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Public Meeting

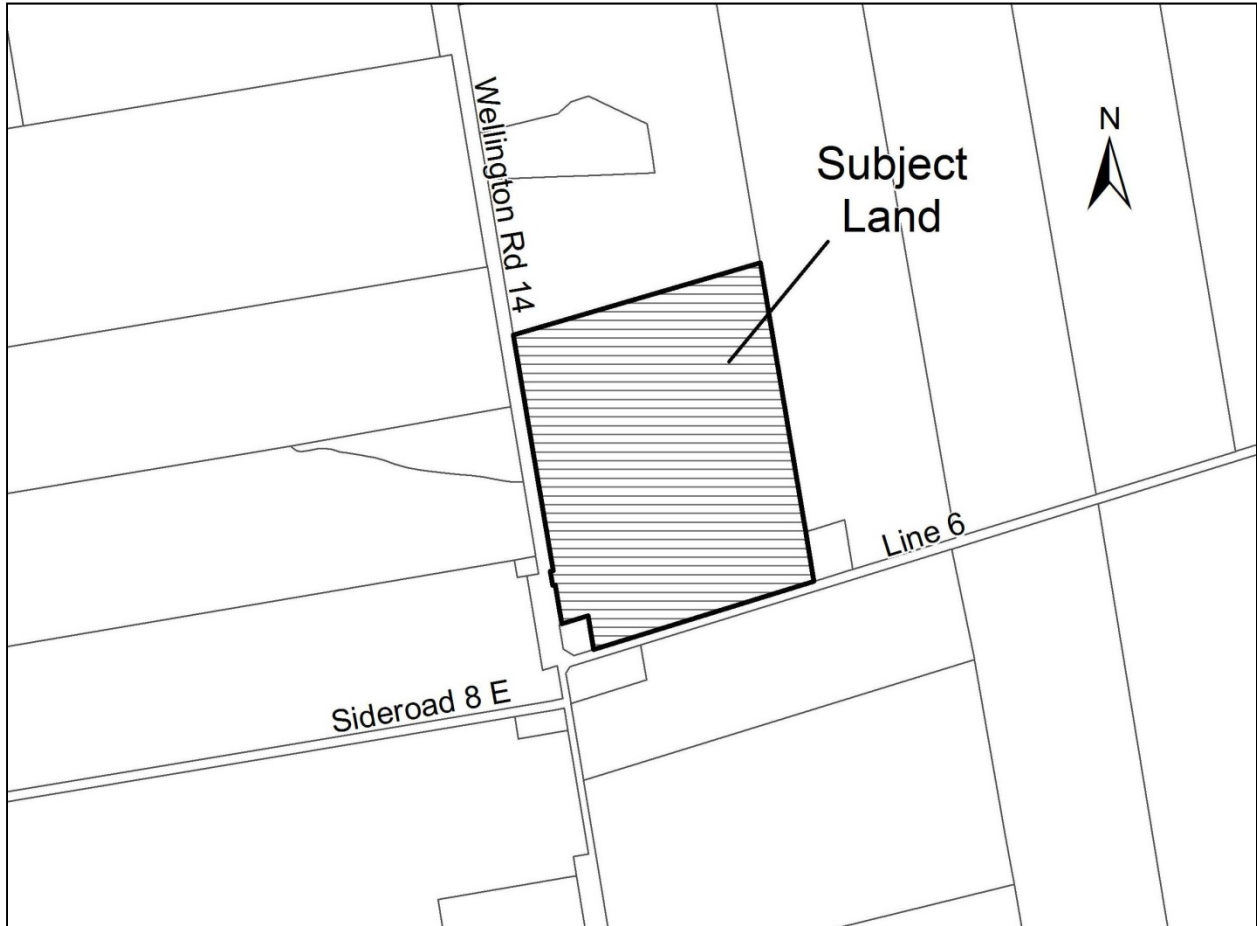
Monday, November 21, 2016 at 7:00 PM

Municipal Office Council Chambers, Kenilworth

AGENDA

AGENDA ITEM	PAGE NO.
<p><u>CALLING TO ORDER</u></p> <ul style="list-style-type: none">- Mayor Lennox	
<p><u>DISCLOSURE OF PECUNIARY INTEREST(S) AND THE GENERAL NATURE THEREOF</u></p>	
<p><u>OWNERS/APPLICANT</u></p> <ul style="list-style-type: none">- Christopher and Dana Samuel	
<p><u>LOCATION OF THE SUBJECT LAND</u></p> <p>The property subject to the proposed amendment is described as Part Lot 1, Concession 7, Geographic Township of West Luther, with a civic address of 8949 Wellington Road 14. The property is 36.32 hectares (89.76 acres) in size and the location is shown on the map attached.</p>	001
<p><u>PURPOSE AND EFFECT OF THE APPLICATION</u></p> <p>The purpose and effect of the proposed amendment is to rezone the subject lands to restrict any future residential development on the retained agricultural portion of property and to permit the existing accessory structures totaling 222.55 m² (2395.50 ft²) to remain on the severed residential portion of property. This rezoning is a condition of severance application B62/16, that was granted provisional approval by the Wellington</p>	

AGENDA ITEM	PAGE NO.
<p>County Land Division Committee. The consent will sever the existing dwelling 0.8 ha (1.9 acres) from the agricultural parcel under the surplus farm dwelling policies.</p> <p><u>NOTICE</u></p> <p>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 31, 2016.</p> <p><u>PRESENTATIONS</u></p> <p>Linda Redmond, Senior Planner</p> <ul style="list-style-type: none">- See attached report and draft by-law, prepared by Elizabeth Martelluzzi, Junior Planner <p><u>CORRESPONDENCE FOR COUNCIL'S REVIEW</u></p> <p>None.</p> <p><u>REQUEST FOR NOTICE OF DECISION</u></p> <p>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.</p> <p><u>MAYOR OPENS FLOOR FOR ANY COMMENTS/QUESTIONS</u></p> <p><u>COMMENTS/QUESTIONS FROM COUNCIL</u></p> <p><u>ADJOURNMENT</u></p>	<p>002</p>



Christopher and Dana Samuel



PLANNING REPORT for the TOWNSHIP OF WELLINGTON NORTH

Prepared by the County of Wellington Planning and Development Department

DATE: November 15, 2016
TO: Mike Givens, C.A.O.
 Township of Wellington North
FROM: Linda Redmond, Senior Planner
 County of Wellington
SUBJECT: **Samuel-Buehler**
8949 Wellington Road 14
Zoning By-law Amendment

Planning Opinion The zoning amendment is required as a condition of provisional consent (B62/16) by the Wellington County Land Division Committee. We have no objections to implementing this decision. Both the PPS and County Plan provide for surplus farm dwelling severances, provided the agricultural lands are rezoned to prohibit future residential dwellings. The intention of this policy is to allow farmers to reduce their costs of acquiring additional farm parcels where the impact on existing and future farm operations can be kept to a minimum.

Additional zoning relief is also required for the existing accessory structures on the severed residential parcel. The applicant would like to retain the existing shed and garage which have a combined floor area of 222.55m² (2,395 sq.ft), whereas the maximum lot coverage is 102.19m²(1,000 sq.ft). Provided the accessory buildings are for personal use and storage, we would have no concerns with the relief requested.

INTRODUCTION

The property subject to the proposed amendment is described as Part Lot 1, Concession 7, Geographic Township of West Luther, with a municipal address of 8949 Wellington Road 14. The lands subject to the amendment are 35 hectares (86.5 acres) in size and are currently zoned Agriculture. The surrounding land uses are mainly agricultural.

PROPOSAL

The purpose of the application is to rezone the subject lands to restrict future residential development and provide zoning relief for existing accessory dwellings on the severed lands which exceed the permitted lot coverage.



Figure 1

This rezoning is a condition of severance application B62/16, that was granted provisional approval by the Wellington County Land Division Committee in October. The consent will sever the existing dwelling (0.8 ha) from the agricultural parcel (35 ha) under the surplus farm dwelling policies.

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. 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 Agricultural (A). Two site specific zonings are required in order to accommodate the proposal. The first site specific (A-186) will prohibit a dwelling on the retained agricultural parcel. The second site specific (A-187) will recognize the floor area of the existing accessory buildings (222.55m² (2,395 sq.ft)) on the severed residential parcel. The Natural Environment Zone (NE) zone will remain unchanged.

Respectfully submitted

County of Wellington Planning and Development Department



Elizabeth Martelluzzi, B.URPI
Junior Planner

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
BY-LAW NUMBER _____.**

**BEING A BY-LAW TO AMEND ZONING BY-LAW NUMBER 66-01
BEING THE ZONING BY-LAW FOR THE TOWNSHIP OF WELLINGTON NORTH**

WHEREAS, the Council of the Corporation of the Township of Wellington North deems it necessary to amend By-law Number 66-01; as amended pursuant to Section 34 of The Planning Act, R.S.O. 1990, as amended.

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

1. THAT Schedule "A" Map 1 to By-law 66-01 is amended by changing the zoning on lands described as Part Lot 1, Concession 7 in the 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-186)**
 - **Agricultural (A) to "Agricultural Exception (A-187)**

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

33.186 Part Lot 1, Conc 7 (West Luther)	A-186	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.
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3. THAT Section 33, Exception Zone 3 – Rural Areas, is amended by the inclusion of the following new exception:

33.187 Part Lot 1, Conc 7 (West Luther)	A-187	Notwithstanding Section 6.1.4 or any other section of this by-law, the shed and garage existing on the day of passing of this by-law may have a maximum combined floor area of 222.55 m² (2,395 sq.ft) Subject to the following conditions: <ol style="list-style-type: none"> a) enlargement of this shed and garage is not permitted. b) additional accessory structures are not permitted including a hobby barn or building under the home industry provisions. c) removal of the existing shed and garage shall void this provision.
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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 _____, 2016

READ A THIRD TIME AND PASSED THIS _____ DAY OF _____, 2016

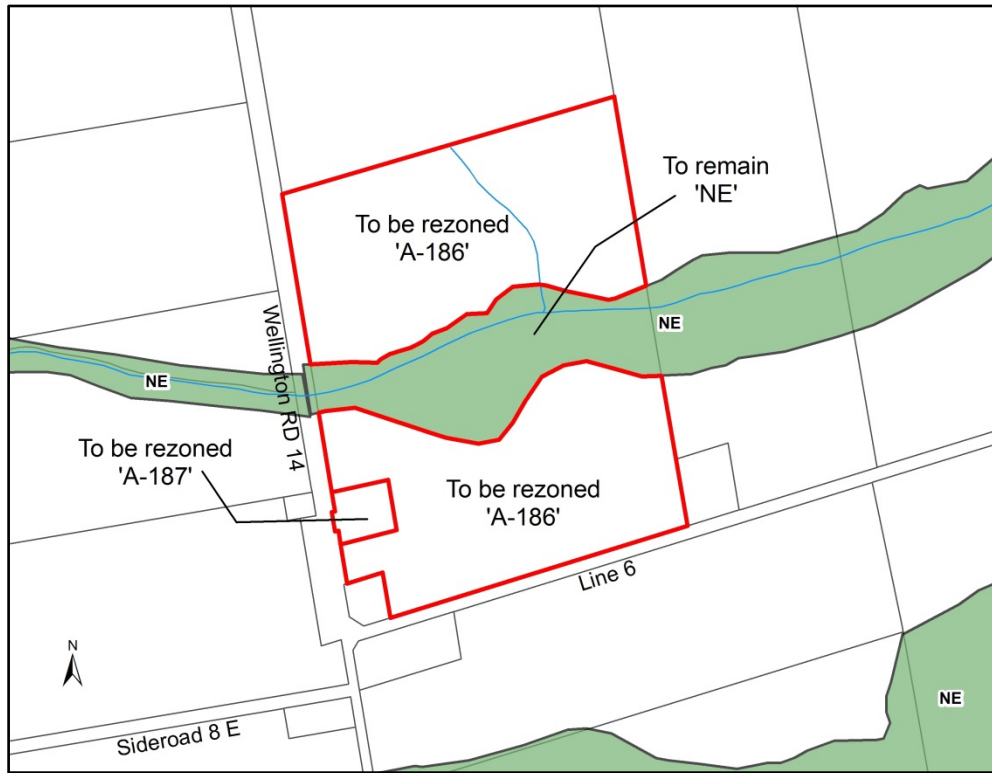
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "A"



Rezone from Agricultural (A) to Agricultural Exceptions (A-186 and A-187)

Passed this ____ day of _____ 2016.

MAYOR

CLERK

EXPLANATORY NOTE**BY-LAW NUMBER _____.**

THE LOCATION being rezoned is Part Lot 1, Concession 7, Geographic Township of West Luther, with a municipal address of 8949 Wellington Road 14. The lands subject to the amendment are 35 hectares (86 acres) in size and are currently zoned Agriculture.

THE PURPOSE AND EFFECT of the amendment is to rezone the subject lands to restrict future residential development. The amendment will also allow existing accessory structures on the residential portion of the property, which exceed maximum allowable lot coverage. This rezoning is a condition of severance application B62/16, that was granted provisional approval by the Wellington County Land Division Committee in October. The consent will sever the existing dwelling (0.8 ha) from the agricultural parcel (35 ha) under the surplus farm dwelling policies.