

**TOWNSHIP OF WELLINGTON NORTH
PUBLIC MEETING - MINUTES
MONDAY, FEBRUARY 8, 2016 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
Lisa Hern
Steve McCabe
Dan Yake**

Staff:

**C.A.O./Deputy Clerk: Michael Givens
Clerk: Karren Wallace
Executive Assistant: Cathy Conrad
Director of Public Works: Matthew Aston
Chief Building Official: Darren Jones
Senior Planner: Linda Redmond**

Mayor Lennox called the meeting to order.

Declaration of Pecuniary Interest:

None declared.

OWNER/APPLICANT: Clarence and Arlene Pronk

LOCATION OF THE SUBJECT LAND

The property subject to the proposed amendment is described as Part Lot 7, Concession 4, Geographic Township of West Luther, with a municipal address of 8737 Sideroad 7. The lands subject to the amendment are 80 hectares (197 acres) in size.

PURPOSE AND EFFECT OF THE APPLICATION

The purpose and effect of the application is to rezone the subject lands to restrict future residential development and allow a reduced interior side yard setback to an existing shed on the agricultural portion of the property. The amendment will also allow an existing oversized accessory structure on the residential portion of the property. This rezoning is a condition of severance application B68/15, that was granted provisional approval by the Wellington County Land Division Committee. The consent will sever the existing dwelling (0.8 ha) from the agricultural parcel (79 ha) under the surplus farm dwelling policies. The property is currently zoned Agricultural.

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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 January 15, 2016.

PRESENTATIONS

Linda Redmond, Senior Planner, reviewed her comments dated January 29, 2016

Planning Opinion - The zoning amendment is required as a condition of provisional consent (B68/15) by the Wellington County Land Division Committee. We have no objections to implementing this decision. Both the Provincial Policy Statement and County Plan provide for surplus farm dwelling severances, provided the agricultural lands are rezoned to prohibit future residential 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.

Additional zoning relief is also required for the existing accessory structures on the severed residential and retained parcels. The applicant would like to retain the 4,144 sq.ft shed for personal use. We would generally have no concerns with the relief requested provided Council is satisfied that the accessory building is intended for personal use and not for commercial purposes.

The property subject to the proposed amendment is described as Part Lot 7, Concession 4, Geographic Township of West Luther, with a municipal address of 8737 Sideroad 7. The lands subject to the amendment are 80 hectares (197 acres) in size and are currently zoned Agriculture. The surrounding land uses are primarily farms.

The purpose of the application is to rezone the subject lands to restrict future residential development and allow a reduced interior side yard setback to an existing shed on the agricultural portion of the property. The amendment will also allow an existing oversized accessory structure on the residential portion of the property. This rezoning is a condition of severance application B68/15, that was granted provisional approval by the Wellington County Land Division Committee in September. The consent will sever the existing dwelling (0.8 ha) from the agricultural parcel (79 ha) under the surplus farm dwelling policies.

The subject property is considered to be within a PRIME AGRICULTURAL area. Section 2.3.4.1(c) of the Provincial Policy Statement (PPS) provides consideration for the severance of a surplus residence, provided that new residential dwellings are prohibited on the remnant parcel of farmland.

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The subject lands are designated PRIME AGRICULTURE and CORE GREENLANDS in the Wellington County Official Plan. 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.

Under the Wellington North Zoning By-law the subject lands are zoned Agricultural (A). Two site specific zonings are required in order to accommodate the proposal. The first site specific (A-178) will prohibit a dwelling on the retained agricultural parcel and allow the existing shed to have a reduced side yard setback of 8m. The second site specific (A-179) will recognize the floor area of the existing shed (385 m² (4,144 sq.ft)) on the severed residential parcel. The Natural Environment Zone (NE) zone will remain unchanged.

CORRESPONDENCE FOR COUNCIL'S REVIEW

Nathan Garland, Resource Planner, Grand River Conservation Authority
- No objection.

BY-LAW

The by-law will be considered at a regular council meeting at a later date. 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, Van Harten Surveying, was present to answer any questions regarding this application.

COMMENTS/QUESTIONS FROM COUNCIL

Mayor Lennox asked if restrictions are needed to ensure the building that was formerly used as a barn will be used as a shed only. Ms. Redmond stated Darren Jones, CBO, reported that the stalls have been removed and the building is now usable as a shed only.

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OWNER/APPLICANT: Vintex Inc.

LOCATION OF THE SUBJECT LAND

The subject property has frontage on Main Street North and Mount Forest Drive (Mount Forest) and is legally described as Lot 32 and Part of Lot 33, Concession 1, Part of Division 3 (geographic Township of Egremont). The lands subject to the amendments is 1.28 ha (3.18 ac) in size.

PURPOSE AND EFFECT OF THE APPLICATION

The purpose and effect of the proposed Official Plan amendment is to redesignate the subject lands from Industrial to Highway Commercial. The proposed Zoning By-law amendment will rezone the lands from Industrial (M1-1) to Highway Commercial (C2). The development concept for this site includes the creation of one 1.28 ha (3.18 ac.) commercial lot for the development of a retail establishment. The amendments and consent applications are 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 January 15, 2016 pursuant to provisions in the Planning Act.

PRESENTATIONS

Linda Redmond, Senior Planner, reviewed her comments dated February 3, 2016.

Planning Opinion- The application for the above noted lands is to redesignate and rezone the subject property to Highway Commercial. The purpose of this report is to provide the Township with an overview of the above referenced Official Plan and Zone Amendment 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.

At this time staff had no concerns with this proposal provided Council is satisfied. A draft by-law will be prepared for Council consideration following the public meeting and Official Plan adoption.

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The subject property fronts on Main Street and Mount Forest Drive (Mount Forest) and is legally described as Lot 32 and Part of Lot 33, Concession 1, Part of Division 3 (geographic township of Egremont). The property is located in the northerly part of Mount Forest Urban Centre and is approximately 1.28 ha (3.18 ac) in size.

The proposal is to redesignate the subject lands in the County of Wellington Official Plan from Industrial to Highway Commercial.

The proposed Zoning By-law amendment will rezone the lands from Industrial (M1-1) to Highway Commercial (C2) with a site specific to address parking and setbacks. The development concept for this site includes the creation of one 1.28 ha (3.18 ac.) commercial lot for the development of a retail establishment. The amendments and consent applications are required in order to facilitate this proposal.

Application and Background

The subject lands are to be developed with a 2664 m² (28,675 ft²) commercial retail establishment (Canadian Tire). In addition to the retail component a four bay auto service and seasonal garden centre will also be included.

As part of the application, the proponent has provided the following documents:

- Planning Justification Report (Zelinka Priamo Ltd. – November 2015)
- Traffic Impact Study (LEA Consulting Ltd. – November 2015)
- Emergency Response Plan (PGL Environmental Consultants – December 2015)
- Site Plan (RAI Architect Inc. – October 2015)

Planning Considerations

Current Official Plan Designation - The lands subject to the amendment are currently designated Industrial however are bordered by Highway Commercial designations. The Industrial designation relates to the existing use of the lands by Vintex Inc which is an industrial business. The amendment will comprise a portion of the lands that is surplus and vacant and proposed to be severed. The draft amendment is attached as for Councils review.

Consent Application - Consent application B119/15 was submitted in December 2015 to sever the 1.28 ha (3.16 ac) parcel which is subject to this amendment, together with an easement for storm drainage. This consent will be heard at the Land Division Hearing on February 11, 2016. At this point in time there are no concerns with the proposed severance.

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Zoning By-law Amendment - In addition to the County of Wellington Official Plan Amendment, the applicant has applied to the Township of Wellington North for a zone amendment to consider rezoning the same area from Industrial (IN) to Commercial (C2). The rezoning application also indicates zoning variances for parking and rear yard setback may be needed. This will be determined once a formal review of the site plan has been completed.

A separate draft zoning amendment will be presented in the near future. As per the Planning Act, the Township cannot approve the associated zoning until adoption of the Official Plan Amendment by the County occurs.

Traffic Impacts - The proposed access to the site is located off of Mount Forest Drive. MTO has indicated that permits and approval are not required from them. A Traffic Impact Study has been submitted and is under review. One neighbor has raised a concern with the existing traffic at the intersection of Mount Forest Drive and Main Street.

Site Plan - According to Site Plan by-law 27-15 this proposal would be subject to site plan approval prior to any site development. A preliminary site plan has been submitted as part of this proposal. Zoning compliance, design standards, landscaping, traffic flow, fire route and storm water management will be further reviewed as part of the Site Plan process.

Public and Agency Comments - The application was circulated by the County to agencies on January 4, 2016. To date we have received the following comments:

Agency	Position	Comments
Saugeen Valley Conservation Authority(SVCA)	Application for an OPA is acceptable	There are no natural hazards or significant natural heritage features on the lands and are not subject to an SVCA permit for the new building.
Canada Post	No concerns.	
Upper Grand District School Board (UGDSB)	No objection	
Ministry of Transportation	Approval and Permits not required	The subject lands are within the connecting link.
One Neighbour	Supports redesignation	Does not want the road extended across property located behind the Vintex lands. Also identified existing traffic concerns at the intersection of Main Street and Mount Forest Drive.

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NEXT STEPS - Staff had no concerns with the Official Plan amendment or zone amendment at this time. The proposal represents logical infilling of the existing built up area. 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 required records. A separate draft zoning amendment will be presented in the near future.

CORRESPONDENCE FOR COUNCIL'S REVIEW

Frank Vanderloo, P. Eng., B. M. Ross and Associates Limited

- Planning Submission Technical Review

Candace Hamm, Environmental Planning Coordinator, Saugeen Valley Conservation Authority

- The proposed zoning by-law amendment is acceptable to SVCA staff

P.J. McLellan Shaw, Hapfield Developments, O/B 1024049 Investments Ltd.

- Supports with Mount Forest Drive extension concerns

Emily Bumbaco, Planning Technician, Upper Grand District School Board

- No objection

Paul Remisch, Delivery Services Officer, Canada Post Corporation

- Canada Post will provide mail delivery through a Community Mail Box

John Morrissey, Corridor Management Planner, Ministry of Transportation

- MTO review, approval and permits are not required for this application.

Kyle Daveis, Risk Management Official, Wellington Source Water Protection

- Signed Risk Management Plan will be required

REQUEST FOR NOTICE OF DECISION

The by-law will be considered at a future regular council meeting. If you wish to be notified of the adoption of the proposed Official Plan Amendment (OP-2015-06.) or of the refusal of a request to amend the official plan, you must make a written request to the Director, Planning and Development Department, County of Wellington, 74 Woolwich Street, Guelph, Ontario N1H 3T9. If you wish to be notified of the decision of the Township of Wellington North regarding the proposed Zoning By-law Amendment, you must make a written request to the Clerk, Township of Wellington North, 7490 Sideroad 7 West, P.O. Box 125, Kenilworth, Ontario N0G 2E0.

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Michelle Doornbosch, Zelinka Priamo Ltd., has reviewed the comments provided by B.M. Ross and they feel they can continue working with those comments and address concerns. They do not foresee significant changes to the traffic study.

Dwight Benson, owner of property at 202 Industrial Drive, stated that he is in support of the development; but, expressed concern with a large amount of traffic turning on to Main Street from Industrial Drive and Mount Forest Drive. The traffic study does not refer to Canada Waste which has a lot of trucks using the road. Mr. Benson asked that consideration be given to keeping the entrance to the back of the property so it lines up with the entrance into the No Frills parking lot.

Mr. Benson also expressed concern with Storm Water Management. The existing drainage ditch crosses his property. With recently tiled farmland and the addition to Home Hardware draining into the ditch the water is collecting on his property. He is concerned that water from this development will also flow onto his land.

COMMENTS/QUESTIONS FROM COUNCIL

Council was supportive of the development but also expressed concerns with potential traffic and stormwater management issues that need to be considered before proceeding.

ADJOURNMENT

RESOLUTION 01

Moved by: Councillor Burke

Seconded by: Councillor McCabe

THAT the Public Meeting of February 8, 2016 be adjourned at 7:30 p.m.

CARRIED

CLERK

MAYOR