

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, December 17, 2012

The Public Meeting was held Monday, December 17, 2012 at 7:00 p.m. at the Township of Wellington North Council Chambers, Kenilworth to consider a Zoning Amendment application.

Present:

Mayor: Raymond Tout
Councillors: Sherry Burke
Mark Goetz
Dan Yake

Absent:

Councillor: Andy Lennox

Also Present:

C.A.O./Clerk: Lorraine Heinbuch
Executive Assistant: Cathy Conrad
Township Planner: Linda Redmond

Mayor Tout called the meeting to order.

Declaration of Pecuniary Interest:

None declared.

Owner/Applicant: The Corporation of the Township of Wellington North

This public meeting was held to consider a zoning amendment for “housekeeping” revisions.

Re: The changes are of a general nature and apply throughout the Township of Wellington North.

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The Purpose and Effect of the Application

The purpose and effect of the proposed amendment is to provide for Township initiated “housekeeping” amendments to the Comprehensive Zoning By-law as itemized below:

- i) General typographical and mapping corrections.
- ii) Clarification of text for regulations such as non-complying uses, buffer areas, common amenity area, hobby barns, yard encroachments, general industrial zone, Open space zone,
- iii) Add text to clarify the use of trailer boxes for storage or temporary uses.
- iv) Amend provisions for accessory uses, including clarifying number, size and location of structures.
- v) Clarify the requirements under the Natural Environment zone.
- vi) Provide regulations for accessory residential uses in a Highway Commercial zone.
- vii) Add new provisions to restrict dog kennels unless a site specific zoning amendment is obtained.
- viii) Add and update definitions, including clarifying the definition of modular homes.
- ix) Modify parking requirements related to street townhouse uses, aisle and access width and criteria for tandem parking requirements.
- x) Consideration to add new Light Industrial zone.
- xi) Rezone a portion of Part of Lot 33, Concession 1 from C2 to R2.
- xii) Add provisions for wellhead protection areas.

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 the required agencies and published in the Mount Forest Confederate and the Arthur Enterprise on November 21st, 2012 and in the Wellington Advertiser on November 23rd, 2012.

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2. Presentation by:

Linda Redmond, Planner, reviewed her comments dated December 13, 2012.

This housekeeping amendment would introduce changes to the Township of Wellington North Zoning By-law 66-01 to correct typographical inaccuracies, clarify regulations and mapping, and improve or refine other by-law sections.

The Comprehensive Zoning By-law for the Township of Wellington North was adopted in 2001. Since that time we have tracked areas of the by-law that could be improved, refined or clarified. The Township's CBO, has also been consulted. This housekeeping amendment is the result of that effort.

The main changes proposed through this housekeeping amendment relate to typographical inaccuracies and wording clarification. However, there are other proposed amendments to change selected mapping, parking regulations for street townhouse uses, kennels and accessory structures.

New definitions have been introduced. In some cases they have been added to support or help to clarify existing regulations and some definitions have been added to support new regulations such as kennels.

New Definitions include:

Amenity Area	Garage sale	Machine Shop
Animal Shelter	Gravel Pit	Nursery
Drive-thru service facility	Home Improvement Centre	Outdoor storage
Driveway	Kennel	Postal or courier outlet
Floor area, Gross Leasable (GFLA)		

Clarification has been included regarding height requirement exemptions with respect to farm buildings such as silos, grain bins and corn cribs.

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Lot coverage has been amended to recognize different lot sizes in the rural area. The lot coverage will allow for larger accessory structures on larger parcels in the form of a sliding scale. The new criteria is as follows:

Current section 6.1.4 b)	Proposed
Provided the maximum lot coverage in i) is not exceed, the maximum floor area for an accessory building or structure not including a hobby barn in any residential zone including a lot subject to the reduced lot regulations of Section 8.5 shall not exceed 92.9 sq.m. (1000.0 sq.ft.) ground floor area.	Provided the maximum lot coverage is not exceeded for an accessory building or structure, the combined maximum floor area for all accessory buildings or structures not including a hobby barn or home industry in any residential zone including a lot subject to the reduced lot regulations of Section 8.5 shall not exceed 92.9 m ² (1000.0 ft ²) ground floor area for any lot 0.4 hectares (1.0 acres) or less in size. For each additional full 0.4 hectares (1.0 acres) of lot area, an additional 9.29 m ² (100 ft ²) of ground floor area may be added to the accessory building

Under the current by-law Kennels are not addressed. The proposed by-law will add provisions to restrict kennels unless a zone amendment has been obtained. A new By-law for the Keeping of Dogs and Dog Kennels is also proposed.

Accessory residential uses are permitted within the Highway Commercial zone currently, however there is no criteria to regulate this use. A new section has been added to the Highway Commercial zone to address this use.

Typographical corrections are proposed to recognize previously approved uses that were incorrectly numbered. There is also some mapping corrections in which the zoning was incomplete.

Clarification regarding the modular uses on lands located at Conestoga Estates, Spring Valley and Wellington Acres has been added to the site specific zones on those lands. The new clause states the following:

“Mobile home and modular homes shall not be permitted to have framed additions or basements.”

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The draft by-law was for discussion only at this point. Ms. Redmond recommended that the final by-law be addressed at a future meeting.

3. Review of Correspondence received by the Township:
 - Fred Natolochny, Supervisor Resource Planning, Grand River Conservation Authority
 - No objection
 - Brandi Walter, Environmental Planner/ Regulations Officer, Maitland Valley Conservation Authority
 - No concerns
4. The by-law will be considered at the Regular Council Meeting on January 14th. Mayor Tout asked those wishing to receive further notices regarding this application to make their request in writing.
5. Mayor Tout opened the floor for any questions/comments.

Gerald Shepetunko, 8720 Highway 6, Arthur, commented that the information regarding the draft by-law would take a lot of time to review to assess its impact. He asked if the financial impact of some of these changes had been looked at and if some of these changes are necessary. Specifically are the changes regarding storage trailers and kennels needed?

Terry Cudney, Property Manager of Conestoga Estates, stated that while he understood basements for mobile homes and modular homes not being permitted he did not think all additions to these homes should be restricted. Some prospective buyers are buying subject to being able to add on to the home. A statement restricting the size of additions would make more sense. Not allowing any additions would be unreasonable. Mobile homes and modular homes provide affordable housing for seniors and young families. Mayor Tout suggested that the additions that double the size of the home are the concern. Ms. Redmond stated that the change speaks to the intent as buildings are not moveable.

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Jens Dam, R.R. 1 Moorefield, stated that he had attended the office on December 7 and again the following Wednesday to get information about the zoning amendment. No information was available. Under the Planning Act information is supposed to be available 20 days prior to the meeting. He questioned if this was an information meeting or a public meeting. Mr. Dam stated that he will need time to sit down with the planner to see what Council is up to. Mr. Dam submitted a written statement that if this by-law goes ahead he will go to the OMB. He did not consider this meeting to be a public meeting in accordance with the Planning Act.

6. Comments/questions from Council.

Councillor Burke questioned the changes to outdoor storage areas and the impact to businesses that set up seasonal displays, such as garden centres and Christmas tree lots set up in part of the business parking lot. Ms. Redmond provided that it would be a matter of interpretation for the building department.

Councillor Goetz inquired about the definition of “garage sale” and charity groups using garage sales for fund raising. Ms. Redmond clarified that the definition pertained to residential properties.

Councillor Goetz asked what will happen with existing railroad cars and trailers on properties. Who will enforce that part of the by-law? Ms. Redmond stated that temporary construction trailers will be allowed. This change deals with trailers that are being used as buildings. Trailers can be used but property owners will need to obtain appropriate approvals.

Councillor Yake inquired about the lot coverage changes. Is the Planner comfortable with the proposed increase of 100 sq. ft. per acre scale? Ms. Redmond commented that this is applicable for properties under 25 acres in section 6.1. Other areas are using this scale and it is working well.

7. Adjournment 7:48 p.m.

C.A.O./CLERK

MAYOR