

**TOWNSHIP OF WELLINGTON NORTH
PUBLIC MEETING - MINUTES
MONDAY, MARCH 9, 2015 at 7:00 P.M.**

The Public Meeting was held at the Municipal Office Council Chambers, Kenilworth to consider three Zoning Amendment applications and an Official Plan 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
Chief Building Official: Darren Jones
Executive Assistant: Cathy Conrad
Treasurer: Paul Dowber
Senior Planner: Linda Redmond
Business/Economic Manager: Dale Small
Tourism, Marketing, Promotion Manager: April Marshall
Director of Public Works: Matthew Aston**

Mayor Lennox called the meeting to order.

Declaration of Pecuniary Interest:

None declared.

OWNER/APPLICANT: BRADLEY CULP

The Property Subject to the Proposed Amendment is described as Part Lot 3, Concession 13, Geographic Township of West Luther, with a municipal address of 9468 Sideroad 3. The property is 41.67 hectares (102 acres) in size.

The Purpose and Effect of the Application is to rezone the subject lands to restrict future residential development on the agricultural portion of property, and to recognize the oversized accessory structure. This rezoning is a condition of severance application B84/14, that has been granted provisional consent by the Wellington County Land Division Committee. The consent will sever the existing dwelling (0.57 ha) from the agricultural parcel (41.1 ha). The property is currently zoned Agricultural.

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

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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 February 13, 2015.

PRESENTATIONS

Linda Redmond, Senior Planner, reviewed comments dated March 3, 2015 and draft by-law prepared by Jameson Pickard, Junior Planner.

The zoning amendment is required as a condition of provisional consent (B84/14) by the Wellington County Land Division Committee. The Planning Department had 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 structure on the severed residential parcel. The applicant would like to retain the 2,400 sq.ft shed for personal use. The Planning Department generally had 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 subject land is legally described as Part Lot 3, Concession 13 with a civic address of 9468 Sideroad 3, Geographic Township of West Luther. The land is approximately 41.67 hectares (102 acres) in size.

The purpose of the amendment is to rezone the subject lands to restrict any future residential development on the agricultural portion of the property and to address the oversized shed on the residential portion of the subject lands. This rezoning is a condition of severance application B84/14, that was granted provisional approval by the Wellington County Land Division Committee. The consent will sever the existing farm dwelling and accessory building (0.57 ha.) from the remainder of the agricultural parcel (41.1 ha).

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

Under the Wellington County Official Plan the subject lands are designated PRIME AGRICULTURE and CORE GREENLANDS. This application is required as a result of

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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.

Section 10.3.4 of the Official Plan states: "A severance may be considered for an existing residence that is surplus to a farming operation as a result of farm consolidation, provided that:

- a) The remaining vacant farmland is large enough to function as a significant part of the overall farm unit; and
- b) The result of removing the surplus dwelling from the farm does not render the remaining farmlands difficult or inefficient to farm; and
- c) The amount of good farmland retained with the surplus house is kept to a minimum size needed for residential purposes, taking into consideration environmental and topographic features; and
- d) The surplus residence is habitable and is not expected to be demolished by a future owner; and
- e) The Minimum Distance Separation formula will be met, and
- f) The vacant parcel of farmland is rezoned to prohibit a residential use."

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."

Under the Zoning By-law the subject lands are zoned Agricultural (A) and Natural Environment (NE). There will be two site specific zonings required on the subject lands. The first site specific (A-174) will prohibit a dwelling on the 41.1 ha (101.5 ac) retained agricultural parcel and the second site specific (A-175) will address deficiencies with the accessory structure on the 0.57 ha (1.4 ac) severed residential parcel.

As a result of the severance, the residential dwelling would be considered the main use and the existing accessory structure would be reviewed under section 6.1 as accessory uses to a residential dwelling. In this case there is a shed with a height of 6.09 m (22 ft.), which exceeds the 4.5 m (14.8 ft) permitted in the b-law (section 6.1.3). Further, the shed has a floor area of 222.97 m² (2,400 sq.ft), which exceeds the allowable ground floor area of 1,000 sq. ft. (Section 6.1.4 ii). The Natural Environment Zone (NE) zone will remain unchanged.

REVIEW OF CORRESPONDENCE RECEIVED BY THE TOWNSHIP

- Jennifer Prenger, Environmental Planning Technician, SVCA
- No objection.

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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

Vince Starratt, agent for the applicant was present to answer any questions regarding this application.

COMMENTS/QUESTIONS FROM COUNCIL

No comments or questions from Council

OWNERS/APPLICANT: DWIGHT MCKINLAY AND DEBORAH FARRELLY

The Property Subject to the Proposed Amendment is described as Part Lot 28, Concession 4, Geographic Township of West Garafraxa, with a municipal address of 7282 Wellington Rd 16. The lands subject to the amendment are 19.47 hectares (48.13 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 portion of the property and to remove site specific zoning restriction (A-69). This property was recently severed and merged with an adjoining property. The amendments are required as a condition of this severance.

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 February 13, 2015.

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PRESENTATIONS

Linda Redmond, Senior Planner, reviewed comments dated March 3, 2015 and draft by-law prepared by Jameson Pickard, Junior Planner.

The zoning amendment is required as a condition of consent application (B103/14) which was provisionally approved by the Wellington County Land Division Committee. The Planning Department had no objections to implementing this decision. This application will allow for consistent zoning on lands which were acquired as a result of the lot line adjustment and will further remove site specific zones on the subject property, which are no longer relevant.

The subject land is legally described as Part Lot 28, Concession 4 with a civic address of 7282 Wellington Road 16 in the geographic Township of west Garafraxa. The land is approximately 19.5 ha (48 ac) in size.

The purpose of the amendment is to achieve two things:

- 1) Remove the Agricultural site specific (A-69) zoning from the subject property, which is no longer relevant, and restore the straight Agricultural (A) zoning; and,
- 2) Extend an Agricultural site specific (A-133) zone, which prohibits residential development, on to the severed agricultural lands.

This rezoning is a condition of severance application B103/14, that was granted provisional approval by the Wellington County Land Division Committee. The consent will sever a vacant 12.13 ha (30 ac) agricultural parcel and merge it with an adjacent 58 ha (143 ac) agricultural parcel. The resulting lot would be a 70 ha (173 ac) vacant agricultural parcel. A 7.34 ha (18.1 ac) irregular shaped parcel would be retained with a dwelling and shed.

The subject property is considered to be within a PRIME AGRICULTURAL area. Section 2.3.4.2 of the Provincial Policy Statement provides consideration for lot line adjustments provided they are for legal or technical reasons.

Under the Wellington County Official Plan the subject lands are designated PRIME AGRICULTURE and CORE GREENLANDS. The Greenlands Designation represents hazardlands. This application is required as a result of a severance application.

Under the Zoning By-law the subject lands are currently zoned Agricultural site specific (A-69) and Natural Environment (NE) zone. The (A-69) zoning permits an undersized Agricultural lot. This amendment will remove the Site specific (A-69) zoning completely from the subject lands because it is no longer relevant and restore the standard

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Agricultural (A) zoning. The retained parcel at 7.34 ha (18.1 ac) is small enough to be viewed under the reduced lot regulations of Section 8.5 of the zoning by-law. Further, as a result of the lot line adjustment the severed parcel will be added to an adjacent lot with an Agricultural Site specific (A-133) zoning. The (A-133) zoning prohibits residential development. This amendment will extend the (A-133) zoning on to the severed lands, enabling a consistent zoning across the newly formed parcel. The Natural Environment Zone (NE) zone will remain unchanged.

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

Jeff Buisman, agent for the applicant was present to answer any questions regarding this application.

COMMENTS/QUESTIONS FROM COUNCIL

No comments or questions from Council

OWNERS/APPLICANT: OFFICERS AUTO CARE INC.

The Property Subject to the Proposed Amendment is described as Part Lot 33, Concession 1, Geographic Township of Normanby, with a municipal address of 210 Industrial Dr. The property is 0.64 hectares (1.6 acres) in size and the location is shown on the map attached.

The Purpose and Effect of the Application

The purpose and effect of the proposed amendment is to rezone the subject lands to permit a site specific zoning for the sale of used vehicles and car cleaning. The property is currently zoned and designated in the Official Plan as Industrial. The current business operates as an automotive repair and emission testing facility

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Notice for this public meeting was sent to property owners within 120 m and required agencies and posted on the property on February 13, 2015.

PRESENTATIONS

Linda Redmond, Senior Planner, reviewed comments dated February 23, 2015 and draft by-law prepared by Mark Van Patter, Manager of Planning and Environment.

The application is straight-forward. The Official Plan allows for accessory uses, through rezoning, in the Industrial designation. Auto and truck repairs is permitted by the Plan. Auto sales and cleaning would seem a logical accessory use. Mr. Van Patter had no concerns with this application.

The property subject to the proposed amendment is described as Part Lot 33, Concession 1, Geographic Township of Normanby, with a municipal address of 210 Industrial Dr. The property is 0.64 hectares (1.6 acres) in size.

The purpose and effect of the proposed amendment is to rezone the subject lands to permit a site specific zoning for the sale of automotive vehicles and car cleaning. The property is currently zoned and designated in the Official Plan as Industrial. The current business operates as an automotive repair and emission testing facility.

The Provincial Policy Statement is not applicable.

Under the Wellington County Official Plan the subject land is designated as Industrial in the Official Plan. Section 8.7.3 of the Plan specifically permits certain commercial uses requiring larger sites, including the repair of trucks and autos. The Plan goes on to state that the zoning by-law may permit uses accessory to a permitted uses. In the current application, Mr. Van Patter saw the sale of vehicles and their cleaning as an accessory use.

Under the Zoning By-law the property is zoned Industrial (M1). Automotive sales and services are permitted in the Highway Commercial (C2) zone, but not the Industrial zone. Therefore, the rezoning is required.

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REVIEW OF CORRESPONDENCE RECEIVED BY THE TOWNSHIP

None

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

Joel Officer, Applicant, was present to answer any questions regarding this application.

COMMENTS/QUESTIONS FROM COUNCIL

Councillor McCabe commented that it is great to see this business expand.

Councillor Burke agreed that it is great to see the business expand and she was supportive of the amendment.

OWNERS/APPLICANT: ANDREW AND LAURIE HUMMEL

The subject property has frontage on Clyde Street and is legally described as Part of Park Lot 5, South of Clyde Street, with a municipal address of 420 Clyde Street. The property is 1.6 hectares (3.9 acres) in size.

The purpose and effect of the proposed Official Plan amendment is to redesignate the subject lands from Future Development to Residential. The proposed Zoning By-law amendment will rezone the lands from Future Development to Residential (R1A). The development concept for this site includes the creation of one new residential lot to be serviced on private septic and well. The amendments are required in order to facilitate this proposal.

Power of OMB to Dismiss Appeals

If a person or public body does not make oral submissions at a public meeting or make written submissions to the **County of Wellington** before the proposed **Official Plan amendment** is adopted or **Township of Wellington North** before the proposed **Zoning By-law amendment** is passed, the person or public body is not entitled to appeal the decision of the County of Wellington or the Council of the Township of Wellington North to the Ontario Municipal Board.

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Notice for this public meeting was sent to property owners within 120 m and required agencies and posted on the property on February 13, 2015.

PRESENTATIONS

Linda Redmond, Senior Planner, reviewed her comments dated March 3, 2015 and draft by-law.

PLANNING OPINION

The application for the above noted lands is to redesignate and rezone 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 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.

The property is 1.6 hectares (3.9 acres) and is located at the southern most point of the Mount Forest Urban boundary. The property has frontage on Clyde Street and is legally described as Part Lot 5, South of Clyde Street. The surrounding land uses include residential and agricultural. The property is currently occupied by a newly constructed residence.

The property is currently zoned and designated Future Development (FD) in the County of Wellington and Township of Wellington North Zoning By-law 66-01. The surrounding land uses are primarily residential and agricultural. The lands to the north and west include residential and the Saugeen River. The lands to the east and south are residential dwellings and agricultural.

The purpose of the amendments is to redesignate the subject lands from Future Development to Residential and rezone the lands from Future Development to Unserviced Residential (R1A). The development concept for this site includes the creation of one new residential lot 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.

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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 December, 2014. To date the following comments were received:

Agency	Position	Comments
Saugeen Valley Conservation Authority(SVCA)	Not within regulated area.	
Wellington North Power	No Concerns.	
Upper Grand District School Board (UGDSB)	No objection	In comments of January 19, 2015 the UGDSB indicated that development charges are applicable.
One Neighbour		Raised concerns about road access and Snow melt onto their property.

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. As per the Planning Act, the Township cannot approve the associated zoning until adoption of the Official Plan Amendment by the County occurs.

REVIEW OF CORRESPONDENCE RECEIVED BY THE TOWNSHIP

Jim Klujber, Manager of Operations, Wellington North Power
No objection.

Amy Noone and Richard Romanowski, 430 Glasgow Street
Object.

Emily Bumbaco, Planning Department, Upper Grand District School Board
No objection.

Erik Downing, Manager of Environmental Planning and Regulations
Not within regulated area.

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MAYOR OPENS FLOOR FOR ANY QUESTIONS/COMMENTS

The Applicant, and their agent, Jeff Buisman, were present to answer any questions regarding this application.

COMMENTS/QUESTIONS FROM COUNCIL

Council inquired about the objection and if there will be another meeting for zoning. Ms. Redmond explained the concern raised was in regards to road access and snow melt onto their property. This is the public meeting for both.

RESOLUTION 2

Moved by: Goetz

Seconded by: McCabe


THAT the Public Meeting of March 9, 2015 be adjourned at 7:31 p.m.

CARRIED



CLERK

Carried



MAYOR