

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH  
PUBLIC MEETING - MINUTES  
MONDAY, MARCH 27, 2017 AT 7:00 P.M**

/The Public Meeting was held at the Municipal Office Council Chambers, Kenilworth to consider an Official Plan Amendment application and a Zoning Amendment application.

**Present:**

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

**Staff Present:**

**CAO: Michael Givens  
Clerk: Karren Wallace  
Executive Assistant: Cathy Conrad  
Treasurer: Kimberly Henderson  
Chief Building Official: Darren Jones  
Manager of Planning and Environment: Mark Van Patter  
Senior Planner: Linda Redmond**

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

**Declaration of Pecuniary Interest:**

No pecuniary interest declared.

**OWNER/APPLICANT: Maple Hill Estates Inc.**

**LOCATION OF THE SUBJECT LAND**

The land subject to the proposed amendment is described as Part Lot 1, 2 & 3, South of Clyde Street. The subject property is currently zoned Residential (R1A) by the Township of Wellington North Zoning By-law 66-01 and designated PA6-2 by the County of Wellington Official Plan.

**PURPOSE AND EFFECT OF THE APPLICATION**

The purpose and effect of the proposed amendment is to redesignate the subject property from Special Policy Area PA6-2 to Residential. The development concept for this site includes the creation of five single family residential lots to be serviced on private septic and well. The 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 March 1, 2017 pursuant to the provisions in the *Planning Act*.

## **PRESENTATIONS**

Linda Redmond, Senior Planner, reviewed the report and draft by-law provided by Jameson Pickard, Planner, dated March 22, 2017.

**Planning Opinion:** The application for the above noted lands is to redesignate the subject property to Residential. The proposal appears to meet the intent of the Official Plan policies which encourages the development of vacant or under-utilized properties for residential uses which are compatible with surrounding uses.

The purpose of this report is to provide the Township with an overview of the above referenced Official Plan application and provide the comments received to date to facilitate the public meeting. Further, this statutory public meeting will provide an opportunity for the community and area residents to ask questions and seek more information from the proponent and their consultants.

The Saugeen Valley Conservation Authority have asked for further information with respect to storm water management prior to final approval of the amendment by the County of Wellington.

## **Location**

The property is 5.4 hectares (13.4 acres) and is located at the southern most point of the Mount Forest Urban boundary. The property has frontage on Oxford and Ayrshire Streets and is legally described as Part Lot 1, 2 & 3, South of Clyde Street. The subject lands are currently vacant.

The property is currently zoned Residential (R1A) by the Township of Wellington North Zoning By-law 66-01 and designated PA6-2 by the County of Wellington Official Plan. The surrounding land uses are primarily residential and agricultural. The lands to the north and west include residential dwellings and the Saugeen River. The lands to the east and south are residential dwellings and agricultural.

## **Proposal**

The purpose of the amendment is to redesignate the subject lands from Special Policy Area (PA6-2) to Residential. The amendment affects Schedule A6-1 – Mount Forest and there are no proposed textual changes to the policies of the Official Plan. The development concept for this site includes the creation of five residential lots to be serviced on private septic and well. The Wellington County

Official Plan provides consideration for the establishment of new residential areas within the Urban Area of the County. These amendments would facilitate this proposal.

**Official Plan**

The lands that are proposed to be amended are currently located within a Special Policy Area in Wellington North and are designated PA6-2 which states the following:

“The areas identified as PA6-2 on Schedule “A6-1” include Special Residential Areas south of the Saugeen River and East of Highway 6. Due to previous commitments, these areas may be developed with less than full municipal services in accordance with the following policies:

- a) sewage disposal may either be private individual or communal;
- b) municipal water supply is available or can be made available to the proposed lots. (Note: this policy in no way commits the Municipality to improving the level of service); development of these areas shall be by plan of subdivision and shall be accompanied by hydro-geologic and servicing reports, demonstrating the suitability of the area for adequate sewage disposal, water supply, storm water management and road access;
- c) all other applicable policies of this Plan shall apply”.

The draft Official Plan amendment is attached for Council’s review. The designation is proposed to be changed to Residential. The lands located in the northwest corner will remain Core Greenland.

**Availability of Municipal Services**

This area of Mount Forest is currently not on municipal sewers and water. It is our understanding that municipal services are not planned for this area of Mount Forest.

**Public and Agency Comments**

The application was circulated by the County to agencies in January, 2017. To date we have received the following comments:

<b>Agency</b>	<b>Position</b>	<b>Comments</b>
Saugeen Valley Conservation Authority(SVCA)	<b>Concerns</b>	Additional storm water management details are required prior to the amendment proceeding. See correspondence dated February 24, 2017.
Wellington North Power (WNP)	<b>No Concerns.</b>	Please contact WNP prior to completion of building plans to request electrical service layout.
Upper Grand District School Board (UGDSB)	<b>No objection</b>	In comments of February 24, 2017 the UGDSB indicated that development charges are applicable.

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One Neighbour	<b>Generally supportive with questions.</b>	Density and dwelling type. Proposed road extensions and/or upgrades. Extension of services. No negative effect on existing aquifer. Property values.
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### **Supporting Information**

In support of the proposed amendment to the planning document, the proponent has submitted a Functional Servicing Report (Sept 2016) prepared by the applicant's consulting engineers (WSP Canada Inc.). The applicant has also provided a Planning Merit Letter prepared by Ron Davidson Land Use Planning Consultant (Sept 2016). The report provides a review of the relevant provincial policies and concludes that the proposed residential development is consistent with the policies of the Provincial Policy Statement.

### **Other Applications**

In addition to the Official Plan amendment application, consent applications B94/13 to B98/13 have also been submitted to sever 5 residential parcels.

### **Zoning By-law**

The lands are currently zoned R1A (unserviced Residential) (Figure 3). The lands located in the northeast corner are zoned R1A-12, which reflects the existing watercourse. The site specific exemption requires that any development within 30m of this zone is within the SVCA regulated area and requires a permit

### **Summary**

Staff have no concerns with the Official Plan amendment at this time. The proposal represents logical infilling. The applicant is required to provide further information to the SVCA regarding the storm water management plan for the site. This is required prior to final approval of the OPA by the County of Wellington. If Council is in support of the amendment, a resolution in support of it should be passed by Council after the public meeting and forwarded to the County along with the required records.

### **CORRESPONDENCE FOR COUNCIL'S REVIEW**

Erik Downing , Manager, Environmental Planning & Regulations  
Saugeen Conservation Authority

- Additional storm water management details are required prior to the amendment proceeding

### **REQUEST FOR NOTICE OF DECISION**

Persons wishing to be notified of the adoption of the proposed Official Plan Amendment (File OP-2016-08) or of the refusal of a request to amend the official

plan must make a written request to the Director, Planning and Development Department, County of Wellington, 74 Woolwich Street, Guelph, Ontario N1H 3T9. The by-law will be considered at a future regular council meeting. Persons wishing to be notified of the decision of the Township of Wellington North regarding the proposed Zoning By-law Amendment must make a written request to the Clerk, Township of Wellington North, 7490 Sideroad 7 West, P.O. Box 125, Kenilworth, Ontario N0G 2E0.

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

The applicant's consultant was present to answer questions regarding the application.

Chris Peter wondered if the applicant would be responsible for road upgrades/improvements. The County Planner advised that would be dealt with at the time of the severance applications and development agreements.

### **COMMENTS/QUESTIONS FROM COUNCIL**

The Council of the Corporation of the Township of Wellington North considered all written and oral submissions received to date on this application.

**OWNER/APPLICANT: Greg and Katrina Schneiders**

### **LOCATION OF THE SUBJECT LAND**

The land subject to the proposed amendment is described as Lot 13, Concession WOSR, Municipally known as 8586 and 8610 Hwy 6, Geographic Township of Arthur. The property at 8586 Hwy 6 is 1.21 hectares (2.77 acres) in size.

### **PURPOSE AND EFFECT OF THE APPLICATION**

The purpose and effect of the proposed amendment is two-fold. First, an error is being corrected on the zoning map. 8610 Hwy. 6 was rezoned incorrectly in 2011 to A-106. This zoning should have instead, been applied to a lot further south at 8586 Hwy. 6. Second, the owner of 8586 has applied to permit an agricultural-related, excavation business on property.

### **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 March 7, 2017, pursuant to the provisions in the *Planning Act*.

## **PRESENTATIONS**

Mark Van Patter, RPP, MCIP, Manager of Planning and Environment reviewed the report and draft by-law provided by Jameson Pickard, Planner, dated March 22, 2017.

**Planning Opinion:** I can understand the desire to service and at times park expensive equipment on your own property, for security and efficiency reasons. The parcel would seem to be ideally suited for the servicing of excavating equipment. It is a large lot at 2.77 acres, already has a graveled yard at some distance from the road, and has ready access to a provincial highway. A 1,225 sq. ft. personal garage for owners Greg and Katrine Schneider, attached to a 3,000 sq. ft. maintenance shop for the excavating business, is being proposed. Zoning relief is required for the oversized accessory building size. I am suggesting limited outdoor storage be permitted – not to exceed 5,000 sq. ft. This would not include excavating equipment on-site to be serviced. There should be no negative impacts resulting from this use to either neighbouring dwellings or agriculture.

## **SUBJECT LAND**

The lands subject to the proposed amendment are described as Lot 33, Concession WOSR, Municipally known as # 8586 and # 8610 Hwy 6, Geographic Township of Arthur. The property at # 8586 Hwy 6 is 1.21 hectares (2.77 acres) in size and is shown on the air photo next page.

## **PURPOSE AND EFFECT**

The purpose and effect of the proposed amendment is two-fold. First, an error is being corrected on the zoning map. # 8610 Hwy. 6 was rezoned incorrectly in 2011 to A-106. This zoning should have instead, been applied to the then, recently severed lot further south at # 8586 Hwy. 6. Second, the owner of # 8586 has applied to permit the servicing and parking of excavating equipment on the property.

## **BACKGROUND**

The property at # 8586 Hwy. 6 was created by severance application B131/10. A condition of the severance required a rezoning to permit the oversized 1,539 sq. ft. accessory shed. Unfortunately, the rezoning map identified a neighbouring residential lot (# 8610), not the one intended (# 8576). This error needs to be corrected.

The applicants are Greg and Katrina Schneider who own the subject property at # 8610 Hwy. 6. As I understand it from our pre-consultation meeting, the family operates an excavating business. They currently have the proper zoning in the Township of Mapleton at the intersection of Wellington Roads 7 and 11 - Agricultural Exception (A-31.117) - to permit an “excavating contractor”.

Greg and Katrina would like to build a shop on the property where they reside, to service equipment used in the family excavating business (e.g. high hoe, bulldozer, truck). There is an existing shop approximately 1,539 sq. ft. on the property, and a large graveled yard present. The equipment would primarily be on the job site. Employees meet at the job site and not at the subject property.

### **PROVINCIAL POLICY STATEMENT (PPS)**

The subject property is considered to be within a PRIME AGRICULTURAL area. Section 2.3.3.1 of the PPS allows for agricultural uses, agriculture-related uses and on-farm diversified uses within such areas. The uses must be compatible with, and shall not hinder surrounding agricultural operations.

### **WELLINGTON COUNTY OFFICIAL PLAN**

The subject property is designated PRIME AGRICULTURAL. Section 6.4.3 (b) and (c), of the Plan provides consideration for secondary uses and agriculture-related uses. Agricultural-related uses include *“farm related commercial and industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation”*.

Agriculture First policy of Section 6.4.2 states that “As a general rule, land use activities that support agriculture will be encouraged and land use activities that do not support agriculture will be discouraged”.

### **WELLINGTON NORTH TOWNSHIP ZONING BY-LAW**

There are errors in the current zoning by-law that affects the subject property. Residential lot # 8610 Hwy. 6 is currently zoned “A-106”, but should be zoned “A”. Residential lot # 8586 Hwy. 6 is currently zoned “A-105”, but should be zoned “A-106”.

The Wellington North Zoning By-law does permit Home Occupations and Home Industries on a lot created by consent that is less than 25 acres in size. The applicant’s property is 2.77 acres.

### **PLANNING CONSIDERATIONS**

#### **Correcting the Error on # 8610 and on # 8586**

This is a straight-forward correction of a mapping error.

#### **Servicing and Storage of Equipment on # 8586**

Greg and Katrine own and reside on the subject property. They would like to build a two bay shop to maintain and service equipment used in their excavating business. I am viewing the use to be accessory to the residential use. It does make sense for a small business to be able to service your equipment at home. The Schneiders indicate that approximately 65% of their clients are farmers.

**Impact on Neighbouring Lands**

The closest dwelling is about 790 ft. across Hwy. 6 on a farm parcel. The next closest dwelling is to the north, same side of the road, about 960 ft. away. There should be no noise impacts. I anticipate little traffic resulting from the proposed activities; equipment will be left at the job site most of the time. I do not foresee any negative impacts on neighbouring agricultural lands.

**Oversized Accessory Building on # 8586**

Currently, there is an existing accessory building on the property which is approximately 1,539 sq. ft. The Schneiders wish to build another accessory building with two components:

- A 1,225 sq. ft. double car garage for Greg and Katrina's personal use
- A 3,000 sq. ft. shop to service equipment used in the excavation business.

This would result in a total area of accessory buildings being approximately 5,695 sq. ft.

The current zoning permits the existing 1,539 sq. ft. building. While going up to 5,695 sq. ft. may seem a large variance, the property is fairly large and is isolated in terms of neighbouring dwellings.

**Outdoor Storage**

I understand from speaking to Eric Schneiders' , Greg's brother, that there would be very little outdoor storage of building and construction materials. I have added a requirement to the draft zoning amendment that limits the outdoor storage to a maximum of 5,000 sq. ft. This would not apply to excavating equipment on-site for servicing. A buffer area as outlined in Section 6.3 of the By-law is to be required for visual screening. The outdoor storage is to maintain a setback of 10 feet from side and rear lot lines.

A draft zoning by-law amendment was available for Council's review.

**CORRESPONDENCE FOR COUNCIL'S REVIEW**

- None received.

**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**

None

**COMMENTS/QUESTIONS FROM COUNCIL**

None

**ADJOURNMENT**

**RESOLUTION 003**

Moved by: Councillor Burke

Seconded by: Councillor McCabe

*THAT the Public Meeting of March 27, 2017 be adjourned at 7:28 p.m.*

**CARRIED**

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**CLERK**

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**MAYOR**