

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
PUBLIC MEETING - MINUTES
MONDAY, MAY 8, 2017 AT 2:00 P.M**

The Public Meeting was held in the Plume Room at the Mount Forest & District Sports Complex 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
Director of Recreation, Parks & Facilities: Barry Lavers
Economic Development Officer: Dale Small
Interim Director of Public Works: Derek McCaughan
Manager of Planning and Environment: Linda Redmond
Senior Planner: Curtis Marshall**

Mayor Lennox called the meeting to order.

Declaration of Pecuniary Interest:

No pecuniary interest declared.

OWNER/APPLICANT: Philip Green and Roxanne Caughill

LOCATION OF THE SUBJECT LAND

The land subject to the proposed amendment is described as Part Lot 21, Concession EOSR, Registered Plan 60R-2578 Parts 3 & 5, Municipally known as 9103 Highway 6, Geographic Township of Arthur. The property is 0.48 hectares (1.2 acres) in size.

PURPOSE AND EFFECT OF THE APPLICATION

The purpose and effect of the proposed amendment is to revise the site specific zoning (C5-30) on the subject land to permit the sale, service and storage of golf carts. Other zoning relief may be considered where appropriate.

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 April 13, 2017 pursuant to the provisions of the *Planning Act*.

PRESENTATIONS

Linda Redmond, Senior Planner reviewed comments provided by Elizabeth Martelluzzi, Junior Planner, dated May 2, 2017.

Planning Opinion This zone amendment will revise the current site specific zone on the property to permit a residential dwelling and the sales, service and storage of golf carts. The current site specific zone only permits a residential dwelling and an antique store.

INTRODUCTION

The property subject to the proposed amendment is described as Part Lot 21, Concession EOSR, Registered Plan 60R-2578 Parts 3 & 5, municipally known as 9103 Highway 6, Geographic Township of Arthur. The property is approximately 0.48 hectares (1.2 acres) in size and includes an antique sales business.

PROPOSAL

The purpose of the application is to rezone the subject lands to permit the sale, servicing and storage of golf carts. The zone amendment would revise the site specific Commercial zone (C5-30) to permit the proposed uses.

PROVINCIAL POLICY STATEMENT (PPS)

The subject property is considered to be within a settlement area according to the PPS (within the Hamlet area of Kenilworth). According to section 1.1.3.3, "Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs."

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is located within the Kenilworth Hamlet Area in the Official Plan. According to Section 7.4.1, "Uses including local commercial uses may be permitted where compatible and where adequate levels of service can be provided. Zoning by-laws will identify areas for various uses and set regulations to govern their nature."

ZONING BY-LAW

The subject lands are zoned Hamlet Commercial exception zone (C5-30). The current zone allows for one residential dwelling and an antique store with additional provisions.

The applicant has requested that a residential dwelling continue to be permitted within the exception zone in addition to the sales, storage and servicing of golf carts.

The amending by-law, attached, will permit a residential use in addition to the golf cart repair/service/sales use. An antique store and its related sales and services will no longer be permitted. Regarding the proposed storage, the Hamlet Commercial zone (C5) and the current exception zone do not permit outdoor storage, which will remain the same in the revised by-law.

ADDITIONAL INFORMATION

Properties adjacent to the subject lands include mainly residential uses. The neighbor to the north includes a residence with a special provision to park transport trucks and the lands south of the subject property are vacant and outside of the hamlet area boundary, zoned Agricultural (A). The proposed uses are replacing an existing commercial use (antique sales) and will require site plan approval for alterations to the site.

CORRESPONDENCE FOR COUNCIL'S REVIEW

John Morrissey, Corridor Management Planner, Ministry of Transportation

- Correspondence dated May 4, 2017, MTO do not object to proposed amendment

Clark Somerville, Local/Regional Councillor Town of Halton Hills/Halton Region

- Correspondence dated April 20, 2017, letter of endorsement for the operator and owner of Coyote Carts.

REQUEST FOR NOTICE OF DECISION

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

MAYOR OPENS FLOOR FOR ANY COMMENTS/QUESTIONS

Jason Ash, agent for the applicant and proposed purchaser of the subject property, was in attendance to answer any questions regarding the application.

Lorrie Tucker, owner of 9107 Highway 6, on the north and east sides of the subject property, expressed her concerns that a required buffer area and outdoor storage have never been enforced with the various businesses previously located there. Since the current owner bought the property she has not had privacy or peace with people trespassing onto her property, knocking on her door wanting to buy things and sometimes even entering her home and garage. People have parked on her front lawn and blocked her driveway. Trucks use her

driveway to access the subject property for deliveries and pickups because they cannot access the subject property due to the amount of garbage in the way. Emergency vehicles would not be able to get into her driveway should her son require emergency medical help for his medical condition as cars block the driveway. Her own medical conditions as well and the stress of living with this situation are affecting her health. She has filed complaints with the municipality; but, nothing has been done to resolve the situation. Mrs. Tucker stated that she is not against a new use as long as the by-law is enforced and asked that a six foot wooden privacy fence be installed along the north and east sides of the property and the entrance be gated.

Mr. Ash stated that he owns Coyote Carts and wants to expand to open a location in Kenilworth. He has a conditional offer on the property until approval is received from the Township. He wants to clean up the property, replace the front facade and landscape; however, he can't do anything until he owns the property. The building is four times the size of his current location so outside storage will not be needed. He has no issues with installing fencing. Mr. Ash looks forward to working with Council, neighbours and the community.

COMMENTS/QUESTIONS FROM COUNCIL

Councillor Hern commented that there seem to be a lot of problems regarding the property boundary that is not known. Mr. Ash stated that he has a survey. His priority is to secure the property. The lot line is close to the Tucker's driveway. Before he can start to clean it up he has to own it.

Councillor Yake inquired how the buffer and outdoor storage issue can be enforced. Can a time line be stipulated? Darren Jones, CBO, commented that there is nothing that states a timeframe; just that it needs to be done.

Mayor Lennox agreed that the property needs to be cleaned up and buffering put in place.

ADJOURNMENT

RESOLUTION 007

Moved by: Councillor Yake

Seconded by: Councillor Hern

THAT the Public Meeting of May 8, 2017 be adjourned at 2:34 p.m.

CARRIED

CLERK

MAYOR