

**PLANNING DEPARTMENT
REPORT – 17/10**

TO: THE MAYOR AND MEMBERS OF COUNCIL

FROM: NEAL DERUYTER & DAN CURRIE

MEETING DATE: MONDAY FEBRUARY 6, 2017

SUBJECT: ZONING BY-LAW AMENDMENT 02/17 – Tri City Lands Ltd. Spencer Pit

LOCATION & WARD: 6939 Wellington Road 124, Ward 1

**ATTACHMENTS: 1 – Location Map
2 – County Request to Hold a Public Meeting**

RECOMMENDATION:

It is recommended that the Council of the Township of Guelph/Eramosa receive Planning Department Report 17/10 regarding “ZONING BY-LAW AMENDMENT 02/17 – Tri City Lands Ltd. Spencer Pit”; and

That the Township proceed with the required notice of a complete application as per s. 34 (10.7) of the Planning Act and Ontario Regulation 545/06; and

That the Township schedule and host a joint public meeting for Zoning By-law Amendment 02/17 and County Official Plan Amendment OP-2016-11 on Monday, March 6, 2017 and proceed with the required notice of public meeting as per the Planning Act and Ontario Regulations 543/06 and 545/06; and

That the Zoning By-law Amendment application be circulated to the required agencies for comment as per the Planning Act; and

That the Township Planning Consultant proceed with preparing a supplementary Planning Report to be available at the Public Meeting.

PROPOSAL:

In 2014, the Township of Guelph/Eramosa received a Zoning By-law Amendment application to rezone lands municipally addressed as 6939 Wellington Road 124 to

permit an above the water table pit known as the Spencer Pit (Part of Lots 14, 15 & 16, and Lots 17 & 18, Concession B) (see Attachment 1).

On May 2, 2016, the Township approved By-law No. 26-2016 which rezoned the subject lands from Agricultural (A) to Extractive Industrial (M3) to permit the Spencer Pit. The By-law was appealed to the Ontario Municipal Board by an adjacent landowner. There were also four landowners who maintained objections to the licence application under the Aggregate Resources Act (ARA). As a result, the Ministry of Natural Resources and Forestry (MNRF) referred the licence application to the Ontario Municipal Board. The hearing on both matters was scheduled to commence in January 2017.

On August 8, 2016, the Township repealed and replaced its Comprehensive Zoning By-law (By-law 57/1999) with a new Comprehensive Zoning By-law (By-law 40/2016). The subject lands remained zoned Agricultural (A) in Zoning By-law 40/2016 as the Extractive Industrial (M3) Zone had not come into effect due to the outstanding appeal. As a result, Tri City Lands Ltd. has submitted a “housekeeping amendment” to permit the proposed pit under the new Comprehensive Zoning By-law.

MATERIALS SUBMITTED:

Zoning By-law Amendment 02/17 includes the same reports and materials that were submitted with the 2014 zoning application in addition to the following:

- Zoning By-law Amendment Application Form and Draft Amendment to By-law 40/2016
- Public Consultation Strategy Form
- Planning Addendum Report, November 2016
- Agency Resolutions and Public Comments (2014 to 2016)
- County of Wellington Official Plan Amendment Application Form

It appears that the site plans submitted with the proposed zoning application include revisions made by the applicant in response to public and agency comments through the processing of the 2014 zoning application and ARA licence application. This will be confirmed through the processing of this application.

WELLINGTON COUNTY OFFICIAL PLAN:

In December 2014, the Ontario Municipal Board approved County Official Plan Amendment 81 (OPA 81) which included several new policies and policy revisions. New or expanded aggregate operations now require an amendment to Schedule A of the County’s Official Plan (Section 6.6.5).

The Spencer Pit application was originally submitted prior to OPA 81 coming into effect so the policy requiring an amendment to the County’s Official Plan was not applicable.

However, the current application is subject to the policies of OPA 81 including the requirement for an amendment for new aggregate operations.

Tri City Lands Ltd. submitted an application to amend the County's Official Plan in November 2016. The County deemed the application complete on January 10, 2017 (County File OP-2016-11).

Tri City Lands Ltd. has included a Planning Addendum Report from Harrington McAvan Ltd. which reviews the policies of OPA 81.

REQUEST FOR PUBLIC MEETING:

On January 10, 2017, the County requested that the Township give notice of and hold a public meeting on behalf of the County to obtain input on the proposed amendment to the County's Official Plan (see Attachment 2). The public meeting would be held jointly with Zoning By-law Amendment Application 02/17.

CONCLUSION:

The application has been reviewed in terms of the Planning Act requirements for a complete application (Regulation 545/06, Schedule 1) and the applicable provisions of the Zoning By-law. The application is **deemed to be complete**.

It is recommended that a joint public meeting be held on Monday, March 6, 2017 for the proposed amendments to the County's Official Plan and Township's Zoning By-law.

Respectfully submitted by:



Neal DeRuyter, BES
MHBC Planning

Reviewed and approved by:



Dan Currie, RPP, MCIP
MHBC Planning

Reviewed by:

Ian Roger, P. Eng
CAO

ATTACHMENT 1: LOCATION MAP



ATTACHMENT 2: COUNTY REQUEST TO HOLD A PUBLIC MEETING



January 10, 2017

COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
GARY A. COUSINS, M.C.I.P., DIRECTOR
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ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH ON N1H 3T9

REQUEST TO HOLD A PUBLIC MEETING

Meaghen Reid, Clerk
Guelph/Eramosa Township
P.O. Box 700
8348 Wellington Road 124
ROCKWOOD, ON N0B 2K0

Dear Ms. Reid:

Re: Application for Official Plan Amendment, County File OP-2016-11
Land Owner: Tri City Lands Ltd.
Spencer Pit
Location: Part Lots 14, 15 & 16, Lots 17 & 18, Division B, geographic Township of Guelph, now Township of Guelph/Eramosa

I would like to ask the Township of Guelph/Eramosa Council to give notice of and to hold a public meeting on behalf of the County of Wellington to obtain input on the above-referenced application to amend the County of Wellington Official Plan.

We would recommend that the public meeting for this application occur after our initial agency commenting period for this application has ended – that is, after February 17, 2017.

The notice of the public meeting shall be given in accordance with the current Planning Act's regulations.

Please confirm in writing that the Township Council will hold the meeting; and ensure that the County of Wellington and your County Ward Councilor is on the circulation list and that a notice of the public meeting is provided. If, for any reason, Township of Guelph/Eramosa Council is not able to hold this meeting, please advise me and our Planning and Land Division Committee will hold the public meeting.

Thank you for your co-operation. If you have any questions, please call Mark Paoli or myself.

Yours truly,

Gary A. Cousins, RPP, MCIP
Director of Planning and Development

cc—Melanie Horton, Harrington McAvan Ltd.
Doug Breen, Ward 8 Councilor
Don McKay, Ward 7 Councilor

RECEIVED

JAN 12 2017

Township of Guelph/Eramosa