

The Corporation of the Township of Centre Wellington

By-law 2017-06

A By-law to adopt Amendment No. 8 to the Municipal Official Plan for the Township of Centre Wellington.

The Council of the Corporation of the Township of Centre Wellington, pursuant to the provisions of the Planning Act, R.S.O. 1990, as amended, does hereby enact as follows:

1. THAT Amendment Number 8 to the Municipal Official Plan for the Township of Centre Wellington, consisting of the attached maps and explanatory text, is hereby adopted.
2. THAT this By-law shall come into force and take effect on the day of the final passing thereof.

Read a first, second and third time and finally passed this 21st day of February, 2017.



Mayor – Kelly Linton



Clerk – Kerri O'Kane

THE CORPORATION OF THE COUNTY OF WELLINGTON

File No: Amendment No. 8
Municipality: Township of Centre Wellington

Date of Decision: April 6, 2017
Date of Notice: April 6, 2017
Last Date of Appeal: April 26, 2017

Subject Land: Grand River within Fergus Urban Centre and the Elora-Salem Urban Centre

TOWNSHIP OF CENTRE WELLINGTON
PLANNING & DEVELOPMENT

NOTICE OF DECISION

With Respect to an Amendment to a Local Official Plan
Subsection 17(35) and Section 21 of The Planning Act

APR 11 2017

RECEIVED

Take Notice that a decision was made on **April 6, 2017** to approve all of **Amendment No. 8** to the Official Plan for the Township of Centre Wellington adopted by the Township of Centre Wellington by By-law Number 2017-06 on February 21, 2017.

Purpose and Effect of the Official Plan Amendment

The purpose of this Official Plan Amendment is to amend the provisions of the Township of Centre Wellington Official Plan in order to provide for Two-Zone flood plain provisions in a portion of the Fergus and Elora-Salem Urban Centres

Agency and Public Input

The statutory public meeting was held on January 16, 2017. Agency and public input (oral and written) assisted Township Council in arriving at their decision to adopt the proposed Official Plan amendment.

When and How to file An Appeal

Any appeal to the Ontario Municipal Board must be filed with the Corporation of the County of Wellington no later than 20 days from the date of this notice as shown above as the last date of appeal. The notice of appeal must be sent to the attention of the Director of Planning and Development for the County of Wellington at the address shown below and it must:

- (1) set out the specific part of the proposed official plan amendment to which the appeal applies,
- (2) set out the reasons for the request for appeal, and
- (3) be accompanied by the fee prescribed under the Municipal Board Act in the amount of \$300.00 payable by certified cheque to the Minister of Finance, Province of Ontario.

Who Can File An Appeal

Only individuals, corporations or public bodies may appeal the decision of the Corporation of the County of Wellington to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

When the Decision is Final

The decision of the Corporation of the County of Wellington is final if a Notice of Appeal is not received on or before the last date of appeal.

Getting Additional Information

Additional information regarding this amendment is available for public inspection during regular office hours at the County of Wellington at the address noted below or from the Township of Centre Wellington at 1 MacDonald Square, Elora, Ontario.

Mailing Address for Filing a Notice of Appeal

Director of Planning and Development
County of Wellington Administration Centre
74 Woolwich Street Guelph ON N1H 3T9

tel: (519) 837-2600 x2160 fax: (519) 823-1694

DECISION

With respect to an Official Plan Amendment
Subsection 17(34) of The Planning Act

I hereby approve all of **Amendment No. 8** to the Official Plan for the Township of Centre Wellington adopted by the Township of Centre Wellington By-law Number 2017-06 on February 21, 2017.

Dated at the City of Guelph this 6 day of April, 2017.



Gary A. Cousins, R.P.P., M.C.I.P.
Director of Planning and Development
Corporation of the County of Wellington

The Corporation of the Township of Centre Wellington

By-law 2017-06

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Mayor – Kelly Linton



Clerk – Kerri O'Kane

**AMENDMENT NO. 8 TO THE MUNICIPAL OFFICIAL PLAN FOR
THE TOWNSHIP OF CENTRE WELLINGTON**

**AMENDMENT NUMBER 8 TO THE OFFICIAL PLAN FOR THE CORPORATION OF THE
TOWNSHIP OF CENTRE WELLINGTON**

PART A – THE PREAMBLE

TITLE AND COMPONENTS

Part “A”, The Preamble provides a summary of background information regarding the amendment and does not form part of the actual amendment.

Part “B” forms the amendment to the Official Plan of the Township of Centre Wellington.

PURPOSE

The purpose of this Official Plan Amendment is to amend the provisions of the Township of Centre Wellington Official Plan in order to provide for Two-Zone flood plain provisions in a portion of the Fergus and Elora-Salem Urban Centres.

LOCATION

The areas affected by the amendment are properties adjacent to the Grand River through portions of Fergus and Elora.

BASIS

The present floodplain policies within the Township of Centre Wellington Official Plan do not identify a two-zone floodplain policy framework. Hydraulic analysis to create a two zone floodplain area was completed for a portion of the Fergus Urban Centre in 2009, and a similar analysis for a portion of Elora-Salem was completed in 2016.

PART B – THE AMENDMENT

Details of the Amendment

The following section outlines the actual amendments to the Official Plan of the Township of Centre Wellington.

THE OFFICIAL PLAN FOR THE TOWNSHIP OF CENTRE WELLINGTON IS HEREBY AMENDED AS FOLLOWS:

Item 1

Section C.3.4 Flooding Hazards and Hazard Lands is hereby deleted and replaced with the following:

C.3.4 Floodplain Policies

Development or redevelopment is generally not permitted within the regulatory floodplain because of inherent dangers such as loss of life and property damage should flooding occur. The One Zone policy for floodplain management will be applied to all flood plains except where a Two Zone policy is designated through this Plan. Two Zone provisions may be selectively applied where the floodplain is considered to be less hazardous, provided a hydraulic analysis is completed on a comprehensive reach basis. In Two Zone areas, the floodway and flood fringe areas are clearly delineated and the policies allow for development and redevelopment provided it meets specific flood proofing requirements.

Objectives

- a) To minimize conditions which may be hazardous to human life or may cause significant property damage due to flooding.*
- b) To prevent the creation of new hazards caused by development within floodplains in new growth areas of the city and ensure existing hazards are not aggravated.*
- c) To recognize existing development within the floodplain, and where flooding hazards will not be aggravated, provide for infill and redevelopment within the approved Two-Zone areas.*

The following floodplain management policies shall apply.

Floodway Areas – The regulatory floodline of the Grand River in Elora-Salem and Fergus as determined by the Grand River Conservation Authority is part of the Core Greenlands system designated in the Official Plan. No new development is permitted in these areas except for buildings and structures that are intended for flood or erosion control or by their nature must locate in the Floodway. Approval of the Conservation Authority will be required. Renovation of existing buildings may be permitted provided the structure is appropriately flood proofed to the highest practical extent and there are no adverse effects on the hydraulic characteristics of flood flows. A Development, Interference with Wetland and Alterations to Shorelines and Watercourses Permit (O. Reg 150/06) will be required for any construction and approval for the placement or removal of fill will be obtained from the Conservation Authority. Replacement or rehabilitation of existing buildings destroyed by natural causes, other than flooding, may be permitted in accordance with the flood plain and riverine flooding hazard policies and regulations of the Grand River Conservation Authority, as amended from time to time as well as the provisions of this Plan.

Lands in the floodway shall be appropriately recognized in the Zoning By-law in order to restrict new development. Existing buildings in the floodway will be recognized as non-conforming uses.

b) Flood Fringe Areas - The flood fringe on Schedule "A-1" is the area between the floodway (hydraulic floodline where identified) and the regulatory flood line. The permitted uses established for the Land Use designations on Schedule "A-1" may be permitted within the flood fringe. New development, redevelopment, or a major addition or renovation to existing uses may be permitted provided it is in conformity with all other policies of the Plan and approval of the Conservation Authority has been obtained. A Fill, Construction and Alteration to Waterways Permit will be required from the Authority for any construction and for the replacement or removal of fill in the flood fringe.

The Zoning By-law will zone land in the Flood Fringe with an (F) suffix and specific regulations for permitted uses and flood proofing will be defined therein.

Open or uncovered parking areas are permitted within the flood fringe subject to the approval of the GRCA and Township. However enclosed parking structures should not be permitted below the elevation of the regulatory flood line, in the floodway or the flood fringe.

Where existing buildings have basement space below the regulatory floodline, such basement usage should be limited to storage. New basement level commercial space below the regulatory floodline shall not be permitted.

Item 2

Schedule A-1 Land Use Plan is hereby amended by adding the regulatory floodline and flood fringe in accordance with the attached Schedule "1", which forms part of this amendment.

Implementation and Interpretation

The implementation and interpretation of the Amendment shall be in accordance with the relevant policies of the Official Plan of the Township of Centre Wellington and the Official Plan for the County of Wellington, where applicable.

THE CORPORATION OF THE TOWNSHIP OF CENTRE WELLINGTON

SCHEDULE "1" OF OFFICIAL PLAN AMENDMENT NO. 8



THIS IS SCHEDULE "1" OF AMENDMENT NO. 8 TO THE TOWNSHIP OF CENTRE WELLINGTON MUNICIPAL OFFICIAL PLAN