



7490 Sideroad 7 W, PO Box 125,  
Kenilworth, ON N0G 2E0  
www.wellington-north.com

519.848.3620  
1.866.848.3620 FAX 519.848.3228

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## Public Meeting

Monday, June 6, 2016 at 7:00 PM

Municipal Office Council Chambers, Kenilworth

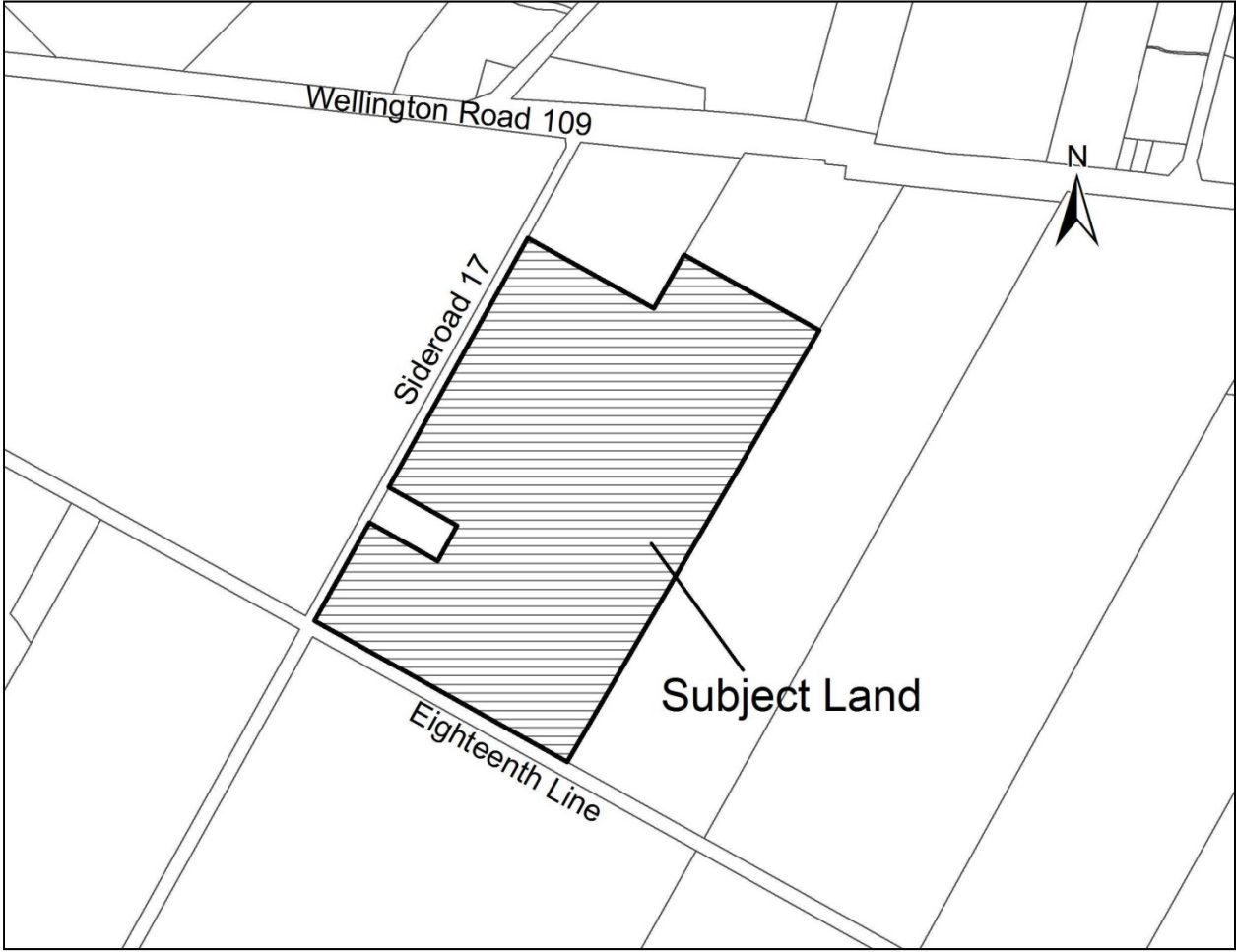
### AGENDA

AGENDA ITEM	PAGE NO.
<b><u>CALLING TO ORDER</u></b>  - Mayor Lennox	
<b><u>DISCLOSURE OF PECUNIARY INTEREST(S) AND THE GENERAL NATURE THEREOF</u></b>  <b><u>OWNERS/APPLICANT</u></b>  - Rulkay Farms Ltd.	
<b><u>LOCATION OF THE SUBJECT LAND</u></b>  The property subject to the proposed amendment is described as Lot 7, Concession 19 (Peel), with a civic address of 7903 Sideroad 17. The property subject to the amendment is 24.6 hectares (60.9 acres) in size and is vacant. The location is shown on the map attached.	001
<b><u>PURPOSE AND EFFECT OF THE APPLICATION</u></b>  The purpose and effect of the proposed amendment is to restrict residential development on the retained agricultural lands. This rezoning is a condition of severance application B2/16, that was granted provisional approval by the Wellington County Land Division Committee in March 2016. The consent will sever the existing dwelling 0.6 ha (1.5 acres) from the agricultural parcel under the surplus farm dwelling policies.	

<b>AGENDA ITEM</b>	<b>PAGE NO.</b>
<p><b><u>NOTICE</u></b></p> <p>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 May 16, 2016.</p>	
<p><b><u>PRESENTATIONS</u></b></p> <p>Linda Redmond, Senior Planner</p> <ul style="list-style-type: none"><li>- See attached report and draft by-law.</li></ul>	002
<p><b><u>CORRESPONDENCE FOR COUNCIL'S REVIEW</u></b></p> <p>Nathan Garland, Resource Planner – Grand River Conservation Authority</p> <ul style="list-style-type: none"><li>- No objection.</li></ul>	007
<p><b><u>REQUEST FOR NOTICE OF DECISION</u></b></p> <p>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.</p>	
<p><b><u>MAYOR OPENS FLOOR FOR ANY COMMENTS/QUESTIONS</u></b></p>	
<p><b><u>COMMENTS/QUESTIONS FROM COUNCIL</u></b></p>	

<b>AGENDA ITEM</b>	<b>PAGE NO.</b>
<p><b><u>OWNERS/APPLICANT</u></b></p> <ul style="list-style-type: none"><li>- Donald Giles</li></ul> <p><b><u>LOCATION OF THE SUBJECT LAND</u></b></p> <p>The property subject to the proposed amendment is described as Part Lot 9, Concession 6, RP61R-11282 Part 2 (West Luther), with frontage on Wellington Rd 16, Damascus. The subject land is approximately 0.65 ha (1.61 acres) in size and the location is shown on the map attached.</p> <p><b><u>PURPOSE AND EFFECT OF THE APPLICATION</u></b></p> <p>The purpose and effect of the proposed amendment is to permit a second dwelling unit within a single detached dwelling. The applicants are requesting permission to include a second unit within a proposed single detached residential dwelling on the subject land for the purpose of accommodating family members. The property is currently zoned Unserviced Residential (R1A) Zone.</p> <p><b><u>NOTICE</u></b></p> <p>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 May 16, 2016.</p>	008
<p><b><u>PRESENTATIONS</u></b></p> <p>Linda Redmond, Senior Planner</p> <ul style="list-style-type: none"><li>- See attached report and draft by-law.</li></ul> <p><b><u>CORRESPONDENCE FOR COUNCIL'S REVIEW</u></b></p> <ul style="list-style-type: none"><li>- None.</li></ul> <p><b><u>REQUEST FOR NOTICE OF DECISION</u></b></p> <p>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.</p>	009

AGENDA ITEM	PAGE NO.
<p><u>MAYOR OPENS FLOOR FOR ANY COMMENTS/QUESTIONS</u></p> <p><u>COMMENTS/QUESTIONS FROM COUNCIL</u></p> <p><u>ADJOURNMENT</u></p>	



**Rulkay Farms Ltd.**



## PLANNING REPORT for the TOWNSHIP OF WELLINGTON NORTH

Prepared by the County of Wellington Planning and Development Department

**DATE:** June 6, 2016  
**TO:** Mike Givens, C.A.O.  
 Township of Wellington North  
**FROM:** Elizabeth Martelluzzi, Junior Planner  
 County of Wellington  
**SUBJECT:** **Rulkay Farms LTD.**  
**7903 Sideroad 17**  
**Zoning By-law Amendment**

**Planning Opinion** The zoning amendment is required as a condition of provisional consent (B2/16) by the Wellington County Land Division Committee. We have no objections to implementing this decision. Both the PPS 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.

### INTRODUCTION

The property subject to the proposed amendment is described as Part Lot 7, Concession 19, (Peel), with a municipal address of 7903 Sideroad 17. The lands subject to the amendment are 24.64 hectares (60.9 acres) in size and are currently zoned Agricultural (Figure 1). The surrounding land uses are farms. A cemetery is located on the site to the north.

### PROPOSAL

The purpose of the application is to rezone the subject lands to restrict future residential development. This rezoning is a condition of severance application B2/16, that was granted provisional approval by the Wellington County Land Division Committee in March. The consent will sever the existing rural residential use with existing dwelling (0.6 ha) from the agricultural parcel (24.6 ha), under the surplus farm dwelling policies.

### PROVINCIAL POLICY STATEMENT (PPS)

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

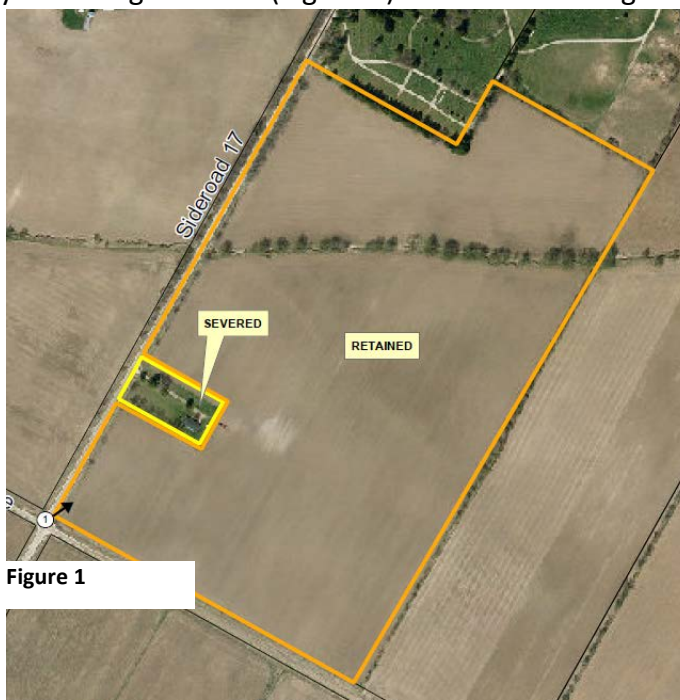


Figure 1

remnant parcel of farmland.

**WELLINGTON COUNTY OFFICIAL PLAN**

The subject lands are designated PRIME AGRICULTURE and CORE GREENLANDS. 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.

**ZONING BY-LAW**

The subject lands are zoned Agricultural (A). A site specific zoning is required in order to accommodate the proposal. The site-specific zoning (A-182) will prohibit a dwelling on the retained agricultural parcel.

Respectfully submitted  
County of Wellington Planning and Development Department



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Elizabeth Martelluzzi  
Junior Planner

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH  
BY-LAW NUMBER \_\_\_\_\_.**

**BEING A BY-LAW TO AMEND ZONING BY-LAW NUMBER 66-01  
BEING THE ZONING BY-LAW FOR THE TOWNSHIP OF WELLINGTON NORTH**

WHEREAS, the Council of the Corporation of the Township of Wellington North deems it necessary to amend By-law Number 66-01; as amended pursuant to Section 34 of The Planning Act, R.S.O. 1990, as amended.

NOW THEREFORE the Council of the Corporation of the Township of Wellington North enacts as follows:

1. THAT Schedule "A" Map 1 to By-law 66-01 is amended by changing the zoning on lands described as Part Lot 7, Concession 19 (Peel) as shown on Schedule "A" attached to and forming part of this By-law from **Agricultural (A & A1) to Agricultural Exception (A-182 & A1-182).**
2. THAT Section 33, Exception Zone 3 – Rural Areas, is amended by the inclusion of the following new exception:

<b>33.182</b> Part Lot 7, Conc 19	<b>A-182</b>	<b>Notwithstanding any other section of this by-law to the contrary, a residential dwelling shall be prohibited in this zone. Other agricultural uses, that are not accessory to a dwelling, are permitted.</b>
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3. THAT except as amended by this By-law, the land as shown on the attached Schedule 'A' shall be subject to all applicable regulations of Zoning By-law 66-01, as amended.
4. THAT this By-law shall come into effect upon the final passing thereof pursuant to Section 34(21) and Section 34(22) of The Planning Act, R.S.O., 1990, as amended, or where applicable, pursuant to Sections 34 (30) and (31) of the Planning Act, R.S.O., 1990, as amended.

READ A FIRST AND SECOND TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

READ A THIRD TIME AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK



THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO \_\_\_\_\_.

Schedule "A"



**Rezone from Agricultural (A) to Agricultural Exception (A-182 & A1-182)**

Passed this \_\_\_ day of \_\_\_\_\_ 2016.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

**EXPLANATORY NOTE****BY-LAW NUMBER \_\_\_\_\_.**

**THE LOCATION** being rezoned is Part Lot 7, Concession 19, (Peel), with a municipal address of 7903 Sideroad 17. The lands subject to the amendment are 24.64 hectares (60.9 acres) in size and are currently zoned Agriculture.

**THE PURPOSE AND EFFECT** of the amendment is to rezone the subject lands to restrict future residential development. This rezoning is a condition of severance application B2/16, that was granted provisional approval by the Wellington County Land Division Committee in March. The consent will sever the existing dwelling (0.6 ha) from the agricultural parcel (24.64 ha) under the surplus farm dwelling policies.



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

Phone: 519.621.2761 Toll free: 866.900.4722 Fax: 519.621.4844 Online: www.grandriver.ca

**PLAN REVIEW REPORT: County of Wellington Planning & Land Division Committee  
Darren Jones, CBO**

**DATE:** May 31<sup>st</sup>, 2016

**YOUR FILE:** ZBA - B2/16

**GRCA FILE:** B2-16 7903 Sideroad 17

**RE:** **Application for Zoning Amendment  
Part Lot 7, Concession 19, Township of Wellington North (Peel)  
7903 Sideroad 17**

**GRCA COMMENT: \***

The Grand River Conservation Authority (GRCA) has no objection to the proposed zoning amendment.

**BACKGROUND:**

**1. Resource Issues:**

The lands do not contain any features of interest to the GRCA.

**2. Legislative/Policy Requirements and Implications:**

None.

**3. Additional Information/Suggestions provided in an advisory capacity:**

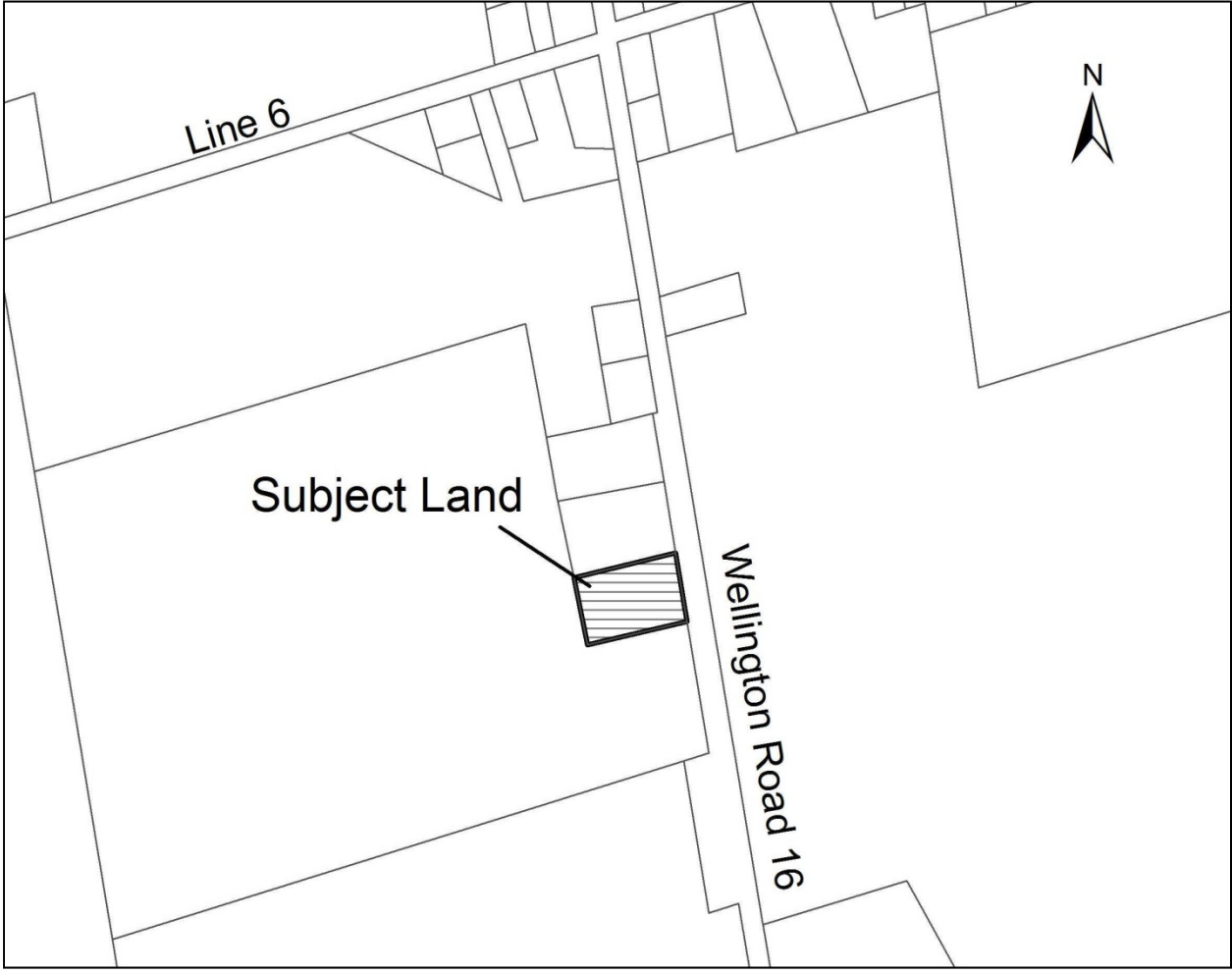
None.

Should you have any questions or require additional information, please contact me at 519-621-2763 ext. 2236.

Yours truly,

Nathan Garland  
Resource Planner  
Grand River Conservation Authority

\* *These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.*



**Donald Giles**



## PLANNING REPORT for the TOWNSHIP OF WELLINGTON NORTH

Prepared by the County of Wellington Planning and Development Department

**DATE:** May 30, 2016  
**TO:** Mike Givens, C.A.O.  
 Township of Wellington North  
**FROM:** Elizabeth Martelluzzi, Junior Planner  
 County of Wellington  
**SUBJECT:** **Giles**  
**Part of Lot 9, Concession 6, RP61R-11282 Part 2, Damascus**  
**Zoning By-law Amendment**

### Planning Opinion

The zoning amendment as proposed would permit a residential conversion use on the subject property and would allow the use in a new single detached dwelling. Staff has no concerns with the proposal. The development is on lands designated to accommodate growth and to promote a variety of housing opportunities in both the county Official Plan and as per the Provincial Policy Statement. In addition, the proposed elevations illustrate that the residential conversion will not have an obvious separate entrance or detract from the character of the rest of the house.

### Introduction

The property subject to the proposed amendment is described as Part of Lot 9, Concession 6, RP61R-11282 Part 2 (West Luther). The property is located in the southern part of the Damascus Hamlet and is 0.65 hectares (1.61 acres) in size (Figure 1). The surrounding land uses are primarily residential, with agricultural use on the site to the south. The subject lands are currently vacant.

### Proposal

The purpose of the amendment is to permit a residential conversion within a new single detached dwelling. The applicants intend to use the second dwelling for the purpose of accommodating family members.



Figure 1- proposed site

### **Provincial Policy Statement**

The subject property is considered to be within the settlement area of Damascus. 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.

### **County Official Plan**

The land subject to the amendment is designated HAMLET (Damascus), within the County Official Plan. Section 7.4.1 of the Hamlet area land policies allows opportunities for an accessory residential unit within an existing residence provided adequate servicing is available. Though the main dwelling does not currently exist, the proposal to build both dwelling units at the same time maintains the intent of the Official Plan, which is to provide for growth while retaining the quality and character of urban places.

### **Zoning By-law**

The site is currently zoned Unserviced Residential (R1A) in Zoning By-law 66-01. A residential conversion is not a permitted use in the Unserviced Residential zone, and therefore a site-specific zone amendment is required.

Additionally, Section 6.29, Residential Conversions, states, “A single-detached dwelling (legally existing on the day of the passing of this By-Law may be converted to provide one additional residential unit.” The applicant is proposing a residential conversion within a *new* single detached dwelling and therefore the site specific provision would also allow the residential conversion to exist within a new dwelling.

### **Planning Discussion**

The subject property is currently located in an area designated as HAMLET by the County of Wellington Official Plan, and zoned Unserviced Residential as per By-Law 66-01. The current zoning does not permit a residential conversion. Additionally, provisions for permitted residential conversions as pursuant to section 6.29 allow a conversion within an existing single detached dwelling only.

The zoning amendment as proposed would permit a residential conversion use on the subject property and would allow the use in a *new* single detached dwelling.

We have no concerns with the proposal. The development is on lands designated to accommodate growth and to promote a variety of housing opportunities in both the County Official Plan and as per the Provincial Policy Statement. In addition, the proposed elevations illustrate that the residential conversion will not have an obvious separate entrance or detract from the character of the rest of the house. The proposed plans conform to the rest of the policies of the zone.

Respectfully submitted  
County of Wellington Planning and Development Department




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Elizabeth Martelluzzi  
Junior Planner

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH  
BY-LAW NUMBER \_\_\_\_\_.**

**BEING A BY-LAW TO AMEND ZONING BY-LAW NUMBER 66-01  
BEING THE ZONING BY-LAW FOR THE TOWNSHIP OF WELLINGTON NORTH**

WHEREAS, the Council of the Corporation of the Township of Wellington North deems it necessary to amend By-law Number 66-01; as amended pursuant to Section 34 of The Planning Act, R.S.O. 1990, as amended

NOW THEREFORE the Council of the Corporation of the Township of Wellington North enacts as follows:

1. THAT Schedule "A" Map 1 to By-law 66-01 is amended by changing the zoning on lands described as Part Lot 9, Concession 6, RP61R-11282 Part 2, (West Luther) as shown on Schedule "A" attached to and forming part of this By-law from **Residential (R1A) to Residential Exception (R1A -183)**
2. THAT Section 33, Exception Zone 3 – Rural Areas, is amended by the inclusion of the following new exception:

<b>33.183</b> Part Lot 9, Concession 6, RP61R-11282 Part 2	<b>R1A-183</b>	<b>In addition to the uses permitted in the R1A zone an accessory dwelling unit is permitted within a new single detached dwelling unit.</b>
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3. THAT except as amended by this By-law, the land as shown on the attached Schedule 'A' shall be subject to all applicable regulations of Zoning By-law 66-01, as amended.
4. THAT this By-law shall come into effect upon the final passing thereof pursuant to Section 34(21) and Section 34(22) of The Planning Act, R.S.O., 1990, as amended, or where applicable, pursuant to Sections 34 (30) and (31) of the Planning Act, R.S.O., 1990, as amended.

READ A FIRST AND SECOND TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

READ A THIRD TIME AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

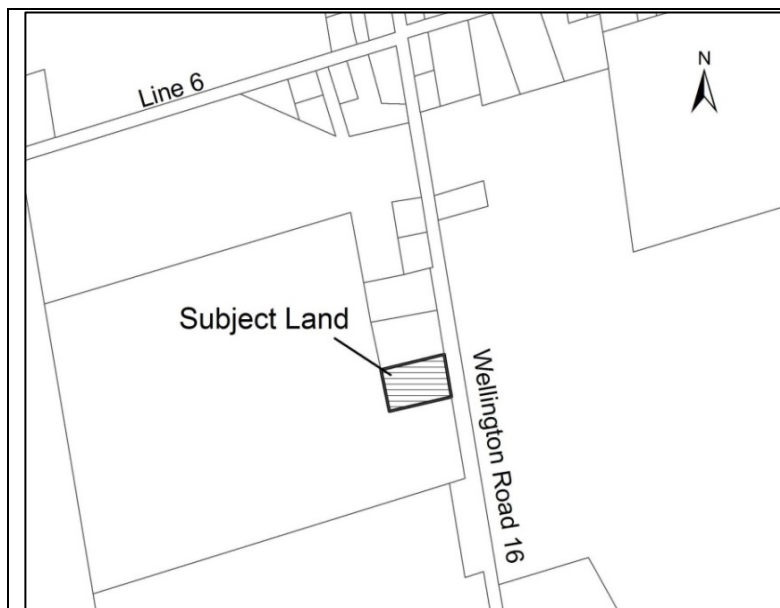
\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO \_\_\_\_\_.

Schedule "A"



**Rezone from Unserviced Residential (R1A) to Unserviced Residential Exception (R1A-183)**

Passed this \_\_\_\_ day of \_\_\_\_\_ 2016.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK



**EXPLANATORY NOTE****BY-LAW NUMBER \_\_\_\_\_.**

**THE LOCATION** being rezoned is Part of Lot 9, Concession 6, RP61R-11282 Part 2, (West Luther). The lands subject to the amendment are 0.65 hectares (1.61 acres) in size and are currently zoned Unserviced Residential (R1A).

**THE PURPOSE AND EFFECT** of the proposed amendment is to rezone the subject land to a residential exception (R1A-183). The applicants are requesting permission to include a second unit within a new single detached residential dwelling on the subject land for the purpose of accommodating family members.