

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
PUBLIC MEETING MINUTES – OCTOBER 11, 2022 AT 2:00 P.M.
VIA WEB CONFERENCING**

Members Present:	Mayor:	Andrew Lennox
	Councillors:	Lisa Hern Steve McCabe Dan Yake
Member Absent	Councillor:	Sherry Burke
Staff Present:	Chief Administrative Officer:	Brooke Lambert
	Director of Legislative Services/Clerk:	Karren Wallace
	Deputy Clerk:	Catherine Conrad
	Chief Building Official:	Darren Jones
	Director of Operations:	Matthew Aston
	Economic Development Officer:	Dale Small
	Human Resources Manager:	Amy Tollefson
	Manager of Recreation Services:	Tom Bowden
	Director of Fire Services:	Chris Harrow
	Manager of Development Planning:	Curtis Marshall
	Senior Planner:	Matthieu Daoust

CALLING TO ORDER - Mayor Lennox

Mayor Lennox called the meeting to order.

DISCLOSURE OF PECUNIARY INTEREST

No pecuniary interest declared.

OWNERS/APPLICANT

ZBA 21/22 Surinder Chaudhry

LOCATION OF THE SUBJECT LAND

The lands subject to the proposed amendment is described as Pt Park Lot 2 S; Smith St Carroll Survey Pt Lots 6 & 9 and known Municipally as 152 Frederick St W. The property is 0.92 ha (2.27 ac) in size with an existing commercial use.

PURPOSE AND EFFECT OF THE APPLICATION

The purpose and effect of the proposed amendment is to rezone the subject land from Holding Central Commercial ((H)C1) Zone to High Density Residential (R3) Zone to facilitate the construction of a 55-59 unit (to be confirmed) four storey apartment building. Additional relief may be considered at this meeting.

NOTICE

Notices were mailed to property owners within 120 m of the subject property as well as the applicable agencies and posted on the subject property on September 14, 2022.

PRESENTATIONS

Matthieu Daoust, Senior Planner County of Wellington, Township of Wellington North

- Planning Report dated October 11, 2022

Planning Opinion

The purpose of this zoning amendment is to rezone the subject lands from Holding Central Commercial ((H)C1) zone to Holding High Density Residential ((H)R3) to permit the construction of a 55-59 unit four storey apartment building.

The purpose of this report is to provide the Township with an overview of the proposed zone amendment application and facilitate the public meeting. Further, this statutory public meeting will provide the opportunity for the community and area residents to ask questions and seek more information from the applicant. It will also provide an opportunity for the applicant to address some of the concerns that have been raised through the notification process.

Planning Staff note that site plan approval will be required for the proposed development which will finalize details relating to landscaping, buffering, fencing, snow storage etc. and address compatibility of the building with the adjacent properties.

Following the public meeting, Planning Staff will consider any comments that are received and will prepare a final report and By-law for Councils consideration.

INTRODUCTION

The property subject to the proposed amendment is described as Crown survey Pt Park 2 S Smith St Carrol Survey Pt Lots 6 & 9 and Municipally known as 152 Frederick St W, Geographic Town of Arthur. The subject property is 0.92 ha (2.27 ac) in size and is currently occupied by two existing commercial structures.

PROPOSAL

The purpose of this zoning amendment is to rezone the subject lands from Holding Central Commercial ((H)C1) zone to High Density Residential ((H)R3) zone to permit the construction of a 55-59 unit four storey apartment building. The proposed development will include one vehicular access located on Frederick St W, a total of 83 to 80 parking spaces and an outdoor amenity area to be used by the apartment residents.

SUPPORTING STUDIES

The applicant has completed the following technical reports and studies in support of the proposed application:

- A Water Demand Estimation letter prepared by Van Harten Surveying Inc
- A Traffic Impact letter prepared by Paradigm Transportation Solutions Ltd
- A Sanitary Use letter prepared by Van Harten Surveying Inc
- A Shadow Study prepared by Grinham Architects
- A Planning Justification Report prepared by MHBC Planning

PROVINCIAL POLICY STATEMENT (PPS)

The subject property is located within the settlement area of Arthur. Section 1.1.3.1 of the PPS states that “settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted.” Settlement areas are encouraged to include a mix of densities and land uses.

A PLACE TO GROW

The Growth Plan for the Greater Golden Horseshoe, 2019, came into effect on May 16, 2019.

The Provincial Growth Plan directs the majority of growth to settlement areas as a better use of land and infrastructure while prioritizing intensification in strategic growth areas, including urban growth centres, major transit station areas, brownfield sites and greyfields. The vast majority of growth will be directed to settlement areas that have a delineated built boundary.

WELLINGTON COUNTY OFFICIAL PLAN

The lands subject to the amendment are designated RESIDENTIAL and Central Business District in the Urban Centre of Arthur. The property is located within the defined “built boundary”.

Intensification

The policies of Section 3 of the Official Plan outline the general strategies for guiding growth within the County. Section 3.3 sets out objectives for growth and encourages growth in urban areas. It further seeks to identify and promote opportunities for growth in the built up areas of urban centres through intensification and redevelopment where this can be accommodated, taking into account small town scale and historic streetscapes.

Section 3.3.1 identifies targets and states “by the year 2015 and for each year thereafter, a minimum of 20 percent of all residential development occurring annually will be within the built-up area”. This application is located within the build boundary and will continue to support this target.

Urban Centres

Section 7.5.1 of the County Official Plan provides details on land use compatibility in Urban Centres “Urban Centres are expected to provide a full range of land use opportunities. Residential uses of various types and densities, commercial, industrial and institutional uses as well as parks and open space uses will be permitted where compatible and where services are available.”.

Residential Designation

The policies of Section 8.3.2 of the Official Plan sets out a number of objectives for residential development including, b) “to provide a variety of dwelling types to satisfy a broad range of residential requirements, e) to ensure that an adequate level of municipal services will be available to all residential areas”, and g) to encourage intensification, development proposals provided they maintain the stability and character of existing neighborhoods.

The policies of Section 8.3.11 of the Official Plan encourage development of “vacant or under-utilized properties for residential uses which are compatible with surrounding uses in terms of dwelling type, building form, site coverage and setbacks”.

Central Business District Designation (CBD)

The policies of Section 8.4.3 of the Official Plan sets out a number of permitted uses for the Central Business including “residential development provided that retail, office, or service commercial uses are located at street level”.

The applicants have designed the proposed apartment to be situated entirely within the Residential designation. The site plan depicts parking to be located within the Central Business District designation. Further, Planning Staff note the area of the

property designated CBD does not have direct frontage and access on to Smith St. The proposed access is from Frederick St W.

WELLINGTON NORTH COMMUNITY GROWTH PLAN

The following relevant Growth Management Goals have been identified:

- To direct and focus development to the urban areas of Arthur and Mount Forest as the primary centres and complete communities with a mix of land uses, housing, jobs and services.
- To plan and promote orderly, compact development within the urban areas, based on phasing to align with planning for infrastructure, transportation, facilities and services.
- Intensification Goals – To encourage intensification generally to achieve the desired urban structure.

WELLINGTON NORTH ZONING BY-LAW

The subject lands are zoned Holding Central Commercial ((H)C1). The applicant is seeking to rezone to High Density Residential ((H)R3) to permit the construction of a 55-59 unit apartment building.

PLANNING DISCUSSION

Medium Density Development

Section 8.3.5 of the County Official Plan identifies that medium density development such as apartments may be allowed in areas designated RESIDENTIAL subject to the requirements of the zoning by-law and further provided that the following criteria are satisfactorily met:

Policy Requirement:	Response:
a) Development should not exceed 75 units per hectare (30 units per acre) for apartments	<p>The proposed apartment building is to be built with a total of 55-59 units on a 2.27 ac parcel (25-26 units per ac).</p> <p>The proposed density is under the maximum medium density of 75 units per hectare (30 units per acre) identified for apartments.</p>
b) The design is compatible with existing or future development on adjacent properties	<p>Adjacent uses include commercial and institutional uses along Smith St. The surrounding properties include low low/medium density residential, with an array of zones from low to high density residential.</p> <p>Site design, landscaping fencing etc. will be reviewed as part of the site plan application and will consider compatibility with adjacent uses. The proposed building is located at the rear of the property, a fence/tree buffer will be required.</p>
c) The site has a suitable size and shape to accommodate the development and required infrastructure	<p>The subject lands are 2.27 ac in size which is suitable in size and shape for the apartment building. Site design, grading, drainage, landscaping etc. will be reviewed as part of the site plan application.</p>

d) Adequate services are available	The subject lands are currently zoned (H)C1. The holding provisions are in place on the subject lands until confirmation of adequate service availability. The applicant will be required to apply through the Township's sewage allocation policy. Until allocation is confirmed the Holding symbol will remain on the subject lands.
e) In the built boundary, medium density apartments are encouraged to locate on major roadways and arterial roads	The property is located on Frederick St W in Arthur. Although Frederick St is not considered an arterial road, it does have direct access to Highway 6, Smith/George St, Charles St W which is a County road.
f) Appropriate zoning is provided	The property is proposed to be zoned High Density Residential (H)R3 which provides standards for apartment buildings.

Site Plan Approval

The proposed development will be subject to Site Plan Review by the Township. Site design, grading, servicing, stormwater management, landscaping, parking, fencing etc. will be reviewed as part of the site plan review.

NEXT STEPS

Following the public meeting, Planning Staff will consider any comments that are received and will prepare a final report and By-law for Councils consideration.

Juliane von Westerholt, Associate, MHBC Planning, Urban Design & Landscape Architecture

- Power Point Presentation

Ms. Von Westerholt presented a rendering of the proposed development. The building will have four storeys with fifty-five to fifty-nine residential apartments. There will be a variety of one, two and three bedroom units.

CORRESPONDENCE FOR COUNCIL'S REVIEW

Barbara M.J. Baranow, Analyst Land Support, Enbridge Gas Inc.

- Email dated September 14, 2022 (No Objection)

Heather Imm, Senior Planner, Upper Grand District School Board

- Letter dated September 16, 2022 (No Objection)

Danielle Walker, Source Protection Coordinator, Wellington Source Water Protection

- Email dated September 19, 2022 (No Objection)

Andrew Herreman, Resource Planning Technician, Grand River Conservation Authority

- Email dated September 20, 2022 (No Objection)

Jason & Melissa Kooiman, Letter received October 3, 2022 (Concerns Raised)

Heather McIntosh & Mike Hayes, Letter dated October 1, 2022 (No Objection)

Shawn William Cook, Letter dated September 27, 2022 (Objection)

Eden & Garrid Schlueter, Letter dated October 3, 2022 (Objection)

Donna Watt, Letter dated October 1, 2022 (Objection)

Thomas & Nicole Kottelenberg, Letter dated October 3, 2022 (Objection)

Zack & Brittney O'Brien, Letter dated October 1, 2022 (Objection)

Robert Wilson & Hannah Law, dated October 4, 2022 (Objection and concerns regarding privacy and lack of sidewalks)

Wellington Federation of Agriculture, letter dated October 11, 2022 (support the application for the High-Density Residential Zoning)

REQUEST FOR NOTICE OF DECISION

The by-law will be considered at a future council meeting. Persons wishing notice of the passing of the by-law must submit a written request.

MAYOR OPENS FLOOR FOR ANY COMMENTS/QUESTIONS

Heather Hayes, 140 Frederick Street, explained that their property backs onto the parking structure of the proposed development nothing their concerns with the height and wondered if it could be three storeys rather than four, the amount of parking and the increase in traffic. She inquired about a traffic study and an entrance on Highway 6 (Smith Street).

Ms. Von Westerholt stated that a traffic study was completed as a requirement for this submission. The opinion letter was prepared by a professional transportation engineer and indicated no road improvements are required, which could speak to access. Traffic impacts identified would be minimal and can be accommodated with the current capacity of the roadway. The site was found to have an acceptable access for the proposed development and an additional access to Highway 6 (Smith Street) was not recommended. The proposed development is close in proximity to the core commercial area and active transportation is anticipated which could potentially reduce vehicular trips. Parking is on-site parking, not structured parking. There will be a landscaped buffer provided around the site in accordance with the requirements of the Zoning By-law. All of the zoning regulations pertinent to this zone have been satisfied. This site will be subject to site plan approval which will deal with the details of the site, such as type of fencing, landscaping, how the area will function, a fire route, grading plans, etc. By having the holding provision anything dealing with servicing will not be dealt with until there is clearance from the Township. With respect to tree management and the removal of trees the intention is, where possible, to keep the trees that are in place to help with screening. The site proposes a sidewalk from the site to the roadway, but it is noted that there are no sidewalks along this stretch of Frederick Street. Privacy fencing and landscaping will be dealt with at the site plan stage.

Ms. Hayes requested the traffic study be sent to those circulated on this submission. Darren Jones, CBO, indicated that if a request is made to the Development Clerk the study that is part of the application can be circulated. Ms. Hayes asked if the Fire Chief had been consulted about the project and if the fire trucks can move around and if access is sufficient for the trucks. Fire Chief Harrow stated that they do look at all applications and they will work with the developer to ensure it meets to their satisfaction. Ms. Hayes asked if there is any willingness to take this down to three storeys. Ms. Von Westerholt stated that at this time the proposal is for four storeys. Given that the entire province is in a housing crisis the proposal is to remain four storeys. Ms. Hayes inquired if Council could request some of affordable units and set what that would be.

COMMENTS/QUESTIONS FROM COUNCIL

Mayor Lennox reviewed the process. This is at the rezoning stage which looks at the suitability of the location for the application before them. If they believe this is a suitable location for this application there will be other steps. The site plan approval process will deal with fencing, landscaping, emergency vehicle access, etc.

Councillor McCabe stated that if the residents' concerns are addressed, he is okay to go forward.

Councillor Yake inquired if storm water will be addressed at a later stage. Ms. Von Westerholt commented that storm water will be dealt with at the site plan approval stage. Councillor Yake inquired if we have the ability to handle a structure fire with four storeys. Fire Chief Harrow stated that there are agreements with neighbouring municipalities with aerial apparatus for these services. Newer builds have sprinklers that will hold fires until the fire department is on site.

Mayor Lennox asked the CBO about the next steps. CBO Jones stated that based on the public meeting the Township planner will bring back a report with a draft by-law for consideration. Once that is passed the applicant can apply for site plan approval and work through that process. That approval, through Bill 109, has been delegated to staff. After that is dealt with it will come back to Council for removal of the holding provision by-law and will come back as sewage allocation.

OWNERS/APPLICANT

ZBA 22/22 Kathryn Spark

LOCATION OF THE SUBJECT LAND

The lands subject to the proposed amendment is described as WOSR Part Division 3 and 4 Part Lot;27 with civic address of 8848 Highway 6. The property is 41.26 ha (101.95 ac) in size.

PURPOSE AND EFFECT OF THE APPLICATION

The purpose and effect of the proposed amendment is to rezone the subject lands from Agricultural (A) Zone to Site Specific Agricultural (A-2) Zone and Site Specific Agricultural (A-XX) Zone. This application is seeking to rezone the retained agricultural portion of the property to prohibit any future residential development. Additionally, the applicant is seeking to rezone the severed lands from Agricultural (A) Zone to Site Specific Agricultural (A-XX) Zone to permit a maximum ground floor area for all existing accessory structures on the severed lands to be 629 m² (6,770.5 ft²). This rezoning is a condition of severance application B44/22, that was granted provisional approval by the Wellington County Land Division Committee. The consent will sever a 1.16 ha (2.9 ac) rural residential parcel with an existing dwelling, garage, silo, and out-building. A 40.1 ha (99.1 ac) vacant agricultural parcel will be retained. Additional relief may be considered at this meeting.

NOTICE

Notices were mailed to property owners within 120 m of the subject property as well as the applicable agencies and posted on the subject property on September 15, 2022.

PRESENTATIONS

Matthieu Daoust, Senior Planner and Asavari Jadhav, Junior Planner, County of Wellington, Township of Wellington North

- Planning Report dated October 11, 2022

Planning Opinion

The purpose of this zone amendment is to prohibit future residential development on the retained agricultural portion of the subject land. This application is also seeking to rezone the severed rural residential parcel to permit a maximum ground floor area for all existing accessory structures on the severed lands to be 629 m² (6,770.5 ft²). This rezoning is a condition of severance application B44/22, that was granted provisional approval by the Wellington County Land Division Committee. The consent will sever a 1.16 ha (2.9 ac) rural residential parcel with an existing dwelling, garage, silo, and out-building. A 40.1 ha (99.1 ac) vacant agricultural parcel will be retained.

We have no objections to the zone amendment. Both the PPS and County Official Plan provide for surplus farm dwelling severances, provided the agricultural lands are rezoned to prohibit future development dwellings

INTRODUCTION

The property subject to the proposed amendment is legally described as WOSR Part Division 3 and 4 Part Lot 27 with civic address of 8848 Highway 6. The proposal is a condition of a recent severance application B44/22 on the property. The proposed severed parcel is 1.16 ha (2.9 ac) with an existing dwelling, garage, silo, and out-building. A vacant agricultural parcel of 40.1 ha (99.1 ac) is retained.

PROPOSAL

The purpose of this zone amendment is to prohibit future residential development on the retained agricultural portion of the subject land. This application is also seeking to rezone the severed rural residential parcel to permit a maximum ground floor area for all existing accessory structures on the severed lands to be 629 m² (6,770.5 ft²). This rezoning is a condition of severance application B44/22, that was granted provisional approval by the Wellington County Land Division Committee. The consent will sever the existing dwelling, garage, silo, and out-building from the agricultural parcel 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 as PRIME AGRICULTURE, CORE GREENLANDS and GREENLANDS. This application is submitted to facilitate condition of the proposed severance application B44/22. Section 10.3.4 of the Official Plan implements the PPS and requires that the remnant parcel be rezoned to prohibit dwellings. The intention of this policy is to allow farmers to reduce their costs of acquiring additional farm parcels where the impact on existing and future farm operations can be kept to a minimum.

WELLINGTON NORTH ZONING BY-LAW

The subject lands are zoned Agricultural (A) and Natural Environment (NE). Permitted uses in the Agricultural zone include agricultural uses, single detached dwellings and accessory uses, buildings and structures. This zone amendment will apply the standard A-2 to the retained parcel, which will restrict any future residential

development on the retained agricultural parcel. Further, relief is required for the severed parcel to permit a maximum ground floor area of 629 m² (6,770.5 ft²) for all existing accessory structures, as opposed to the maximum permitted ground floor area of 226 m² (2432.64 ft²).

Draft Zoning By-law Amendment

A draft zoning by-law amendment has been prepared and attached to this report for Council's consideration.

CORRESPONDENCE FOR COUNCIL'S REVIEW

Andrew Herreman, Resource Planning Technician, Grand River Conservation Authority

- Letter dated September 15, 2022

Wellington Federation of Agriculture, correspondence received October 11, 2022

- Concerns with agricultural land needing to be retained for agricultural purposes, fragmentation should be a lens for all zoning requests. They note that, in their opinion, the retained parcel of 2.9 acres is excessive. The existing accessory structure of 629m sq is quite large. WFA requests clarification of its intended use and seek consideration for restricted use of accessory structures.

REQUEST FOR NOTICE OF DECISION

The by-law will be considered at the regular council meeting following the public meeting. Persons wishing notice of the passing of the by-law must submit a written request.

MAYOR OPENS FLOOR FOR ANY COMMENTS/QUESTIONS

Kathryn Spark, Applicant, was present to answer questions regarding the application. She explained that they are wanting to sever the home from the farmland for their daughter who needs to have her family close by. The land use won't change, and the farm is tentatively sold, providing the severance goes through. The shed will continue to be used for their own hay storage and equipment.

COMMENTS/QUESTIONS FROM COUNCIL

No comments or questions from Council.

ADJOURNMENT

RESOLUTION: 010-2022

Moved: Councillor Hern

Seconded: Councillor McCabe

THAT the Public Meeting of October 11, 2022 be adjourned at 2:57 pm.

CARRIED

MAYOR

CLERK