



“IN CAMERA”

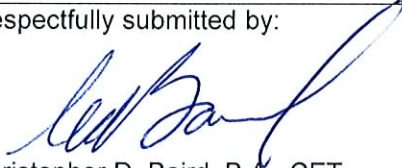

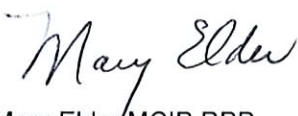
BUDGET AMENDMENT

DEPARTMENT: Planning and Economic Development Services DATE PREPARED: October 5, 2007 "COUNCIL" MEETING DATE: October 23, 2007	PAGE 1 OF 3 REPORT NO. 07-124
SUBJECT: APPLICATION TO AMEND THE TOWNSHIP OF DELHI ZONING BY-LAW 1-DE 80 TO EXTEND A TEMPORARY USE FOR A RADIO CONTROLLED MODEL AIRCRAFT CLUB (ZN-30/2007) (Assessment No. 3310-491-021-060-00)	
OWNER: Marcel Demaree, RR 6, Tillsonburg, ON N4G 4G9 AGENT: Gerard Van Schyndel, 873 14th Concession Road, RR4 , Simcoe ON N3Y 4K3	

INTRODUCTION/BACKGROUND:

An application has been received for a site specific amendment to the Township of Delhi Zoning By-law 1-DE-80 for an extension to a temporary use which would permit a private club for radio controlled model aircraft as an additional use in the 'Agricultural (A)' zone for a further three years. Until November 9, 2007, this use is permitted through a three year Temporary Use By-law passed by Norfolk County Council. The lands affected are about 75 acres of a 100-acre farm parcel described as Part Lot 2, Concession 11 (Windham), Norfolk County, as shown on the attached maps. The subject lands front the north side of Harmony Road, to the west of Highway 24.

The club has been in existence for approximately fourteen years and their flying area is rotated within the subject lands as directed by the property owner. In support of the last application, the club previously supplied descriptions of the clubs activities and a petition signed by some of the area residents in support of the previous application as well as the results of a questionnaire they provided the area residents.

Respectfully submitted by:  Christopher D. Baird, B.A., CET, General Manager, Planning and Economic Development Services	Prepared by:  Jim McIntosh MCIP RPP, Manager Community Planning Services For more information call: 519-875-4485 ext 1840	Prepared by:  Mary Elder/MCIP RPP Planner For more information call: 519-426-5870 X 1341
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COUNCIL-IN-COMMITTEE: RES. NO. _____ <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Amendments <input type="checkbox"/> Other	COUNCIL: <u>Oct 23 / 07</u> RES. <u>3</u> NO. _____ <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Approved with Amendments <input type="checkbox"/> Other
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DISCUSSION/ANALYSIS

Site Features and Land Use –The subject lands front on the north side of Harmony Road to the west of Highway 24. The area to be rezoned is set back approximately 650 feet from the road. The lands are generally flat and are presently in agricultural uses (ginseng, wheat and sod). The farmhouse and farm related buildings including several large storage buildings and kilns are located between the subject lands and the road. The lands are generally surrounded by agricultural uses. Several dwellings are located across the road to the south and a dwelling abuts the Demaree property on the west side of the farm parcel.

AGENCY COMMENTS:

Public Works and Environmental Services – No requirements.

Fire Division – No objections.

E.M.S. Division – No objections.

Planning and Economic Development

Building Division – No comments

Community Planning Comments

The subject lands are designated 'Agricultural' in the Township of Delhi Official Plan. While the 'Agricultural' designation does not specifically mention private clubs as a permitted use in the designation, one of the goals outlined in the Official Plan is "To provide adequate educational, cultural, social and community services conveniently placed with respect to the distribution of population." This particular club is somewhat different from the traditional social clubs found in any community. The flying club does not require any buildings or structures but requires air space in which to fly their model planes. The nature of the use is such that a relatively isolated location suitably separated from adjacent sensitive development is required. As no permanent site disturbance or alteration is necessarily associated with the use, the proposal is not considered to offend policies intended to protect the agricultural land base.

As noted previously, the subject lands are presently zoned 'Agricultural' in the Township of Delhi Zoning By-law, which does not permit a private club. The applicants are proposing to amend the Zoning By-law by applying a special provision to the subject lands which would permit the proposed private club as an additional use in the 'Agricultural' zone for a period of three years.

The main issue of concern related to compatibility with surrounding land uses. The model aircraft generate noise that is audible at a number of adjacent residential dwellings. The nearest residential dwelling is located near the concession road on an abutting lot to the west of the Demaree property and would be approximately 150 metres (500 feet) from the nearest part of the land used by the flying club. To aid in assessing noise issues the Ministry of Environment has developed standards and noise guidelines for particular uses, however, the Ministry has advised they do not administer any standards relating to this type of recreational use.

Unlike most stationary noise sources, available means of mitigation other than distance separation are very limited. It is recognized that the municipality does not have the ability to control such things as management and equipment. In this case, the applicants propose to restrict the flying area to the back three quarters of the 100-acre parcel. This is about 650 feet back from the concession road. Club members have been instructed by their executive to ensure their craft are operated with appropriate mufflers and anti-vibration equipment.

INTERDEPARTMENTAL IMPLICATIONS:

None apparent

TREASURY / FINANCIAL COMMENTS:

No comments regarding the zoning applications.

STAFFING / LEGAL IMPLICATIONS:

None evident.

CORPORATE PLAN LINKAGE:

None evident.

CONCLUSION:

As the use of the subject 'Agricultural' lands for the flying of model aircraft does not limit their use for agricultural purposes, a special provision permitting this private club would not offend the official plan policies. The club should continue to monitor member use of methods to reduce noise and restrict flying space to the back portion of the Demaree property. For these reasons staff recommends a temporary use by-law for a period of three years

RECOMMENDATIONS:

"THAT the application by Marcel Demaree, RR 6, Tillsonburg, ON N4G 4G9, affecting lands described as part of Lot 2, Concession 11, Geographic Township of Windham, Norfolk County to amend the Township of Delhi Zoning By-law, BE APPROVED FOR A 3 YEAR TEMPORARY PERIOD, for reasons set out in Report No. PED 07-124."

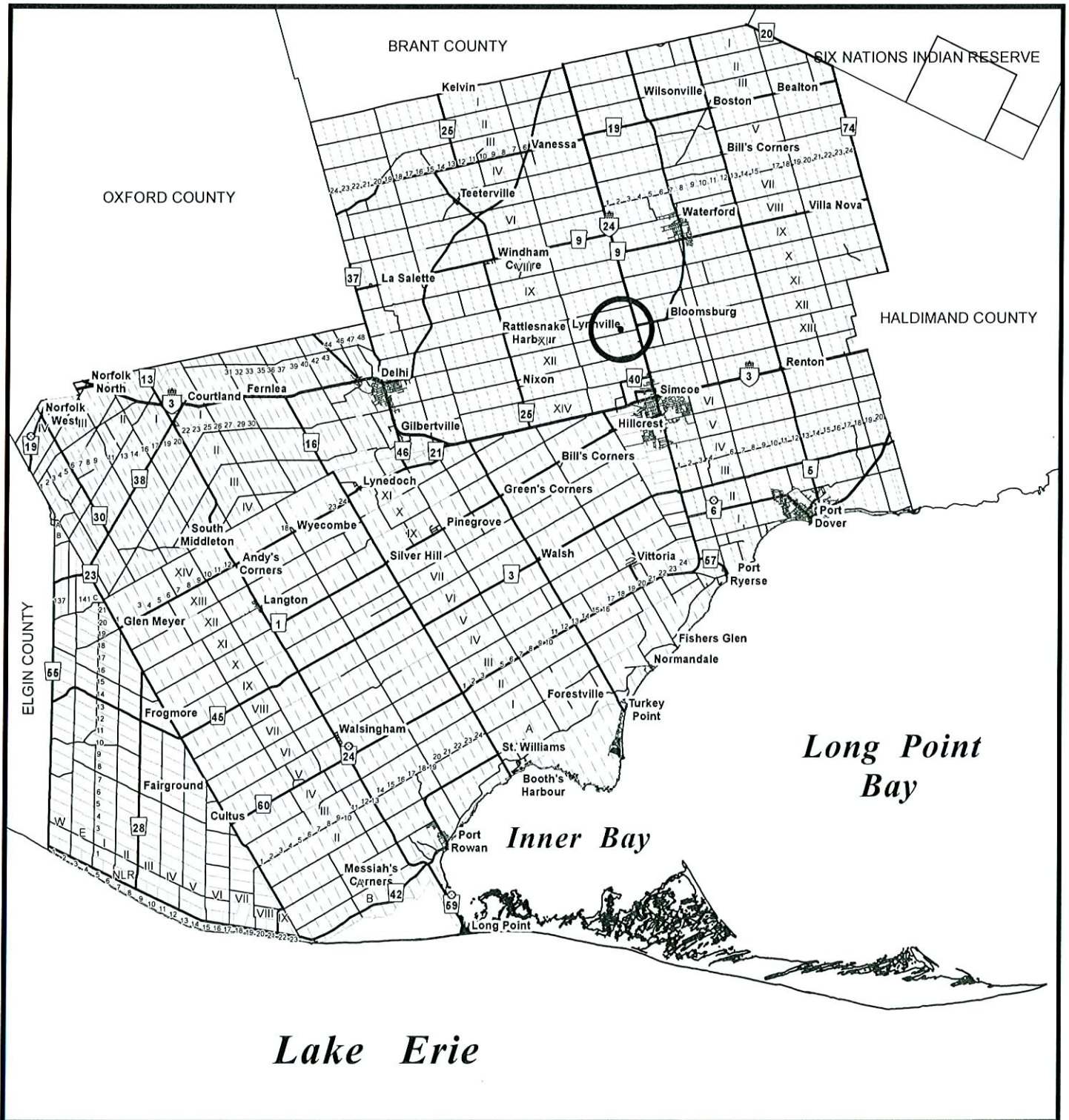
ATTACHMENTS:

- Map 1
- Map 2
- Map 3

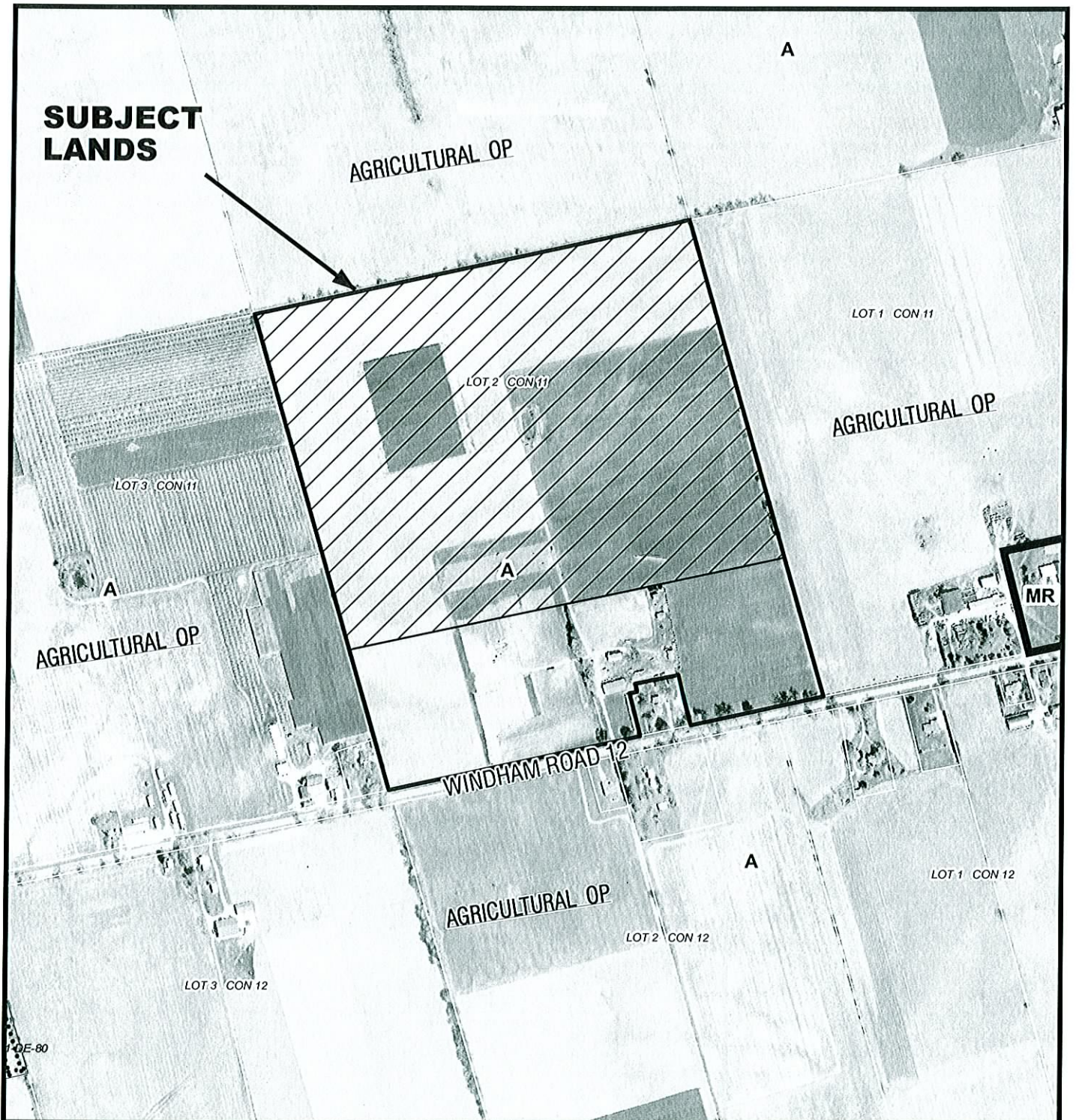
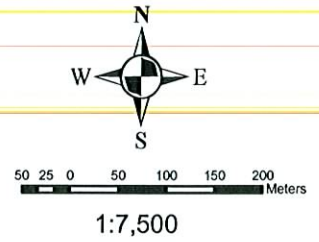
MAP 1

File Number: ZN-030/2007

Geographic Township of WINDHAM



MAP 2
File Number: ZN-030/2007
Geographic Township of WINDHAM



MAP 3
File Number: ZN-030/2007
Geographic Township of WINDHAM

