



Township of Wellington North

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

Public Meeting

Monday, September 29, 2014 at 7:00 p.m.

Municipal Office Council Chambers, Kenilworth

A G E N D A

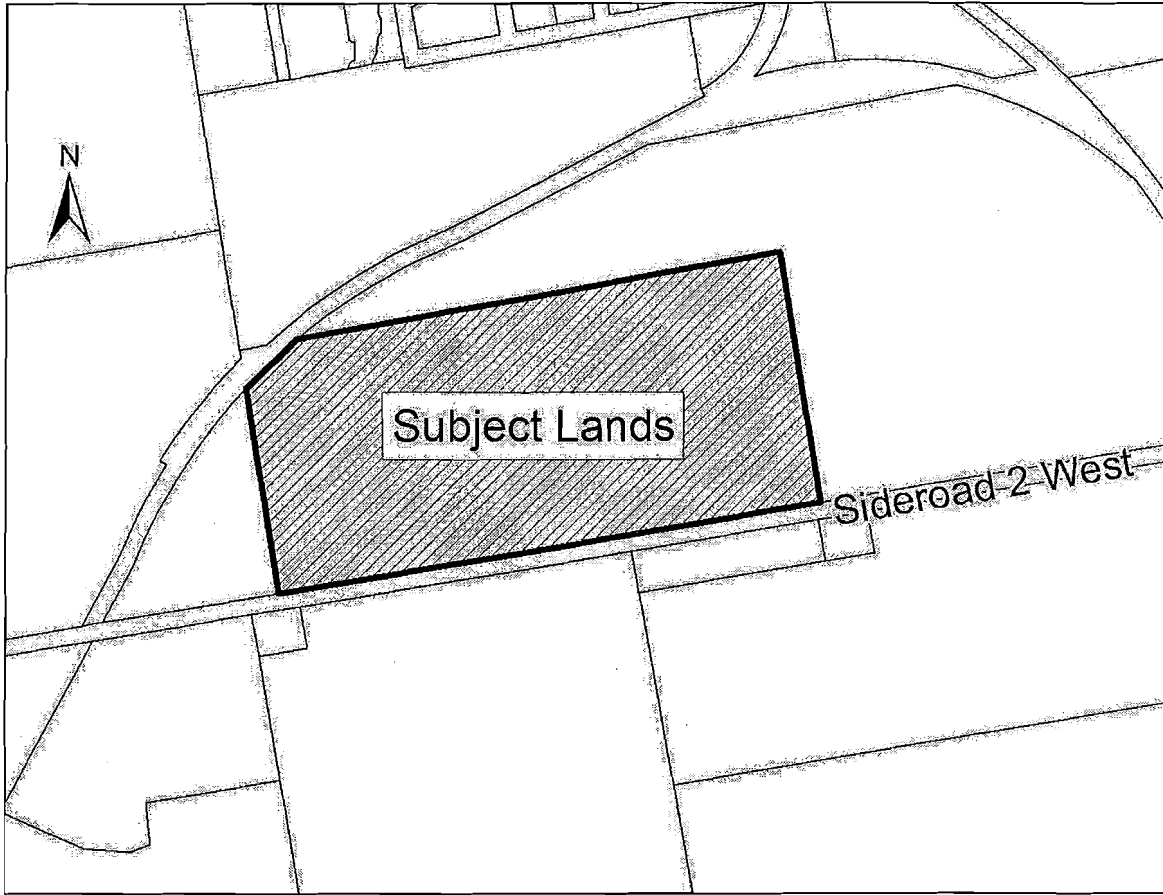
Page 1 of 4

AGENDA ITEM	PAGE NO.
<p>The Mayor will call the meeting to order.</p> <p>Declaration of Pecuniary Interest.</p> <p>Owners/Applicant: In Pyo Lee and Jeona Soon Lee</p> <p>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 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, 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.</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>	1

AGENDA ITEM	PAGE NO.
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. Application for Zoning By-law Amendment	2
3. Presentations by: - Jameson Pickard, Junior Planner - See attached comments and draft by-law.	14
4. Review of Correspondence received by the Township: - Jennifer Prenger, environmental Planning Technician, SVCA - No objection.	20
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.	

AGENDA ITEM	PAGE NO.
<p>Owners/Applicant: Bruce Atkinson and Deborah Atkinson</p> <p>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 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 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.</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>8. 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.</p>	<p>21</p>
<p>9. Application for Zoning By-law Amendment</p>	<p>22</p>
<p>10. Presentations by:</p> <ul style="list-style-type: none"> - Jameson Pickard, Junior Planner - See attached comments and draft by-law. 	<p>31</p>
<p>11. Review of Correspondence received by the Township:</p> <ul style="list-style-type: none"> - Nathan Garland, Acting Policy Planner, GRCA - No objection. 	<p>36</p>

AGENDA ITEM	PAGE NO.
12. 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. 13. Mayor opens floor for any questions/comments. 14. Comments/questions from Council. 15. Adjournment.	



Owners/Applicant: In Pyo Lee and Jeona Soon Lee

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 SATISFY CONDITIONS B & 9 of PROVISIONAL
SEWERAGE APPROVAL - B48/14

B. GENERAL INFORMATION

3. *APPLICANT INFORMATION

a. *Registered Owner's Name(s): IN PYO & JEONG SOON LEE
Address: R.R.#5 #6990 MOUNT FOREST, ON. NOG 2LO
Phone: Home (519 323-9800) Work () N/A Fax () N/A
Email: mistydama@hotmail.com

b. *Applicant (Agent) Name(s): IN PYO & JEONG SOON LEE
Address: "SAME AS THE ABOVE"
Phone: Home () _____ Work () _____ Fax () _____
Email: _____

c. *Name, Address, Phone of all persons having any mortgage charge or encumbrance on the property:
i. BANK OF MONTREAL. MARKET VILLAGE BRANCH. P.O. BOX 120
ii. MARKHAM, ON. L3R 9V8 (T) 416-499-7112
iii. _____

d. *Send Correspondence To? Owner [] Agent [] Other [] _____

e. *When did the current owner acquire the subject land? 1997

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:

- a. Municipal Address: 6990 Side Road 2 West
- b. Concession: WOSR Part of Division 3:4 of Lot 3 Registered Plan No: _____
- c. Area: 20.23 hectares Depth: _____ meters Frontage (Width): _____ meters
 Area: _____ acres Depth: _____ feet Frontage (Width): _____ feet

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

- a. Area: 9.42 hectares Depth: _____ meters Frontage (Width): _____ meters
 Area: _____ acres Depth: _____ feet Frontage (Width): _____ feet

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

Prime Agricultural

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

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

A-1

C. EXISTING AND PROPOSED LAND USES AND BUILDINGS

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

AGRICULTURAL

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

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

AGRICULTURAL

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

(Please use a separate page if necessary.)

	Existing		Proposed	
a. Type of building(s) or structure(s)	<u>METAL CLAD SHED</u>		_____	
b. Date of construction	_____		_____	
c. Building height	_____ (m)	_____ (ft)	_____ (m)	_____ (ft)
d. Number of storey's (excluding basement)	<u>1</u>		_____	
e. Total floor area	_____ (sq m)	_____ (sq ft)	_____ (sq m)	_____ (sq ft)
f. Ground floor area	_____ (sq m)	_____ (sq ft)	_____ (sq m)	_____ (sq ft)
g. Distance from building to the:				
i. Front lot line	<u>35.9</u> (m)	_____ (ft)	_____ (m)	_____ (ft)
ii. Side lot line	<u>18.2</u> (m)	_____ (ft)	_____ (m)	_____ (ft)
iii. Side lot line	_____ (m)	_____ (ft)	_____ (m)	_____ (ft)
iv. Rear lot line	_____ (m)	_____ (ft)	_____ (m)	_____ (ft)
h. Percent lot coverage	_____ (%)		_____ (%)	
i. Number of parking spaces	_____		_____	
j. Number 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 type="checkbox"/>	Water access	<input type="checkbox"/>

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

SIDEROAD 2 WEST

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 Septic	Municipal Water	Communal Well	Private Well
N/A						
a. Existing	[]	[]	[]	[]	[]	[]
b. Proposed	[]	[]	[]	[]	[]	[]

18. *HOW IS THE STORM DRAINAGE PROVIDED?

N/A a. Storm Sewers [] Ditches [] 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?

a. Official Plan Amendment	Yes	[]	No	[✓]
b. Zoning By-law Amendment	Yes	[]	No	[✓]
c. Minor Variance	Yes	[]	No	[✓]
d. Plan of Subdivision	Yes	[]	No	[✓]
e. Consent (Severance) B48/14	Yes	[✓]	No	[]
f. Site Plan Control	Yes	[]	No	[✓]

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

- a. File No. and Date of Application: B48/14 April 2014
- b. Approval Authority: WELLINGTON COUNTY LAND DIVISION
- c. Lands Subject to Application: _____
- d. Purpose of Application: SURPLUS FARM DWELLING
- e. Status of Application: PROVISIONAL CONSENT
- f. Effect on the Current Application for Amendment: SATISFY CONDITION OF PROVISIONAL CONSENT

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.)

Saugen Conservation letter dated May 23, 2014
attached.

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:

- a. Owners' / applicant's name;
- b. Legal description of property;
- c. Boundaries and dimensions of the subject property and its current land use;
- d. Dimensions of area of amendment (if not, the entire property);
- e. The size and use of all abutting land;
- f. All existing and proposed parking and loading areas, driveways and lanes;
- g. The nature of any easements or restrictive covenants on the property;
- h. The location of any municipal drains or award drains;
- i. Woodlots, forested areas, ANSI's, ESA's, wetlands, floodplain, and all natural watercourses (rivers, stream banks, etc);
- j. The dimensions of all existing and proposed buildings and structures on the subject land and their distance to all lot lines;
- k. The name, location and width of each abutting public or private road, unopened road allowance or right of way;
- l. If access to the subject land is by water only, provide the location of the parking and docking facilities to be used;
- m. 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); and
- n. 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) IN of the _____ of _____,
County/Region of _____ do hereby authorize _____ to
Act as my agent in this application.

Signature of Owner(s)

Date

I. *AFFIDAVIT:

(This affidavit be signed in the presence of a Commissioner)

I (we) IN Pyo & Jeona Sooner of the Township of Wellington North,
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 Township of Wellington North, County/Region of
Wellington this 25 day of July, 2014.

[Signature]
Signature of Owner or Authorized Solicitor or Authorized Agent

July 25th 2014
Date

Catherine More
Signature of Commissioner
CATHERINE E. MORE, a Commissioner,
etc., County of Wellington, Deputy Clerk
of the Corporation of the Township of
Wellington North.

July 25, 2014.
Date

APPLICATION AND FEE OF \$ 1500.00 RECEIVED BY MUNICIPALITY

[Signature]
Signature of Municipal Employee

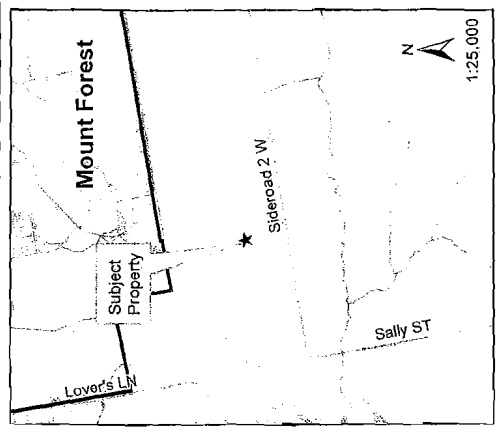
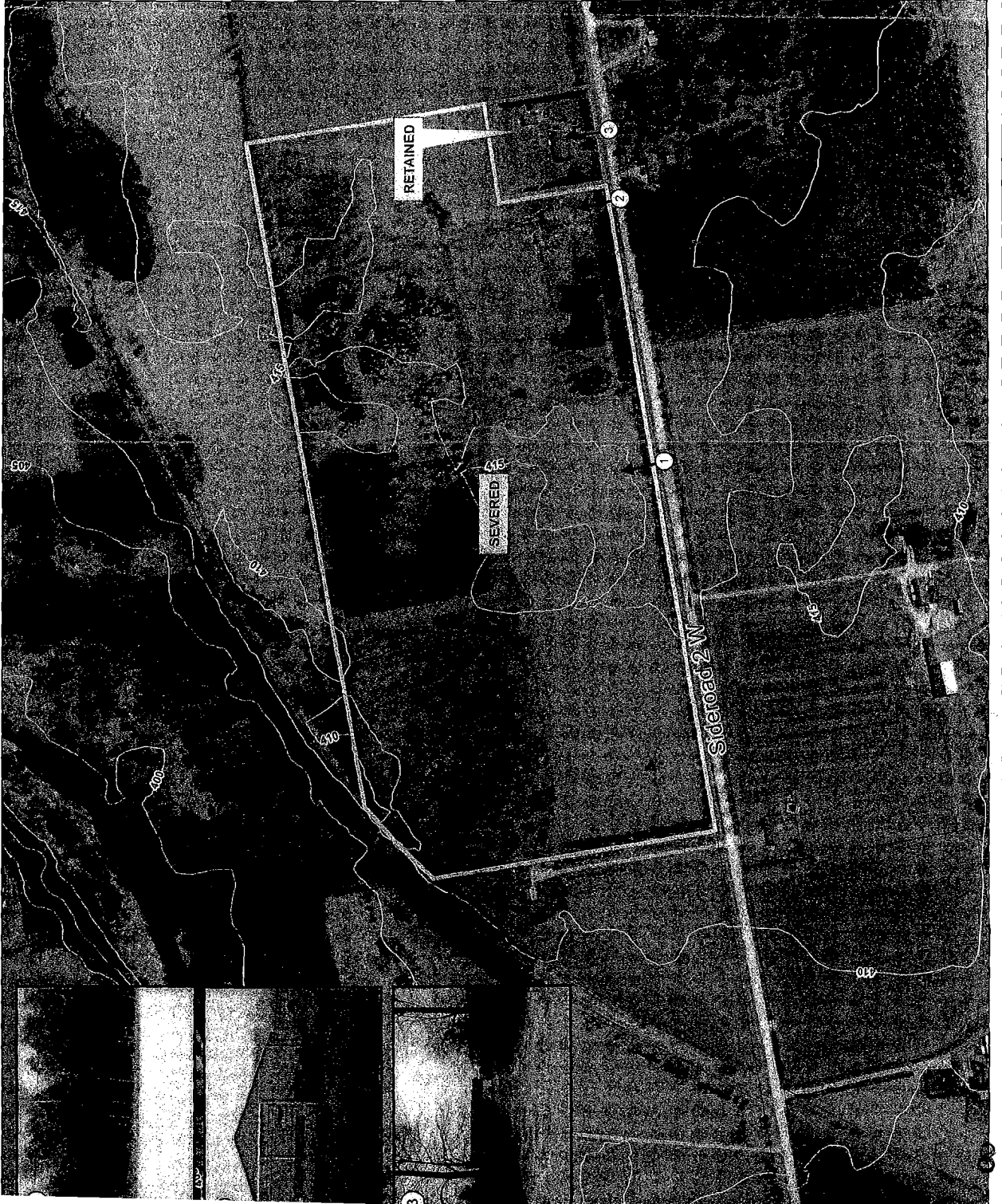
July 25/14.
Date

**COUNTY OF WELLINGTON
LAND DIVISION**

B48/14

Applicants:
In Pyo Lee & Jeong-Soon Lee

**Township of Wellington North
(Arthur Township)**



1:3,500

Date May 13, 2014

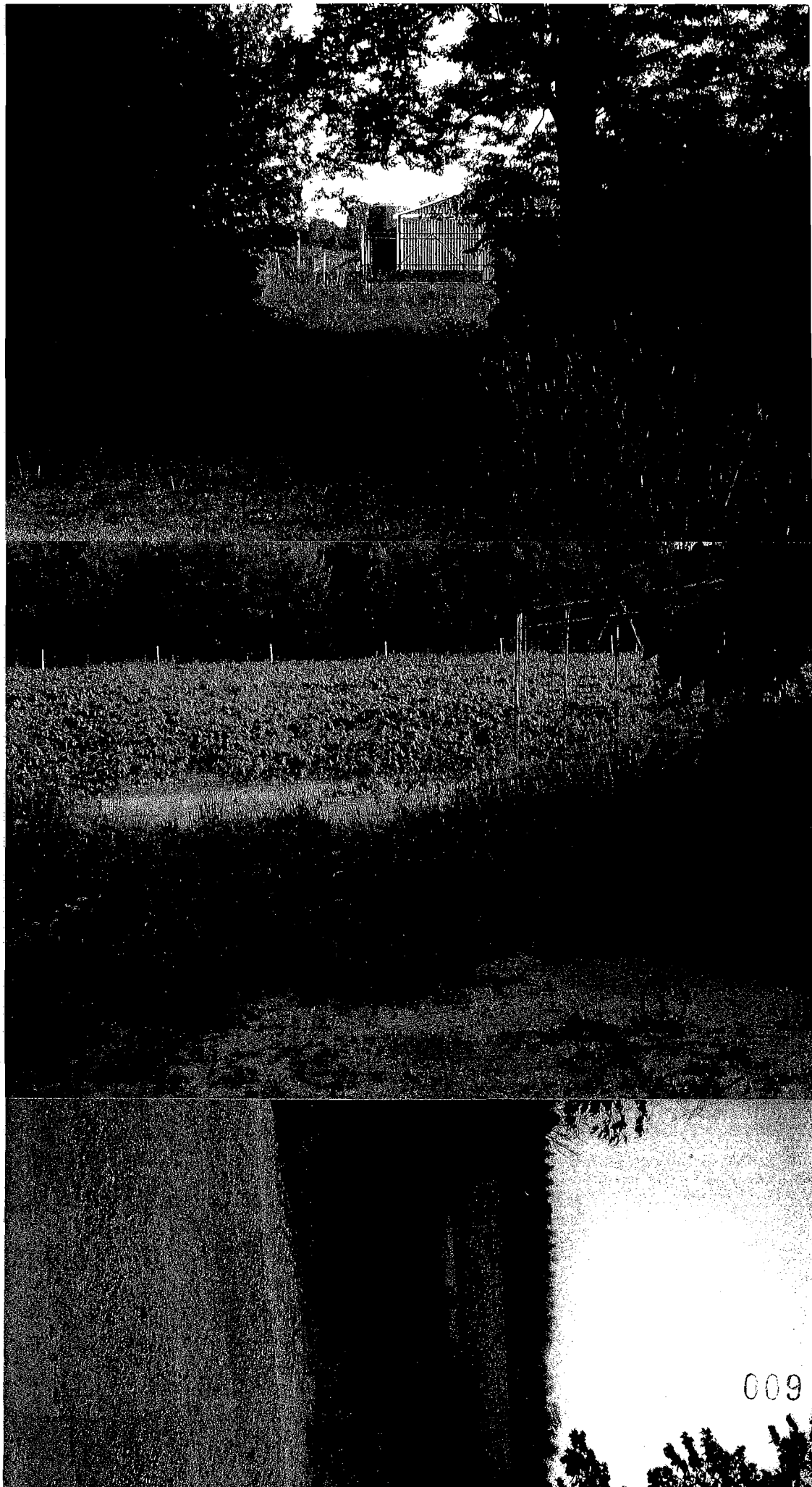
File: F:\GIS\Projects\Development Review\Land Division Committee Maps\June 2014\B48-14.mxd

Centour lines are based on 5 metre intervals

This is not survey data. All rights reserved. May not be reproduced without permission.

Sources:
County of Wellington Planning and Development Department
County of Wellington Planning and Development
Upper Grand Dotted Scale Board 2007
Upper Grand Dotted Scale Board 2007
Upper Grand Dotted Scale Board 2007
PLOT 536 01113 01113 RIGHTS RESERVED
Ontario Mugsby Town April 2010





PERMIT COPY

The Corporation of the Municipality of ARTHUR TOWNSHIP

1673

PERMIT
Application Date July 2 97
Invoice Nos. R _____

TO: ERECT ADD ALTER INSTALL DEMOLISH
A BUILDING A SIGN PLUMBING SWIMMING POOL

PURPOSE OF WORK COVERED BY THIS PERMIT:

* Shed not barn

CHAUTE

SHED FOR HAG & MACHINERY STORAGE & LOADING

LOT DESCRIPTION REGISTERED PLAN NO. STREET HOUSE NO.

WOSP PT-DIV-304 OF L-3 6990 SR 2 W

ZONING

Zone <u>A-1</u>	Defined Area Map No.	Roll # <u>3-08580</u>
Lot Frontage	Setback <u>118'</u>	Bld'g Height
Lot Depth <u>118'</u>	R. Sideyard <u>360'</u>	No. Units
Occupancy <u>1</u>	L. Sideyard <u>OK</u>	Parking Req'd
Lot Area <u>50,000 sq ft</u>	Rear Yard	Parking Prov'd
		Ontario Home Warranty #
		Ground Fl Area <u>3408</u>

SITE PLAN APPROVAL

SEWER APPLICATION NO. _____
WATER APPLICATION NO. _____
Project Estimated Cost \$ 25,000
Permit Fee \$ 171.32
Application Received By _____
Financial Requirements _____

The undersigned hereby applies for a permit to erect, add, alter, install or demolish in accordance with the information shown on this application and supplied in the plans and specifications filed and agrees to comply with all relevant By-laws, codes, and legislation.

Owner or Authorized Applicant:

OWNER	NAME <u>I.P. LEE</u>
	ADDRESS <u>RR-5 323-9800</u>
	CITY <u>MT FOREST</u> PHONE NO.
APPLICANT	NAME
	ADDRESS
	CITY PHONE NO.
DESIGNER	NAME
	ADDRESS
	CITY PHONE NO.
CONTRACTOR	NAME <u>DELTON BEARINGER</u>
	ADDRESS <u>323-1760</u>
	CITY <u>MT FOREST</u> PHONE NO.
PLUMBING CONTRACTOR	NAME
	ADDRESS
	CITY PHONE NO.

FRONT SR-2 STREET LINE

BUILDING	PLUMBING	SIGNS
FOOTINGS	Base-ment	Sign Type
Reinforcing Width <u>18"</u>	1st Floor	Sign Size Area
Depth <u>8"</u>	2nd Floor	Sign Face Area
Depth Below Finished Grade <u>44"</u>	3rd Floor	Copy Area %
FOUNDATIONS	Water Closets	Bld'g Wall Area %
Type Thickness	Wash Basins	Sign Height
Clear Basement Ceiling Height	Bath Tubs	Sign Clearance
JOISTS — SIZE, SPAN & CENTRE	Showers	Sign Projection
1st Floor	Kitchen Sinks	Location
2nd Floor	Sink	Street Line Setback
Ceiling	Laundry Tub	Setback From Curb
Roof <u>ALL TRUSS 48' O.C.</u>	Auto Washer	Side Lot Line Setback
Rafters <u>2x8-2x8 24' O.C.</u>	Floor Drain	Anchorage
Beam Size <u>3-2x10</u>	Hot Water Tank	Lighting (Type)
Col. Spacing <u>8"</u>	Water Softener	Colour
Loading	Sump Pump	Material
WALLS	OUTSIDE PLUMBING	
Exterior <u>2x4 24' O.C.</u>	Roof Water	Zone/Special Area
Interior	Weeping Tile System	Special Permission or Consideration
Bearing Walls	Surface Water	Entrance Permit No.
CLADDING	Window Wells	M.O.H. Approval
<u>STEEL</u>	Sanitary Sewer Size	
	Storm Sewer Size	
	Water Service Size	

PLATE

REMARKS:

NOTE - THIS BUILDING IS CLASSIFIED AS A STORAGE SHED - NOT A LIVESTOCK BARN

NOT VALID UNTIL SIGNED

C10

PERMISSION IS HEREBY GRANTED TO ERECT, ADD, ALTER, INSTALL OR DEMOLISH IN ACCORDANCE WITH ALL RELEVANT LEGISLATION INCLUDING THE ONTARIO BUILDING CODE, CITY BY-LAWS, AND CONDITIONS ON REVERSE SIDE.

Issued, correct July 2 / 97

COPY

ONTARIO PLANNING ACT, Section 53(14)

NOTICE of DECISION

COPY

On Application B48/14

APPLICANT:

In Pyo Lee & Jeong-Soon Lee
6990 Sideroad 2 West
Mount Forest ON N0G 2L0

LOCATION of SUBJECT LANDS:

WELLINGTON NORTH (Arthur Twp)
Part Lot 3, Divisions 3 & 4
WOSR

The Planning and Land Division Committee, considering all of the evidence presented, and being assured that it had jurisdiction to consider the matter which was submitted to it, concludes that:

In the matter of an application by In Pyo Lee & Jeong-Soon Lee pursuant to Section 53 of the Planning Act, R. S. O. 1990 as amended for consent to convey land for agricultural use (Surplus Farm Dwelling application), being Part of Lot 3, Divisions 3 & 4, WOSR, geographic Arthur Township, now Township of Wellington North, **PROVISIONAL CONSENT IS GRANTED SUBJECT TO THE FULFILMENT OF NINE CONDITIONS OF APPROVAL.** The Planning and Land Division Committee has the opinion that a plan of subdivision of the subject lands is not necessary for the proper and orderly development of the municipality for this proposal; that the proposal satisfies generally the intent of the criteria of Section 51, subsection 24 of the Planning Act, R.S.O. 1990 as amended; and that the proposal is consistent with the intent and policies of the Provincial Policy Statement; and that it conforms generally to the intent and policies of the official plan; and, further, that the proposal represents compatible development, good planning and does not offend the public interest.

FINAL CONSENT IS DEEMED TO BE GIVEN when the Secretary-Treasurer of the Planning and Land Division Committee has received written proof that all of the conditions of approval have been fulfilled within the prescribed period of time.

THE PLANNING AND LAND DIVISION COMMITTEE ADVISES THE APPLICANT that all of the conditions of approval for this provisional consent must be fulfilled within a period of one year after written notice of this decision was given or consent shall be deemed to be refused. In the event of an appeal to the Ontario Municipal Board, the application for consent shall not be deemed to be refused for failure to fulfill the conditions until the expiry of one year from the date of the order or date of the notice of the Ontario Municipal Board issued in respect of the appeal.

CONDITIONS OF APPROVAL TO BE FULFILLED NO LATER THAN 4:00 p.m. JUNE 19, 2015:

- 1) THAT the Owner's solicitor, in preparation for the issuance of the Certificate of Consent, provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee a printed copy of the "completed electronic transfer document in preparation".
- 2) THAT the Solicitor for the Owner give an undertaking in writing to provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee within 30 days of the date of registration in the Land Registry/Land Titles Office for Wellington (No. 61) a copy of the receipted and registered electronic transfer document for Consent B48/14.
- 3) THAT the Owner, as provided for under Section 69 of the Planning Act, R.S.O. 1990, shall pay to the Treasurer of the County of Wellington the administrative fee which is in effect at the time of the payment of the fee for the review for and issuance of the Certificate of Consent.
- 4) THAT the transfer for registration with respect to description complies with Ontario Regulation 43-96; and if that description contains a reference to a Reference Plan(s), the Owner's solicitor shall provide a full print of that deposited reference plan(s) to the secretary-treasurer of the Planning and Land Division Committee.
- 5) THAT the Owner receive approval from the applicable road authority in a manner deemed acceptable to that road authority for an entrance to the severed parcel; and further that the applicable authority file a letter of clearance of this condition with the Secretary-Treasurer of the Planning and Land Division Committee as written proof of fulfillment of this condition.
- 6) THAT the Owner satisfy all the requirements of the local municipality, financial and otherwise which the local municipality may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands; and further that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 7) THAT the Owner satisfy the requirements of the Local Municipality in reference to parkland dedication as provided for in the Planning Act, R.S.O. 1990; and that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 8) THAT MDS1 compliance is achieved for the barn on the severed parcel by, either, rezoning to restrict livestock or removing the barn to the satisfaction of the Township of Wellington North; and further that the Township of Wellington North file with the Secretary-Treasurer of the Planning and Land Division committee a letter of clearance of this condition.
- 9) THAT the Owner receive zoning compliance and classification from the Local Municipality and the County of Wellington Planning Department to prohibit a new residential dwelling on the severed parcel in a manner deemed acceptable; and that the Local Municipality and the County of Wellington Planning Department file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.



1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada N0G 1W0
Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

SENT ELECTRONICALLY (debt@wellington.ca)

May 23, 2014

E-MAILED
23 MAY 2014 JP

County of Wellington Planning and Land Division Committee
Wellington County Administration Centre
74 Woolwich Street
Guelph, ON
N1H 3T9

ATTENTION: Deborah Turchet, Secretary-Treasurer

Dear Mrs. Turchet,

RE: Application for Consent B48/14
Part Lot 3, WOSR, Divisions 3 & 4
Geographic Township of Arthur
Township of Wellington North (Lee)

The Saugeen Valley Conservation Authority (SVCA) has reviewed this proposal in accordance with the SVCA's mandate and policies and the Memorandum of Agreement between the Authority and the County of Wellington with respect to plan review. A recent site inspection has not been conducted by Authority staff. The proposed severance will create a new rural residential lot and a new agricultural lot. This application for consent is acceptable to the SVCA. We offer the following comments.

Please be advised that this particular property is not subject to the SVCA's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 169/06, as amended). This Regulation is in accordance with Section 28 of the Conservation Authorities Act, R.S.O, 1990, Chap. C. 27 and requires that a person obtain the written permission of the SVCA prior to any "development" in a Regulated Area or alteration to a wetland or watercourse.

Natural Heritage

The significant natural heritage feature affecting the subject property is the habitat of the Bobolink and Massasauga Rattlesnake that has been identified on or near the property. The Bobolink and Massasauga Rattlesnake are classified as Threatened and receive species protection under Ontario's *Endangered Species Act*.

County of Wellington Official Plan

Section 5.4.2 *Habitat of Endangered or Threatened Species and Fish Habitat* states in part the following:



Watershed Member Municipalities
Municipality of Arran Elderslie, Municipality of Brockton, Township of Chatsworth, Municipality of Grey Highlands,
Town of Hanover, Township of Howick, Municipality of Morris Turnberry, Municipality of South Bruce,
Township of Huron-Kinloss, Municipality of Kincardine, Town of Minto, Township of Wellington North,
Town of Saugeen Shores, Township of Southgate, Municipality of West Grey

Development and site alteration will not be allowed in significant habitat of endangered or threatened species.

According to information available through the Natural Heritage Information Centre (NHIC), element occurrences have been identified on or near the subject property indicating the presence of threatened or endangered species. The SVCA recommends that the proponent contact the Ministry of Natural Resources (MNR) prior to any development on the property. If habitat for an endangered or threatened species is found on or adjacent to the subject property, further actions and/or an EIS may be required. If further actions or an EIS are required we recommend the proponent contact our office.

Township of Wellington North Zoning By-law No. 66-01, as amended

In the opinion of the SVCA, the subject property is not zoned Natural Environmental (NE) in the Township of Wellington North Zoning By-law No. 66-01. In general, no new buildings or structures are permitted in the NE Zone.

Conclusion

All of the plan review functions listed in the Agreement have been assessed with respect to this proposal. The Authority is of the opinion that this application for consent appears to conform to the relevant policies of the County of Wellington Official Plan and Provincial Policies referred to in the Agreement. This application for consent is acceptable to the SVCA.

We trust this information is helpful. Should questions arise, please do not hesitate to contact this office.

Sincerely,



Jennifer Prenger
Environmental Planning Technician
Saugeen Conservation

JP/

cc: In Pyo Lee & Jeong-Soon Lee, Owners: 6990 Sideroad 2 West, Mount Forest, ON, N0G 2L0
Terry Fisk, SVCA Director (via email)



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

September 10, 2014

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

Dear Mr. Jones:

**Re: In Pyo & Jeona Lee – WOSR, Pt Lot 3, Div. 3 & 4, Geographic Township of Arthur
6990 Sideroad 2 W
Restrict Future Residential and Livestock
Draft Zoning By-law Amendment**

PLANNING OPINION

The zoning amendment is required as a condition of provisional consent (B48/14) 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 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.

SUBJECT LAND

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.

PURPOSE

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.

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 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

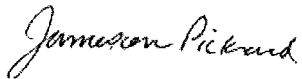
The subject lands are zoned Agricultural (A-1). This zoning by-law amendment will re-zone the

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 polices 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 notes 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.

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

Sincerely,

A handwritten signature in cursive script that reads "Jameson Pickard".

Jameson Pickard, B.URPL
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 WOSR, Pt Lot 3, Division 3 & 4, Geographic Township of Arthur, as shown on Schedule "A" attached to and forming part of this By-law from:
 - **Agricultural (A-1) to Agricultural Exception (A-168),**
2. THAT Section 33, Exception Zone 3 – Rural Areas, is amended by the inclusion of the following new exception:

<p>33.168</p> <p>WOSR, Part Lot 3, Div. 3 & 4,</p> <p>Geographic Township of Arthur</p>	<p>A-168</p> <ul style="list-style-type: none"> • The provisions of Section 33.1 (A-1) of the Rural Area Exception zone continue to apply to this property. <p>AND further 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 in accordance with section 33.1 (A-1).</p> <p>AND further that the barn, as existing on the day of passing of this by-law, is deemed to comply with the requirements under Section 6.17 and is restricted from the housing of livestock.</p>
--	--

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 _____, 2014

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

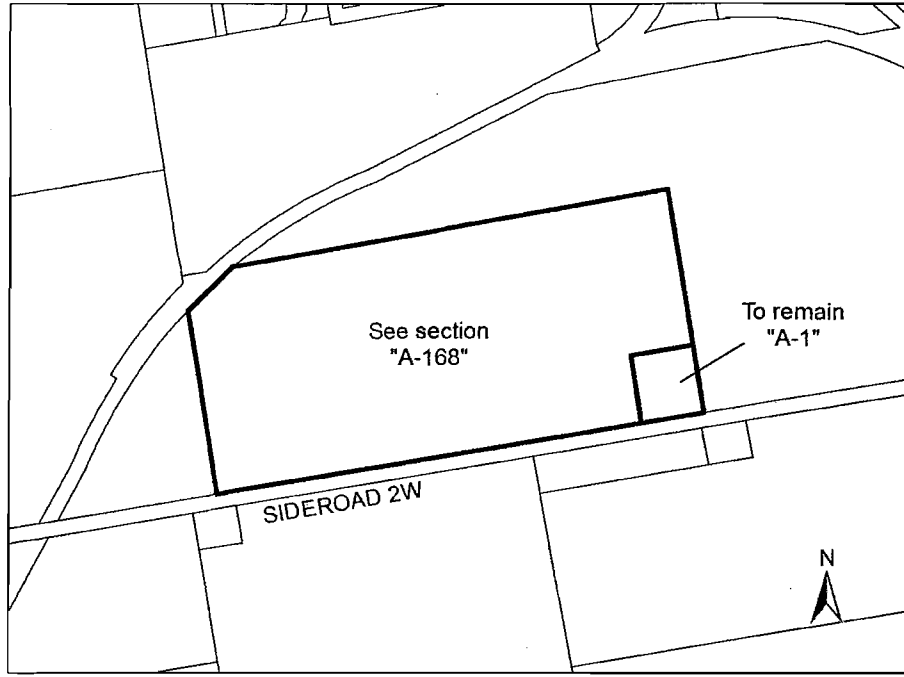
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO. _____.

Schedule "A"



Rezone from Agricultural (A-1) to Agricultural Exceptions (A-168)

Passed this ____ day of _____ 2014.

MAYOR

CLERK

EXPLANATORY NOTE

BY-LAW NUMBER _____.

THE LOCATION being rezoned is in WOSR, Part Lot 3, Division 3 & 4, Geographic Township of Arthur, with a civic address of 6990 Sideroad 2 West. The property is approximately 19.42 hectares (48 acres) in size and is occupied by a barn.

THE PURPOSE AND EFFECT of the amendment is to rezone the subject lands to restrict any future residential development on the agricultural land and prohibit the housing of livestock in the barn on the property (A-162). The site specific A-1 zoning provisions will continue to apply to these lands. This rezoning is a condition of severance application B48/14, that was granted provisional approval by the Wellington County Land Division Committee. The consent will sever the existing farm dwelling and accessory structure (0.8 ha. (2 ac.) from the remainder of the agricultural parcel (19.42 ha. (48 ac.).



1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada N0G 1W0
Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

SENT ELECTRONICALLY (township@wellington-north.com)

September 22, 2014

Township of Wellington North
7490 Sideroad 7 W
Kenilworth, ON
N0G 2E0

ATTENTION: Darren Jones, CBO

Dear Mr. Jones,

RE: Proposed Zoning By-law Amendment
Part Lot 3, WOSR, Divisions 3 & 4
Geographic Township of Arthur
Township of Wellington North (Lee)

The Saugeen Valley Conservation Authority (SVCA) has reviewed this proposal in accordance with the SVCA's mandate and policies. A recent site inspection has not been conducted by Authority staff. The purpose of this proposed Zoning By-law Amendment is to implement a condition of consent of severance B48/14. The effect of this application is to rezone the agricultural portion of the subject property to restrict future residential development, and to prohibit the housing of livestock in the existing barn. Authority staff provided comments dated May 23, 2014 regarding the associated application for consent (B48/14). Please refer to that letter for more details on the subject property. This proposed Zoning By-law Amendment is acceptable to the SVCA.

We trust this information is helpful. Should questions arise, please do not hesitate to contact this office.

Sincerely,

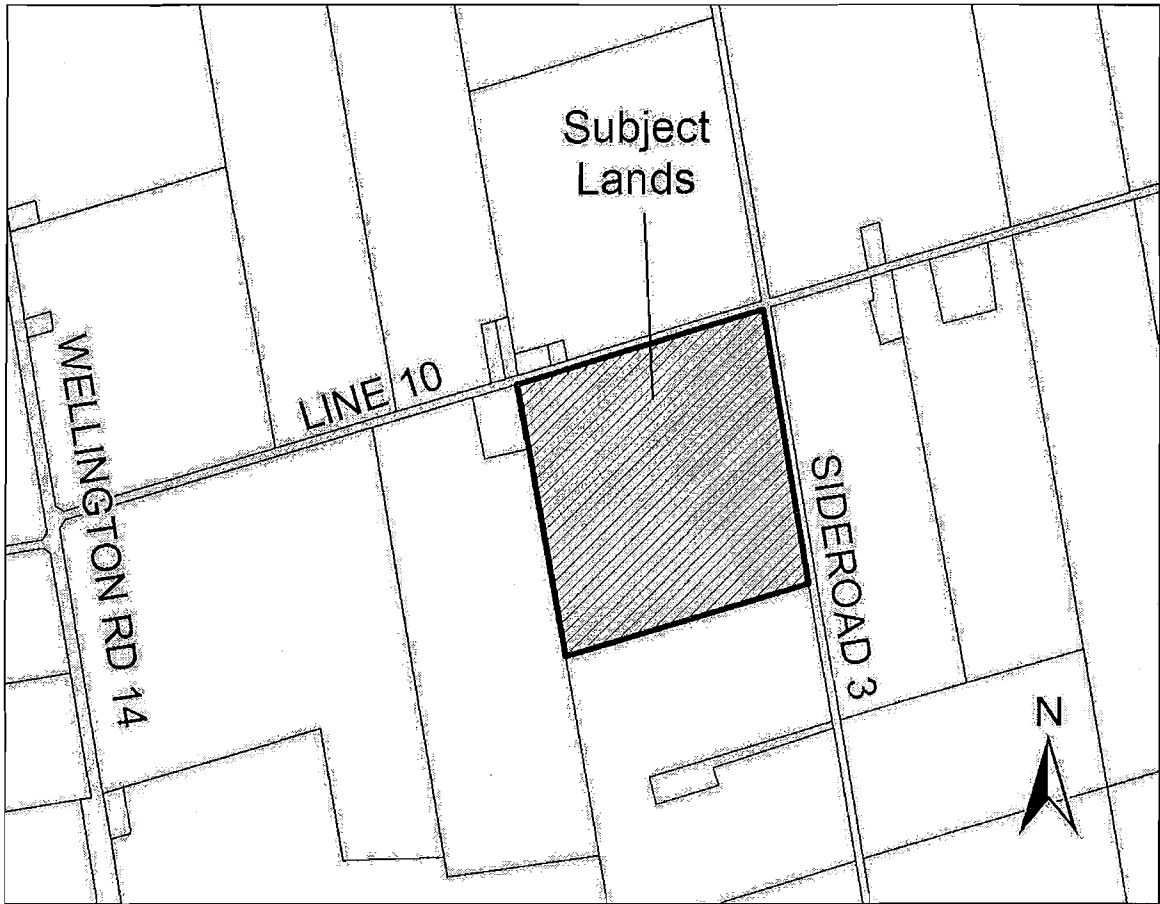
Jennifer Prenger
Environmental Planning Technician
Saugeen Conservation

JP/

cc: In Pyo & Jeong Soon Lee, Owners; 6990 Sideroad 2 West, RR#5 Mount Forest, ON, N0G 2L0
Terry Fisk, SVCA Director (via email)



Watershed Member Municipalities
Municipality of Arran-Elderslie, Municipality of Brockton, Township of Chatsworth, Municipality of Grey Highlands,
Town of Hanover, Township of Howick, Municipality of Morris-Turnberry, Municipality of South Bruce,
Township of Huron-Kinloss, Municipality of Kincardine, Town of Minto, Township of Wellington North,
Town of Saugeen Shores, Township of Southgate, Municipality of West Grey



Owners/Applicant: Bruce Atkinson and Deborah Atkinson

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)?

House Lot severance off Farm - Keep a
Existing 40 x 40 Frame Shed with a ^{NEW} 20 x 40 workshop.

B. GENERAL INFORMATION

3. APPLICANT INFORMATION

a. Registered Owner's Name(s): Bruce & Deb Atkinson

Address: 8117 Line 10, RR "1", Con "1", NOG 1NO

Phone: Home (519) 848-6365 Work () Fax ()

Email: _____

b. Applicant (Agent) Name(s): _____

Address: _____

Phone: Home () Work () Fax ()

Email: _____

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

i. _____

ii. _____

iii. _____

d. Send Correspondence To? Owner Agent [] Other []

e. When did the current owner acquire the subject land? 1979

4. WHAT AREA DOES THE AMENDMENT COVER?

the "entire" property [] "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:

a. Municipal Address: 8117 Line 10 Wellington North
b. Concession: 10 Lot: N. 1/2 3 Registered Plan No: _____
c. Area: _____ hectares Depth: _____ meters Frontage (Width): _____ meters
Area: _____ acres Depth: _____ feet Frontage (Width): _____ feet

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

a. Area: 1.2 hectares Depth: 141 meters Frontage (Width): 86 meters
Area: _____ acres Depth: _____ feet Frontage (Width): _____ feet

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

Prime Agric.

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

Agric

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

Agric

C. EXISTING AND PROPOSED LAND USES AND BUILDINGS

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

Agric

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

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

Residential

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

(Please use a separate page if necessary.)

	Existing		Proposed	
a. Type of building(s) or structure(s)	<u>Pole Shed.</u>		<u>Work Shop</u>	
b. Date of construction	<u>1980</u>			
c. Building height	<u> </u> (m)	<u>19</u> (ft)	<u> </u> (m)	<u>14</u> (ft)
d. Number of storey's (excluding basement)	<u>one</u>		<u>one</u>	
e. Total floor area	<u> </u> (sq m)	<u>1600</u> (sq ft)	<u> </u> (sq m)	<u>300</u> (sq ft)
f. Ground floor area	<u> </u> (sq m)	<u>1600</u> (sq ft)	<u> </u> (sq m)	<u>300</u> (sq ft)
g. Distance from building to the:				
i. Front lot line	<u> </u> (m)	<u> </u> (ft)	<u> </u> (m)	<u> </u> (ft)
ii. Side lot line	<u> </u> (m)	<u> </u> (ft)	<u> </u> (m)	<u> </u> (ft)
iii. Side lot line	<u>37.7</u> (m)	<u> </u> (ft)	<u>37.7</u> (m)	<u> </u> (ft)
iv. Rear lot line	<u>20.7</u> (m)	<u> </u> (ft)	<u>20.7</u> (m)	<u> </u> (ft)
h. Percent lot coverage	<u> </u> (%)		<u> </u> (%)	
i. Number of parking spaces	<u> </u>		<u> </u>	
j. Number of loading spaces	<u> </u>		<u> </u>	

D. EXISTING AND PROPOSED SERVICES

14. WHAT IS THE ACCESS TO THE SUBJECT PROPERTY?

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

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

Line 10 Wellington North.

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.)

N/A

17. INDICATE THE APPLICABLE WATER SUPPLY AND SEWAGE DISPOSAL

	Municipal Sewers	Communal Sewers	Private Septic	Municipal Water	Communal Well	Private Well
a. Existing	[]	[]	[<input checked="" type="checkbox"/>]	[]	[]	[<input checked="" type="checkbox"/>]
b. Proposed	[]	[]	[<input checked="" type="checkbox"/>]	[]	[]	[<input checked="" type="checkbox"/>]

18. HOW IS THE STORM DRAINAGE PROVIDED?

a. Storm Sewers [] Ditches [] Swales [] Other means (explain below) []

N/A

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?

a. Official Plan Amendment	Yes	[]	No	[<input checked="" type="checkbox"/>]
b. Zoning By-law Amendment	Yes	[]	No	[<input checked="" type="checkbox"/>]
c. Minor Variance	Yes	[]	No	[<input checked="" type="checkbox"/>]
d. Plan of Subdivision	Yes	[]	No	[<input checked="" type="checkbox"/>]
e. Consent (Severance)	Yes	[<input checked="" type="checkbox"/>]	No	[]
f. Site Plan Control	Yes	[]	No	[<input checked="" type="checkbox"/>]

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

- a. File No. and Date of Application: B47/14
- b. Approval Authority: County of Wellington
- c. Lands Subject to Application: Pt Lot 3, Con 10
- d. Purpose of Application: Surplus Farm Dwelling
- e. Status of Application: Approved with conditions
- f. Effect on the Current Application for Amendment: _____

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.)

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:

- a. Owners' / applicant's name;
- b. Legal description of property;
- c. Boundaries and dimensions of the subject property and its current land use;
- d. Dimensions of area of amendment (if not, the entire property);
- e. The size and use of all abutting land;
- f. All existing and proposed parking and loading areas, driveways and lanes;
- g. The nature of any easements or restrictive covenants on the property;
- h. The location of any municipal drains or award drains;
- i. Woodlots, forested areas, ANSI's, ESA's, wetlands, floodplain, and all natural watercourses (rivers, stream banks, etc);
- j. The dimensions of all existing and proposed buildings and structures on the subject land and their distance to all lot lines;
- k. The name, location and width of each abutting public or private road, unopened road allowance or right of way;
- l. If access to the subject land is by water only, provide the location of the parking and docking facilities to be used;
- m. 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); and
- n. 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) _____ of the _____ of _____,

County/Region of _____ do hereby authorize _____ to

Act as my agent in this application.

Signature of Owner(s)

Date

I. *AFFIDAVIT:

(This affidavit be signed in the presence of a Commissioner)

I (we) Bruce & Debbie Atkinson of the Township of Wellington North,

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 Township of Wellington North, County/Region of Wellington this 15th day of August,

x Debbie Atkinson Bruce Atkinson
Signature of Owner or Authorized Solicitor or Authorized Agent

Aug. 15 2014
Date

Catherine More
Signature of Commissioner

Aug 15, 2014
Date

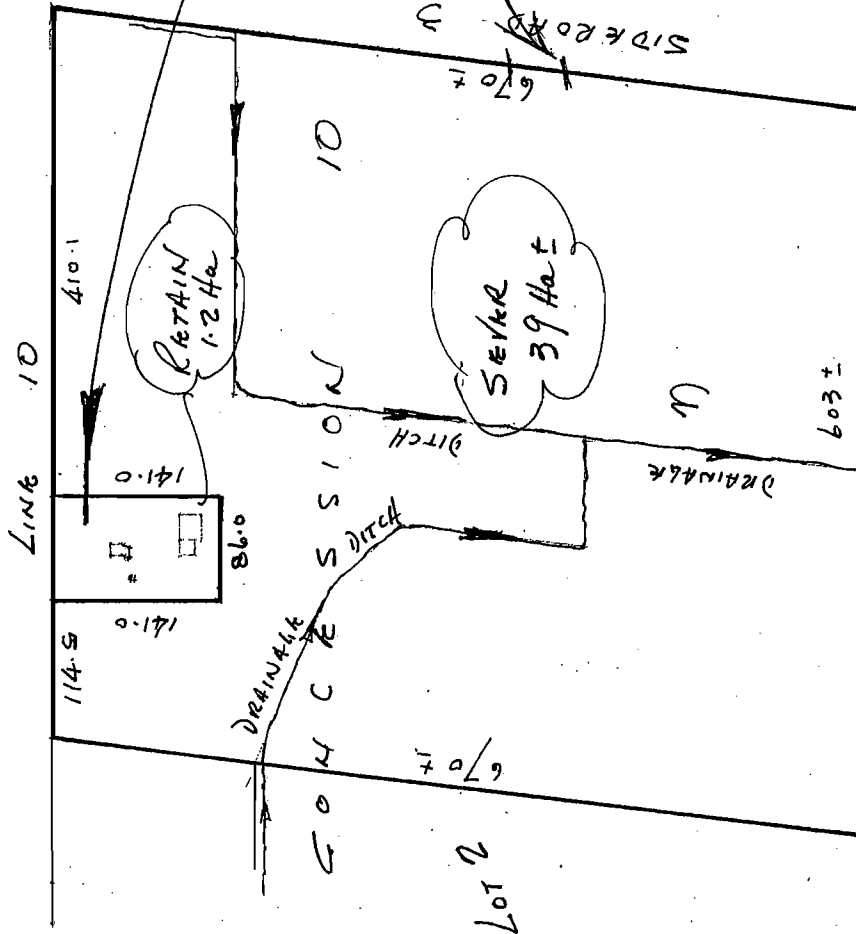
CATHERINE E. MORE, a Commissioner,
etc., County of Wellington, Deputy Clerk
of the Corporation of the Township of
Wellington North.

APPLICATION AND FEE OF \$ 1500.00 RECEIVED BY MUNICIPALITY

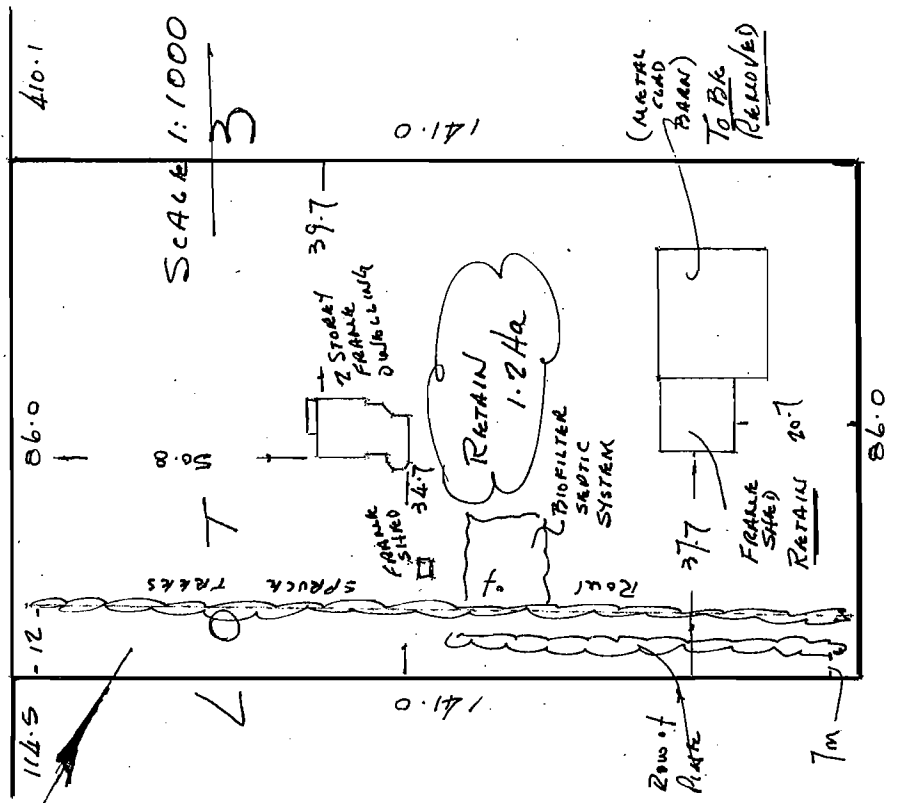
Lauree Denis
Signature of Municipal Employee

Aug 15, 14
Date

SEVERANCE SKETCH IN THE
(TOWNSHIP OF WEST LUTHER)
TOWNSHIP OF WELLINGTON NORTH



SUBJECT PARCEL
1.2 Ha



APR/14
8512

Alex R. Wilson Surveyors Inc
MOUNT FOREST
S19 323 2451

SCALE 1:5000

ONTARIO PLANNING ACT, Section 53(14)

NOTICE of DECISION

On Application B47/14

APPLICANT:

Bruce & Deb Atkinson
 8117 Line 10, RR#1
 Conn ON N0G 1N0

LOCATION of SUBJECT LANDS:

WELLINGTON NORTH (West Luther)
 Part Lot 3
 Concession 10

The Planning and Land Division Committee, considering all of the evidence presented, and being assured that it had jurisdiction to consider the matter which was submitted to it, concludes that:

In the matter of an application by Bruce & Deb Atkinson pursuant to Section 53 of the Planning Act, R. S. O. 1990 as amended for consent to convey land for agricultural use (Surplus Farm Dwelling application), being Part of Lot 3, Concession 10, geographic Township of West Luther, now Township of Wellington North, **PROVISIONAL CONSENT IS GRANTED SUBJECT TO THE FULFILMENT OF ELEVEN CONDITIONS OF APPROVAL.** The Planning and Land Division Committee has the opinion that a plan of subdivision of the subject lands is not necessary for the proper and orderly development of the municipality for this proposal; that the proposal satisfies generally the intent of the criteria of Section 51, subsection 24 of the Planning Act, R.S.O. 1990 as amended; and that the proposal is consistent with the intent and policies of the Provincial Policy Statement; and that it conforms generally to the intent and policies of the official plan; and, further, that the proposal represents compatible development, good planning and does not offend the public interest.

FINAL CONSENT IS DEEMED TO BE GIVEN when the Secretary-Treasurer of the Planning and Land Division Committee has received written proof that all of the conditions of approval have been fulfilled within the prescribed period of time.

THE PLANNING AND LAND DIVISION COMMITTEE ADVISES THE APPLICANT that all of the conditions of approval for this provisional consent must be fulfilled within a period of one year after written notice of this decision was given or consent shall be deemed to be refused. In the event of an appeal to the Ontario Municipal Board, the application for consent shall not be deemed to be refused for failure to fulfill the conditions until the expiry of one year from the date of the order or date of the notice of the Ontario Municipal Board issued in respect of the appeal.


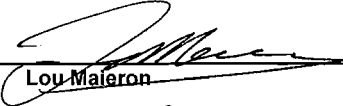

CONDITIONS OF APPROVAL TO BE FULFILLED NO LATER THAN 4:00 p.m. JUNE 19, 2015:

- 1) **THAT** the Owner's solicitor, in preparation for the issuance of the Certificate of Consent, provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee a printed copy of the "completed electronic transfer document in preparation".
- 2) **THAT** the Solicitor for the Owner give an undertaking in writing to provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee within 30 days of the date of registration in the Land Registry/Land Titles Office for Wellington (No. 61) a copy of the receipted and registered electronic transfer document for Consent B47/14.
- 3) **THAT** the Owner, as provided for under Section 69 of the Planning Act, R.S.O. 1990, shall pay to the Treasurer of the County of Wellington the administrative fee which is in effect at the time of the payment of the fee for the review for and issuance of the Certificate of Consent.
- 4) **THAT** the transfer for registration with respect to description complies with Ontario Regulation 43-96; and if that description contains a reference to a Reference Plan(s), the Owner's solicitor **shall provide a full print of that deposited reference plan(s)** to the secretary-treasurer of the Planning and Land Division Committee.
- 5) **THAT** the Owner receive approval from the applicable road authority in a manner deemed acceptable to that road authority for an entrance to the severed parcel; and further that the applicable authority file a letter of clearance of this condition with the Secretary-Treasurer of the Planning and Land Division Committee as written proof of fulfillment of this condition.
- 6) **THAT** the Owner satisfy all the requirements of the local municipality, financial and otherwise which the local municipality may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands; and further that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 7) **THAT** the Owner satisfy the requirements of the Local Municipality in reference to parkland dedication as provided for in the Planning Act, R.S.O. 1990; and that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 8) **THAT** the Owner receive zoning compliance and classification from the Local Municipality and the County of Wellington Planning Department to prohibit a new residential dwelling on the severed parcel in a manner deemed acceptable; and that the Local Municipality and the County of Wellington Planning Department file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 9) **THAT** the metal clad barn on the retained is removed to the satisfaction of the Township of Wellington North; and further that the Township of Wellington North file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 10) **THAT** the Owner receive zoning compliance and classification from the Local Municipality in a manner deemed acceptable by the Local Municipality regarding frame shed; and that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 11) **THAT** the Owner obtain a building permit for the alteration/repair of the frame shed to the satisfaction of the Township of Wellington North; and further that the Township of Wellington North file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

PLEASE BE ADVISED:

1. Additional information regarding this application for consent is available to the public for inspection at the County of Wellington Planning and Land Division Office, 74 Woolwich Street, Guelph ON N1H 3T9 during regular business hours, Monday through Friday, holidays excepted.
2. You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have either made a written request to be notified of the decision to give or refuse to give provisional consent or made a written request to be notified of changes to the conditions of the provisional consent.
3. Only individuals, corporations or public bodies may appeal decisions in respect of applications for consent to the Ontario Municipal Board. A notice of appeal may be filed on behalf of an unincorporated association by a person who is a member of the association but not by the association.

WE, the undersigned

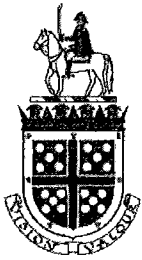
<hr/> Shawn Watters	 <hr/> John Green
 <hr/> Lou Maleron	<hr/> Bruce Whale
 <hr/> Chris White	

CONCURRED IN THE ABOVE DECISION TO GRANT PROVISIONAL CONSENT ON JUNE 12, 2014

AN APPEAL TO THE ONTARIO MUNICIPAL BOARD IN RESPECT OF THIS DECISION OR CONDITION(S) OF APPROVAL MUST BE FILED WITH THE SECRETARY-TREASURER OF THE PLANNING & LAND DIVISION COMMITTEE NO LATER THAN 4:00 p.m. ON JULY 8, 2014

I certify that these two pages are the decision of the County of Wellington Planning and Land Division Committee with respect to this application for consent.

DATED: JUNE 18, 2014 SIGNED: Deborah Tward



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

September 10, 2014

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

Dear Mr. Jones:

**Re: Bruce & Deb Atkinson – Part Lot 3, Con. 10 (West Luther) – 8117 Line 10
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 (B47/14) 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 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.

SUBJECT LAND

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.

PURPOSE

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.

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 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.

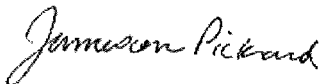
ZONING BY-LAW

The subject lands are zoned Agricultural (A). 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).

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

Sincerely,



Jameson Pickard, B.URPL
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 3, Concession 10, Geographic Township of West Luther, as shown on Schedule "A" attached to and forming part of this By-law from:
 - **Agricultural (A) to "Agricultural Exception (A-169)**
 - **Agricultural (A) to "Agricultural Exception (A-170)**
2. THAT Section 33, Exception Zone 3 – Rural Areas, is amended by the inclusion of the following new exception:

33.169 Part Lot 3, Con. 10 W. Luther	A-169 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.
---	---

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

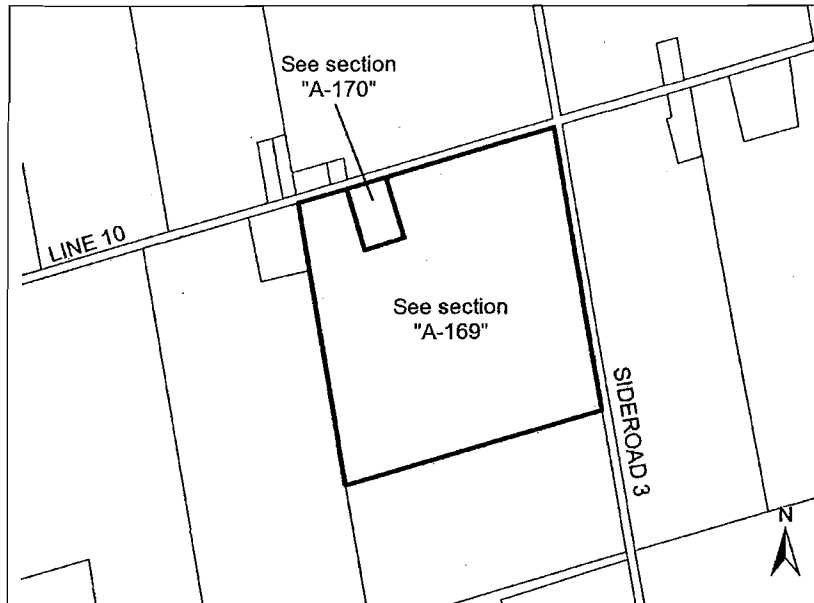
33.170 Part Lot 3, Con. 10 W. Luther	A-170 Notwithstanding Section 6.1.4 (b) or any other section of this by-law to the contrary, the property on the day of passing of this by-law may have a maximum combined ground floor area of 222.9 m² (2, 400 ft²).
---	---

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.

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "A"



Rezone from Agricultural (A) to Agricultural Exceptions (A-169 and A-170)

Passed this ____ day of _____ 2014.

MAYOR

CLERK

EXPLANATORY NOTE

BY-LAW NUMBER _____.

THE LOCATION being rezoned is in Part Lot 3, Concession 10, Geographic Township of West Luther, with a civic address of 8117 Line 10. The property is approximately 40.9 hectares (101 acres) in size and is occupied by a residence and accessory building.

THE PURPOSE AND EFFECT of the amendment is to rezone the subject lands to restrict any future residential development on the agricultural land (A-169) and to allow for an accessory building that exceed the maximum ground floor area on the residential portion of the lands (A-170). The rezoning will permit 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. 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 the farm land (39 ha. (96.4 ac.) from the residential parcel with an existing dwelling and accessory building (1.2 ha. (3ac.).

Darren Jones

From: Nathan Garland [ngarland@grandriver.ca]
Sent: Monday, September 22, 2014 3:18 PM
To: Darren Jones
Cc: Andrew Herreman
Subject: RE: NOTICE OF A PUBLIC MEETING TO CONSIDER AMENDMENTS TO THE COMPREHENSIVE ZONING BY-LAW 66-01: Atkinson

Darren,

No problem. We had reviewed the proposed severance (B47-14) and had no objections; therefore we have no objections to the proposed zoning bylaw amendment to restrict future agriculture on agricultural parcel, nor do we have an objection for the relief requested on the parcel containing the over-sized shed and proposed addition.

If you need a letter done up let me know.

Regards,

Nathan Garland
Acting Policy Planner
Grand River Conservation Authority
(519) 621-2763 EXT. 2247