



Township of Wellington North

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

Public Meeting

Monday, December 17th, 2012 at 7:00 p.m.

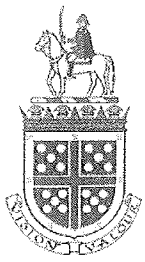
Municipal Office Council Chambers, Kenilworth

AGENDA

Page 1 of 3

AGENDA ITEM	PAGE NO.
<p>The Mayor will call the meeting to order.</p> <p>Declaration of Pecuniary Interest.</p> <p>Owners/Applicant: The Corporation of the Township of Wellington North</p> <p>This public meeting is to consider a zoning amendment for “housekeeping” revisions.</p> <p>Re: The changes are of a general nature and apply throughout the Township of Wellington North.</p> <p>The Purpose and Effect of the Application</p> <p>The purpose and effect of the proposed amendment is to provide for Township initiated “housekeeping” amendments to the Comprehensive Zoning By-law as itemized below:</p> <ul style="list-style-type: none">i) General typographical and mapping corrections.ii) Clarification of text for regulations such as non-complying uses, buffer areas, common amenity area, hobby barns, yard encroachments, general industrial zone, Open space zone,iii) Add text to clarify the use of trailer boxes for storage or temporary uses.iv) Amend provisions for accessory uses, including clarifying number, size and location of structures.v) Clarify the requirements under the Natural Environment zone.vi) Provide regulations for accessory residential uses in a Highway Commercial zone.vii) Add new provisions to restrict dog kennels unless a site specific zoning amendment is obtained.viii) Add and update definitions, including clarifying the definition of modular homes.	

AGENDA ITEM	PAGE NO.
<p>ix) Modify parking requirements related to street townhouse uses, aisle and access width and criteria for tandem parking requirements.</p> <p>x) Consideration to add new Light Industrial zone.</p> <p>xi) Rezone a portion of Part of Lot 33, Concession 1 from C2 to R2.</p> <p>xii) Add provisions for wellhead protection areas.</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> <ol style="list-style-type: none"> 1. Notice for this public meeting was sent to the required agencies and published in the Mount Forest Confederate and the Arthur Enterprise on November 21st, 2012 and in the Wellington Advertiser on November 23rd, 2012. 2. Presentations by: <ul style="list-style-type: none"> - Linda Redmond, Planner <ul style="list-style-type: none"> - Comments and draft by-law to be tabled at the meeting. 3. Review of Correspondence received by the Township: <ul style="list-style-type: none"> - None 4. The by-law will be considered at the regular council meeting on January 14th, 2013. Persons wishing notice of the passing of the By-law must submit a written request. 5. Mayor opens floor for any questions/comments. 6. Comments/questions from Council. 7. Adjournment. 	<p>1</p>



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
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ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

December 13, 2012

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

Dear Mr. Jones:

**Re: DRAFT Housekeeping Amendment
Township of Wellington North Zoning By-law 66-01**

PLANNING OPINION

This housekeeping amendment would introduce changes to the Township of Wellington North Zoning By-law 66-01 to correct typographical inaccuracies, clarify regulations and mapping, and improve or refine other by-law sections.

PURPOSE

The Comprehensive Zoning By-law for the Township of Wellington North was adopted in 2001. Since that time we have tracked areas of the by-law that could be improved, refined or clarified. The Town's CBO, has also been consulted. This housekeeping amendment is the result of that effort.

COMMENTS

The main changes proposed through this housekeeping amendment relate to typographical inaccuracies and wording clarification. However, there are other proposed amendments to change selected mapping, parking regulations for street townhouse uses, kennels and accessory structures.

New definitions have been introduced. In some cases they have been added to support or help to clarify existing regulations and some definitions have been added to support new regulations such as kennels.

New Definitions:

Amenity Area Animal Shelter Drive-thru service facility Driveway Floor area, Gross Leasable (GFLA)	Garage sale Gravel Pit Home Improvement Centre Kennel	Machine Shop Nursery Outdoor storage Postal or courier outlet
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Accessory Structures

Clarification has been included regarding height requirement exemptions with respect to farm buildings such as silos, grain bins and corn cribs.

Lot coverage has been amended to recognize different lot sizes in the rural area. The lot coverage will allow for larger accessory structures on larger parcels in the form of a sliding scale. The new criteria is as follows:

Current section 6.1.4 b)	Proposed
<p>Provided the maximum lot coverage in i) is not exceed, the maximum floor area for an accessory building or structure not including a hobby barn in any residential zone including a lot subject to the reduced lot regulations of Section 8.5 shall not exceed 92.9 sq.m. (1000.0 sq.ft.) ground floor area.</p>	<p>Provided the maximum lot coverage is not exceeded for an accessory building or structure, the combined maximum floor area for all accessory buildings or structures not including a hobby barn or home industry in any residential zone including a lot subject to the reduced lot regulations of Section 8.5 shall not exceed 92.9 m² (1000.0 ft²) ground floor area for any lot 0.4 hectares (1.0 acres) or less in size. For each additional full 0.4 hectares (1.0 acres) of lot area, an additional 9.29 m² (100 ft²) of ground floor area may be added to the accessory building</p>

Kennels

Under the current by-law Kennels are not addressed. The proposed by-law will add provisions to restrict kennels unless a zone amendment has been obtained. A new By-law for the Keeping of Dogs and Dog Kennels is also proposed.

Highway Commercial Zone

Accessory residential uses are permitted within the Highway Commercial zone currently, however there is no criteria to regulate this use. A new section has been added to the Highway Commercial zone to address this use.

Typographical corrections

Typographical corrections are proposed to recognize previously approved uses that were incorrectly numbered. There is also some mapping corrections in which the zoning was incomplete.

Site specific changes

Clarification regarding the modular uses on lands located at Conestoga Estates, Spring Valley and Wellington Acres has been added to the site specific zones on those lands. The new clause states the following:

“Mobile home and modular homes shall not be permitted to have framed additions or basements.”

This is a draft for discussion only at this point. I would recommend that the final by-law be addressed at a future meeting. I trust that these comments will be of assistance to Council in their consideration of this matter.

Sincerely,



Linda Redmond B.A.
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;

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

1. THAT Section 5, Definitions, is amending by including the following new definitions in alphabetical order:

“AMENITY AREA, means an area situated on a residential lot that is intended for recreational purposes, and may include landscaped open spaces, patios, balconies, communal play areas, lounges, decks and other similar uses but shall not include a swimming pool or areas occupied at grade by service areas, parking areas, aisle or access driveways associated with the residential development or use. A Private Amenity Area means an amenity area, excluding a walkway, play area or other communal area, which is accessory to and outside of a dwelling unit, and is for the exclusive use of the occupants of the dwelling unit. A Common Amenity Area means an amenity area which is available for the use and enjoyment of the residents and guest of a residential development in common.

ANIMAL SHELTER, shall mean a building or part thereof, with or without related structures, wherein domestic household pets including, but not so as to limit the generality of the foregoing, dogs, cats, caged birds and specialty fish, but excluding any animals kept primarily for the purpose of providing food or skins, are given temporary shelter and accommodation or are treated or kept for treatment by a registered veterinarian, and includes the office of a registered veterinarian, but does not include any establishment engaged primarily in the retail sale of animals or in breeding animals for gain or profit, or a veterinarian’s clinic as defined herein.

DRIVE-THRU SERVICE FACILITY, means the use of a building or structure or a part thereof accessed by a designated stacking lane, where goods, products or services are offered to the public within a parked or stationary vehicle by way of a service window or kiosk. Service kiosks for parking control within a parking structure or parking are not considered to be drive-thru service facilities.

DRIVEWAY, shall mean a portion of a lot used to provide vehicular access from a street or lane to a parking space or off-street parking area or loading area located on the same lot.

FLOOR AREA, GROSS LEASABLE (GLFA), shall mean in the case of a commercial or industrial building, the aggregate of the area of all floors devoted to retail sales, customer service and/or office use measured from the outside face of exterior walls but excluding storage, mezzanine areas, mechanical rooms, parking structures and similar uses ancillary to the main use.

GARAGE SALE, shall mean an occasional use sale, conducted on a residential property by an occupant of such residential property, of household goods belonging to the occupier thereof and includes a yard sale and the like.

GRAVEL PIT, shall mean any open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral to supply such material for construction, industrial or manufacturing purposes. This definition does not include any excavation incidental to the construction of a building or structure for which a building permit has been issued; or any asphalt plant, cement manufacturing plant or concrete batching plant.

HOME IMPROVEMENT CENTRE, shall mean a garden centre; a furniture sales and service establishment, a floor covering sales and service establishment, a wall covering sales and service establishment, a lighting sales and service establishment, an electronics sales and service establishment, a major appliance sales and service establishment, or a swimming pool sales and service establishment.

KENNEL, means a place where more than 3 dogs are housed, groomed, bred, boarded, trained, sold or kept for hunting and includes both Boarding Kennels and Breeding Kennels, on a lot or parcel which is 25 acres or greater in size within an Agricultural Zone and which are licensed by the Township of Wellington North under the provisions of the Keeping of Dogs and Dog Kennels By-law.

MACHINE SHOP means a workshop in which work is machined to size and assembled.

NURSERY, means a place where trees, shrubs or plants are grown or stored for the purpose of transplanting , for use as stocks for building or grafting, or for the purpose of retail or wholesale, together with the sale of soil, planting materials, fertilizers or similar materials and includes a greenhouse.

OUTDOOR STORAGE, means the use of land for outdoor storage of equipment, goods or materials in the open air. It does not include storage in transport truck trailers.

POSTAL OR COURIER OUTLET, shall mean the provision of postal and courier pick-up and drop-off services for letters and small parcels, but does not include a postal or courier distribution or terminal facility.”

2. THAT Section 5.37, Definitions – Building Setback, is amended by adding the following wording to the end of the definition: **“excluding permitted architectural projections/encroachments.**
3. THAT Section 5.115, Definitions – Hobby Barn, is amended by deleting the words **“for personal use and pleasure”** after the word *animals*.
4. THAT Section 5.150, Definitions – Group Home is amended by deleting the definition in its entirety and replacing it with the following:

“5.150 GROUP HOME shall mean a single dwelling unit in a free standing building in which a range of three to ten residents (excluding staff or the receiving family) live under supervision and who, by reason of their emotional,

mental, social or physical condition or legal status, require a group living arrangement for their well being.”

5. THAT Section 5.203, Definitions – Salvage or Wrecking and Recycling Facility, is amended by adding the words “farm equipment” after the word *vehicles*.
6. THAT Section 6.1.2, Accessory Uses, is amended by adding a new subsection 6.1.2 (e), as follows:

“e) Notwithstanding Section 6.1.2 (a), (b) or (c), where a property is adjacent to a provincial highway, any setback regulations of the Ministry of Transportation shall prevail.”
7. THAT Section 6.1.2 b), location, is amended by adding the following wording to the end of the section **“or any other building or structure on the property”**.
8. THAT Section 6.1.3, Height, is amended by adding the following wording **“including a lot subject to the reduced lot regulations of Section 8.5”** after the words *“residential zone”* in the first line. AND further amended by adding the following sentence to the end of the section, **“Notwithstanding, the above provisions shall not apply to agricultural buildings such as but not limited to silos, grain bins and corn cribs as permitted in Section 8.1 and further defined in Section 6.4”**.
9. THAT Section 6.1.4, Lot Coverage, is amended by revising the subsection numbering from “i, ii and iii” to **“a, b and c”**.
10. THAT Section 6.1.4 (b), Lot Coverage, is amended by deleting section (b) in its entirety and replacing it with the following:

“b) Provided the maximum lot coverage is not exceeded for an accessory building or structure, the combined maximum floor area for all accessory buildings or structures not including a hobby barn or home industry in any residential zone including a lot subject to the reduced lot regulations of Section 8.5 shall not exceed 92.9 m² (1000.0 ft²) ground floor area for any lot 0.4 hectares (1.0 acres) or less in size. For each additional full 0.4 hectares (1.0 acres) of lot area, an additional 9.29 m² (100 ft²) of ground floor area may be added to the accessory building”.
11. THAT Section 6.3, Buffer Area, is amended by adding the following wording **“R3-Residential,”** after the words *“be provide on the”*.
12. THAT Section 6.5, Commercial Kennels and Pet Boarding Establishments, is amended by deleting the wording in its entirety and replacing it with the following paragraph:

“As per Section 6.35.2 of this By-law, a kennel is a restricted use in all zones within the Township of Wellington North. Kennels are prohibited uses unless specifically permitted by an amendment to this By-law. Where specifically permitted by an amendment to this By-law, no land, building or structure shall be used for a kennel, unless the land, building and structure is in compliance with the approved By-Law to Regulate and Provide for the Keeping, Control and Licensing of Dogs”.
13. THAT Section 6.6 a), Common Amenity Area, is amended by deleting the word **“outdoor”** after the word *“common”*.

14. THAT Section 6.22, Non-Complying Uses, is amended by adding the following new sentence at the end of the first paragraph **“Notwithstanding the above, new additions must be in compliance with the regulations of the Zone in which the building or structure is located”**.

15. THAT Section 6.26, Outdoor Storage Areas, is amended by adding a new subsection 6.26 d), as follows:

“d) Not obstruct or occupy any required parking area.”

16. THAT Section 6.27.8, Parking Regulations - Calculation of Parking Regulations –Table # 3, is amended by deleting the “minimum number of parking space requirements for Townhouses/ Street as follows:

- **“Townhouses/ Street 1/unit”**

17. THAT Section 6.35.2, Restricted Uses, is amended by adding the following new uses to the list:

- **Kennel;**
- **The locating or storing on any land for any purpose whatsoever any disused railroad car, street car body, truck body, shipping container, or a trailer without wheels, whether or not the same is situated on a foundation;**

18. THAT Section 6.37 f, Yard Encroachments, is amended by deleting the wording it in its entirety and replacing it with the following:

f. Single detached, semi-detached and duplex residential dwellings.	The requirements of this by-law for a minimum interior side yard and minimum rear yard may be interchanged where such building is located on a corner lot.
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19. THAT Section 8.3.2 (a), Hobby Barn Setback, is amended by deleting the words **“of 27.9 m2 (300.0 ft2)”** after the words *“A hobby barn of”*.

20. THAT Section 8.5.1, Reduced Lot Regulations, is amended by adding the following permitted use:

- **Accessory uses, building and structures**

21. THAT Section 17, Highway Commercial Zone, is amended by the addition of the following new Section 17.6 as follows:

17.6 ACCESSORY RESIDENTIAL USES

A permitted commercial use or building may contain one or more accessory residential apartments subject to the following:

- a) **Each residential dwelling unit, accessory to a permitted commercial use or building shall be located above or to the rear of the main commercial use.**
- b) **Where an accessory residential dwelling unit is to be located on the ground floor area of a main commercial building, it shall not occupy any more than**

forty-nine percent (49%) of the ground floor area of the rear portion of the building.

- c) Each accessory residential dwelling unit shall have a minimum floor area of 50.0 m² (538.2 ft²).
- d) Each accessory residential dwelling unit shall be completely self-contained.
- e) Each accessory residential dwelling unit shall have a separate and direct means of access to a public street or lane via halls and /or stairs and/or across the subject property.
- f) Each accessory residential unit shall be provided with a minimum of one off-street parking space which is on the same lot as the accessory residential unit.

22. THAT Section 24.1, Industrial Zone permitted uses, is amended by deleting the word “Any” from the first bullet, and adding the words at the end of the first bullet “or uses restricted in all zones as per section 6.35”.

23. THAT Section 31 Exception Zone 1- Arthur Village, be amended by deleting site specific 31.22 – M1-22 Zone in its entirety.

24. THAT Section 33 Exception Zone 3 - Rural Area, be amended by adding the following paragraph at the end of each section in 33.20 (a), 33.21 (a) and 33.22 (a):

“Mobile homes and modular homes shall not be permitted to have framed additions or basements.”

25. THAT Section 33.93 - A-93 Zone is amended by changing the exception zone heading from 33.93 - A-93 zone to “33.132 A-132 zone”.

26. THAT Section 33.119 - A-119 Zone is amended by changing the exception zone heading from 33.119 - A-119 zone to “33.123 - A-123 zone”.

27. THAT Section 33.120 - A-120 Zone is amended by changing the exception zone heading from 33.120 - A-120 zone to “33.124 - A-124 zone”.

28. THAT Section 33.95 - A-95 Zone is amended by changing the exception zone heading from 33.95 - A-95 zone to “33.133 - A-133 zone”.

29. THAT Schedule “A” Map 3 – Mount Forest By-law 66-01 is amended by changing the zoning on lands described as Part of 33, Concession 1 as shown on Schedule “A” attached to and forming part of this By-law from **Commercial (C2)** to “**Residential (R2)**”.

30. THAT Schedule “A” Map 3 – Mount Forest By-law 66-01 is amended by changing the zoning on the lands described as Lot 6, West of Elgin Street, Township of Wellington North, as shown on Schedule “B” attached to and forming part of this By-law from **Residential (R2)** to **Institutional (IN)**.

31. THAT Schedule “A” Map 2 – Arthur By-law 66-01 is amended by changing the zoning on the lands described as Pt Mill Property N/S Catherine St Pt Lot 32 S/S Francis St RP 61R7408 Parts;1 & 2, Township of Wellington North, as shown on Schedule “C” attached to and

forming part of this By-law from **Residential Holding (R1H) to Residential Holding (R1C (H))**.

32. THAT Schedule "A" Map 1 – Wellington North By-law 66-01 is amended by changing the zoning on the lands described as Part of Lot 13, Concession 3 & 4, Township of Wellington North, as shown on Schedule "D" attached to and forming part of this By-law from **Agricultural Exception (A-93) to Agricultural Exception (A-132)**.
33. THAT Schedule "A" Map 1 – Wellington North By-law 66-01 is amended by changing the zoning on the lands described as Part of Lot 9, Concession 8, Township of Wellington North, as shown on Schedule "E" attached to and forming part of this By-law from **Agricultural Exception (A-119) and (A-120) to Agricultural Exception (A-123) and (A-124)**.
34. THAT Schedule "A" Map 1 – Wellington North By-law 66-01 is amended by changing the zoning on the lands described as Lot 28, Concession 4, Township of Wellington North, as shown on Schedule "F" attached to and forming part of this By-law from **Agricultural Exception (A-95) to Agricultural Exception (A-133)**.
35. THAT except as amended by this By-law, the land as shown on the attached Schedules shall be subject to all applicable regulations of the Township of Wellington North Zoning By-law 66-01, as amended.
36. THAT this By-law Amendment 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

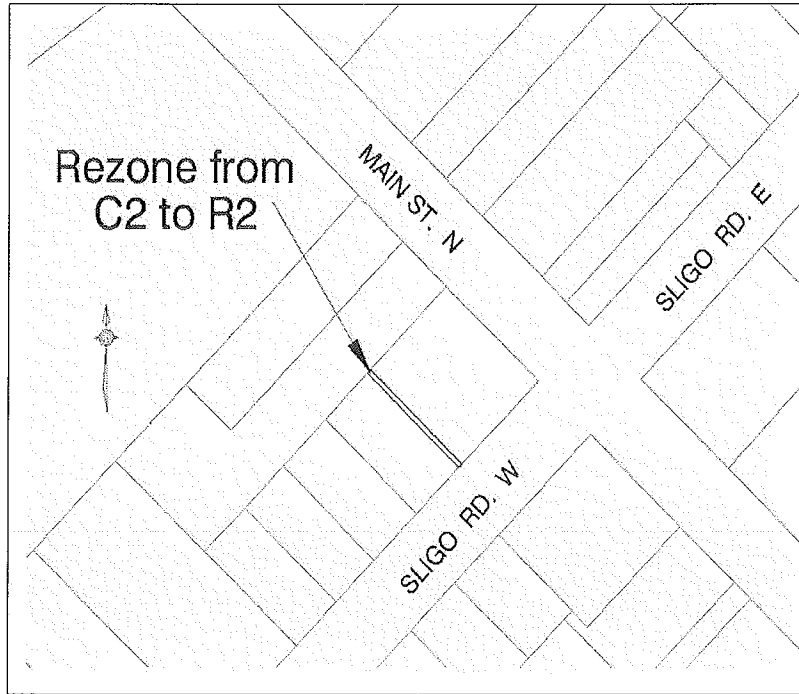
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "A"



Rezone from C2 to R2

Passed this ____ day of _____ 2012.

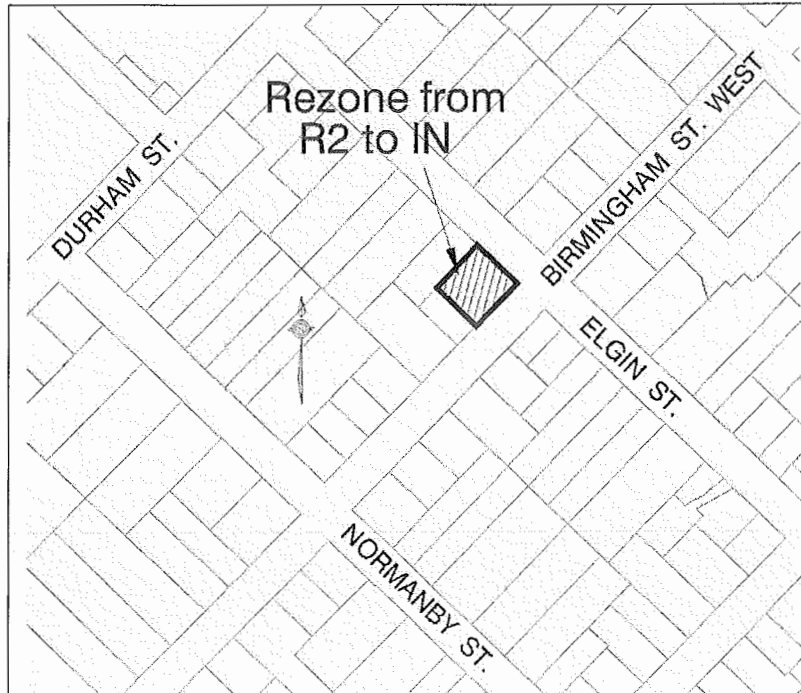
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "B"



Residential (R2) to Institutional (IN).

Passed this ____ day of _____ 2012.

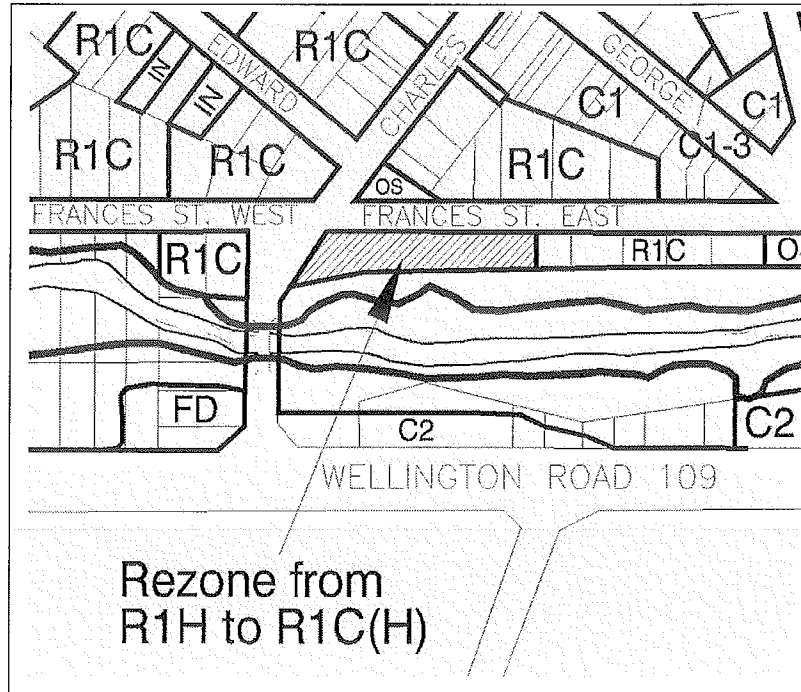
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "C"



Residential Holding (R1H) to Residential Holding (R1C (H)).

Passed this ____ day of _____ 2012.

MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "D"



Rezone from Agricultural Exception (A-93) to Agricultural Exception (A-132)

Passed this ____ day of _____ 2012.

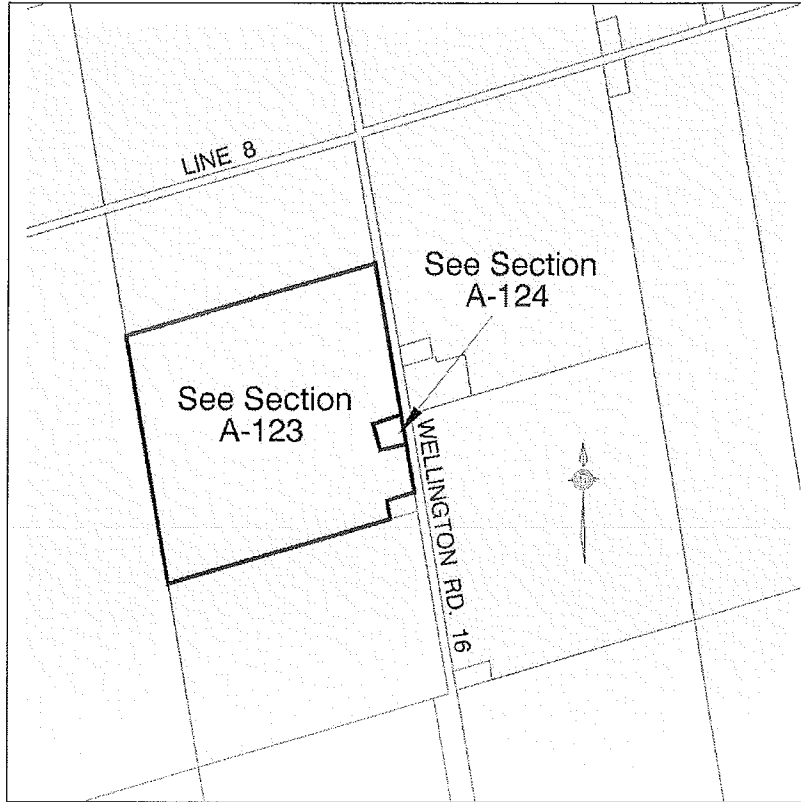
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____

Schedule "E"



Agricultural Exception (A-119) and (A-120) to Agricultural Exception (A-123) and (A-124)

Passed this ____ day of _____ 2012.

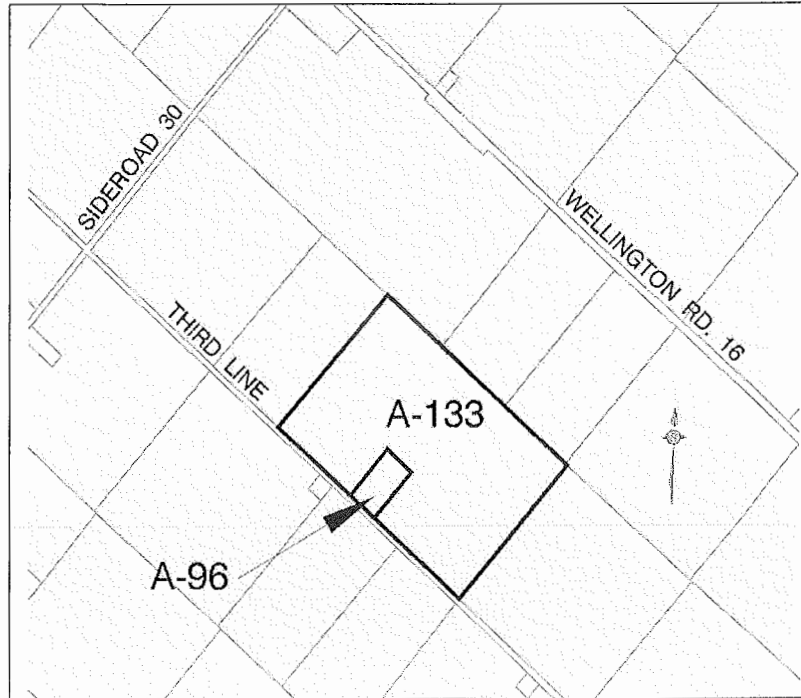
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "F"



Agricultural Exception (A-95) to Agricultural Exception (A-133).

Passed this ____ day of _____ 2012.

MAYOR

CLERK

EXPLANATORY NOTE

BY-LAW NUMBER _____.

THE PURPOSE AND EFFECT OF THE ZONING BY-LAW AMENDMENT is to provide for “housekeeping” changes to the Comprehensive Zoning By-law as itemized below:

- i) General typographical and mapping corrections.
- ii) Clarification of text for regulations such as non-complying uses, buffer areas, common amenity area, hobby barns, yard encroachments.
- iii) Add text to clarify the use of trailer boxes for storage or temporary uses.
- iv) Amend provisions for accessory uses, including clarifying number, size and location of structures.
- v) Provide regulations for accessory residential uses in a Highway Commercial zone.
- vi) Add new provisions to restrict dog kennels unless a site specific zoning amendment is obtained.
- vii) Add and update definitions,
- viii) clarify the definition of modular homes for certain site specific exemptions,
- ix) Modify parking requirements related to street townhouse uses.