

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
PUBLIC MEETING
MAY 13, 2019 @ 2:00 P.M.
MUNICIPAL OFFICE COUNCIL CHAMBERS, KENILWORTH**

**PAGE
NUMBER**

CALLING TO ORDER - Mayor Lennox

DISCLOSURE OF PECUNIARY INTEREST

OWNERS/APPLICANT

Dirkje Glerum

LOCATION OF THE SUBJECT LAND

The land subject to the proposed amendment is described as Part Lot 3, Concession 13 and is Municipally known as 9512 Sideroad 3, Geographic Township of West Luther. The property is 19 ha (46.95 ac) in size. *The location is shown on the map attached.* 2

PURPOSE AND EFFECT OF THE APPLICATION

The purpose and effect of the proposed amendment is to rezone the subject lands to prohibit future residential development on the retained agricultural portion of property. This rezoning is a condition of severance application B137/18, that was granted provisional approval by the Wellington County Land Division Committee. The consent will sever the 1.1 ha (2.71 ac) residential parcel from the retained rural residential parcel under the surplus farm dwelling policies.

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 April 23rd, 2019.

PRESENTATIONS

Michelle Innocente, Senior Planner, County of Wellington, Township of Wellington North
• Planning Report dated May 7, 2019 3

CORRESPONSENCE FOR COUNCIL'S REVIEW

Michael Oberle, Environmental Planning Technician, Saugeen Conservation
• Letter dated April 24, 2019 8

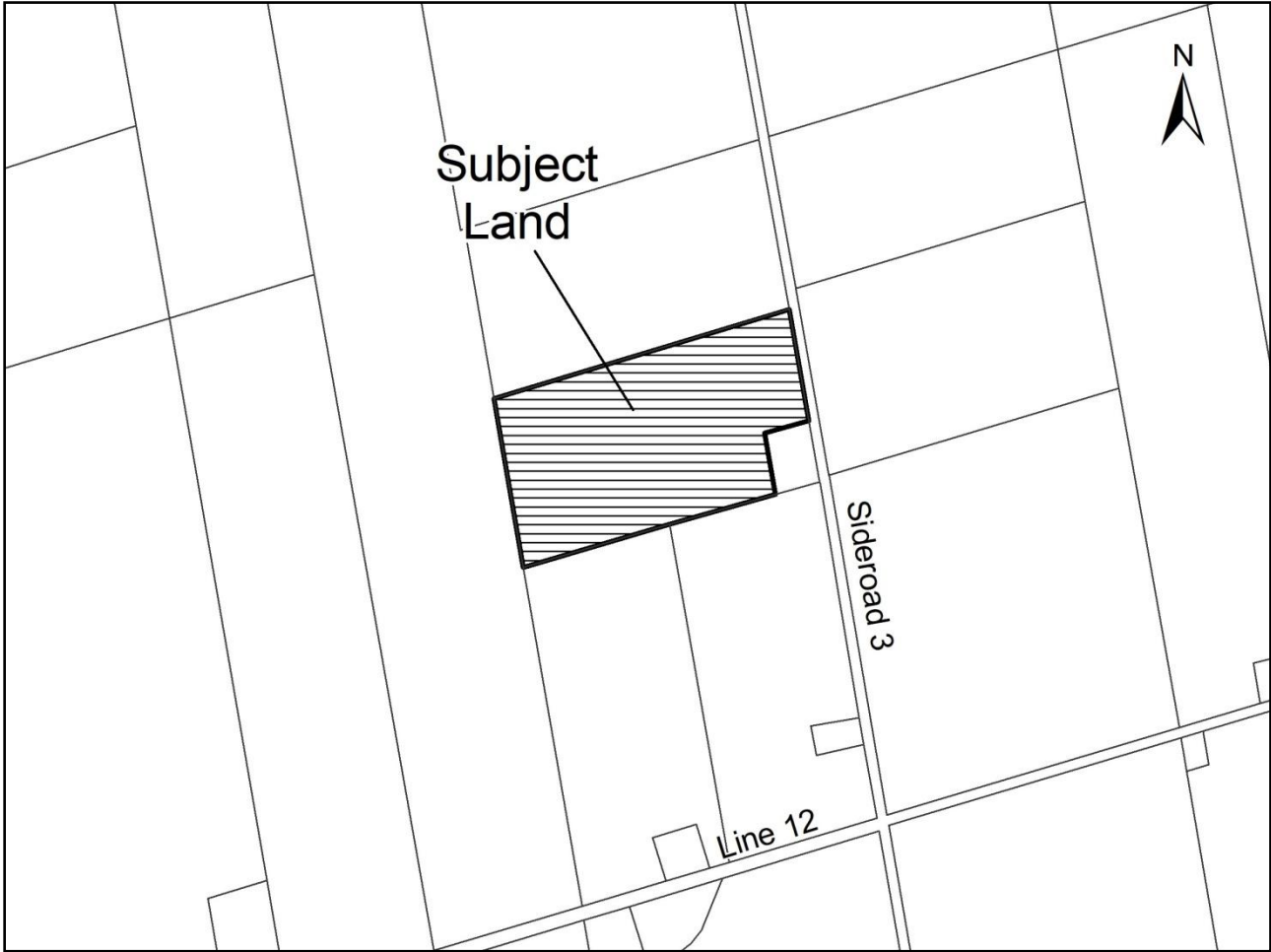
REQUEST FOR NOTICE OF DECISION

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

COMMENTS/QUESTIONS FROM COUNCIL

DIRKJE GLERUM





PLANNING REPORT for the TOWNSHIP OF WELLINGTON NORTH

Prepared by the County of Wellington Planning and Development
Department

DATE: May 7, 2019
TO: Darren Jones, C.B.O.
Township of Wellington North
FROM: Michelle Innocente, Senior Planner
County of Wellington
SUBJECT: **Dirkje Glerum**
Part Lot 3, Concession 13 (West Luther)
9512 Sideroad 3
Zoning By-law Amendment

Planning Opinion

The purpose of this zoning amendment is to prohibit future residential development on the retained agricultural portion of the subject lands. This rezoning is a condition of severance application B137/18, that was granted provisional consent by the Wellington County Land Division Committee. The consent will sever a 1.1 ha (2.7 ac) parcel with an existing dwelling from the retained 19 ha (47 ac) vacant agricultural parcel.

We have no objections to the zoning 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. This rezoning would satisfy a condition for consent application B137/18.

INTRODUCTION

The property subject to the proposed amendment is described as Part Lot 3, Concession 13, Geographic Township of West Luther, with a civic address of 9512 Sideroad 3. The proposal is a condition of a recent severance application on the property, B137/18. The proposed severed parcel is 1.1 ha (2.7 ac) and the retained parcel is 19 ha (47 ac) in size. The location of the property is shown on Figure 1.



Figure 1: Air Photo of Subject Property

PROPOSAL

The purpose of the application is to rezone the subject lands to restrict future residential development on the retained agricultural lot. This rezoning is a condition of severance application B137/18, that was granted provisional approval by the Wellington County Land Division Committee. The consent will sever the existing dwelling from the vacant 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 PRIME AGRICULTURE. This application is required as a result of a severance application B137/18. 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). There are no proposed buildings or structures to be built within the NE zone. Permitted uses in the Agricultural zone include agricultural uses, single detached dwellings and accessory uses, buildings and structures. This zoning amendment will apply the newly created standard A-2 exception, which restrict any future residential development on the retained vacant agricultural parcel.

Draft Zoning By-law Amendment

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

Respectfully submitted

County of Wellington Planning and Development Department



Michelle Innocente, Senior 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 3, Concession 13 (West Luther) with a civic address of 9215 Sideroad 3, as shown on Schedule "A" attached to and forming part of this By-law from **Agricultural (A) to Agricultural Exception (A-2)**
2. 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.
3. 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 _____, 2019

READ A THIRD TIME AND PASSED THIS _____ DAY OF _____, 2019

_____.

_____.

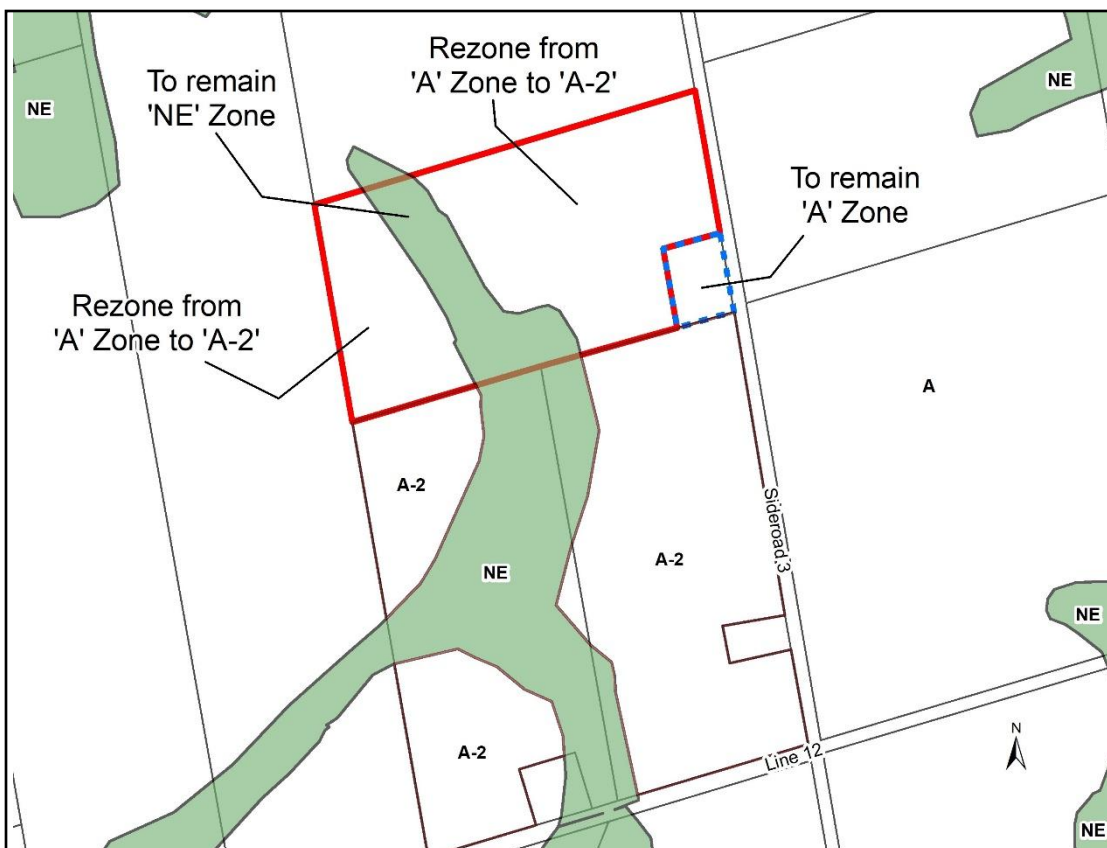
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO. _____

Schedule "A"



This is Schedule "A" to By-law _____.

Passed this ___ day of _____ 2019

MAYOR

CLERK

EXPLANATORY NOTE

BY-LAW NUMBER _____.

THE LOCATION OF THE SUBJECT LANDS

The subject property is legally described as Part Lot 3, Concession 13 (West Luther) with a civic address of 9215 Sideroad 3. The lands subject to the amendment are 19 ha (47 ac) in size and are currently zoned Agriculture (A) and Natural Environment (NE).

THE PURPOSE AND EFFECT of the amendment is to rezone the subject lands to restrict future residential development on the retained agricultural parcel. This rezoning is a condition of severance application B137/18, that was granted provisional approval by the Wellington County Land Division Committee. The consent will sever a 1.1 ha (2.7 ac) parcel with an existing dwelling from the retained 19 ha (47 ac) vacant agricultural parcel under the surplus farm dwelling policies.



1078 Bruce Road 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

SENT ELECTRONICALLY ONLY (township@wellington-north.com)

April 24, 2019

Township of Wellington North
Committee of Adjustment
7490 Sideroad 7 West
Kenilworth, Ontario
N0G 2E0

ATTENTION: Darren Jones, CBO

Dear Mr. Jones,

RE: Proposed Zoning By-law Amendment
9512 Sideroad 3
Roll No.: 234900001609100
Part Lot 3, Concession 13
Geographic Township of West Luther
Township of Wellington North

(Glerum)

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the proposed zoning by-law amendment in accordance with the SVCA's mandate, and the SVCA Environmental Planning and Regulations Policies Manual, amended October 16, 2018. The purpose and effect of the proposed amendment is to rezone the subject lands to prohibit future residential development on the retained agricultural portion of the property. The rezoning is a condition of severance application B137/18, that was granted provisional approval by the Wellington County Land Division Committee. The proposed zoning by-law amendment is acceptable to SVCA staff, and the following comments are offered.

Natural Hazard

The parcel to be severed is not affected by natural hazards, it is not designated Greenlands in the Wellington County Official Plan (OP) and is not zoned Natural Environment (NE) in the Township of Wellington North Zoning By-law 66-01.

However, the central portion of the parcel proposed to be retained is designated Core Greenlands in the Wellington County OP, generally, this same area is also zoned Natural Environment (NE) in the Township of Wellington North Zoning By-law 66-01. The Core Greenlands designation and NE zone generally coincide the hazardous lands for the property as originally plotted by SVCA staff.



Watershed Member Municipalities

Municipality of Arran-Elderslie, Municipality of Brockton, Township of Chatsworth, Municipality of Grey Highlands,
Town of Hanover, Township of Howick, Municipality of Morris-Turnberry, Municipality of South Bruce,
Township of Huron-Kinloss, Municipality of Kincardine, Town of Minto, Township of Wellington North,
Town of Saugeen Shores, Township of Southgate, Municipality of West Grey

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Natural Heritage

In the opinion of SVCA staff, the natural heritage features and areas affecting the property include significant woodlands and potentially the significant habitat of endangered species and threatened species.

Significant Woodlands

Significant woodlands have been included in the Core Greenlands and Greenlands designation and shown on Schedule A6-Wellington North of the Wellington County OP. Significant woodlands are located on lands adjacent to the north and to the south of the property. However, in the opinion of SVCA staff, impacts to significant woodlands or their adjacent lands will be negligible as part of this proposal. Therefore, in the opinion of SVCA staff, the completion of an Environmental Impact Study (EIS) to address significant woodlands or their adjacent lands is not recommended for this proposal.

Habitat of Endangered Species and Threatened Species

It has come to the attention of SVCA staff that habitat of endangered species and threatened species may be located on and/or adjacent to the property. Section 2.1.7 of the Provincial Policy Statement (PPS 2014) indicates that development and site alteration shall not be permitted in habitat of endangered species or threatened species, except in accordance with provincial and federal requirements. It is the responsibility of the applicant to ensure the endangered species and threatened species policy referred to in the PPS has been appropriately addressed. Please contact the Ministry of Natural Resources and Forestry (MNRF) for information on how to address this policy.

SVCA Regulation

The parcel proposed to be severed is not subject to the SVCA's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 169/06, as amended).

However, the central portion of the parcel proposed to be retained is within the Approximate Screening Area associated with the SVCA's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 169/06, as amended). This Regulation is in accordance with Section 28 of the *Conservation Authorities Act* R.S.O., 1990, Chap. C. 27, and requires that a person obtain the written permission of the SVCA prior to any "development" within a Regulated Area or alteration to a wetland or watercourse.

"Development" and Alteration

Subsection 28(25) of the *Conservation Authorities Act* defines "development" as:

- a) *the construction, reconstruction, erection or placing of a building or structure of any kind,*
- b) *any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure increasing the number of dwelling units in the building or structure,*
- c) *site grading, or*
- d) *the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.*

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According to Section 5 of Ontario Regulation 169/06, as amended, alteration generally includes the straightening, diverting or interfering in any way the existing channel of a river, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

To determine where the Approximate Screening Area is located associated with our Regulation on the parcel proposed to be retained, please refer to the SVCA's online mapping program, available via the SVCA's website at <http://eprweb.svca.on.ca>. Should you require assistance, please contact our office directly.

Permission for Development or Alteration

If development or alteration including construction, reconstruction, conversion, grading, filling or excavation, including agricultural tile drainage, is proposed within the Approximate Screening Area, associated with our Regulation on the parcel proposed to be retained, the SVCA should be contacted, as permission may be required.

Permission from the SVCA is not required for development on the parcel proposed to be severed.

Conclusion

The proposed zoning by-law amendment is acceptable to SVCA staff. The SVCA would appreciate receiving notice of the decision to the above referenced planning application.

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

Sincerely,



Michael Oberle
Environmental Planning Technician
Saugeen Conservation

MO\

cc: Dirkje Glerum c/o Chris Glerum, agent (via email)
Karen Wallace, Clerk, Township of Wellington North (via email)
Steve McCabe, Authority Member, SVCA (via email)