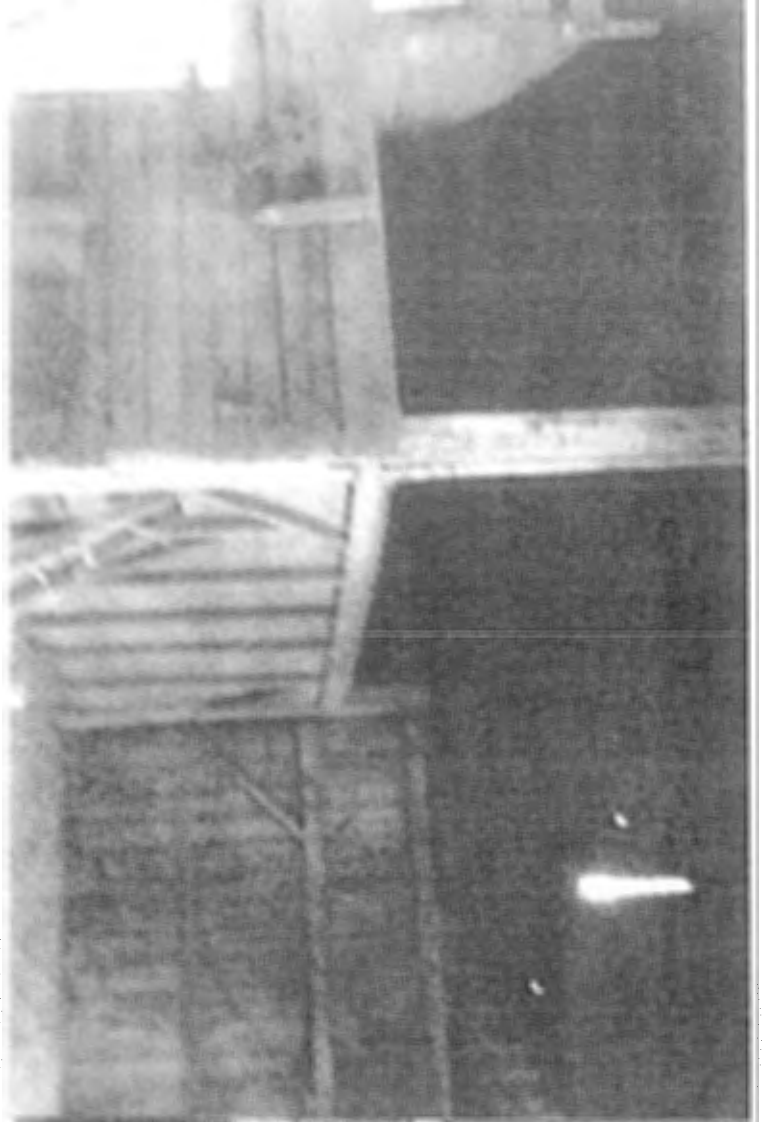
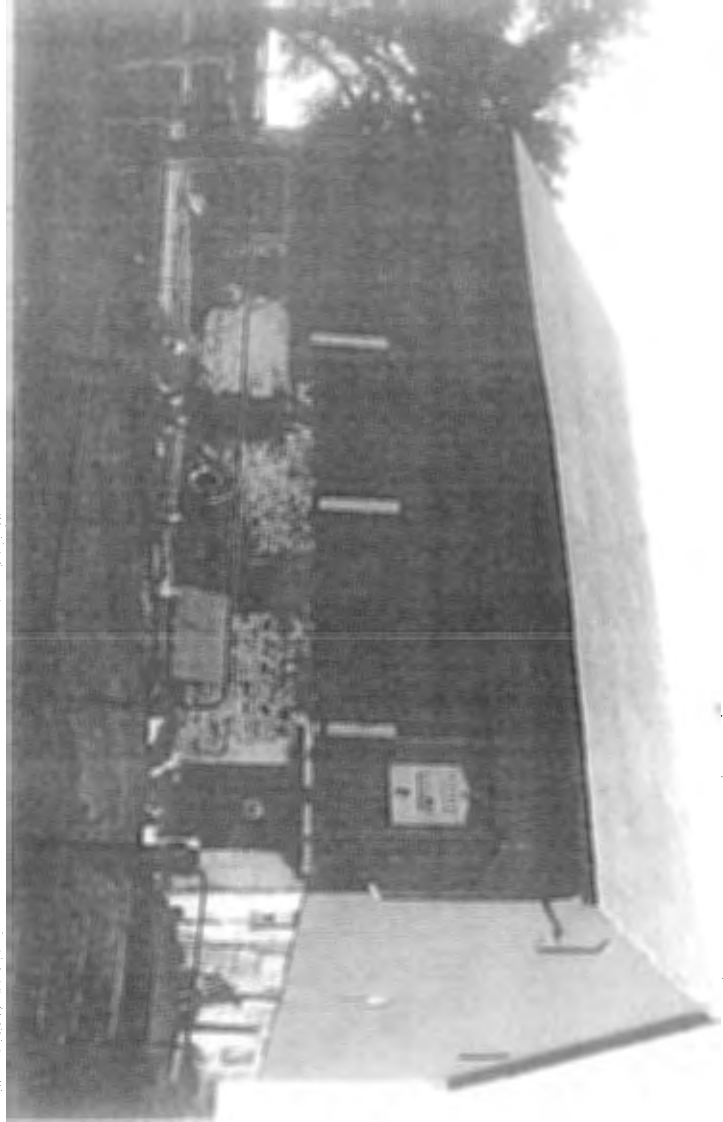
Thank you.



Tony Piller

cc. Bernard Dineen







1078 Bruce Rd. 12,
PO Box 150
Formosa ON
Canada N0G 1W0

Tel 519-367-3040
Fax 519-367-3041
publicinfo@svca.on.ca
www.svca.on.ca

November 9, 2012

Township of Wellington North
7490 Sideroad 7, W
Kenilworth, ON
N0G 2E0

ATTENTION: Darren Jones, CBO

Dear Mr. Jones:

RE: Proposed Zoning By-Law Amendment
Part Lot 9, Concession 4
9307 Concession 4 N.
Geographic Township of Arthur
Township of Wellington North

The Saugeen Valley Conservation Authority (SVCA) has reviewed the proposed Zoning By-law Amendment in accordance with the SVCA's mandate and policies and the Memorandum of Agreement between the Authority and the County of Wellington relating to Plan Review. The proposed amendment is acceptable to the Authority, provided the Natural Environment (NE) zone remains in force and effect.

A portion of the property is located within the Grand River Conservation Authority (GRCA) jurisdiction. Please refer to the GRCA letter for additional comments that pertain to the lands within their watershed.

Significant Natural Heritage

The significant natural heritage feature on the subject property is the Clare Creek Complex, identified by the Ministry of Natural Resources as a Provincially Significant Wetland (PSW). The PSW is located in the northeastern portion of the property.

Wellington County Official Plan

The PSW and adjacent low-lying areas are designated Core Greenland in the County Official Plan.

Sections 5.6.3 and 5.6.4 of the Official Plan require that an Environmental Impact Assessment be completed for all development proposals within 120 metres of a PSW. Since the proposed amendment would rezone the retained parcel to restrict future residential development, the SVCA is of the opinion that an Environmental Impact Assessment is unnecessary.

Conservation
Through
Cooperation

A MEMBER OF



Conservation
ONTARIO
Natural Champions

Township of Wellington North Zoning By-Law 66-01

According to the Township of Wellington North Zoning By-Law No. 66-01, the PSW and adjacent low-lying areas are zoned Natural Environment (NE). It is the SVCA's understanding that the NE zone will remain unchanged.

SVCA Regulation

The eastern portion of the property is subject to the Saugeen Valley Conservation Authority's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 169/06). This Regulation is in accordance with Section 28 of the Conservation Authorities Act, R.S.O., 1990, Chap. C. 27.

This Regulation requires that a person obtain the written permission of the SVCA prior to any "development" in a Regulated Area or "alteration" to a wetland or watercourse. Although Regulation mapping is not available for this particular property, the PSW and the lands within 120 metre of the PSW are subject to the SVCA's Regulation.

Conclusion

All of the plan review functions listed in the Agreement have been assessed with respect to this application. The Authority is of the opinion that the proposed Zoning By-law Amendment complies with the relevant policies in the Wellington County Official Plan and Provincial Policies referred to in the Agreement. The SVCA has no objection to the proposed Zoning By-law Amendment provided the Natural Environment (NE) zone remains in force and effect.

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

Sincerely,



Cherielyn Leslie
Environmental Planning Coordinator

CL/



Township of Wellington North

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

November 14, 2012

Council of the Township of Wellington North

7490 Sideroad 7 West

Kenilworth, ON N0G 2E0

Re: Piller Poultry Ltd.

Concession 4, North Part Lot 9, geographic Arthur Township, Wellington North

Roll Number 23-49-000-008-10200-0000

LOCATION OF THE SUBJECT LAND

The property subject to the proposed amendment is described as North Part of Lot 9, Concession 4 and is municipally known as 9307 Concession 4 N. The subject property consists of the severed parcel 2.84 ac. and the retained parcel 97.1 ac.

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, retained portion of the property. Additionally relief from the zoning by-law is required for over-sized accessory buildings on the severed portion – barn (3,630 sq. ft.) and shed (1,200 sq. ft.). This rezoning is a condition of severance application B68/12, that was granted provisional approval by the Wellington County Land Division Committee.

BUILDING DEPARTMENT CONSIDERATIONS

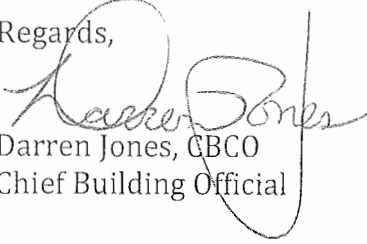
The severed portion will be 2.84 acres. 2.84 acres within the Agricultural Zone is permitted a 384.00 square foot hobby barn, maximum, the existing barn on the subject property is 3,630.00 square feet. The existing barns capacity is much greater than the property can support.

The Building Department has concerns with this proposal because limiting the use of the barn will be very difficult to enforce and possibly very costly to the municipality if action had to be taken to bring the property in to conformance with the Zoning By-law. The proposed purchasers may be well aware of the requirements and restrictions of the By-law however when the property is resold future owners may not fully understand these requirements. A 3,630.00 square foot bank barn is not an accessory use it is a primary agricultural use that is not permitted on Agricultural properties of less than 25.0 ac.

My recommendation to Council is that the zoning prohibit all agricultural use on the severed parcel or that the barn be removed.

I trust that these comments will be helpful to Council in their consideration of this Zoning By-law amendment.

Regards,


Darren Jones, CBCO
Chief Building Official