

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH  
PUBLIC MEETING - MINUTES  
MONDAY, JANUARY 23, 2017 AT 7:00 P.M**

The Public Meeting was held at the Municipal Office Council Chambers, Kenilworth to consider two Zoning Amendment applications.

**Present:**

**Mayor: Andy Lennox  
Councillors: Sherry Burke  
Lisa Hern  
Steve McCabe  
Dan Yake**

**Staff:**

**Chief Administrative Officer: Michael Givens  
Clerk: Karren Wallace  
Executive Assistant: Cathy Conrad  
Chief Building Official: Darren Jones  
Director of Public Works: Matthew Aston  
Treasurer: Kimberly Henderson  
Tourism, Marketing, Promotion Manager: April Marshall  
Senior Planner: Linda Redmond**

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

**Declaration of Pecuniary Interest:**

No pecuniary interest declared.

**OWNER/APPLICANT: 746992 Ontario Ltd.,( C. Checkley)**

**LOCATION OF THE SUBJECT LAND**

The property subject to the proposed amendment is described as Part Lot 26, Concession 5, Geographic Township of Arthur, with a civic address of 8627 Concession 6 South. The property is 40.42 hectares (99.87 acres) in size.

**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 retained agricultural portion of property and to permit an existing drive shed with an area of 230 m<sup>2</sup> (2475.69 ft<sup>2</sup>) to remain on the severed residential portion of property. This rezoning is a condition of severance application B52/16, that was granted provisional approval by the Wellington County Land Division Committee. The consent will sever the existing dwelling 0.42 ha (1.03 acres) from the agricultural parcel under the surplus farm dwelling policies.

## **NOTICE**

Notices were mailed to property owners within 120 m of the subject property as well as the applicable agencies and posted on the subject property on December 22, 2016 pursuant to the provisions in the *Planning Act*.

## **PRESENTATIONS**

Linda Redmond, Senior Planner, reviewed the report and draft by-law provided by Elizabeth Martelluzzi, Junior Planner, dated January 17, 2017.

**Planning Opinion** The zoning amendment is required as a condition of provisional consent (B52/16) by the Wellington County Land Division Committee. The purpose of the application is to rezone the subject lands to restrict future residential development on the retained agricultural lot. 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.

Additional zoning relief is also required for the existing accessory structure on the severed residential parcel. The existing driveshed occupies a total lot coverage of 230m<sup>2</sup> (2475.69 sq ft), whereas the Zoning By-law permits a maximum lot coverage of 92.9 m<sup>2</sup> (1000 sq. ft.).

## **INTRODUCTION**

The property subject to the proposed amendment is described as Lot 26, Concession 5, Geographic Township of Arthur, with a civic address of 8627 Concession 6 South. The proposal is a condition of a recent severance application on the property, B52/16. The retained portion of the property is 40 hectares (98.8 ac) and the severed portion is 0.42 hectares (1.03 ac) in size.

## **PROPOSAL**

The purpose of the application is to rezone the subject lands to restrict future residential development on the retained agricultural lot and to permit the existing accessory structures totaling 230 m<sup>2</sup> (2475.69 sq ft) on the severed residential lot. This rezoning is a condition of severance application B52/16, that was granted provisional approval by the Wellington County Land Division Committee on September 14, 2016. The consent will sever the existing dwelling and accessory structure (0.42 hectares) from the agricultural parcel under the surplus farm dwelling policies.

## **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. 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) and Natural Environment (NE). Section 6.1.4 allows a maximum lot coverage of 92.9 m<sup>2</sup> (1,000 ft<sup>2</sup>) for a lot of this size, whereas the existing driveshed has a total lot coverage of 230 m<sup>2</sup> (2475.69 sq ft).

**CORRESPONDENCE FOR COUNCIL'S REVIEW**

No correspondence received.

**REQUEST FOR NOTICE OF DECISION**

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.

**MAYOR OPENS FLOOR FOR ANY COMMENTS/QUESTIONS**

The applicants agent, Jeff Buisman, was present to answer questions regarding the application.

**COMMENTS/QUESTIONS FROM COUNCIL**

No comments or questions from Council.

The Council of the Corporation of the Township of Wellington North considered all written and oral submissions received on this application, the effect of which has assisted Council to make an informed decision on this planning matter.

**OWNER/APPLICANT: South Saugeen Developments Ltd. (John Padfield)**

**LOCATION OF THE SUBJECT LAND**

The land subject to the proposed amendment is described as Part of Park Lots 10, 11 and 12, s/s Princess Street, Part of Park Lots I, K and L, MacDonald's Survey, Geographic Town of Mount Forest. The property is 0.348 hectares (0.85 acres) in size and is currently vacant.

**PURPOSE AND EFFECT OF THE APPLICATION**

The purpose and effect of the proposed amendment is to rezone the subject lands from Future Development FD to Residential R2 to facilitate construction of semi-detached dwellings on four proposed lots (8 units' total). This amendment is required in order to facilitate this proposal.

**NOTICE**

Notices were mailed to property owners within 120 m of the subject property as well as the applicable agencies and posted on the subject property on December 22, 2016 pursuant to the provisions in the *Planning Act*.

**PRESENTATIONS**

Linda Redmond, Senior Planner, reviewed report and draft by-law provided by Mark Van Patter, Manager of Planning and Environment, dated January 16, 2017.

**PLANNING OPINION**

Provided the 4 lots are approved by the Land Division Committee the Planning Department had no concerns with the proposed rezoning.

**SUBJECT LAND**

The land subject to the proposed amendment is described as Part of Park Lots 10, 11 and 12, s/s Princess Street, Part of Park Lots I, K and L, MacDonald's Survey, Geographic Town of Mount Forest. The subject lands are 0.348 hectares (0.85 acres) in size and currently vacant.

**PURPOSE**

The purpose and effect of the proposed amendment is to rezone the subject lands from Future Development FD to Residential R2 to permit the construction of semi-detached dwellings on four proposed lots (8 units total). A Planning Report by Ron Davidson and a Phase 3 Environmental Site Assessment Report by Tom Haygarth were submitted along with the application.

## **PROVINCIAL POLICY STATEMENT**

Section 1.1.3.3 of the 2014 PPS states that, *“planning authorities shall identify appropriate locations and promote opportunities for intensification”*. Section 1.4.3 encourages Planning Authorities to provide an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents.

## **WELLINGTON COUNTY OFFICIAL PLAN**

The property is located within the Mount Forest Urban Centre and is designated Residential. The policies of Section 8.3.2 of the Official Plan set out a number of objectives for residential development including, *“g) to encourage intensification, development proposals provided they maintain the stability and character of existing neighbourhoods.”*

## **ZONING BY-LAW**

The property is zoned Future Development (FD).

## **PLANNING CONSIDERATIONS**

### Development by Severance Versus Plan of Subdivision

Section 10.1.2 (a), Creating New Lots, of the Official Plan indicates that a plan of subdivision will normally be required when *“four or more lots, including the retained, are being created”*. The County Land Division Committee will be dealing with 8 consent applications related to this development at their February meeting – 4 lot line adjustments and 4 severances (B120/16 thru B127/16). I would recommend that a decision on the rezoning not be made until the consents are granted by the County.

### Rezoning from FD to R2

In order to permit the proposed semi-detached lots, the land would have to be rezoned to R2. I have reviewed the R2 zoning regulations and find that the proposed lots would be sufficiently large for minimum lot area and lot frontage requirements to be met.

### Residential Density

Section 4.4.4 (b) requires development on Greenfield areas to meet a density of at least 6.5 units per gross acre. The proposal is for 8 semi-detached units on 0.802 acres. Therefore, there is no concern in this regard.

### Neighbourhood Compatibility and Intensification

The lands on the west side of Cork Street are currently vacant, except for the arena property, approximately 65 metres northwest of the subject lands. The subject lands are situated so as to allow for the extension of Melissa Crescent westward over the vacant lands. There are no compatibility issues with existing development.

Phase 3 – Environmental Site Assessment

The proposed development area is on and adjacent to a former rail line. As a result of Phase 2 testing, it was found that Arsenic level were significant. This was remediated through the removal of 950 metric tonnes of material trucked to a landfill site. Subsequent testing found Arsenic levels to be insignificant. This issue has been satisfactorily addressed.

Stormwater Management

It's my understanding that one of the conditions of severance will require a development agreement with the Township, that will deal with stormwater management among other things. Council should be satisfied that development of these 4 lots will not compromise the future development of vacant interior lands.

**CORRESPONDENCE FOR COUNCIL'S REVIEW**

Jim Klujber, Chief Operating Officer, Wellington North Power Inc.

- Developer to consult for electrical service layout

Emily Bumbaco, Planning Technician, Upper Grand District School Board

- No objection

Michael Obrele, Environmental Planning Technician, Saugeen Valley Conservation Authority

- Application is acceptable to SVCA Staff

Patrick J. Kraemer, Duncan, Linton LLP, representing the Township of Wellington North

- Recommends that the proponent be required to provide proof of conformity with the *Environmental Assessment Act* for the proposed undertaking prior to any approval for the zoning by-law amendment that may be granted by the Township.

**REQUEST FOR NOTICE OF DECISION**

The by-law will be considered a future regular council meeting. Persons wishing notice of the passing of the By-law must submit a written request.

**MAYOR OPENS FLOOR FOR ANY COMMENTS/QUESTIONS**

The Applicant and his agent, Rod Davidson, were present to answer questions regarding the application. By-law will not be passed until the consent process is complete. Concern was raised regarding the Township's lawyer wishing to revisit the previous hydrogeologist report of the former rail lands.

**COMMENTS/QUESTIONS FROM COUNCIL**

Michael Givens, CAO, suggested further consideration of the previous reports by Township Engineers.

The Council of the Corporation of the Township of Wellington North considered all written and oral submissions received on this application, the effect of which has assisted Council to make an informed decision on this planning matter.

**ADJOURNMENT**

**RESOLUTION 001**

Moved by: Councillor Burke

Seconded by: Councillor McCabe

*THAT the Public Meeting of January 23, 2017 be adjourned at 8:20 p.m.*

**CARRIED**

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**CLERK**

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**MAYOR**