

# TOWNSHIP OF WELLINGTON NORTH

## PUBLIC MEETING - MINUTES

**Monday, November 5, 2012**

The Public Meeting was held Monday, November 5, 2012 at 7:00 p.m. at the Township of Wellington North Council Chambers, Kenilworth to consider two Zoning Amendment applications.

**Present:**

**Mayor: Raymond Tout**  
**Councillors: Mark Goetz**  
**Andy Lennox**  
**Dan Yake**

**Absent:**

**Councillor: Sherry Burke**

**Also Present:**

**C.A.O./Clerk: Lorraine Heinbuch**  
**Executive Assistant: Cathy Conrad**  
**Township Planner: Mark Van Patter**

**Mayor Tout called the meeting to order.**

**Declaration of Pecuniary Interest:**

None declared.

**Owner/Applicant: David Kelly and Cynthia Checkley**

**Location of the Subject Land**

The property subject to the proposed amendment is described as Part of Lot 7, Concession 2, Geographic Township of West Luther. The property is 36.4 hectares (89.9 acres) in size.

**The Purpose and Effect of the Application**

The purpose and effect of the proposed amendment is to rezone the subject lands to restrict any future residential development on the agricultural, "retained" portion of the property, and to permit an oversized accessory building (1,440 sq. ft.) on the severed portion. This rezoning is a condition of severance application B54/12, that was granted provisional approval by the Wellington County Land Division Committee.

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Please note – Section 34 (12) of the Planning Act.

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.

1. Notice for the public meeting was sent to property owners within 120 m and required agencies and posted on the property on October 12, 2012.
2. Application for Zoning By-law Amendment
3. Presentation by:

Mark Van Patter, Planner, reviewed his comments dated November 1, 2012.

The zoning amendment is required as a condition of provisional consent (B54/12) granted by the Wellington County Land Division Committee. Both the Provincial Policy Statement and Wellington County Official Plan provide for surplus farm dwelling severances, provided the agricultural lands are rezoned to prohibit future residential dwellings. In this case, the severed residential lot has a 1,440 sq. ft. shed that also needs to be recognized. Mr. Van Patter had no concerns with this application.

The property subject to the proposed amendment is described as Part of Lot 7, Concession 2, Geographic Township of West Luther. The property is 36.4 hectares (89.9 acres) in size. [Note that the municipal address is incorrect on the application; it is 8485 Sideroad 7, not 8458.]

The purpose and effect of the proposed amendment is to rezone the subject lands to restrict any future residential development on the agricultural, “retained” portion of the property, and to permit an oversized accessory building (1,440 sq. ft.) on the severed portion. This rezoning is a condition of severance application B54/12, that was granted provisional approval by the Wellington County Land Division Committee.

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Under the Provincial Policy Statement 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.

The subject lands are designated PRIME AGRICULTURE under the Wellington County Official Plan. This application is required as a condition 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 subject lands are zoned mainly Agricultural (A) under the Zoning By-law. There is a narrow band of Natural Environment (NE) zoning which follows a watercourse across the northern portion of the property; the NE zoning is to remain as is, unchanged. The attached draft by-law places a site specific exception to prohibit a dwelling on the retained agricultural parcel. A 1,440 sq. ft. accessory shed on the severed parcel needs relief, as the maximum ground floor area under Section 6.1.4 (ii) is only 1,000 sq. ft.

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4. Review of Correspondence received by the Township:
  - Fred Natolochny, Supervisor of Resource Planning, GRCA
    - No objection
  
5. The by-law will be considered at the Regular Council Meeting following the public meeting. Mayor Tout asked those wishing to receive further notices regarding this application to make their request in writing.
  
6. Mayor Tout opened the floor for any questions/comments.  
  
Applicants and their agent were available to answer any questions.
  
7. Comments/questions from Council.
  
8. Adjournment 7:06 p.m.

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C.A.O./CLERK

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MAYOR