



Township of Wellington North

P.O. Box 125 • 7490 Sideroad 7 W • Kenilworth • ON • N0G 2E0

Public Meeting

Monday, September 8, 2014 at 7:00 p.m.

Municipal Office Council Chambers, Kenilworth

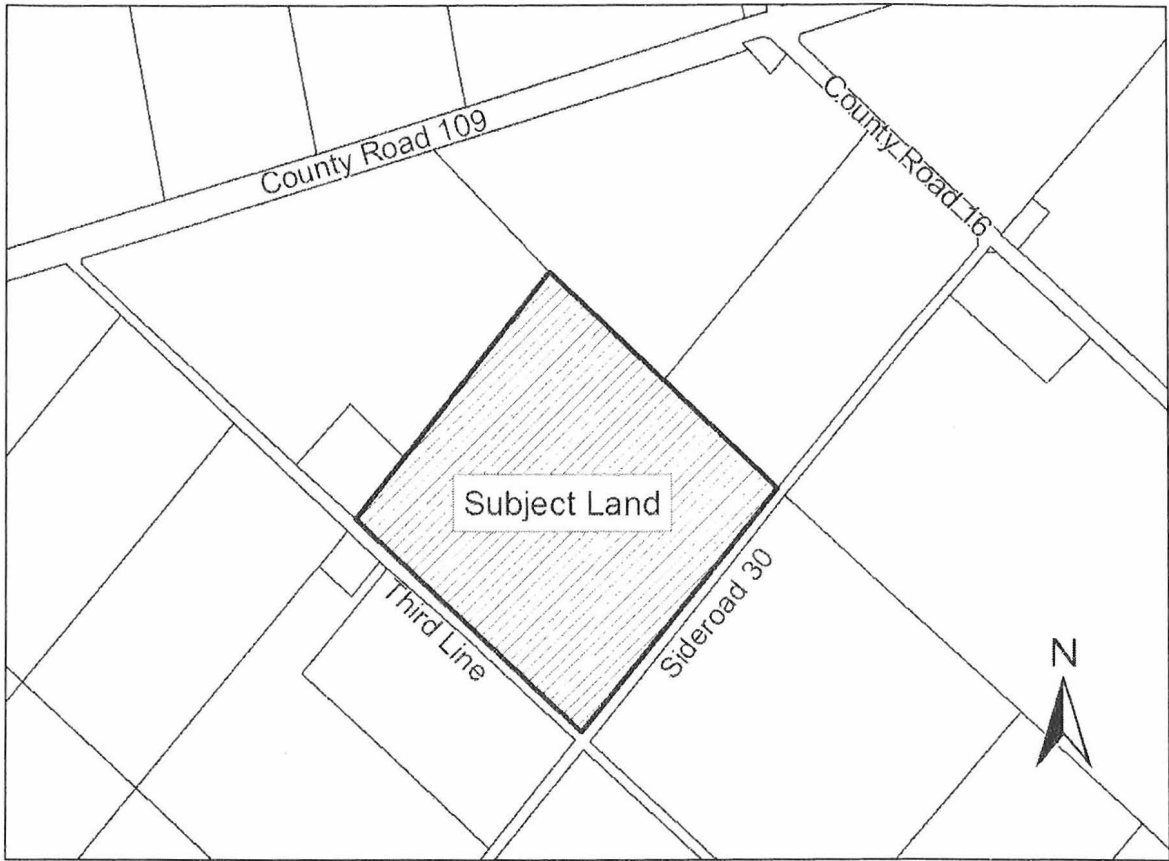
AGENDA

Page 1 of 2

AGENDA ITEM	PAGE NO.
<p>The Mayor will call the meeting to order.</p> <p>Declaration of Pecuniary Interest.</p> <p>Owners/Applicant: Christopher and Tanja Checkley</p> <p>Location of the Subject Land The property subject to the proposed amendment is described as Part Lot 31, Concession 4, Geographic Township of West Garafraxa, with a municipal address of 7413 Third Line. The property is 37.87 hectares (93.57 acres) in size and the location is shown on the map attached.</p> <p>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 structures. This rezoning is a condition of severance application B147/13, that has been granted provisional consent by the Wellington County Land Division Committee. The consent will sever the existing dwelling (0.87 ha) from the agricultural parcel (37 ha). The property is currently zoned Agricultural and Natural Environment.</p> <p>Please note – Section 34 (12) of the Planning Act.</p> <p>(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.</p> <p>1. Notice for this public meeting was sent to property owners within 120 m and required agencies and posted on the property on August 15, 2014.</p>	1

**Public Meeting Agenda
September 8, 2014 at 7:00 p.m.**

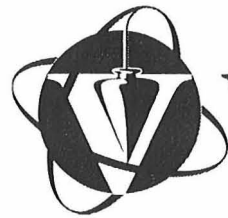
AGENDA ITEM	PAGE NO.
2. Application for Zoning By-law Amendment	4
3. Presentations by: <ul style="list-style-type: none">- Jameson Pickard, Junior Planner - See attached comments and draft by-law.	17
4. Review of Correspondence received by the Township: <ul style="list-style-type: none">- Nathan Garland, Resource Planner, GRCA - No objection.	23
5. 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.	
6. Mayor opens floor for any questions/comments.	
7. Comments/questions from Council.	
8. Adjournment.	



Christopher and Tanja Checkley - Part Lot 31, Concession 4, Geographic Township of West Garafraxa

RECEIVED

JUL - 4 2014



Van Harten
SURVEYING & ENGINEERING

TWP. OF WELLINGTON NORTH

June 26, 2014
Jeff.Buisman@vanharten.com
21778-13

Township Of Wellington North
7490 Sideroad 7 West
PO Box 125
Kenilworth, ON
N0G 2E0

Attention: Cathy More, Deputy Clerk

Dear Ms. More:

Re: **Zone Change Application**
7413 Third Line
Part of Lot 31, Concession 4
PIN 71123-0007
Geographic Township of West Garafraxa
Township of Wellington North
County of Wellington


Please find enclosed an application for a Zone Change on the above-mentioned property. Included with this submission are copies of the Zone Change Sketch, completed application form, required deeds and a cheque to the Township of Wellington North \$1,500.

This Zone Change application is being submitted as part of the process to complete Severance Application B147/13 which was approved by the County of Wellington Land Division Committee. The severance proposal is to create a new parcel under the County of Wellington Official Plan Policy 10.3.4 for a Residence Surplus to a Farming Operation. One of the key components of this policy is that the retained lands (the remaining farm) be rezoned to not allow a residence and that is the intention of this application.

In addition, this application is also a request to allow an existing accessory building on the severed parcel (B147/13) that has an area of 245 m² which is larger than the 97 m² as required in zoning By-law section 6.1.4 b).

Please call me if you or the Planning Staff have any questions.

Very truly yours,
Van Harten Surveying Inc.



Jeffrey E. Buisman B.E.S., B.Sc.
Ontario Land Surveyor

JEB:lb

c.c. Mr. Christopher Checkley and Ms. Tanja Christopher

CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH

Application for Zoning By-law Amendment

Application No. _____

A. THE AMENDMENT

1. TYPE OF AMENDMENT? Site Specific Other _____

2. WHAT IS THE PURPOSE OF AND REASONS FOR THE PROPOSED AMENDMENT(S)?

To rezone the retained lands to not allow a residence.

To allow for an accessory building on the severed parcel to be 245m2 versus 97m2 required by zoning bylaw section 6.1.4 b).

B. GENERAL INFORMATION

3. APPLICANT INFORMATION

a) Registered Owner's Name(s): Christopher Robyn CHECKLEY & Tanja Silvia CHECKLEY

Address: 7519 First Line, R.R.#3, Arthur, ON, N0G 1A0

Phone: Home () 519-323-6100 Work () _____ Fax () _____

b) Applicant (Agent) Name(s): Jeff Buisman, Van Harten Surveying Inc.

Address: 423 Woolwich Street, Guelph, ON N1H 3X3

Phone: Home () _____ Work () 519-821-2763x225 Fax () 519-821-2770

Email: Jeff.Buisman@vanharten.com

c) Name, Address, Phone of all persons having any mortgage charge or encumbrance on the property:

d) Send Correspondence To? Owner [] Agent Other [] _____

e) When did the current owner acquire the subject land? November 14, 2008

4. WHAT AREA DOES THE AMENDMENT COVER? the "entire" property [] a "portion" of the property (This information should be illustrated on the required drawing under item G of this application.)

5. PROVIDE A DESCRIPTION OF THE "ENTIRE" PROPERTY:

Municipal Address: 7413 Third Line, Township of Wellington North

Concession: 4 Lot: Pt Lt 31 Registered Plan No: _____

Area: 37 hectares Depth: 650 meters Frontage (Width): 609 meters
_____ acres _____ feet _____ feet

6. PROVIDE A DESCRIPTION OF THE AREA TO BE AMENDED IF ONLY A "PORTION" OF THE PROPERTY:

Area: _____ hectares Depth: _____ meters Frontage (Width): _____ meters
_____ acres _____ feet _____ feet

7. WHAT IS THE CURRENT COUNTY OF WELLINGTON OFFICIAL PLAN DESIGNATION OF THE SUBJECT PROPERTY?

Prime Agricultural & Core Greenlands

8. LIST LAND USES THAT ARE PERMITTED BY CURRENT OFFICIAL PLAN DESIGNATION

Agricultural and Environmental-type uses.

9. WHAT IS THE CURRENT ZONING OF THE SUBJECT PROPERTY AND WHAT USES ARE PERMITTED?

Agricultural and Natural Environment

C. EXISTING AND PROPOSED LAND USES AND BUILDINGS

10. WHAT IS THE "EXISTING" USE(S) OF THE SUBJECT LAND?

Farm Fields, farm residence and some wetlands

11. HOW LONG HAS THE "EXISTING" USE(S) CONTINUED ON THE SUBJECT LAND?

Many Years

12. WHAT IS THE "PROPOSED" USE OF THE SUBJECT LAND?

Agricultural as part of a larger farm operation.

13. PROVIDE THE FOLLOWING DETAILS FOR ALL BUILDINGS OR STRUCTURES ON THE SUBJECT LAND:

(Please use a separate page if necessary.)

	<u>Existing</u>		<u>Proposed</u>	
a) Type of Building (s) -or Structure				
(s)	<u>Dwelling, Drive Shed panel</u>		<u>NO PROPOSED BUILDINGS</u>	
b) Date of Construction				
c) Building Height	_____ (m)	_____ (ft)	_____ (m)	_____ (ft)
d) Number of Floors				
e) Total Floor Area (sq.m.)	_____ (sq m)	_____ (sq ft)	_____ (sq m)	_____ (sq ft)
f) Ground Floor Area (sq.m.) (exclude basement)	_____ (sq m)	_____ (sq ft)	_____ (sq m)	_____ (sq ft)
g) Distance from building/structure to the:	_____ (sq m)	_____ (sq ft)	_____ (sq m)	_____ (sq ft)
Front lot line	_____ (m)	_____ (ft)	_____ (m)	_____ (ft)
Side lot line	_____ (m)	_____ (ft)	_____ (m)	_____ (ft)
Side lot line	_____ (m)	_____ (ft)	_____ (m)	_____ (ft)
Rear lot line	_____ (m)	_____ (ft)	_____ (m)	_____ (ft)
h) % Lot Coverage				
i) # of Parking Spaces				
j) # of Loading Spaces				

D. EXISTING AND PROPOSED SERVICES

14. WHAT IS THE ACCESS TO THE SUBJECT PROPERTY?

Provincial Highway	<input type="checkbox"/>	Continually maintained municipal road	<input checked="" type="checkbox"/>	Right-of-way	<input type="checkbox"/>
County Road	<input type="checkbox"/>	Seasonally maintained municipal road	<input checked="" type="checkbox"/>	Water access	<input type="checkbox"/>

15. WHAT IS THE NAME OF THE ROAD OR STREET THAT PROVIDES ACCESS TO THE SUBJECT PROPERTY?

Third Line and Sideroad 30

16. IF ACCESS IS BY WATER ONLY, PLEASE DESCRIBE THE PARKING AND DOCKING FACILITIES USED OR TO BE USED AND THE APPROXIMATE DISTANCE OF THESE FACILITIES FROM SUBJECT LAND TO THE NEAREST PUBLIC ROAD. (This information should be illustrated on the required drawing under item G of this application.)

17. INDICATE THE APPLICABLE WATER SUPPLY AND SEWAGE DISPOSAL:

	Municipal Sewers	Communal Sewers	Private Wells	Other Water Supply	Communal Sewers	Private Septic	Other Sewage Disposal
a) Existing	()	()	(X)	()	()	(X)	()
b) Proposed	()	()	()	()	()	()	()

18. HOW IS THE STORM DRAINAGE PROVIDED?

Storm Sewers () Ditches (**X**) Swales () Other means (explain below)

E. OTHER RELATED PLANNING APPLICATIONS

19. HAS THE CURRENT OWNER (OR ANY PREVIOUS OWNER) MADE APPLICATION FOR ANY OF THE FOLLOWING, EITHER ON OR WITHIN 120 METRES OF THE SUBJECT LAND?

Official Plan Amendment	Yes ()	No (X)
Zoning By-law Amendment	Yes ()	No ()
Minor Variance	Yes ()	No (X)
Plan of Subdivision	Yes ()	No (X)
Consent (Severance)	Yes (X)	No ()
Site Plan Control	Yes ()	No (X)

20. IF THE ANSWER TO QUESTION 19 IS YES, PLEASE PROVIDE THE FOLLOWING INFORMATION:

File No. and Date of Application: B147/13 and B148/13, December 13, 2013

Approval Authority: County of Wellington Land Division Committee

Lands Subject to Application: Same as this Zone Change

Purpose of Application: Surplus Farm Residence Severance and Easement

Status of Application: Approved Subject to Conditions

Effect on the Current Application for Amendment: Required as a condition of Severance

F. OTHER SUPPORTING INFORMATION

21. PLEASE LIST THE TITLES OF ANY SUPPORTING DOCUMENTS: (E.G. Environmental Impacts Study, Hydrogeological Report, Traffic Study, Market Area Study, Aggregate License Report, Stormwater Management Report, etc.)

Copy of Decision for Severance Application B147/13 and B148/13

Copy of Farm Information Form for a Surplus Farm Dwelling

G. APPLICATION DRAWING

22. PLEASE PROVIDE AN ACCURATE DRAWING OF THE PROPOSAL, PREFERABLY PREPARED BY A QUALIFIED PROFESSIONAL. IN SOME CASES IT MAY BE MORE APPROPRIATE TO SUBMIT ADDITIONAL DRAWINGS AT VARYING SCALES TO BETTER ILLUSTRATE THE PROPOSAL. THE DRAWING MUST INCLUDE THE FOLLOWING:

- Owners' / applicant's name;
- Legal description of property;
- Boundaries and dimensions of the subject property and its current land use;
- Dimensions of area of amendment (if not , the entire property);
- The size and use of all abutting land;
- All existing and proposed parking and loading areas, driveways and lanes;

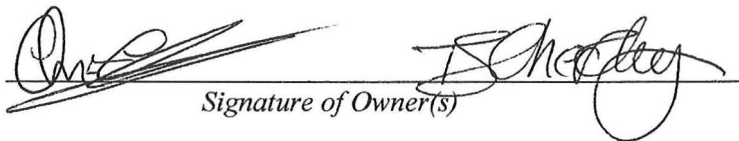
- The nature of any easements or restrictive covenants on the property;
- The location of any municipal drains or award drains;
- Woodlots, forested areas, ANSI's, ESA's, wetlands, floodplain, and all natural watercourses (rivers, stream banks, etc);
- The dimensions of all existing and proposed buildings and structures on the subject land and their distance to all lot lines;
- The name, location and width of each abutting public or private road, unopened road allowance or right of way;
- If access to the subject land is by water only, provide the location of the parking and docking facilities to be used; and
- Other features both on site or nearby that in the opinion of the applicant will have an effect on the application (such as bridges, railways, airports, wells, septic systems, springs, slopes, gravel pits).

THE DRAWING SHOULD ALSO INCLUDE THE SCALE, NORTH ARROW AND DATE WHEN THE DRAWING WAS PREPARED.

H. AUTHORIZATION FOR AGENTS / SOLICITOR TO ACT FOR OWNER:

(If affidavit (I) is signed by an Agent / Solicitor on Owner's behalf, the Owner's written authorization below **must** be completed)

I (we) Christopher and Tanja Checkley of the Township of Wellington North in the County / Region of Wellington do hereby authorize Jeff Buisman to Act as my agent in this application.



Signature of Owner(s)

June 24/14
Date

I. AFFIDAVIT: (This affidavit be signed in the presence of a Commissioner)

I (we) Jeff Buisman of the City of the Guelph County / Region of Wellington solemnly declare that all the statements contained in this application are true, and I, (we), make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the **CANADA EVIDENCE ACT**.


DECLARED before me at the City of Guelph in the County / Region of Wellington this 25th day of June 2014.



Signature of Owner or Authorized Solicitor or Authorized Agent

June 25, 2014

Date



Signature of Commissioner

June 25/2014

Date

James Michael Laws, a Commissioner,
etc., Province of Ontario, for Van Harten
Surveying Inc. Expires May 11, 2015.

APPLICATION AND FEE OF \$ 1500.00 RECEIVED BY MUNICIPALITY



Signature of Municipal Employee

June 25/14

Date

Properties

PIN 71123 - 0007 LT *Interest/Estate* Fee Simple
Description PT LT 31 CON 4 WEST GARAFRAXA AS IN RON84287; *WELLINGTON NORTH
*AMENDED 2001/04/17 BY LAND REGISTRAR #7
Address 07413 THIRD LINE
ARTHUR

Consideration

Consideration \$540,000.00

Transferor(s)

The transferor(s) hereby transfers the land to the transferee(s).

Name NIELSEN, LYNDA GAIL
Address for Service R.R. #3
Arthur, Ontario
N0G 1A0

This document is not authorized under Power of Attorney by this party.

Transferee(s)

	<i>Capacity</i>	<i>Share</i>
<i>Name</i> CHECKLEY, CHRISTOPHER ROBYN	Joint Tenants	
<i>Date of Birth</i> 1977 11 20		
<i>Address for Service</i> R.R. #3 Arthur, Ontario N0G 1A0		
<i>Name</i> CHECKLEY, TANJA SILVIA	Joint Tenants	
<i>Date of Birth</i> 1973 12 20		
<i>Address for Service</i> R.R. #3 Arthur, Ontario N0G 1A0		

Statements

The personal representative has the authority to transfer the land under the terms of the will, if any, the Estates Administration Act and the Succession Law Reform Act.

The sale is bona fide and for value.

Title to the land is not subject to spousal rights under the Family Law Act

No consents are required for this transfer

I am the solicitor for the transferor(s) and I am not one and the same as the solicitor for the transferee(s).

I am the solicitor for the transferee(s) and I am not one and the same as the solicitor for the transferor(s).

STATEMENT OF THE TRANSFEROR (S): The transferor(s) verifies that to the best of the transferor's knowledge and belief, this transfer does not contravene the Planning Act.

STATEMENT OF THE SOLICITOR FOR THE TRANSFEROR (S): I have explained the effect of the Planning Act to the transferor(s) and I have made inquiries of the transferor(s) to determine that this transfer does not contravene that Act and based on the information supplied by the transferor(s), to the best of my knowledge and belief, this transfer does not contravene that Act. I am an Ontario solicitor in good standing.

STATEMENT OF THE SOLICITOR FOR THE TRANSFEREE (S): I have investigated the title to this land and to abutting land where relevant and I am satisfied that the title records reveal no contravention as set out in the Planning Act, and to the best of my knowledge and belief this transfer does not contravene the Planning Act. I act independently of the solicitor for the transferor(s) and I am an Ontario solicitor in good standing.

Signed By

Robert Douglas Grant 265 Bridge Street PO Box 128 acting for Signed 2008 11 14
Fergus Transferor(s)
N1M 2W7
Tel 5198431960
Fax 5198436888

LAND TRANSFER TAX STATEMENTS

In the matter of the conveyance of: 71123 - 0007 PT LT 31 CON 4 WEST GARAFRAXA AS IN RON84287; *WELLINGTON NORTH *AMENDED 2001/04/17 BY LAND REGISTRAR #7

BY: NIELSEN, LYNDA GAIL
TO: CHECKLEY, CHRISTOPHER ROBYN Joint Tenants
CHECKLEY, TANJA SILVIA Joint Tenants

1. CHECKLEY, CHRISTOPHER ROBYN AND CHECKLEY, TANJA SILVIA

I am

- (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed;
- (b) A trustee named in the above-described conveyance to whom the land is being conveyed;
- (c) A transferee named in the above-described conveyance;
- (d) The authorized agent or solicitor acting in this transaction for _____ described in paragraph(s) () above.
- (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for _____ described in paragraph(s) () above.
- (f) A transferee described in paragraph() and am making these statements on my own behalf and on behalf of _____ who is my spouse described in paragraph() and as such, I have personal knowledge of the facts herein deposed to.

2. I have read and considered the definition of "single family residence" set out in subsection 1(1) of the Act. The land being conveyed herein:

does not contain a single family residence or contains more than two single family residences.

3. The total consideration for this transaction is allocated as follows:

(a) Monies paid or to be paid in cash	540,000.00
(b) Mortgages (i) assumed (show principal and interest to be credited against purchase price)	0.00
(ii) Given Back to Vendor	0.00
(c) Property transferred in exchange (detail below)	0.00
(d) Fair market value of the land(s)	0.00
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	0.00
(f) Other valuable consideration subject to land transfer tax (detail below)	0.00
(g) Value of land, building, fixtures and goodwill subject to land transfer tax (total of (a) to (f))	540,000.00
(h) VALUE OF ALL CHATTELS -items of tangible personal property	0.00
(i) Other considerations for transaction not included in (g) or (h) above	0.00
(j) Total consideration	540,000.00

PROPERTY Information Record

A. Nature of Instrument: Transfer By Personal Representative
LRO 61 Registration No. WC230146 Date: 2008/11/14

B. Property(s): PIN 71123 - 0007 Address 07413 THIRD LINE Assessment 2349000 -
ARTHUR Roll No 018107000000

C. Address for Service: R.R. #3
Arthur, Ontario
N0G 1A0

D. (i) Last Conveyance(s): PIN 71123 - 0007 Registration No. LT84649
(ii) Legal Description for Property Conveyed: Same as in last conveyance? Yes No Not known

E. Tax Statements Prepared By: James Cecil Wolfe
140 St. Andrew St. W.
Fergus N1M 1N5



County of Wellington

OFFICE USE ONLY
 Date: _____
 File #: _____

FARM INFORMATION FORM

Surplus Farm Dwelling Severance Application

PART A: Background

This form is used to help determine whether an application to sever a surplus farm dwelling is consistent with the Provincial Policy Statement and conforms to the County Official Plan. The excerpts provided in this form are for convenience purposes only. Reference to the complete policy documents should also be made by applicants and their consultants. Preconsultation with County planning staff is encouraged prior to filing a severance application.

Provincial Policy Statement

The 2005 Provincial Policy Statement restricts residential lot creation in prime agricultural areas to severance of a surplus farm dwelling (referred to as a residence surplus to a farming operation as a result of farm consolidation):

Lot creation in prime agricultural areas is discouraged and may only be permitted for....c) a residence surplus to a farming operation as a result of farm consolidation, provided that the planning authority ensures that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance...

The term 'residence surplus to a farming operation' is defined as "an existing farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation)".

County Official Plan

Section 10.3.4 of the County Official Plan provides the following policy direction concerning severance of a residence surplus to a farming operation:

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 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.

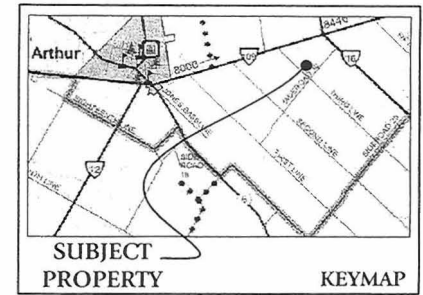
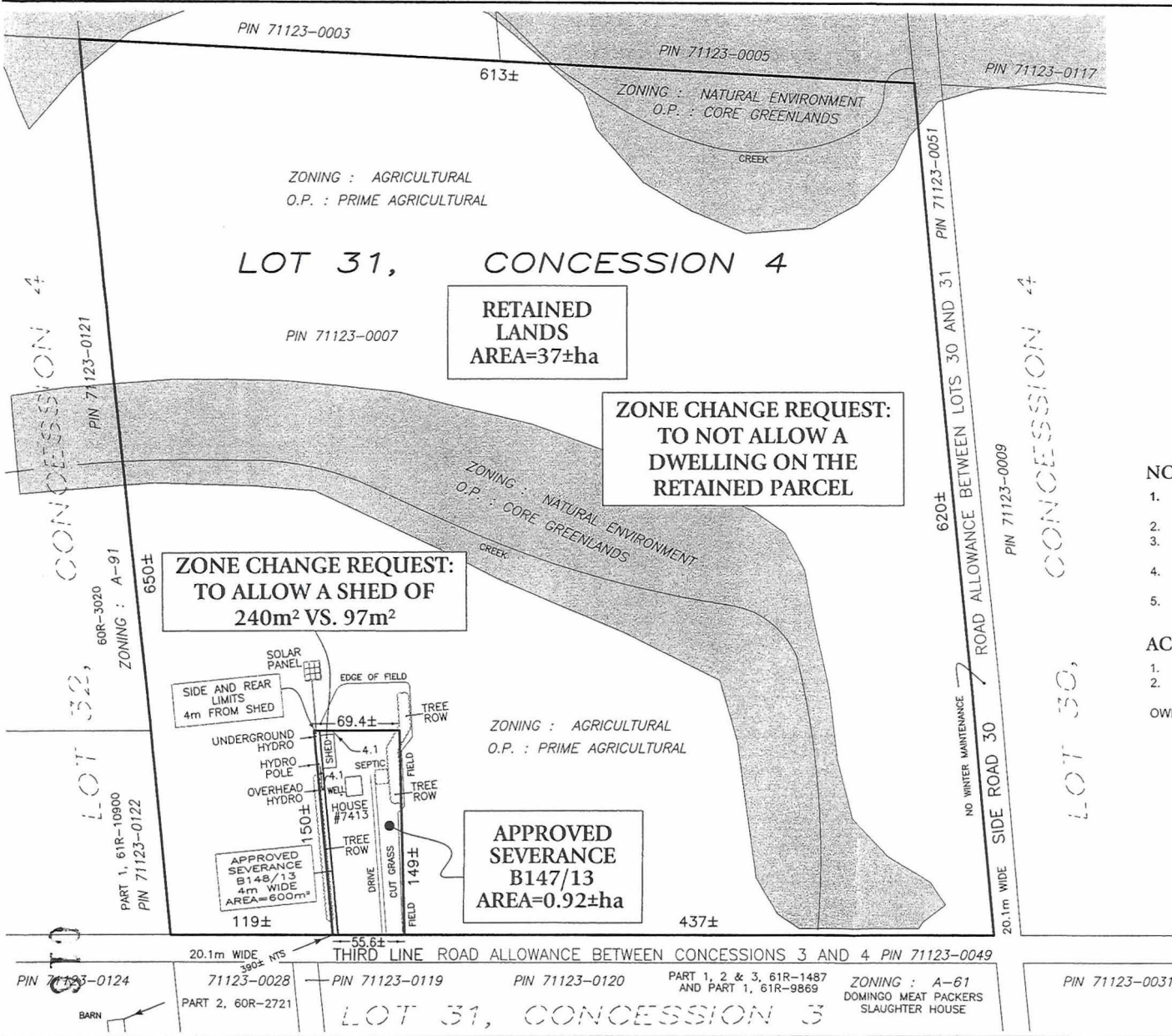
PART B: Farm Information

Please provide the following information about your farm.

1. Name of Farm Operation			2. Total Size of Overall Farm Operation
Tanja & Christopher CHECKLEY			ac or 74 ha
3. Please identify the farms which are part of the farm operation:			4. Will the remnant farm parcel be operated as part of the overall farm operation?
Municipality	Lot & Concession	Size (ac or ha)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
West Gara (Wellington North)	Lot 31, Con 4	38 ha	5. Is the surplus residence habitable?
West Gara (Wellington North)	Lot 34, Con. 2	36 ha	

014

			6. Additional information, if any:
749662 ONTARIO LIMITED of which Chris Checkley is a partner			
West Gara (Wellington North)	Lot 33 & 34, Con 2	48 ha	
West Gara (Wellington North)	Lot 32 & 33, Con 4	32 ha	
West Gara (Wellington North)	Lot 31, Con 3	25 ha	
			7. Farm Operator
			Name: Tanja or Chris CHECKLEY
			Signature: 
			Date signed: Dec 05/13



**ZONE CHANGE SKETCH
PART OF LOT 31, CONCESSION 4
GEOGRAPHIC TOWNSHIP OF WEST GARAFRAXA
TOWNSHIP OF WELLINGTON NORTH
COUNTY OF WELLINGTON**

SCALE: 1 - 3000
0 30 60 120 180 metres
VAN HARTEN SURVEYING INC.

NOTES:

1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
2. SUBJECT LANDS ARE ZONED AGRICULTURAL AND NATURAL ENVIRONMENT.
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF CORE GREENLANDS AND PRIME AGRICULTURAL.
4. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
5. NTS DENOTES NOT TO SCALE


ACCESSORY BUILDINGS:

1. BARN TO BE REMOVED: 32± x 27± = 864m²
2. SHED TO REMAIN: 10 x 24.5 = 245m²

OWNER: CHRISTOPHER ROBIN & TANJA SILVIA CHECKLEY

THIS SKETCH WAS PREPARED
ON THE 18th DAY OF JUNE, 2014.

Jeffrey E. Buisman
JEFFREY E. BUISMAN
ONTARIO LAND SURVEYOR

 Van Harten SURVEYING INC. LAND SURVEYORS and ENGINEERS		
423 WOOLWICH STREET GUELPH - ONTARIO, N1H 3X3 PHONE: (519) 821 - 2763 FAX: 821 - 2770 www.vanharten.com	660 RIDDELL ROAD, UNIT 1 ORANGEVILLE - ONTARIO, L9W 5G5 PHONE: (519) 940 - 4110 FAX: 519 - 940 - 4113 www.vanharten.com	
DRAWN BY: JAM	CHECKED BY: JEB	PROJECT No. 21778-13
Jun 23, 2014-4:16pm G:\WEST GARAFRAXA\con4\ACAD\ZONE CHANGE PT4(CHECKLEY).dwg		



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
GARY A. COUSINS, M.C.I.P., DIRECTOR
TEL. (519) 837-2600
FAX. (519) 823-1694
1-800-663-0750

ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

August 27th, 2014

Darren Jones, Chief Building Official
Township of Wellington North
7490 Sideroad 7 W
Kenilworth, ON N0G 2E0

Dear Mr. Jones:

**Re: Chris & Tanja Checkley – Lot 31, Con. 4 (West Garafraxa)
7413 Third Line
Restrict Future Residential & Permit Oversized Accessory Buildings
Draft Zoning By-law Amendment**

PLANNING OPINION

The zoning amendment is required as a condition of provisional consent (B147/13) 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 (the retained parcel) 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 severed parcel's existing accessory buildings. The applicant would like to retain an accessory structure with a ground floor area of 2,637 ft², for personal use, whereas 1,100 ft² is permitted on a lot this size. Council should be satisfied that the accessory buildings are intended for personal use and not for commercial purposes.

SUBJECT LAND

The property subject to the proposed amendment is described as Part Lot 31, Concession 4, Geographic Township of West Garafraxa, with a civic address of 7413 Third Line. The property is 37.87 hectares (93.57 acres) in size.

PURPOSE

The purpose and effect of the proposed amendment is to rezone the subject lands to restrict any future residential development on the agricultural, "retained" portion of the property. Additionally, relief from the zoning by-law's regulations pertaining to maximum floor area for accessory buildings on the severed portion is required. This rezoning is a condition of severance application B147/13 under the surplus farm dwelling policies that was granted provisional approval by the Wellington County Land Division Committee February 19th, 2014.

PROVINCIAL POLICY STATEMENT (PPS)

The subject property is considered to be within a PRIME AGRICULTURAL and 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.

WELLINGTON COUNTY OFFICIAL PLAN

The subject land is designated PRIME AGRICULTURE. Section 10.3.4 of the Official Plan implements the PPS and requires that the remnant parcel be rezoned to prohibit dwellings.

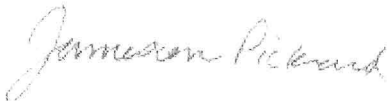
ZONING BY-LAW

The subject lands are zoned Agricultural (A) and Natural Environment (NE). There will be two site specific zones required on the subject lands. The first site specific zone will prohibit a dwelling on the 91 acre, retained agricultural parcel. The second one will address the accessory structures on the 0.87 ha (2.14 ac) residential parcel. The Natural Environment (NE) zone will remain unchanged.

As a result of the severance, the residential dwelling would be considered the main use and the existing accessory building would be reviewed under section 6.1. In this case there are the following accessory buildings – shop 2,637 ft² which exceeds the allowable ground floor area of 1,100 ft² for a 2.14 acre parcel. (Section 6.1.4 (b) has a sliding scale for permitted ground floor area depending on the parcel size).

I trust that these comments will be of assistance to Council in their consideration of this matter.

Sincerely,



Jameson Pickard, BURPL
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;

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 31, Concession 4, Geographic Township of West Garafraxa, as shown on Schedule "A" attached to and forming part of this By-law from:
 - **Agricultural (A) to "Agricultural Exception (A-166)**
 - **Agricultural (A) to "Agricultural Exception (A-167)**

2. THAT Section 33, Exception Zone 3 – Rural Areas, is amended by the inclusion of the following new exception:

33.157 Part Lot 31, Con. 4 W. Garafraxa	A-166 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. The Natural Environment (NE) zone is to remain unchanged.
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3. THAT Section 33, Exception Zone 3 – Rural Areas, is amended by the inclusion of the following new exception:

33.158 Part Lot 10, Con. 5 W. Luther	A-158 Notwithstanding Section 6.1.4 (b) or any other section of this by-law to the contrary, the four buildings existing on the day of passing of this by-law may have a maximum combined ground floor area of 245 m² (2637 ft²).
---	--

4. 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.

5. 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 _____, 2014

READ A THIRD TIME AND PASSED THIS _____ DAY OF _____, 2014

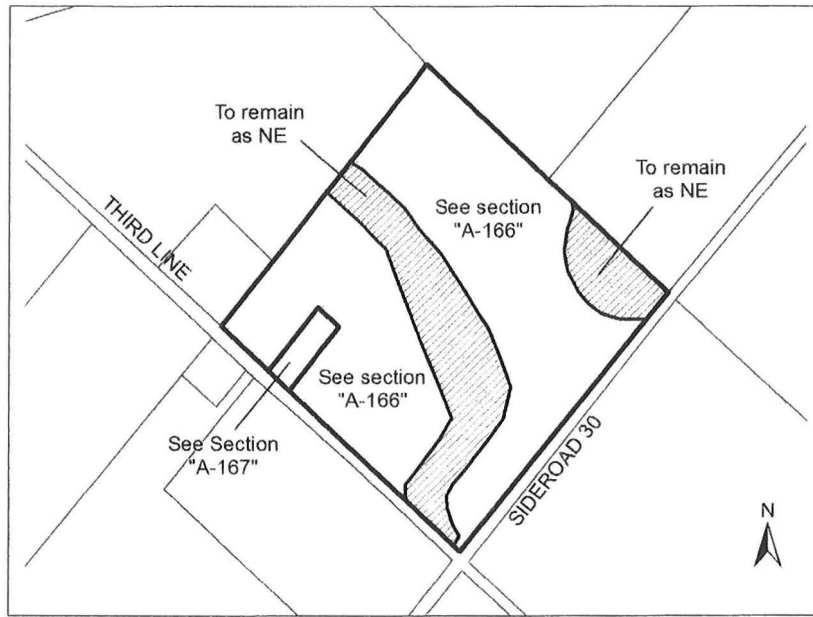
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "A"



Rezone from Agricultural (A) to Agricultural Exceptions (A-166 and A-167)

Passed this ____ day of _____ 2014.

MAYOR

CLERK



RECEIVED

PLAN REVIEW REPORT: Township of Wellington North
Darren Jones, CBO

SEP 2 2014

TWP. OF WELLINGTON NORTH

DATE: August 25, 2014
GRCA FILE: Wellington/Northwell/2014/ZC/

YOUR FILE:

RE: Application for Zoning By-law Amendment
Part Lot 31, Concession 4, Former Township of West Garafraxa
Christopher & Tanja Checkley

GRCA COMMENT: *

The Grand River Conservation Authority (GRCA) has no objection to the proposal to rezone the subject property.

BACKGROUND:

1. Resource Issues:

Information currently available at this office indicates that a portion of the retained lands contain a tributary of the Conestogo River and the allowance associated with a wetland.

Information also available at this office indicates that the lands to be severed do not contain any features of interest to the GRCA.

2. Legislative/Policy Requirements and Implications:

Due to the above mentioned features, portions of the retained lands are regulated by the GRCA under the *Development, Interference, with Wetlands, and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 150/06)*. Future development or other alteration within the regulated areas will require a permit from our office.

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

A plan review fee will not be required as payment was already received for our review of consent application B147/13.

Should you have any questions or require further information, please feel free to contact me at ext. 2236.

Yours truly,

Nathan Garland
Resource Planner
Grand River Conservation Authority

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NG/bl

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

cc: Township of Wellington North
Christopher & Tanja Checkley – 7519 First Line RR #3 Arthur, ON N0G 1A0



LEGEND

- WATERSHED BOUNDARY (GRCA)
- UTILITY LINE (NRV/S)
- ROADS-ADDRESSED (MINR)
- RAILWAY (NRV/S)
- DRAINAGE NETWORK (GRCA)
- PARCELS-ASSESSMENT (IMPAC)
- LOTS (NRV/S)
- FLOODPLAIN-SPECIAL POLICY AREA (GRCA)
- FLOODPLAIN (GRCA)
- ENGINEERED APPROXIMATE
- ESTIMATED
- WETLAND (GRCA)
- SLOPE VALLEY (GRCA)
- STEEP
- OVERSTEEP
- SLOPE EROSION (GRCA)
- STEEP
- OVERSTEEP
- TOE
- METLAND (NRV/S)
- PROVINCIALY SIGNIFICANT
- LOCALLY SIGNIFICANT
- UNEVALUATED
- PARKS (GRCA)
- REGULATION LIMIT 2014 (GRCA)
- DRAINAGE-POLY (NRV/S)
- 2010 CRTHO (OMT)

GRCA Disclaimer

This map is for illustrative purposes only. Information contained hereon is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.

The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to:

<http://grca.grandriver.ca/docs/Sources/Citations1.htm>

