



Township of Wellington North

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

PUBLIC MEETING

Monday, May 28, 2012 at 7:00 p.m.

Municipal Office Council Chambers, Kenilworth

A G E N D A

Page 1 of 4

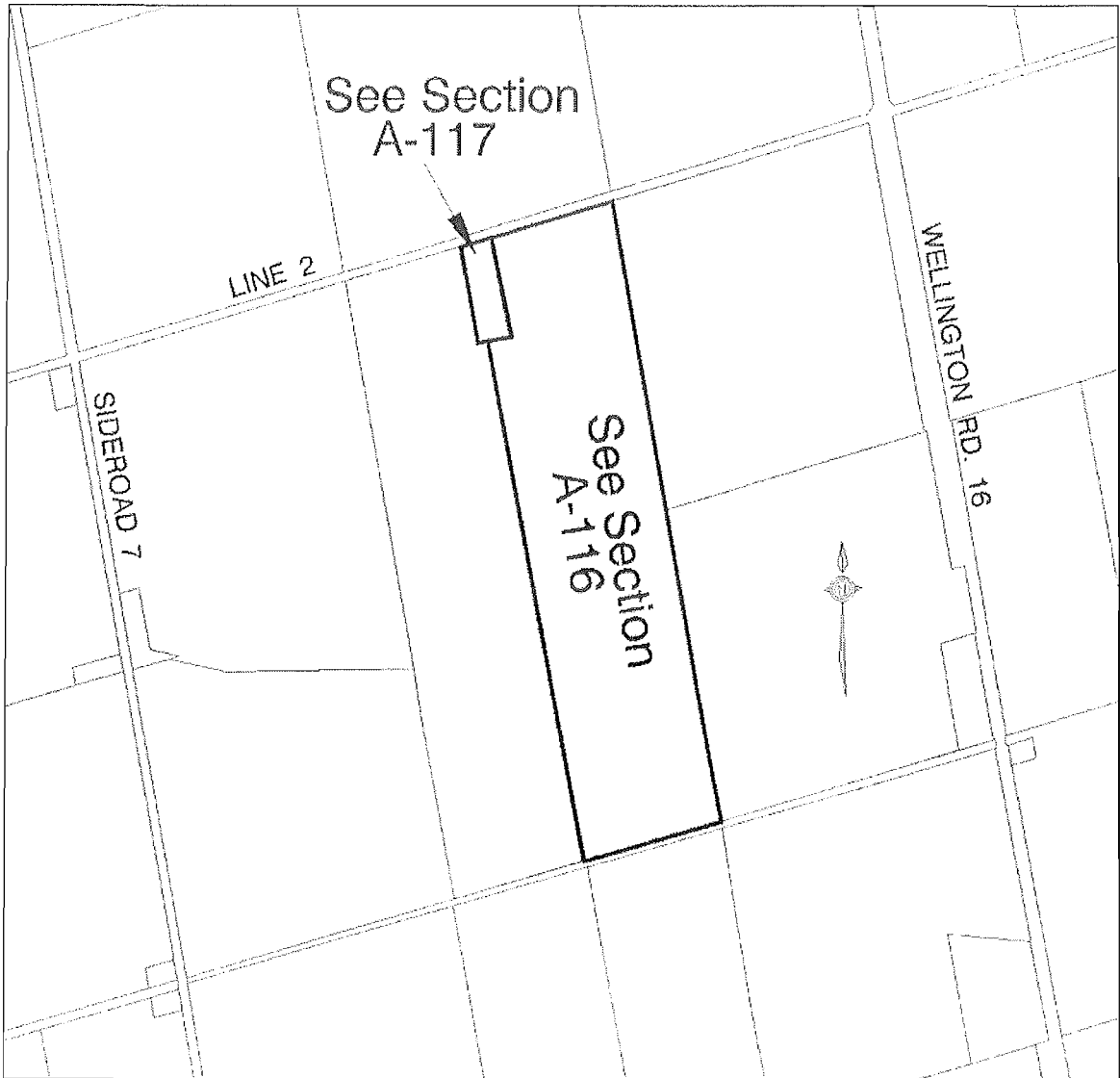
AGENDA ITEM	PAGE NO.
<p>The Mayor will call the meeting to order.</p> <p>Declaration of Pecuniary Interest.</p> <p>Owners/Applicant: Arlene Pronk</p> <p>THE LOCATION being rezoned is in Part of Lot 8, Concession 2 with a civic address of 8355 Line 2. The land is approximately 42.3 ha (104.6 acres) in size. [See map attached]</p> <p>THE PURPOSE AND EFFECT of the amendment is to rezone the subject lands to restrict any future residential development on the agricultural portion of the property and to address the oversized sheds on the residential portion of the subject lands. This rezoning is a condition of severance application B16/12, that was granted provisional approval by the Wellington County Land Division Committee in April 2012. The consent will sever the existing farm dwelling and accessory buildings (1.5 ha (3.8 acres) from the remainder of the agricultural parcel (40.8 ha (100.8 acres). The property is currently zoned Agricultural.</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>1. Notice for this public meeting was sent to property owners within 120 m and required agencies and posted on the property on May 3rd, 2012.</p>	<p>1</p>

Public Meeting Agenda
May 28th, 2012 - 7:00 p.m.

AGENDA ITEM	PAGE NO.
2. Application for Zoning By-law Amendment <ul style="list-style-type: none"> - Application for Zoning By-law Amendment re retained parcel - Application for Zoning By-law Amendment re severed parcel 	2 12
3. Presentations by: <ul style="list-style-type: none"> - Linda Redmond, Planner <ul style="list-style-type: none"> - See attached comments and draft by-law 	23
4. Review of Correspondence received by the Township: <ul style="list-style-type: none"> - None 	
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.	25
6. Mayor opens floor for any questions/comments.	
7. Comments/questions from Council.	

AGENDA ITEM	PAGE NO.
<p>Owners/Applicant: Richard Cole and Mabel Cole</p> <p>THE LOCATION being rezoned is in Part of Lot 10, Concession 7, with a civic address of 8420 Line 6. The land is approximately 35 ha (86 acres) in size. [See map attached]</p> <p>THE PURPOSE AND EFFECT of the amendment is to rezone the subject lands to restrict any future residential development on the agricultural portion of the property and to address the oversized sheds on the residential portion of the subject lands. This rezoning is a condition of severance application B145/11, that was granted provisional approval by the Wellington County Land Division Committee in April 2012. The consent will sever the existing farm dwelling and accessory buildings (3.15 ha (7.8 acres) from the remainder of the agricultural parcel (31.76 ha (78.5 acres)). The property is currently zoned Agricultural site specific (A-75) to permit a propane tank refurbishing business and Natural Environment (NE).</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 May 3rd, 2012.</p>	28
9. Application for Zoning By-law Amendment	29
10. Presentations by: - Linda Redmond, Planner - See attached comments and draft by-law	39

AGENDA ITEM	PAGE NO.
11. Review of Correspondence received by the Township: <ul style="list-style-type: none">- Pasquale Costanzo, County of Wellington Engineering Services- No objection	44
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.	41
13. Mayor opens floor for any questions/comments.	
14. Comments/questions from Council.	
15. Adjournment	



COPY

Grant & Acheson

Barristers • Solicitors • Notaries Public

In Partnership with SmithValeriotte Law Firm LLP

Randy S. Brant B.A. LL.B.
 Robert W. Dowhan B.A. LL.B.
 Michelle M. Dwyer B.A. M.A. J.D.
 Lisa M. Gazzola B.A. LL.B.
 Richard A. Gazzola B.A.Sc LL.B. P.Eng
 Robert D. Grant B.A. LL.B.
 Sarah A. Greatrix B.A. LL.B.
 Chelsea A. Harron B.A. LL.B.
 Michelle L. Kelly B.Comm. LL.B.
 Donald G. Kidd B.A. LL.B.
 Liam N. Legate B.B.A. LL.B.
 M. Alysha McColl B.A. J.D. LL.B.
 Nicola Melchers LL.B.
 Robert M. Mullin B.A. LL.B. LL.M. A.C.C.I.
 Christina L. Parkes B. Soc.Sc LL.B.
 (On Leave)
 Diana M. Piccoli B.A. LL.B.
 James B. Pietrangelo B.A. LL.B.
 Mark Muir Rodenburg B.Math LL.B.
 Ronald George Sansom B.Sc.Eng. LL.B.
 David Crawford Smith B.A. LL.B.
 Diane Kennedy Squires B.A. LL.B.
 Vincent J. Starratt B.A. M.A. LL.B.
 Ernest J. Stross B.A. LL.B.
 Stephanie L. L. Sutherland B.A.S. LL.B.
 John E. Valeriotte B.B.A. LL.B.

Francis M. Valeriotte B.A. LL.B.
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 James A. Runions
 (Retired)
 R. Paul Gillies Smith Q.C. B.A. LL.B.
 (Retired)
 J. Ronald Nicholson B.A. LL.B.
 (Retired)
 Cavan B. Acheson B.A. LL.B.
 (Retired)
 David E. Hastings, Q.C.
 1930 - 1999

Mailing Address:
 P.O. Box 128
 Fergus, Ontario
 N1M 2W7

Courier Address:
 265 Bridge Street
 Fergus, Ontario
 N1M 2W7

Ph: 519.843.1960
 Fax: 519.843.6888

April 19, 2012

Township of Wellington North
 Box 125
 7490 Sideroad 7 West
 Kenilworth, Ontario N0G 2E0

Attention: Darren Jones

Dear Darren:

**Re: Arlene Pronk
 Part Lot 8, Concession 2, West Luther
 County of Wellington Application B16/12**

We wish to advise that we are solicitors for Arlene Pronk with respect to the above-captioned Application for Consent. Condition 9 requires a zoning amendment and we enclose, herewith, the following:

Application for Zoning By-law Amendment re retained parcel;
 Application for Zoning By-law Amendment re severed parcel;
 Surveyor's Sketch;
 Trust cheque in the amount of \$1,500.00 representing payment of your application fee.

We trust you find the enclosed to be in order and look forward to being advised of the date this amendment will be heard at Council. Thank you.

Yours truly,

Grant & Acheson

Per:



Vincent J. Starratt
 VJS:bs
 Enc.

CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH

Application for Zoning By-law Amendment

Application No. _____

A. THE AMENDMENT

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

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

To prohibit a new residential dwelling on the retained parcel.

B. GENERAL INFORMATION

3. APPLICANT INFORMATION

a) Registered Owner's Name(s): Arlene Barbara Pronk

Address: 7818 Wellington Road 12, Arthur, Ontario N0G 1A0

Phone: Home () 519-848-2176 Work () _____ Fax () _____

b) Applicant (Agent) Name(s): Vince Starratt, Grant & Acheson LLP

Address: 265 Bridge St., Box 128, Fergus, Ontario N1M 2W7

Phone: Home () _____ Work () 519-843-1960 Fax () 519-843-6888

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

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

e) When did the current owner acquire the subject land? December 2, 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: 8355 Line 2, R.R. #2, Arthur, Ontario NOG 1A0

Concession: 2 Lot: Part Lot 8 Registered Plan No: _____

Area: _____ hectares Depth: _____ meters Frontage (Width): _____ meters
104.6 acres 4467.9 feet 1107.5 feet

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

Area: _____ hectares Depth: _____ meters Frontage (Width): _____ meters
100.8 acres 4467.9 feet 867.5 feet

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

Prime Agricultural and Core Greenlands

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

agricultural

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

agricultural

C. EXISTING AND PROPOSED LAND USES AND BUILDINGS

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

agricultural

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

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

13. PROVIDE THE FOLLOWING DETAILS FOR ALL BUILDINGS OR STRUCTURES ON THE SUBJECT LAND:
NO BUILDINGS

(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				
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	<input type="checkbox"/>	Continually maintained municipal road	<input checked="" type="checkbox"/>	Right-of-way	<input type="checkbox"/>
County Road	<input type="checkbox"/>	Seasonally maintained municipal road	<input type="checkbox"/>	Water access	<input type="checkbox"/>

15. WHAT IS THE NAME OF THE ROAD OR STREET THAT PROVIDES ACCESS TO THE SUBJECT PROPERTY?

Line 2, West Luther

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	()	()	()	()	()	()	()

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 (X)	No ()
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: A4-11, August 2011

Approval Authority: Township of Wellington North

Lands Subject to Application: Part Lot 8, Conc. 2, West Luther

Purpose of Application: Minor variance for sideyard set back

Status of Application: Finalized

Effect on the Current Application for Amendment: Not applicable

SEE SCHEDULE for additional information

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).

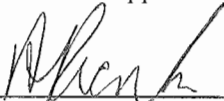
THE DRAWING SHOULD ALSO INCLUDE THE SCALE, NORTH ARROW AND DATE WHEN THE DRAWING WAS PREPARED.

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) Arlene Barbara Pronk of the Township of Wellington North in the
 County / Region of Wellington do hereby authorize Vincent J. Starratt to

Act as my agent in this application.


 Signature of Owner(s)

April 20/12
 Date

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

I (we) Arlene Barbara Pronk 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 Centre Wellington of Wellington in the County / Region of Wellington this 20th day of April.


Signature of Owner or Authorized Solicitor or Authorized Agent

April 20/12
Date


Signature of Commissioner

April 20/12
Date

APPLICATION AND FEE OF \$ _____ RECEIVED BY MUNICIPALITY

Signature of Municipal Employee

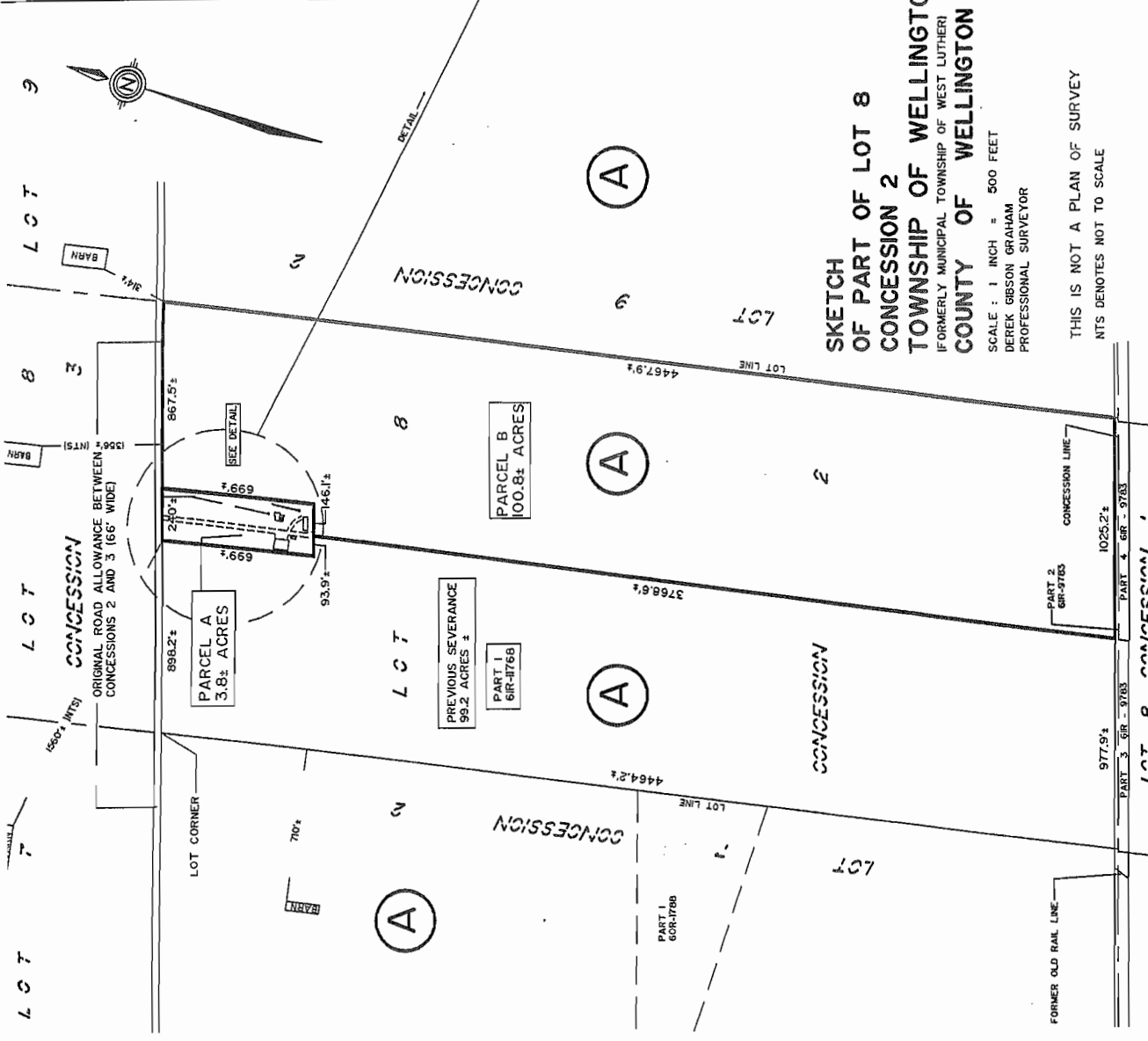
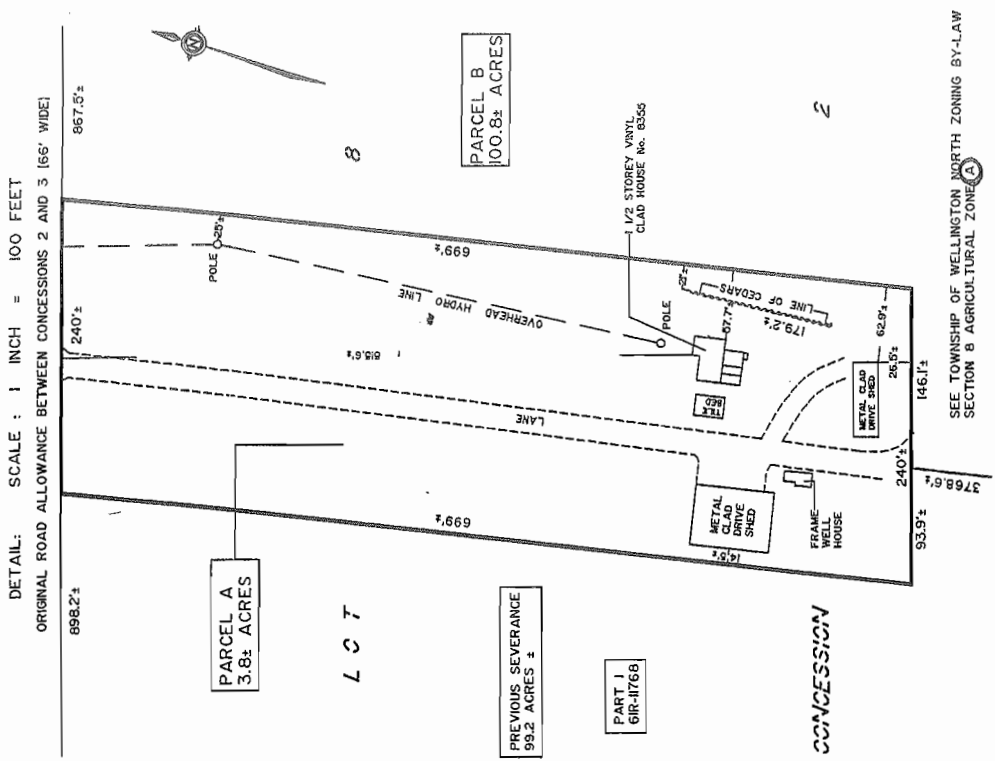
Date

Schedule

Page 7

20.

File No. And Date of Application:	Application for Consent
Approval Authority:	County of Wellington Planning and Land Division Committee
Lands Subject to Application:	Part Lot 8, Conc. 2, West Luther
Purpose of Application:	severance of surplus dwelling
Status of application:	Provisional Approval
Effect on the Current Application For Amendment:	Satisfy Condition 9



**SKETCH OF PART OF LOT 8
 CONCESSION 2
 TOWNSHIP OF WELLINGTON NORTH
 (FORMERLY MUNICIPAL TOWNSHIP OF WEST LUTHER)
 COUNTY OF WELLINGTON**

SCALE : 1 INCH = 500 FEET
 DEREK GIBSON GRAHAM
 PROFESSIONAL SURVEYOR

THIS IS NOT A PLAN OF SURVEY
 NTS DENOTES NOT TO SCALE

ALL DIMENSIONS SUBJECT TO FINAL FIELD SURVEY
 ALL DIMENSIONS APPROXIMATE AND DERIVED FROM
 FIELD MEASUREMENTS AND FROM COUNTY OF WELLINGTON
 ON LINE GIS MAPPING (2005 PHOTOGRAPHY)

Derek G. Graham Limited
 Professional Land Surveying
 Land Use Planning
 OFFICE: 7669 Coburne Street East, Elyria, Ontario N0B 1S0
 MAILING ADDRESS: P.O. Box 2935, Elyria, Ontario N0B 1S0
 (519) 846-5533 (Telephone)
 (519) 846-9305 (Facsimile)

PER: Derek G. Graham	ACAD DATE: JANUARY 31, 2012
FILE: 0 - 2 WEST LUTHER	NOTE: Valid copy with embossed seal only

SEAL

SEE TOWNSHIP OF WELLINGTON NORTH ZONING BY-LAW
 SECTION 8 AGRICULTURAL ZONE (A)

CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH

Application for Zoning By-law Amendment

Application No. _____

A. THE AMENDMENT

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

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

To obtain relief from oversized accessory buildings on severed
parcel.

B. GENERAL INFORMATION

3. APPLICANT INFORMATION

a) Registered Owner's Name(s): Arlene Barbara Pronk

Address: 7818 Wellington Road 12, Arthur, Ontario N0G 1A0

Phone: Home () 519-848-2176 Work () _____ Fax () _____

b) Applicant (Agent) Name(s): Vince Starratt, Grant & Acheson LLP

Address: 265 Bridge St., Box 128, Fergus, Ontario N1M 2W7

Phone: Home () _____ Work () 519-843-1960 Fax () 519-843-6888

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

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

e) When did the current owner acquire the subject land? December 2, 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: 8355 Line 2, R.R. #2, Arthur, Ontario N0G 1A0

Concession: 2 Lot: Part Lot 8 Registered Plan No: _____

Area: _____ hectares Depth: _____ meters Frontage (Width): _____ meters
104.6 acres 4467.9 feet 1107.5 feet

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

Area: _____ hectares Depth: _____ meters Frontage (Width): _____ meters
3.8 acres 699 feet 240 feet

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

Prime Agricultural and Core Greenlands

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

agricultural

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

agricultural

C. EXISTING AND PROPOSED LAND USES AND BUILDINGS

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

agricultural

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

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

13. PROVIDE THE FOLLOWING DETAILS FOR ALL BUILDINGS OR STRUCTURES ON THE SUBJECT LAND:
 See schedule 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				
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	_____ (sq m)	_____ (sq ft)	_____ (sq m)	_____ (sq 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?

Line 2, West Luther

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	()	()	()	()	()	()	()

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 (X)	No ()
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: A4-11, August 2011

Approval Authority: Township of Wellington North

Lands Subject to Application: Part Lot 8, Conc. 2, West Luther

Purpose of Application: Minor variance for sideyard set back

Status of Application: Finalized

Effect on the Current Application for Amendment: Not applicable

SEE SCHEDULE for additional information

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;

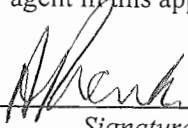
- The nature of any easements or restrictive covenants on the property;
- The location of any municipal drains or award drains;
- Woodlots, forested areas, ANSI's, ESA's, wetlands, floodplain, and all natural watercourses (rivers, stream banks, etc);
- The dimensions of all existing and proposed buildings 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) Arlene Barbara Pronk of the Township of Wellington North in the
 County / Region of Wellington do hereby authorize Vincent J. Starrat to
 Act as my agent in this application.


 Signature of Owner(s)

April 20/12
 Date

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

I (we) Arlene Barbara Pronk 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 Centre Wellington of Wellington in the County / Region of Wellington this 20th day of April.


Signature of Owner or Authorized Solicitor or Authorized Agent

April 20/12
Date


Signature of Commissioner

April 20/12
Date

APPLICATION AND FEE OF \$ 1500.00 RECEIVED BY MUNICIPALITY


Signature of Municipal Employee

April 23, 2012
Date

Schedule to Rezoning Application

Question 13: Details of buildings

Type of Building	House
Date of construction	Approximately 100 years old
Building Height	20 feet
Number of Floors	1 1/2
Total Floor Area	1824 sq. ft.
Ground Floor Area	1008 sq. ft.

Distance from:

Front Lot Line	515 feet more or less
Side Lot Line	57 feet more or less
Side Lot Line	150 feet more or less
Rear Lot Line	140 feet more or less
% Lot Coverage	n/a
# of Parking Spaces	n/a
# of Loading Spaces	n/a

Type of Building	Large Metal Clad Drive Shed (subject of minor variance)
Date of construction	approximately late 1980s
Building Height	20 feet
Number of Floors	1
Total Floor Area	3072 sq. ft.
Ground Floor Area	3072 sq. ft.

Distance from:

Front Lot Line	525 feet more or less
Side Lot Line	14.5 feet more or less
Side Lot Line	175 feet more or less
Rear Lot Line	125 feet more or less
% Lot Coverage	n/a
# of Parking Spaces	n/a
# of Loading Spaces	n/a

Type of Building	Small Metal Clad Drive Shed (garage)
Date of construction	approximately 75 years ago
Building Height	16 feet
Number of Floors	1
Total Floor Area	1200 sq. ft.
Ground Floor Area	1200 sq. ft.
Distance from:	
Front Lot Line	640 feet more or less
Side Lot Line	120 feet more or less
Side Lot Line	62 feet more or less
Rear Lot Line	26 feet more or less
% Lot Coverage	n/a
# of Parking Spaces	n/a
# of Loading Spaces	n/a



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

May 23, 2012

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

Dear Mr. Jones:

**Re: Draft Zoning By-law Amendment
Prnk – Pt Lot 8, Concession 2
8355 Line 2
Restrict Agricultural Land from Future Residential/oversized shed and barn**

PLANNING OPINION

The zoning amendment is required as a condition of provisional consent (B16/12) 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.

The by-law will also address the drive sheds on the residential parcel. It is not unusual to maintain an existing implement shed for storage as a result of a severance. In this case the applicants are requesting to keep two drive sheds with a combined floor area of 4072 sq.ft. (3072 sq.ft. and 1200 sq.ft. each). Council should be satisfied that the accessory buildings are intended for personal use and not for commercial purposes.

SUBJECT LAND

The subject land is legally described as Part of Lot 8 Concession 2 and has a civic address of 8355 Line 2. The land is approximately 42.3 ha (104.6 acres) in size and is occupied by a dwelling and two drive sheds.

PURPOSE

The purpose of the amendment is to rezone the subject lands to restrict any future residential development on the agricultural portion of the property and to address the oversized sheds on the residential portion of the subject lands. This rezoning is a condition of severance application B16/12, that was granted provisional approval by the Wellington County Land Division Committee in April 2012. The consent will sever the existing farm dwelling and sheds (1.5 ha (3.8 acres) from the remainder of the agricultural parcel (40.8 ha (100.8 acres). The property is currently zoned Agricultural.

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. Section 10.3.4 of the Official Plan implements the PPS and requires that the remnant parcel be rezoned to prohibit dwellings.

Section 10.3.4 of the Official Plan states:

"A severance may be considered for an existing residence that is surplus to a farming operation as a result of farm consolidation, provided that:

- a) The remaining vacant farmland is large enough to function as a significant part of the overall farm unit; and
- b) The result of removing the surplus dwelling from the farm does not render the remaining farmlands difficult or inefficient to farm; and
- c) The amount of good farmland retained with the surplus house is kept to a minimum size needed for residential purposes, taking into consideration environmental and topographic features; and
- d) The surplus residence is habitable and is not expected to be demolished by a future owner; and
- e) The Minimum Distance Separation formula will be met, and
- f) The vacant parcel of farmland is rezoned to prohibit a residential use."

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."

ZONING BY-LAW

The subject lands are zoned Agricultural (A). There will be two site specific zones required on the subject lands. The first site specific will prohibit a dwelling on the 100.8 acre agricultural parcel and the second one will address the accessory structures on the 3.8 acre residential parcel.

Non-Complying Accessory Building and Barn

As a result of the severance, the residential dwelling would be considered the main use and the existing accessory structure would be reviewed under section 6.1 as accessory uses to a residential dwelling. In this case there are two drive sheds with floor area's of 3072 sq.ft. and 1200 sq.ft. Both exceed the allowable ground floor area of 1,000 sq. ft. per accessory structure (Section 6.1.4 ii).

Under the current by-law accessory structures are permitted to cover a maximum of 10% of the lot area, however the buildings cannot exceed 1000 sq.ft. each. Staff are currently undertaking a review of this and are proposing revisions to the wording. Consideration will be given to applying "sliding scale" criteria that would permit larger structures for larger parcels of land. In the meantime should Council chose to allow the drive sheds to remain a limit on further accessory structures should be included within the amending by-law.

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 Schedule "A" Map 1 to By-law 66-01 is amended by changing the zoning on lands described as Part Lot 8, Concession 2, as shown on Schedule "A" attached to and forming part of this By-law from:

- **Agricultural (A) to "Agricultural Exception (A-116)**
- **Agricultural (A) to "Agricultural Exception (A-117)**

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

33.116	A-116	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."
Part Lot 8, Conc. 2		

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

33.117	A-117	Notwithstanding Section 6.1 or any other section of this by-law to the contrary, the existing metal clad buildings (1200 sq.ft) and (3072 sq.ft) existing on the day of passing of this by-law shall be deemed to comply with the accessory building requirements.
Part Lot 8, Conc. 2		And further no other accessory structures will be permitted on the property included a building used for a home industry without an amendment to this by-law.

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

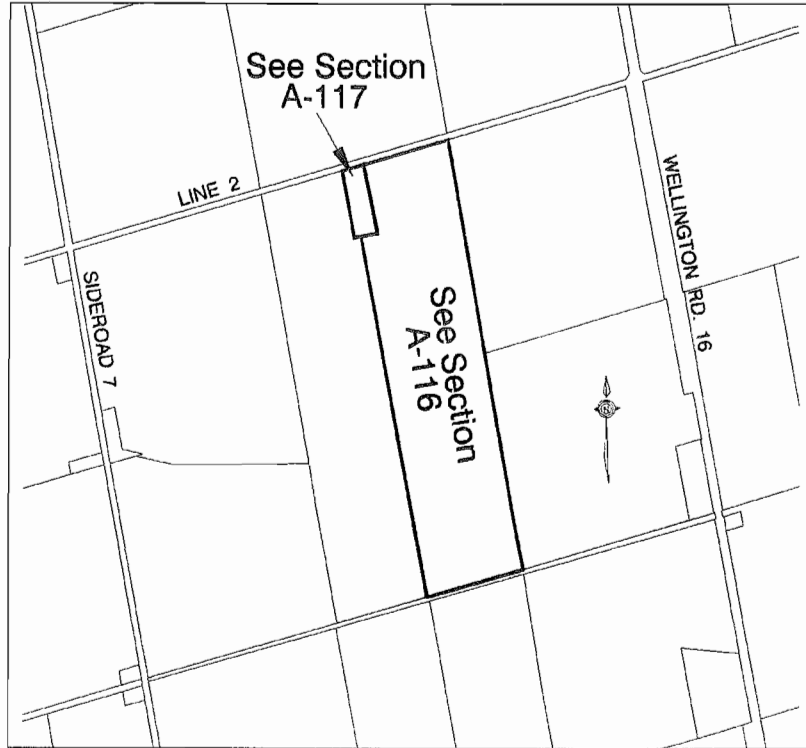
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "A"



Rezone from Agricultural (A) to Agricultural Exception (A-116) and (A-117)

Passed this ____ day of _____ 2012.

MAYOR

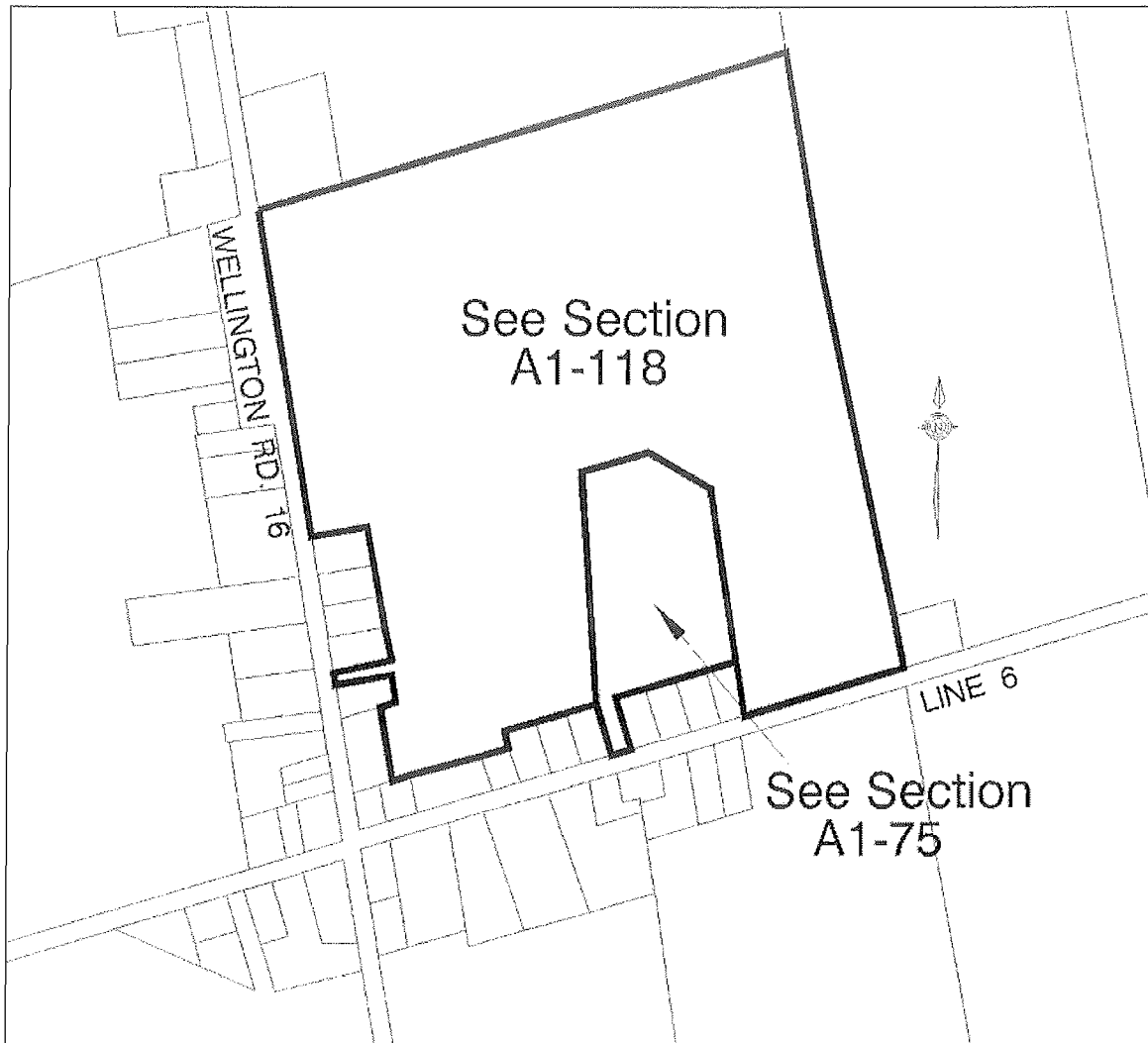
CLERK

EXPLANATORY NOTE

BY-LAW NUMBER _____.

THE LOCATION being rezoned is legally described as Part of Lot 8 Concession 2 and has a civic address of 8355 Line 2. The land is approximately 42.3 ha (104.6 acres) in size and is occupied by a dwelling and two drive sheds.

THE PURPOSE AND EFFECT of the amendment is to rezone the subject lands to restrict any future residential development on the agricultural portion of the property and to address the oversized sheds on the residential portion of the subject lands. This rezoning is a condition of severance application B16/12, that was granted provisional approval by the Wellington County Land Division Committee in April 2012. The consent will sever the existing farm dwelling and sheds (1.5 ha (3.8 acres)) from the remainder of the agricultural parcel (40.8 ha (100.8 acres)). The property is currently zoned Agricultural.



CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH

Application for Zoning By-law Amendment

Application No. _____

A. THE AMENDMENT

1. TYPE OF AMENDMENT?

Site Specific []

Other SATISFY SEVERANCE

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

TO MEET CONDITIONS SET OUT BY COUNTY
RE SEVERANCE OF FARM LAND TO BE ZONED NO
NEW DWELLINGS ON SEVERED PARCEL AND ALLOW
METAL SHED TO REMAIN ON RETAINED PARCEL

B. GENERAL INFORMATION

3. APPLICANT INFORMATION

a) Registered Owner's Name(s): RICHARD & MABEL COLE

Address: 8420 LINE 6 R.R.4 KENTWORTH

Phone: Home () 519 848 3589 Work () 519 848 5161 Fax () 519 848 9951

b) Applicant (Agent) Name(s): _____

Address: N/A

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

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

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

e) When did the current owner acquire the subject land? DEC 2002

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: 6420 LINE 6 RLY KENILWORTH NO 6-250

Concession: 7 Lot: 10 Registered Plan No: 60R1929

Area: _____ hectares Depth: _____ meters Frontage (Width): _____ meters

66.3 acres 2200 feet 630 feet Line 6
1070 Wellington 16

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

Area: _____ hectares Depth: _____ meters Frontage (Width): _____ meters

28.5 acres 2200 feet 564 feet Line 6
1070 Wellington 16

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

RESIDENTIAL / AGRICULTURAL

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

AGRICULTURE / RESIDENTIAL / SMALL BUSINESS

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

RESIDENTIAL / AGRICULTURAL WITH PERMITTED
PROPANE TANK REFURBISHING

C. EXISTING AND PROPOSED LAND USES AND BUILDINGS

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

AGRICULTURE / RESIDENT WITH BUSINESS

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

9 YRS

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

TO REMAIN THE SAME

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	<u>RESIDENT</u>	
c) Building Height	___ (m) <u>20</u> (ft)	___ (m) ___ (ft)
d) Number of Floors	<u>2</u>	
e) Total Floor Area (sq.m.)	___ (sq m) <u>2082</u> (sq ft)	___ (sq m) ___ (sq ft)
f) Ground Floor Area (sq.m.) (exclude basement)	___ (sq m) <u>1487</u> (sq ft)	___ (sq m) ___ (sq ft)
g) Distance from building/structure to the:		
Front lot line	___ (m) <u>306</u> (ft)	___ (m) ___ (ft)
Side lot line	___ (m) <u>110</u> (ft)	___ (m) ___ (ft)
Side lot line	___ (m) <u>250</u> (ft)	___ (m) ___ (ft)
Rear lot line	___ (m) <u>306</u> (ft)	___ (m) ___ (ft)
h) % Lot Coverage	<u>0.690</u>	
i) # of Parking Spaces		
j) # of Loading Spaces		

NO NEW

TOTAL Coverage 1.62890

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?

WELLINGTON COUNTY Rd 16 AND Municipal Rd LINE 6

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.)

NA

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	()	()	<input checked="" type="checkbox"/>	()	()	<input checked="" type="checkbox"/>	()
b) Proposed	()	()	<input checked="" type="checkbox"/>	()	()	<input checked="" type="checkbox"/>	()

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

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

File No. and Date of Application: _____

Approval Authority: _____

Lands Subject to Application: _____

Purpose of Application: _____

Status of Application: _____

Effect on the Current Application for Amendment: _____

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.)

NONE

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) RICHARD + MABEL COLE of the Township of the Well. 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 in the County / Region of Wellington this 26 day of April, 26 / 12

Richard Cole Mabel Cole
Signature of Owner or Authorized Solicitor or Authorized Agent

April 26, 2012
Date

Lathenee Brue
Signature of Commissioner

April 26 / 12
Date

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

Lathenee Brue
Signature of Municipal Employee

April 26 / 12
Date

SUBJECT LAND:

(Please use a separate page if necessary.)

	<u>Existing</u>	<u>Proposed</u>
a) Type of Building (s) -or Structure (s)	SHOP	
b) Date of Construction		
c) Building Height	____ (m) 22 (ft)	____ (m) ____ (ft)
d) Number of Floors	1	
e) Total Floor Area (sq.m.)	____ (sq m) 3200 (sq ft)	____ (sq m) ____ (sq ft)
f) Ground Floor Area (sq.m.) (exclude basement)	____ (sq m) 3200 (sq ft)	____ (sq m) ____ (sq ft)
g) Distance from building/structure to the:	____ (sq m) 610 (sq ft)	____ (sq m) ____ (sq ft)
Front lot line	____ (m) 610 (ft)	____ (m) ____ (ft)
Side lot line	____ (m) 64 (ft)	____ (m) ____ (ft)
Side lot line	____ (m) 100 (ft)	____ (m) ____ (ft)
Rear lot line	____ (m) 65 (ft)	____ (m) ____ (ft)
h) % Lot Coverage	.990	
i) # of Parking Spaces		
j) # of Loading Spaces		

SUBJECT LAND:

(Please use a separate page if necessary.)

	<u>Existing</u>	<u>Proposed</u>
a) Type of Building (s) -or Structure (s)	<u>GARAGE</u>	
b) Date of Construction		
c) Building Height	_____ (m) <u>12</u> (ft)	_____ (m) _____ (ft)
d) Number of Floors	<u>1</u>	
e) Total Floor Area (sq.m.)	_____ (sq m) <u>432</u> (sq ft)	_____ (sq m) _____ (sq ft)
f) Ground Floor Area (sq.m.) (exclude basement)	_____ (sq m) <u>432</u> (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) <u>300</u> (ft)	_____ (m) _____ (ft)
Side lot line	_____ (m) <u>110</u> (ft)	_____ (m) _____ (ft)
Side lot line	_____ (m) <u>250</u> (ft)	_____ (m) _____ (ft)
Rear lot line	_____ (m) <u>300</u> (ft)	_____ (m) _____ (ft)
h) % Lot Coverage	<u>0.12890</u>	
i) # of Parking Spaces		
j) # of Loading Spaces		

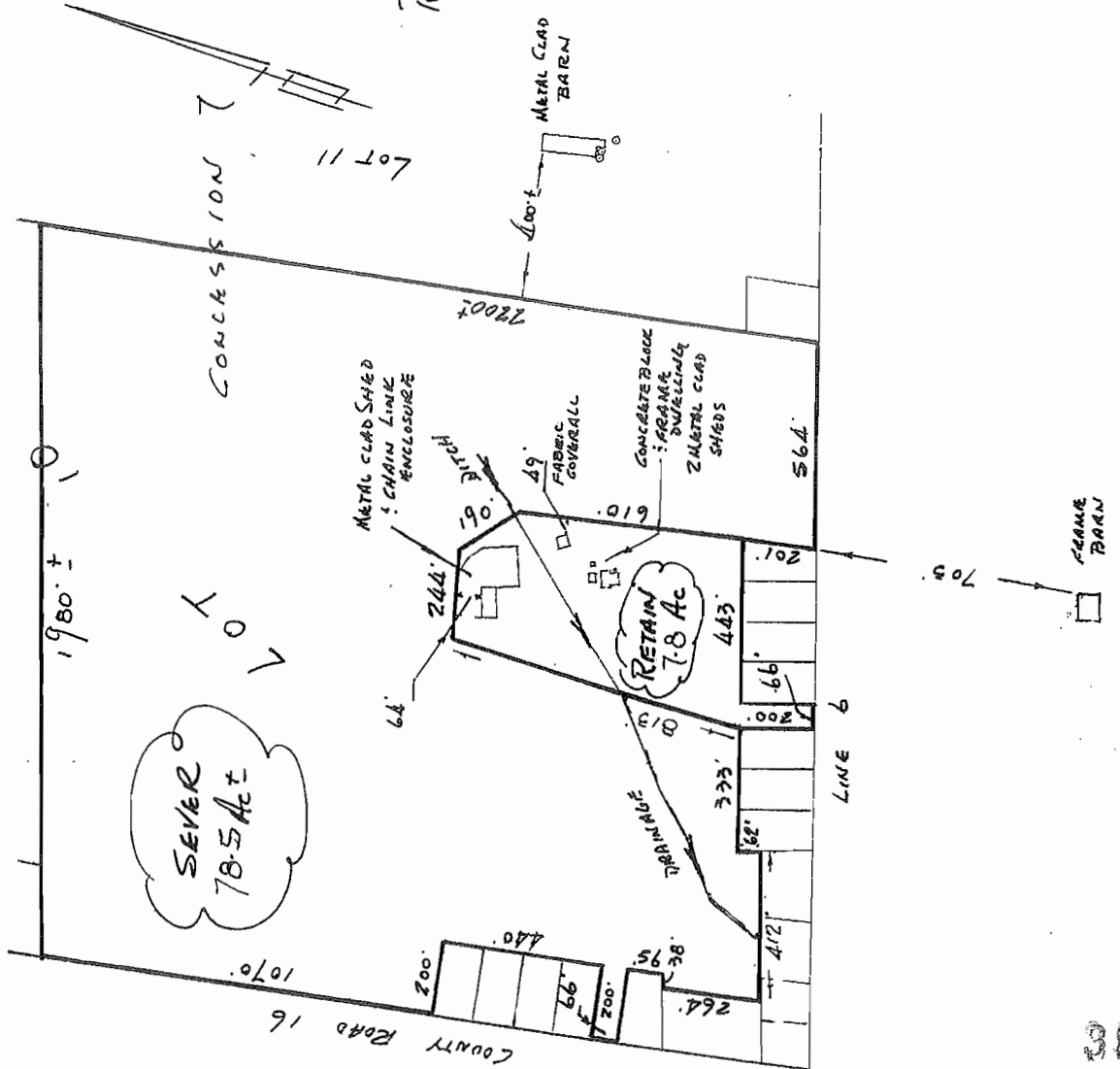
SEVERANCE SKETCH IN THE
 (TOWNSHIP OF WEST LUTHER)
 TOWNSHIP OF WALLINGTON NORTH

1" = 400'

REVISED JAN/12
 AUG/10
 7992

Wilson

ALEX R. WILSON
 SURVEYING INC
 MOUNT ROBERT
 519 323 2451





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

May 23, 2012

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

Dear Mr. Jones:

**Re: Draft Zoning By-law Amendment
Cole – Pt Lot 10, Concession 7
8420 Line 6
Restrict Agricultural Land from Future Residential/oversized shed**

PLANNING OPINION

The zoning amendment is required as a condition of provisional consent (B145/11) 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.

The by-law will also address the drive shed (shop) on the residential parcel. It is not unusual to maintain an existing implement shed for storage as a result of a severance. In this case the applicants are requesting to keep a accessory shop with a floor area of 3200 sq. ft, 1000 sq.ft. is the maximum allowable. Given the size of the subject property and neighbouring agricultural lots the impact of the relief requested appears to be minor in nature, however, Council should be satisfied that the accessory building is intended for personal use and not for commercial purposes.

SUBJECT LAND

The subject land is legally described as Part of Lot 10, Concession 7, with a civic address of 8420 Line 6. The land is approximately 35 ha (86 acres) in size. and is occupied by a dwelling and two accessory structures.

PURPOSE

The purpose of the amendment is to rezone the subject lands to restrict any future residential development on the agricultural portion of the property and to address the oversized shed on the residential portion of the subject lands. This rezoning is a condition of severance application B145/11, that was granted provisional approval by the Wellington County Land Division Committee in April 2012. The consent will sever the existing farm dwelling and accessory buildings (3.15 ha (7.8 acres) from the remainder of the agricultural parcel (31.76 ha (78.5 acres). The property is currently zoned Agricultural site specific (A-75) to permit a propane tank refurbishing business and Natural Environment (NE).

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. Section 10.3.4 of the Official Plan implements the PPS and requires that the remnant parcel be rezoned to prohibit dwellings.

Section 10.3.4 of the Official Plan states:

"A severance may be considered for an existing residence that is surplus to a farming operation as a result of farm consolidation, provided that:

- a) The remaining vacant farmland is large enough to function as a significant part of the overall farm unit; and
- b) The result of removing the surplus dwelling from the farm does not render the remaining farmlands difficult or inefficient to farm; and
- c) The amount of good farmland retained with the surplus house is kept to a minimum size needed for residential purposes, taking into consideration environmental and topographic features; and
- d) The surplus residence is habitable and is not expected to be demolished by a future owner; and
- e) The Minimum Distance Separation formula will be met, and
- f) The vacant parcel of farmland is rezoned to prohibit a residential use."

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."

ZONING BY-LAW

The subject lands are zoned Agricultural (A). There will be two site specific zones required on the subject lands. The first site specific will prohibit a dwelling on the 78.5 acre agricultural parcel and the second one will address the accessory structure on the 3.15 acre residential parcel.

Non-Complying Accessory Building and Barn

As a result of the severance, the residential dwelling would be considered the main use and the existing accessory structure would be reviewed under section 6.1 as accessory uses to a residential dwelling. In this case there are two accessory structures a garage (432 sq.ft.) and shop (3200 sq.ft.). The garage will comply with the minimum required floor area of 1000 sq.ft. however the shop exceeds the maximum as per Section 6.1.4 ii.

Under the current by-law accessory structures are permitted to cover a maximum of 10% of the lot area, however the buildings cannot exceed 1000 sq.ft. each. Staff are currently undertaking a review of this and are proposing revisions to the wording. Consideration will be given to applying "sliding scale" criteria that would permit larger structures for larger parcels of land. In the meantime should Council chose to allow the drive shed to remain a limit on further accessory structures should be included within the amending by-law.

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 Schedule "A" Map 1 to By-law 66-01 is amended by changing the zoning on lands described as Part Lot 10, Concession 7, as shown on Schedule "A" attached to and forming part of this By-law from:

- **Agricultural (A1) to "Agricultural Exception (A1-118)**

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

33.118	A-118	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."
Part Lot 10, Conc. 7		

3. THAT Section 33, Exception Zone 3 – Rural Areas, is amended by adding the following text in Section 33.75:

33.75	A1-75	vii) The above special provisions shall only apply to a propane tank refurbishing home industry. No other home industry uses (Section 6.14) are permitted without an amendment to this section.
Part Lot 10, Conc. 7		viii) Notwithstanding Section 6.1 or any other section of this by-law to the contrary, the existing 3200 sq.ft shop building existing on the day of passing of this by-law shall be deemed to comply with the accessory building requirements.
		And further no other accessory structures will be permitted on the property included a building used for a home industry without an amendment to this by-law

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

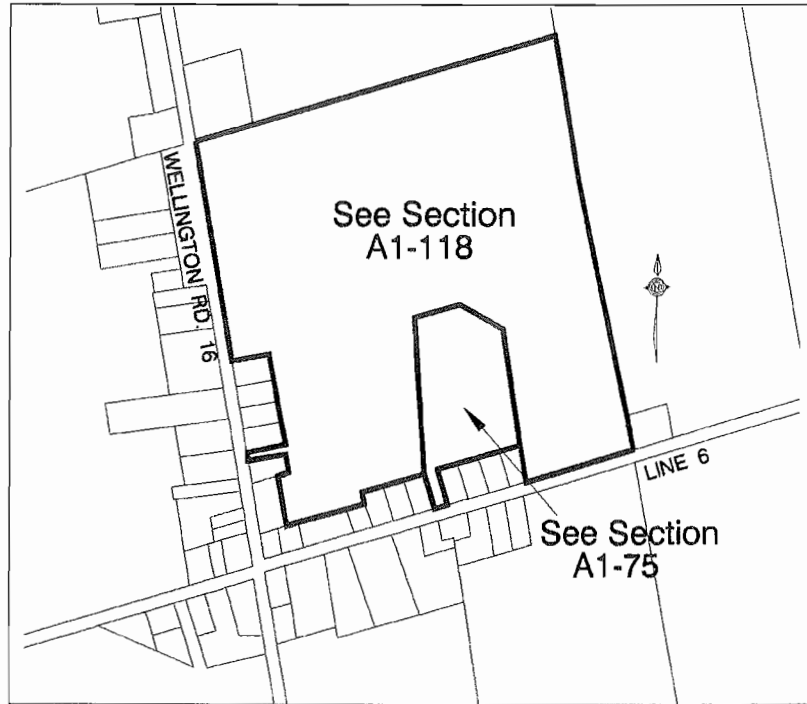
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "A"



Rezone from Agricultural (A) to Agricultural Exception (A-118)

Passed this ____ day of _____ 2012.

MAYOR

CLERK

EXPLANATORY NOTE

BY-LAW NUMBER _____.

THE LOCATION being rezoned is legally described as Part of Lot 10, Concession 7, with a civic address of 8420 Line 6. The land is approximately 35 ha (86 acres) in size, and is occupied by a dwelling and two accessory structures.

THE PURPOSE AND EFFECT of the amendment is to rezone the subject lands to restrict any future residential development on the agricultural portion of the property and to address the oversized shed on the residential portion of the subject lands. This rezoning is a condition of severance application B145/11, that was granted provisional approval by the Wellington County Land Division Committee in April 2012. The consent will sever the existing farm dwelling and accessory buildings (3.15 ha (7.8 acres)) from the remainder of the agricultural parcel (31.76 ha (78.5 acres)). The property is currently zoned Agricultural site specific (A-75) to permit a propane tank refurbishing business and Natural Environment (NE).

RECEIVED

MAY 15 2012

TWP. OF WELLINGTON NORTH

THE TOWNSHIP OF WELLINGTON NORTH

NOTICE OF A PUBLIC MEETING FOR AN AMENDMENT
TO THE WELLINGTON NORTH ZONING BY-LAW
And
NOTICE OF COMPLETE APPLICATION

TAKE NOTICE that the Council of the Corporation of the Township of Wellington North has received a complete application to consider a proposed amendment to the Comprehensive Zoning By-law 66-01, pursuant to Section 34 of the *Planning Act, R.S.O. 1990*, as amended.

PUBLIC MEETING Wellington North Council will consider this application at their meeting scheduled for:

Monday, May 28, 2012
Township of Wellington North Municipal Offices
Council Chambers
7490 Sideroad 7 West, Kenilworth
7:15 p.m.

THE LOCATION being rezoned is in Part of Lot 10, Concession 7, with a civic address of 8420 Line 6. The land is approximately 35 ha (86 acres) in size. [See map below]

THE PURPOSE AND EFFECT of the amendment is to rezone the subject lands to restrict any future residential development on the agricultural portion of the property and to address the oversized sheds on the residential portion of the subject lands. This rezoning is a condition of severance application B145/11, that was granted provisional approval by the Wellington County Land Division Committee in April 2012. The consent will sever the existing farm dwelling and accessory buildings (3.15 ha (7.8 acres)) from the remainder of the agricultural parcel (31.76 ha (78.5 acres)). The property is currently zoned Agricultural site specific (A-75) to permit a propane tank refurbishing business and Natural Environment (NE).

MAKING AN ORAL OR WRITTEN SUBMISSION

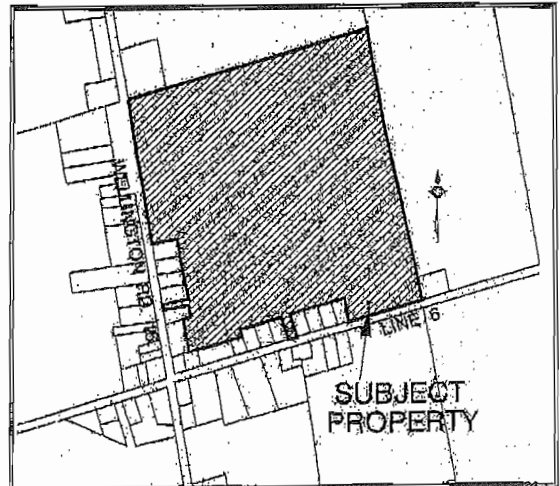
Any person or public body is entitled to attend the public meeting and make written or oral submissions in support of or in opposition to the proposed zoning by-law amendment. Written comments should be submitted to the Township Clerk at the address shown below.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Wellington North before the by-law is passed, the person or public body is not entitled to appeal the decision of the Council of the Township of Wellington North to the Ontario Municipal Board.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Township of Wellington North before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

ADDITIONAL INFORMATION regarding this zoning amendment application is available for inspection at the Township of Wellington North Municipal Office, 7490 Sideroad 7 West in Kenilworth during regular office hours Monday to Friday.

Dated at the Township of Wellington North
This 3rd day of May, 2012
Darren Jones, Building/Zoning Dept.
Township Wellington North
7490 Sideroad 7, W
Kenilworth, ON N0G 2E0
Phone: (519) 848-3620
Fax: (519) 848-1119



COUNTY OF WELLINGTON
ENGINEERING SERVICES
NO OBJECTION
NOTICE OF DECISION REQ'D.
Pass
PASQUALE COSTANZO, CET
ENGINEERING TECHNOLOGIST
MAY 14/12
Date:

*Copy: County of Wellington
Planning Dept.*