

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, March 24, 2014

The Public Meeting was held Monday, March 24, 2014 at 7:00 p.m. at the Township of Wellington North Council Chambers, Kenilworth.

Present:

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

Also Present:

C.A.O./Clerk: Michael Givens
Deputy Clerk: Catherine More
Executive Assistant: Cathy Conrad
Senior Planner: Mark Van Patter
Director of Public Works: Deb Zehr

Mayor Tout called the meeting to order.

Declaration of Pecuniary Interest:

None declared.

Owner/Applicant: 1260119 Ontario Limited

The subject property is located on Park Lots 7 & 8, South of Smith Street, Crown Survey, Geographic Village of Arthur, with a civic address of 120 Preston Street South.

The purpose and effect of the application is to create a common elements condominium for the internal private streets, sidewalks, stormwater management, visitor parking and common amenity areas. In association with this, 45 freehold townhouse lots are to be created through the lifting of part lot control process and the creation of parcels of tied land (POTLs). The subject lands were rezoned in 2008 to permit the land use and a site plan has also been approved by the Township.

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1. Notice for this public meeting was published in the Wellington Advertiser and sent to required agencies, the applicant and the applicant's agent on February 28, 2014.

2. Presentations by:

Mark Van Patter, Senior Planner, reviewed his comments dated March 20, 2014.

This is the first application of this nature that the County has received (i.e. the creation of "parcels of tied land" POTLs using the part lot control and common element condominium processes. The County had no concerns. Over the next few weeks, the County will provide a list of draft conditions for the Township and the applicant to review. If Wellington North is in support of the County giving draft approval of the Common Elements Condominium Plan, Mr. Van Patter asked that Council pass a resolution in support at the appropriate time and forward this to our office.

The subject property is located on Park Lots 7 & 8, South of Smith Street, Crown Survey, Geographic Village of Arthur, with frontage on Preston Street.

The purpose and effect of the application is to create a common elements condominium, to include the internal private streets, sidewalks, services, stormwater management, visitor parking and common amenity areas. In association with this, 45 freehold townhouse lots are to be created through the lifting of Part Lot Control process, and the creation of "parcels of tied land" (POTLs).

Under the Wellington County Official Plan the property is designated Residential within the Arthur Urban Centre.

The subject lands were rezoned in 2008 from Residential (R3) to Residential Exception with Holding (R3-26(H)). The holding "H" symbol was removed through rezoning in 2013 and the property is currently zoned R3-26. The special zoning provisions allow:

- lots fronting on a private street
- minimum lot areas of 2,167 sq. ft.
- minimum parking per townhouse unit 1.25 spaces

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Most of the detailed site planning has already been done through the site plan process. The site plan was given approval by the Township and a site plan agreement entered into in September, 2013. The following studies were undertaken to support the site plan application:

- Preliminary Geotechnical Investigation (2007) V.A. Wood
- Preliminary Servicing Report (2008) MTE
- Stormwater Management Report (MTE)
- Phase II Environmental (2010) Chung and Vander Doelen

Development of the property for street townhouses has already been approved through rezoning and site plan control. The draft plan will provide for the creation of a condominium corporation involving the streets, sidewalks, services, stormwater management, visitor parking and amenity areas. The future residential portions of the subject lands are not part of the draft plan of condominium. The following study accompanied the application:

- Planning and Justification Statement (2013) BSR & D

Lifting of part lot control is being used to create 45 residential dwelling units. These lots are to become “Parcels of Tied Land” POTLs to the common element plan of condominium. This is newer process for developing land. As such the County referred the process to its solicitor for review. Our solicitor was satisfied that the approach was acceptable. In simple terms the steps are as follows:

1. Draft Plan Approval
2. Approval of Part Lot Control By-law
3. Final Approval of the Draft Plan

The Township’s solicitor is drafting the part lot control by-law.

Wellington County has received the following comments at the time of writing:

Grand River Conservation Authority

- No objections to draft approval (Feb. 28, 2014)

Canada Post

- Two Community Mail Boxes are to be installed at the developer’s expense (Feb. 20, 2014)

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The County had not received any agency requests for conditions of draft approval. In the near future the County will be preparing a list of standard draft conditions for review by the developer and the Township.

Cash in-lieu-of Parkland Dedication should be required unless this was taken during the site plan control process.

Mr. Van Patter noted on the draft plan that a sidewalk is not proposed for the southern leg of the end street. A sidewalk is proposed for part of the northern leg to the visitor parking. Mr. Van Patter asked if it makes more sense to have the sidewalk run the entire length of the end street on the east side?

There is a series of complicated easements on the now registered reference plan for services, storm water management and access to rear yards. I would recommend that the Township's solicitor review them and determine if any related conditions of draft are appropriate.

A development agreement has been entered into already for site plan control. Mr. van Patter inquired if another development agreement be required as a draft condition?

3. Review of Correspondence received by the Township:
 - Nathan Garland, Resource Planner, GRCA
 - Dennis De Rango, Specialized Services Team Lead, Hydro One

4. Subject to Section 51, subsection (43) of the Planning Act, any person or public body may appeal a decision of the County of Wellington not later than 20 days after the day that the giving of written notice has been completed. If you wish to be notified of the decision you must make a written request to the Director of Planning and Development, Corporation of the County of Wellington, 74 Woolwich Street, Guelph N1H 3T9.

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5. Mayor opens floor for any questions/comments.

Councillor Lennox asked for clarification of common elements versus freehold. Mr. Van Patter explained that the condominium corporation would have no hold over the homes. Councillor Lennox questioned what recourse neighbours would have is someone does not maintain their building. Mr. Van Patter suggested asking the developer about maintenance and suggested that perhaps it is covered by the purchase and sale agreement.

Brian Beatty, Black Shoemaker Robinson and Donaldson, agent for the applicant was present. Mr. Beatty stated that they will work through Council's concerns and respond. The applicant would appreciate support of Council for this project.

6. Adjournment 7:13 p.m.

C.A.O./CLERK

MAYOR