

Application for Amendment to the Zoning By-law



Township Centre Wellington
1 MacDonald Square
PO Box 10, Elora, ON N0B 1S0
Tel: (519) 846-9691
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under The Planning Act, R.S.O. 1990 c.P.13, as amended

File No. R7001-2024

The Amendment

Date Application Deemed Complete: _____ / _____ / _____
dd mm yyyy

❖ Date Submitted: 30 / 01 / 2024
dd mm yyyy

1. Type of Amendment

- Site specific
- Other (please specify): _____

2. Purpose of and reasons for the proposed amendment(s):

The proposed Zoning By-law Amendment is to rezone the Retained Parcel from Agricultural to a Specialized Agricultural to prohibit a residential dwelling and rezone the Severed Parcel for a Site Specific Exemption to permit the combined lot coverage of the accessory buildings to be 6.6% vs. 5% required and permit the existing barn to have a height of 10.5m vs. 6.7m required. A surplus farm residence severance was recently approved and this is required to satisfy Conditions 7 & 8 of the Severance Application B86-23. Please see our covering letter for more details.

GENERAL INFORMATION

3. Applicant Information

Registered Owners Name(s): George Paul Pinho & Kelly Ann McKnight

Address 8196 Wellington Road 19, Fergus, ON, N1M 2W4

E-mail address gppinho1@gmail.com

Tel. No. Home 519-498-8680 Work _____ Fax _____

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

Address 2106 Gordon Street, Guelph, ON, N1L 1G6

Tel. No. Home 519-821-2763 ext. 225 Work _____ Fax Jeff.Buisman@vanharten.com

❖ Name, address and phone number of all persons having any mortgages, charges or encumbrances on the property:

None

Send correspondence to: Owner Agent Other _____

❖ When did the current owner acquire the subject land? Date: January 2016

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 24 of this application)

❖ 5. Provide a description of the "entire" property:

Municipal Address 8196 Wellington County Road 19

Concession 2 Lot 10 Registered Plan No. _____

Retained
Area 37.7 ha ha Depth 660m m Frontage 555m / 559m m

Severed
Area 1.51 ha ac Depth _____ ft Frontage 104m / 154m ft

❖ 6. Provide a description of the area to be amended if only a "portion" of the property:

Area _____ ha Depth _____ m Frontage _____ m

_____ ac _____ ft _____ ft

❖ 7. Is the application to amend the zoning by-law consistent with the Provincial Policy Statement?

- Yes
- No

❖ 8. Is the subject land within an area of land designated under any provincial plan or plans?

Greenbelt Plan Places to Grow Other (please specify):

❖ If yes, does the application conform to and not conflict with the applicable provincial plan or plans? Yes No

9. Official Plan

❖ What is the current Official Plan designation of the subject property?

Prime Agricultural and Greenlands

List land uses permitted by the current Official Plan designation

Agricultural uses, secondary uses including home businesses and farm businesses, agriculture-related uses, single detached homes, etc...

See all permitted uses outlined in Section 6.4.3 of the County Official Plan.

❖ How does the application conform to the Official Plan?

The subject property is designated as Prime Agricultural and Greenlands in the Official Plan and this zone change is required as part of the Guidelines set out in Section 10.3.4 for surplus farm residence severances and a Condition of the Severance.

❖ If the application is to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement, provide details of the official plan or official plan amendment that deals with the matter.

N/A

❖ If the application is to remove land from an area of employment, provide details of the official plan or official plan amendment that deals with the matter.

N/A

❖ If the subject land is within an area where zoning with conditions may apply, provide an explanation of how the application conforms to the official plan policies relating to zoning with conditions.

N/A

10. Zoning

❖ What is the current zoning of the property? Agricultural and Environmental Protection Overlay

❖ What uses are permitted? An agricultural use, building or structure, a single detached dwelling, a group home, a commercial kennel... See Section 6.1.1 for all permitted uses.

❖ What is the nature and extend of the rezoning requested? To rezone the Retained to prohibit a residential dwelling and to recognize the accessory buildings on the Severed.

❖ What is the reason why the rezoning is requested?

A surplus farm residence severance was approved and the requested zone change is required as a condition of the severance. Please see our covering letter for more details.

❖ If the subject land is within an area where the municipality has pre-determined minimum and maximum density requirements or the minimum and maximum height requirements, provide a statement of these requirements.

N/A

EXISTING AND PROPOSED LAND USES AND BUILDINGS

❖ 11. What is the “existing” use(s) of the subject land?

Agricultural

❖ 12. How long has the “existing” use(s) continued on the subject land?

Many years

❖ 13. What is the “proposed” use(s) of the subject land?

Severed Parcel - Rural Residential

Retained Parcel - Agricultural

14. Provide the following details for all buildings or structures on the subject land:

(please use a separate page if necessary)

❖ Type of building(s) or structures	Existing		Existing		Existing		Existing	
	Barn	Shop/Storage	Driveshed / Garage	No buildings proposed				
❖ Date of construction	Many years ago	Many years ago	Many years ago					
❖ Building height	10.5m							
❖ Number of floors								
❖ Total floor area								
Ground floor area (exclude basement)	485m ²	342m ²	171m ²					
❖ Distance from building/structure to the:								
front lot line								
side lot line								
side lot line	15m	11m						
rear lot line	26m		16m					
% lot coverage	Total Accessory Buildings Coverage = 6.6%							
# of parking spaces								
# of loading spaces								

EXISTING AND PROPOSED SERVICES

❖ 15. What is the access to the subject property?

- Provincial Highway
 Continually maintained municipal road
 Right-of-way
 Other (please specify):
 Seasonally maintained municipal road
 Water access

Severed Parcel - County Road ; Retained parcel - County Road and Municipal Road

16. What is the name of the road or street that provides access to the subject property?

Corner Lot - Frontage on Wellington County Road 19 & Second Line

❖ 17. 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 24 of this application)

N/A

❖ 18. Indicate the applicable water supply and sewage disposal:

Existing - on Severed Parcel	Municipal Water	Communal Water	Private Well	Other Water Supply	Municipal Sewers	Communal Sewers	Private Septic	Other Sewage Disposal
a) Existing	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Proposed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Not required for Retained Parcel

❖ 19. If the application would permit development on privately owned and operated individual or communal septic systems, would more than 4500 litres of effluent be produced per day as a result of the development being completed?

Yes No

❖ If yes, the following reports are required:

- A servicing options report; and
- A hydrogeological report

❖ 20. How is storm drainage provided?

Storm Sewers Ditches Swales Other means (explain below):

OTHER RELATED PLANNING APPLICATIONS

21. Has the current owner (or any previous owner) made application for any of the following, either on or within 120 metres of the subject lands?

	❖ File No.	Approval Authority	Subject Lands	❖ Status	Purpose
Official Plan Amendment	<input type="checkbox"/> Yes <input type="checkbox"/> No				
❖ Zoning By-law Amendment	<input type="checkbox"/> Yes <input type="checkbox"/> No				
Minor Variance	<input type="checkbox"/> Yes <input type="checkbox"/> No				
❖ Plan of Subdivision	<input type="checkbox"/> Yes <input type="checkbox"/> No				
❖ Consent (Severance)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		B86-23 - County of Wellington - Part of Lot 10, Con 2, West Garafraxa - Approved Subject to Conditions - Surplus Farm	Severance	
Site Plan Control	<input type="checkbox"/> Yes <input type="checkbox"/> No				

❖ 22. Has the subject land ever been the subject of a Minister's Zoning Order?

Yes No

If yes, provide the Ontario Regulation number of that order, if known: _____

Other Supporting Information

23. Please list the titles of any supporting documents: (e.g. Environmental Impacts Study, Hydrogeological Report, Servicing Options Report, Traffic Study, Market Area Study, Aggregate Licence Report, Stormwater Management Report, etc.)

Please see the covering letter attached with more details on the proposal.

APPLICATION DRAWING

❖ 24. 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 information:

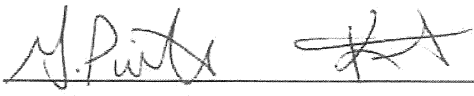
- owner's/applicant's name;
- legal description of the property;
- ❖ boundaries and dimension of the subject property and its current land use;
- dimensions of area of amendment (if not, the entire property);
- ❖ the size and use of all abutting land;
- all existing and proposed parking and loading areas, driveways and lanes;
- ❖ the location and nature of any easements or restrictive covenants on the property;
- the location of any municipal drains or award drains;
- ❖ woodlots, forested areas, ANSIs, ESAs, wetlands, floodplain, and all natural watercourses (rivers, stream banks, etc.);
- ❖ the location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side 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, roads, drainage ditches, wells, septic systems, springs, slopes, gravel pits).

The drawing should also include the scale, north arrow and date when the drawing was prepared.

Authorization for Agent/Solicitor to act for Owner

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

I (we) George Paul Pinho & Kelly Ann McKnight of the Town of Fergus County Region of Wellington do hereby authorize Jeff Buisman, Van Harten Surveying Inc. to act as my agent in this application.



Signature of Owner(s)

JAN 8, 2024
Date

❖ **Affidavit**

I (we) Jeff Buisman, Van Harten Surveying Inc. of the City of 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 29 day of January, 2024


Signature of Owner or Authorized Solicitor or Authorized Agent


Jan 29/2024
Date

James Michael Laws,
a Commissioner, etc.,
Province of Ontario,
for Van Harten Surveying Inc.
Expires May 11, 2024

Signature of Commissioner

Jan 29/24
Date



Application fee of \$ <u>10,615</u> received by the municipality:	Application deemed complete:
<u></u> Signature of Municipal Employee	_____ Signature of Municipal Employee
<u>Jan 30/24</u> Date	_____ Date