

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, November 19, 2012

The Public Meeting was held Monday, November 19, 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: Sherry Burke
Mark Goetz
Andy Lennox
Dan Yake

Also Present:

C.A.O./Clerk: Lorraine Heinbuch
Deputy Clerk: Cathy More
Township Planner: Mark Van Patter

Mayor Tout called the meeting to order.

Declaration of Pecuniary Interest:

None declared.

Owner/Applicant: Piller Farms Ltd.

THE LOCATION of the property subject to the proposed amendment is described as Part of Lot 8, Concession 4 and is municipally known as 9325 Concession 4N. The subject property consists of the severed parcel 2.97 ac. and the retained parcel 99.8 ac.

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. Regulations are also required for the existing barn on the retained parcel, to prohibit livestock usage except for 2 horses, and to recognize a deficient side yard of 52.4 ft. Additionally, relief from the zoning by-law is required for an over-sized accessory building on the severed – frame shed (1,140 sq. ft.). This rezoning is a condition of severance application B96/12, that was granted provisional approval by the Wellington County Land Division Committee.

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, November 19, 2012

Page Two

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 29, 2012.
2. Application for Zoning By-law Amendment
3. Presentation by:

Mark Van Patter, Senior Planner, reviewed his comments dated November 15, 2012.

The zoning amendment is required as a condition of provisional consent (B96/12) granted by the Wellington County Land Division Committee. Both the Provincial Policy Statement and 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 needs to be recognized. The retained, agricultural parcel has an existing barn, in which livestock usage is to be prohibited, except for two horses. The barn's side yard is somewhat deficient and is 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 8, Concession 4, former Township of Arthur, and is municipally known as 9325 Concession 4N. The subject property consists of the severed parcel 2.97 acres and the retained parcel 99.8 acres.

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, November 19, 2012

Page Three

The purpose and effect of the proposed amendment is to rezone the agricultural, retained parcel to prohibit future residential development. Regulations are also required for the existing barn on the retained parcel, to prohibit livestock usage except for two horses, and to recognize a deficient side yard of 52.4 ft. Additionally, relief from the zoning by-law is required for an over-sized accessory building on the severed – frame shed (1,140 sq. ft.). This rezoning is a condition of severance application B96/12, that was granted provisional approval by the Wellington County Land Division Committee.

The subject property is considered to be within a PRIME AGRICULTURAL area. Section 2.3.4.1(c) of the Provincial Policy Statement 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. Section 10.3.4 of the Wellington County Official Plan implements the Provincial Policy Statement and requires that the remnant parcel be rezoned to prohibit dwellings.

Under the Zoning By-law the subject lands are zoned mainly Agricultural (A). There is a small area of Natural Environment (NE) zoning located in the centre of the retained.

Planning Considerations:

Restrict Future Dwelling on Retained

This is to be placed into Agricultural Exception (A-130). No concerns.

Hobby Use of Barn on Retained - Reduced Sideyard

Normally, we would recommend prohibiting livestock usage of a barn this close to a separate residential property, as it could not meet the Minimum Distance Separation (MDS) requirements. However, it's my understanding that an arrangement has been made with the person purchasing the dwelling, to keep 2 horses in Mr. Piller's barn on the retained. This seems pretty minor, so I have prohibited livestock usage, except for two horses in the draft by-law.

The barn is setback approximately 16 m. (52.5 ft.) from the severed parcels lot line. In the Wellington North Zoning By-law, the required sideyard setback for livestock buildings is 60 feet (plus meeting MDS), and for hobby barns, 74.8 feet. Thus, it is necessary to provide relief for this deficiency. No concerns.

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, November 19, 2012

Page Four

Oversized Accessory Buildings

There is a 1,140 sq. ft. shed present on the severed parcel, which exceeds the maximum permitted ground floor area of 1,000 sq. ft., in Section 6.1.4 (ii) of the by-law. I have structured the Agricultural Exception (A-131) zone accordingly and have no concerns.

NE Zone Unchanged

The NE zoning is to remain as is, unchanged.

4. Review of Correspondence received by the Township:
 - Saugeen Conservaton, Erik Downing, Environmental Planning Technician,
 - No objection
 - Grand River Conversation Authority, Fred Natolochny, Supervisor of Resource Planning
 - 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.

None
7. Comments/questions from Council.

None

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, November 19, 2012

Page Five

7:15 p.m.

Owner/Applicant: Piller Poultry Ltd.

Declaration of Pecuniary Interest:

None declared.

THE LOCATION of the property subject to the proposed amendment is described as Part of Lot 9, Concession 4 and is municipally known as 9307 Concession 4 N. The subject property consists of the severed parcel 2.84 ac. and the retained parcel 97.1 ac.

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. Additionally relief from the zoning by-law is required for over-sized accessory buildings on the severed portion – barn (3,630 sq. ft.) and shed (1,200 sq. ft.). This rezoning is a condition of severance application B68/12, that was granted provisional approval by the Wellington County Land Division Committee.

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

(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.

8. Notice for this public meeting was sent to property owners within 120 m and required agencies and posted on the property on October 29, 2012.
9. Application for Zoning By-law Amendment

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, November 19, 2012

Page Six

10. Presentation by:

Mark Van Patter, Senior Planner, reviewed his comments dated November 15, 2012.

The zoning amendment is required as a condition of provisional consent (B68/12) granted by the Wellington County Land Division Committee. Both the Provincial Policy Statement and County Official Plan provide for surplus farm dwelling severances, provided the agricultural lands are rezoned to prohibit future residential dwellings. The severed residential lot has an existing barn and shed with a total ground floor area of 4,830 sq. ft. that requires relief. Mr. Van Patter had no concern about this, especially since the applicant has requested it only be for the lifetime of the buildings.

The property subject to the proposed amendment is described as Part of Lot 9, Concession 4, former Township of Arthur, and is municipally known as 9307 Concession 4N. The subject property consists of the severed parcel 2.84 acres and the retained parcel 97.1 acres.

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. The applicant has also asked for relief from the zoning by-law for over-sized accessory buildings on the severed portion – barn (3,630 sq. ft.) and shed (1,200 sq. ft.), for the lifetime of these buildings. This rezoning is a condition of severance application B68/12, that was granted provisional approval by the Wellington County Land Division Committee.

The subject property is considered to be within a PRIME AGRICULTURAL area. Section 2.3.4.1(c) of the Provincial Policy Statement 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. Section 10.3.4 of the Wellington County Official Plan implements the PPS and requires that the remnant parcel be rezoned to prohibit dwellings.

Under the Zoning by-law the subject lands are zoned mainly Agricultural (A). There is a small area of Natural Environment (NE) zoning located in the centre of the retained, along the north boundary.

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, November 19, 2012

Page Seven

Planning Considerations:

Restrict Future Dwelling on Retained

This is to be placed into Agricultural Exception (A-128). No concerns.

Oversized Accessory Buildings

As noted, there is a barn (3,630 sq. ft.) and shed (1,200 sq. ft.) present, which exceed the maximum ground floor area of 1,000 sq. ft., in Section 6.1.4 (ii) of the by-law. It is my understanding that the applicant is asking that these buildings be recognized only for their lifetime. I have structured the Agricultural Exception (A-129) zone accordingly and have no concerns.

NE Zone Unchanged

The NE zoning is to remain as is, unchanged.

11. Review of Correspondence received by the Township:
 - Tony Piller, Piller Poultry Ltd.
 - Building consideration
 - Saugeen Conservation, Cherielyn Leslie, Environmental Planning Coordinator
 - No objection
 - Grand River Conservation Authority, Fred Natolochny, Supervisor of Resource Planning
 - No objection
 - Darren Jones, Chief Building Official
 - Building concerns
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.

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, November 19, 2012

Page Eight

13. Mayor opens floor for any questions/comments.

Mr. Tony Piller read his correspondence dated Oct. 29, 2012 requesting permission to retain barn.

14. Comments/questions from Council.

Councillor Lennox inquired if the easement was part of the severance and rezoning application. Mr. Van Patter responded that it only pertains to the severance application.

15. Adjournment: 7:29 p.m.

CAO/CLERK

MAYOR