

**TOWNSHIP OF WELLINGTON NORTH
PUBLIC MEETING - MINUTES
MONDAY, JANUARY 12, 2015 at 7:00 P.M.**

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

Present:

**Mayor: Andy Lennox
Councillors: Sherry Burke
Mark Goetz
Steve McCabe
Dan Yake**

Also Present:

**C.A.O./Deputy Clerk: Michael Givens
Clerk: Karren Wallace
Executive Assistant: Cathy Conrad
Treasurer: Paul Dowber
Chief Building Official: Darren Jones**

Absent:

Junior Planner: Jameson Pickard

Mayor Lennox called the meeting to order.

Declaration of Pecuniary Interest:

None declared.

Owner/Applicant: Powerline Ridge Farms Inc.

Location of the Subject Land

The property subject to the proposed amendment is described as Lot 6 and Part Lot 5, Concession 9, Geographic Township of West Luther, with a municipal address of 8290 Line 8. The property is 125.9 hectares (311.1 acres) in size.

The Purpose and Effect of the Application is to rezone the subject lands to restrict any future residential development on the agricultural, retained portion of the property and to further address a reduced frontage on the severed residential parcel. Additional relief to Minimum Distance Separation (MDS) may be considered at the time of the meeting. This rezoning is a condition of severance application B13/14, that was granted provisional approval by the Wellington County Land Division Committee. The consent will sever a 0.84 ha (2.1 ac) parcel with an existing dwelling and shed from the agricultural 125.9 ha (311.1 ac) parcel. The property is currently zoned Agricultural and Natural Environment. The Natural Environment zone will remain unchanged.

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Please note – Section 34 (12) of the Planning Act.

(12) Information. – At a meeting under subsection (12), the council shall ensure that information is made available to the public regarding the power of the Municipal Board under subsection (14.1) to dismiss an appeal if an appellant has not provided the council with oral submissions at a public meeting or written submissions before a By-law is passed.

Notice for this public meeting was sent to property owners within 120 m and required agencies and posted on the property on December 19, 2014.

PRESENTATIONS

Comments provided by Jameson Pickard, Junior Planner, dated November 4, 2014 were reviewed.

This rezoning is a condition of severance application B13/14 granted by the Wellington County Land Division Committee April 10th, 2014. Both the Provincial Policy Statement and County Official Plan provide for surplus farm dwelling severances, provided the agricultural lands are rezoned to prohibit future residential dwellings. In this case, the severed, residential lot needs relief for insufficient frontage. The barn on the retained, agricultural parcel is unable to meet applicable MDS 1 requirements; the necessary relief will be provided through this rezoning to address this concern. The Planning Department had no concerns at this time with the application.

The property subject to the proposed amendment is described as Lot 6 and Part Lot 5, Concession 9, Geographic Township of West Luther, with a civic address of 8290 Line 8. The property is 125.9 hectares (311.1 acres) in size.

The purpose and effect of this application is to rezone both the severed and retained lands to address conditions of approval associated with provisionally approved consent application B13/14. The subject property will be rezoned as follows:

The “Severed” residential (0.84 ha) portion of the subject lands is to be rezoned to:

- to provide relief for an insufficient frontage
 - The “Retained” agricultural (125 ha) portion of the subject lands is to be rezoned to:
 - to prohibit future residential development
 - to provide MDS relief for the existing livestock facility to the severed parcel
- The area of the surplus farm dwelling and agricultural buildings is within a PRIME AGRICULTURAL area. Section 2.3.4.1(c) of the Provincial Policy

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Statement provides consideration for the severance of a surplus residence, provided that new residential dwellings are prohibited on the remnant parcel of farmland. Section 2.3.3.3 requires Minimum Distance Separation (MDS) requirements to be met.

The subject area is designated PRIME AGRICULTURE and CORE GREENLANDS. Section 10.3.4 of the Wellington County Official Plan implements the PPS and requires that the remnant parcel be rezoned to prohibit dwellings. Section 10.3.4 of the severance policies requires MDS to be met.

The subject area is zoned Agricultural (A). There is a Natural Environment (NE) zone which bisects the agricultural lands that will remain unchanged.

PLANNING CONSIDERATIONS

Recognize Insufficient Frontage for the Retained Surplus Farm Dwelling Parcel

The residential parcel will only have a frontage of 12 metres; whereas, Section 8.5.2.2 for Reduced Lot Regulations requires a frontage of 30.5 metres. This parcel is to be put into the Agricultural Exception (A-172) zone, to recognize this deficiency.

Restrict Future Dwelling on Retained Agricultural Land

This restriction is required by Provincial policy and County of Wellington Official Plan. The retained lands will be placed into Agricultural Exception (A-173) to prohibit a dwelling.

Minimum Distance Separation (MDS) Relief for Existing Barn

The existing 10,000 sq. ft. barn cannot meet the required 250 m MDS setback from the severed parcel; a distance of 207 m is provided. Total relief required would be 43 m.

MDS setbacks are determined by a number of factors including; the type of animal units held, manure storage and handling practices, size of the barn and parcel size. In this particular case the large (309 ac) land base is driving the MDS setback to be greater. This is because potential expansion of this livestock facility is greater on a lot this size and the MDS calculation is sensitive to this fact. MDS's goal is to ensure that incompatible land uses are not situated in close proximity to each other and to ensure that viable agricultural operations are not impeded by new development.

In order to address MDS 1 compliance this rezoning will place the retained lands into an Agricultural Exception (A-173) zone. This zone will contain provisions that provide the necessary MDS 1 relief to the livestock facility. Relief to MDS 1 ensures that this livestock facility can operate, as is, unimpeded by the new lot. It should be noted that the house and building envelope are setback outside of the required 250 m setback.

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Any future expansions to the existing livestock facility will be subject to the appropriate MDS 2 setback requirements to the severed parcel.

REVIEW OF CORRESPONDENCE RECEIVED BY THE TOWNSHIP

- Andrew Herreman, Resource Planner, GRCA
- No objection.

BY-LAW

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 QUESTIONS/COMMENTS

Dan Schill, owner/applicant, was present to answer any questions. The purpose is to have surplus housing severed and retain lands for normal farming practices. Currently there is no livestock in barn; but, they would like to retain for future livestock use if required.

COMMENTS/QUESTIONS FROM COUNCIL

None

ADJOURNMENT

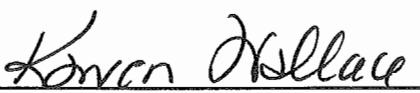
RESOLUTION 1

Moved by: Councillor Yake

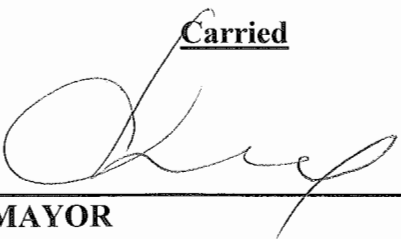
Seconded by: Councillor McCabe

THAT the Public Meeting of January 12, 2015 be adjourned at 7:06 p.m.

CARRIED



CLERK

Carried


MAYOR