

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH  
PUBLIC MEETING AGENDA – APRIL 11, 2022 @ 2:00 P.M.  
VIA WEB CONFERENCING**

**HOW TO JOIN**

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join. <https://us02web.zoom.us/j/84125453312>

Description: Public Meeting Under the Planning Act

Or join by phone:

Dial (for higher quality, dial a number based on your current location):

855 703 8985 (Toll Free) or 1 438 809 7799 (*long distance charges may apply*)

Webinar ID: 841 2545 3312

**PAGE  
NUMBER**

**CALLING TO ORDER - Mayor Lennox**

**DISCLOSURE OF PECUNIARY INTEREST**

ZBA 05/22 John & Helena Klassen

**OWNERS/APPLICANT**

John & Helena Klassen

**LOCATION OF THE SUBJECT LAND**

The land subject to the proposed amendment is described as Part Park Lot 8, and has frontage on Wellington Rd 109, Geographic Arthur Township. The portion of the property subject to the proposed amendment is approximately 0.49 ha (1.21 ac) in size. *The location is shown on the map attached.*

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**PURPOSE AND EFFECT OF THE APPLICATION**

The purpose and effect of the proposed amendment is to rezone a portion of the subject lands to permit a single detached dwelling on the property. The property is currently zoned Highway Commercial with a site specific provision (C2-14) which permits tourist commercial uses. The subject lands are currently vacant. Additional relief may be considered at this meeting.

**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 11<sup>th</sup>, 2022.

**PRESENTATIONS**

- Matthieu Daoust, Planner, County of Wellington, Township of Wellington North
  - Planning Report dated March 10, 2022

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

- Fred Natolochny, Supervisor of Resource Planning – North & South, Resource Planning, Grand River Conservation Authority
  - Letter dated April 1, 2022 (Recommends Deferral) 7

## **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**

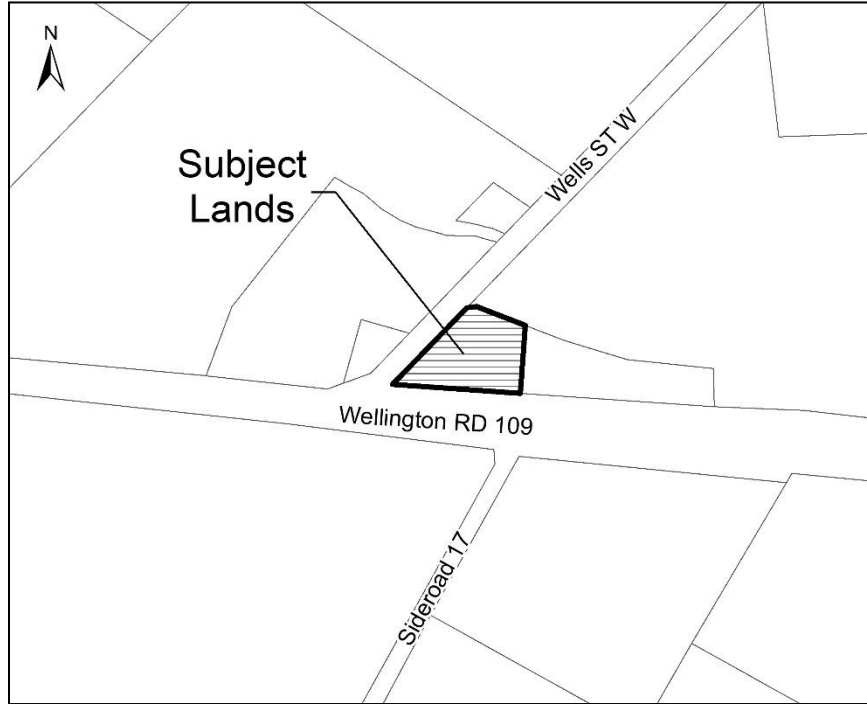
## **COMMENTS/QUESTIONS FROM COUNCIL**

## **ADJOURNMENT**

Recommendation:

THAT the Public Meeting of April 11, 2022 be adjourned at \_\_\_\_\_ pm.

JOHN & HELENA KLASSEN





## PLANNING REPORT for the TOWNSHIP OF WELLINGTON NORTH

Prepared by the County of Wellington Planning and Development  
Department

**DATE:** April 5<sup>th</sup>, 2022  
**TO:** Mike Givens, C.A.O.  
Township of Wellington North  
**FROM:** Matthieu Daoust, Planner  
County of Wellington  
**SUBJECT:** **Part Park Lot 8, Arthur  
Zoning By-law Amendment**

### Planning Opinion

The purpose of this zoning amendment is to rezone the subject lands from Highway Commercial Exception (C2-14) Zone to Unserviced Residential (R1A) Zone to permit a single detached dwelling on the property.

Grand River Conservation Authority (GRCA) Staff have identified a significant slope and hazard lands on the subject property. GRCA staff have requested the completion of a geotechnical report before they can provide a final recommendation on the zone change request.

The purpose of this report is to provide the Township with an overview of the above referenced application and provide the comments received to date.

### INTRODUCTION

The property subject to the proposed amendment is described as Part Park Lot 8, and has frontage on Wellington Rd 109, Arthur. The portion of the property subject to the proposed amendment (Part 1 in Figure 2) is approximately 0.49 ha (1.21 ac) in size and is currently vacant. The location of the property is shown on Figure 1.

### PROPOSAL

The purpose and effect of the proposed amendment is to rezone a portion of the subject lands to Unserviced Residential (R1A) to permit a single detached dwelling on the property. The property



Figure 1. 2020 Aerial Photo

is currently zoned Highway Commercial with a site-specific provision (C2-14) which permits tourist commercial uses and an accessory single detached dwelling.

### **ADJACENT PROPERTY**

In August 2018, the abutting parcel at 7840 Wellington Rd 109 received zoning approval to permit a single detached residential dwelling on private services. This zoning By-law Amendment rezoned the subject lands from Highway Commercial Exception (C2-14) zone to Unserviced Residential (R1A) zone.

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

The subject property is located within the settlement area of Arthur. Section 1.1.3.1 of the Provincial Policy Statement states that “settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted.” Settlement areas are encouraged to include a mix of densities and land uses.

### **WELLINGTON COUNTY OFFICIAL PLAN**

The property is within the Arthur Urban Centre and is designated Future Development and Core Greenlands. The objectives for areas designated Future Development are as follows:

- a) to provide for the orderly future development of the unbuilt areas of the Urban Centre;
- b) to limit development of such lands until an Official Plan Amendment including a proper site plan or concept plan for future uses has been submitted and approved;
- c) to prohibit any major development of these lands until the necessary municipal services can be made available to such areas.

The permitted uses within areas designated FUTURE DEVELOPMENT as illustrated on Schedule “A” of the Plan shall be limited to existing uses and the growing of crops including nursery and horticultural crops but does not include greenhouses. Consideration may be given to the creation of a new lot by consent provided such development is in accordance with the policies of this plan.

In regards to the Core Greenlands area, the comments of the Grand River Conservation Area should be considered by Council.

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

The subject lands are zoned Highway Commercial Exception (C2-14). Permitted uses in the C2-14 zone include tourist commercial uses and an accessory single detached dwelling. The subject lands are proposed to be rezoned to Unserviced Residential (R1A) to facilitate the construction of a single detached dwelling.

### **GRCA COMMENTS**

Grand River Conservation Authority (GRCA) Staff have identified a significant slope and hazard lands on the subject property. GRCA staff have requested the completion of a geotechnical report and a site plan examining the erosion and steep slope on and adjacent to the site before they can

provide a final recommendation on the zone change request.

**CONCLUSION**

Once the owner has had further discussion and addressed GRCA concerns, Planning Staff will bring a final report and draft By-law for Council's consideration.

Respectfully submitted

County of Wellington Planning and Development Department



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Matthieu Daoust, RPP MCIP  
Planner



Administration Centre: 400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

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April 1, 2022  
ZBA 05/22

Via email

Tammy Pringle  
Development Clerk  
7490 Sideroad 7 West  
PO Box 125  
Kenilworth ON, N0G 2E0

Dear Ms. Pringle

**Re:** ZBA 05/22  
7820 Wellington Road 109  
John and Helena Klassen

Grand River Conservation Authority (GRCA) staff has reviewed the above-noted application for a Zoning By-law Amendment to permit the construction of a dwelling on the subject lands.

**Recommendation**

The Grand River Conservation Authority (GRCA) recommends deferral of the subject Zoning by-law Amendment to allow the applicant an opportunity to provide a geotechnical report and site plan examining the erosion and steep slope hazard on and adjacent to the site. The report should demonstrate how development may be accommodated without increase to life or property damage.

**GRCA Comments**

GRCA has reviewed this application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 150/06. GRCA has also provided comments as per our Memorandum of Understanding with the County of Wellington and as a public body under the Planning Act as per our CA Board approved policies.

The subject lands contain and abut steep slope and erosion hazards identified in the PPS, and designated 'Core Greenlands' and 'Future Development' in the Wellington County Official Plan.


Prior to considering comments on the subject lands, we would expect a geotechnical report to form part of the application that demonstrates the application would not allow for increased risk to life or property as a result of the application. The geotechnical report should assess the stability of the slope and define appropriate setbacks. The report should also provide a site plan showing the top of slope, setback from the top of slope, the proposed structures, and distance of proposed structure from top of slope. The report should also provide guidance to any accessory structures/backyard amenities they wish to have in the future as the setback may also apply to these as well.

Information currently available at this office indicates that portions of the subject lands are regulated by the GRCA due to the presence of steep slope and erosion hazards. A permit would be required from our office for construction and grading within the regulated area.

Consistent with GRCA's 2022 approved fee schedule, the applicant will be invoiced in the amount of \$445 for the GRCA's review of this application.

Should you have any questions, please contact Ben Kissner at 519-621-2763 ext. 2237 or [bkissner@grandriver.ca](mailto:bkissner@grandriver.ca).

Sincerely,



Fred Natolochny, MCIP, RPP  
Supervisor of Resource Planning - North & South, Resource Planning  
Grand River Conservation Authority

Cc John and Helena Klassen ([johnswcad@gmail.com](mailto:johnswcad@gmail.com))  
County of Wellington Planning Department