

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, September 29, 2014

The Public Meeting was held Monday, September 29, 2014 at 7:00 p.m. at the Township of Wellington North Council Chambers, Kenilworth to consider a Zoning Amendment application.

Present:

Mayor: Raymond Tout
Councillors: Sherry Burke
Mark Goetz
Andy Lennox
Dan Yake

Also Present:

C.A.O./Clerk: Michael Givens
Deputy Clerk: Catherine More
Executive Assistant: Cathy Conrad
Township Planner: Jameson Pickard
Business Economic Manager: Dale Small
Treasurer: Paul Dowber
Acting Fire Chief: Dave Guilbault
Director of Recreation Parks & Facilities: Barry Lavers

Mayor Tout called the meeting to order.

Declaration of Pecuniary Interest:

None declared.

Owner/Applicant: In Pyo Lee and Jeona Soon Lee

Location of the Subject Land

The property subject to the proposed amendment is described as Part Lot 3, Division 3 & 4, Geographic Township of Arthur, with a municipal address of 6990 Sideroad 2 West. The property is 20.23 hectares (49.98 acres) in size.

The Purpose and Effect of the Application is to rezone the subject lands to restrict future residential development on the agricultural, severed portion of property. Regulations are also required for the existing barn on the severed parcel to prohibit the housing of livestock. This rezoning is a condition of severance application B48/14, which was granted provisional consent by the Wellington County Land Division Committee. The consent will sever a 0.81 ha (2 ac) parcel with an existing dwelling from the agricultural 19.42 ha (48 ac) parcel. The property is currently zoned Agricultural A-1.

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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.

1. Notice for this public meeting was sent to property owners within 120 m and required agencies and posted on the property on September 5, 2014.
2. Presentations by:

Comments prepared by Jameson Pickard, Junior Planner, dated September 10, 2014 were reviewed.

The zoning amendment is required as a condition of provisional consent (B48/14) 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 (the severed 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. The severed lands have an existing barn which the housing of livestock is to be restricted in, this will satisfy County MDS concerns raised with the consent application.

The property subject to the proposed amendment is described as WOSR, Part Lot 3, Division 3 & 4, Geographic Township of Arthur, with a civic address of 6990 Sideroad 2 West. The property is 20.23 hectares (49.98 acres) in size.

The purpose and effect of the proposed amendment is to rezone the subject lands to restrict any future residential development on the agricultural, “severed” portion of the property, as well as restrict the housing of livestock in the barn. This rezoning is a condition of severance application B48/14 under the surplus farm dwelling policies that were granted provisional approval by the Wellington County Land Division Committee June 12th, 2014.

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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.

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

The subject lands are zoned Agricultural (A-1). This zoning by-law amendment will re-zone the severed agricultural lands to a site specific zone, which will include provisions to prohibit a dwelling on the 19.42 ha (48 ac) agricultural parcel; as well as prohibit the housing of livestock in the barn to remain on the severed parcel. This rezoning is a requirement for applications which are submitted under the surplus farm dwelling policies of the official plan. It should be noted that the current site specific (A-1) zoning of the property, which prohibits the construction of new livestock facility within 1 km of an Urban Centre will be carried over and reflected in the new site specific zoning.

Staff also noted that a building permit issued for the property in 1997 was included in the application for rezoning. This permit identifies that the structure in question is classified as a “storage shed- not a livestock barn”. During a site visit to the property on May 16th, 2014 animals (Deer) were observed in pens in and around the structure. Given that the building is being used for the housing of livestock MDS is applicable and needs to be addressed through this rezoning.

3. Review of Correspondence received by the Township:
 - Jennifer Prenger, environmental Planning Technician, SVCA
 - No objection.

4. 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.

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5. Mayor opens floor for any questions/comments.

The Applicant was present to answer any questions.

Glenn O'Rourke, 6991 Sideroad 2 West, asked if there will be a by-law regarding the use of the shed. He further questioned the sketch he received with the notice that shows a sewage treatment plant to the north of the property. Mayor Tout indicated that restrictions would be a provision of the by-law. Mr. Pickard stated that the sewage treatment plan should not be on the sketch.

Mr. Lee explained that they have lived there for 17 ½ years and raised deer. He is over 70 now. He doesn't need the land or the animals but they would like to stay in the country side. The potential buyer understands that they cannot build a house on the agricultural land. The barn will stay with the farmland but won't be used. The shed was previously used for vaccinating the deer and hay storage.

6. Comments/questions from Council.

None.

Owner/Applicant: Bruce Atkinson and Deborah Atkinson

Location of the Subject Land

The property subject to the proposed amendment is described as Part Lot 3, Concession 10, Geographic Township of West Luther, with a municipal address of 8117 Line 10. The property is 1.9 hectares (2.9 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, severed portion of the property. Additionally relief from the zoning by-law is being requested for an existing and proposed over-sized accessory structure on the retained portion – existing shed (1,600 sq. ft.) and proposed addition (800 sq. ft.). This rezoning is a condition of severance application B47/14, that was granted provisional approval by the Wellington County Land Division Committee. The consent will sever a 1.2 ha (2.9 ac) parcel with an existing dwelling and shed from the agricultural 39 ha (96.4 ac) parcel. The property is currently zoned Agricultural A.

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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.

7. Notice for this public meeting was sent to property owners within 120 m and required agencies and posted on the property on September 5, 2014.

8. Presentations by:

Comments prepared by Jameson Pickard, Junior Planner, dated September 10, 2014 were reviewed.

The zoning amendment is required as a condition of provisional consent (B47/14) 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 (the severed 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 building. The applicant would like to retain an existing (1,600 ft²) shed and construct an (800 ft²) addition on to the shed for a new work shop. Combined the ground floor area of the existing and proposed structure will be 2,400 ft², whereas 1,200 ft² is permitted. Council should be satisfied that the accessory buildings are intended for personal use and not for commercial purposes.

The property subject to the proposed amendment is described as Part Lot 3, Concession 10, Geographic Township of West Luther, with a civic address of 8117 Line 10. The property is 40.9 hectares (101 acres) in size.

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The purpose and effect of the proposed amendment is to rezone the subject lands to restrict any future residential development on the agricultural, “severed” portion of the property. Additionally, relief from the zoning by-law’s regulations pertaining to maximum floor area for accessory buildings on the retained portion is required. This rezoning is a condition of severance application B47/14 under the surplus farm dwelling policies that were granted provisional approval by the Wellington County Land Division Committee June 12th, 2014.

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

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

The subject lands are zoned Agricultural (A). There will be two site specific zones required on the subject lands. The first site specific zone will prohibit a dwelling on the 39 ha (96.4 ac), severed agricultural parcel. The second one will address the oversized accessory structures on the 1.2 ha (3ac) residential retained parcel.

As a result of the severance, the residential dwelling would be considered the main use and the existing accessory buildings would be reviewed under section 6.1. In this case there is an existing shed 148.6 m² (1,600 ft²), and the applicants are proposing to add an addition of 74.3 m² (800 ft²) for a workshop on to the existing shed. The resulting structure would have a combined ground floor area of 222.9 m² (2,400 ft²), which exceeds the allowable ground floor area of 111.5 m² (1,200 ft²) for a 1.2 ha (3 ac) parcel. (Section 6.1.4 (b) has a sliding scale for permitted ground floor area depending on the parcel size).

9. Review of Correspondence received by the Township:

- Nathan Garland, Acting Policy Planner, GRCA
 - No objection.

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10. 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.

11. Mayor opens floor for any questions/comments.

The Applicants were present to answer any questions. Mr. Atkinson explained that they have been long time residents. They want the oversized shed because the house does not have an attached garage and they need a place to store their tractor, lawn mower and other items they have. The workshop will be used for building small projects to keep busy. He also owns a work trailer that he would like to keep inside for security reasons.

Mayor Tout confirmed with the applicant that the storage is for personal use and not commercial.

12. Comments/questions from Council.

None.

13. Adjournment 7:17 p.m.

Moved by: Councillor Yake
Seconded by: Councillor Lennox

THAT the Public Meeting of September 29, 2014 be adjourned at 7:17 p.m.

Carried

C.A.O./CLERK

MAYOR