

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
MEETING AGENDA OF THE COMMITTEE OF ADJUSTMENT
JANUARY 27, 2020 @ 7:00 P.M.
MUNICIPAL OFFICE COUNCIL CHAMBERS, KENILWORTH**

**PAGE
NUMBER**

CALLING TO ORDER - Mayor Lennox

DISCLOSURE OF PECUNIARY INTEREST

MINUTES OF PREVIOUS MEETING(S)

- Committee of Adjustment, January 13, 2020 (A07/19) 3

Recommendation:

THAT the Committee of Adjustment meeting minutes of January 13th, 2020 – A07/19 be adopted as presented.

APPLICATION

A08/19 – 2574574 Ontario Inc.

THE LOCATION OF THE SUBJECT PROPERTY is described as Part of Park Lot 1, West Side of Main Street & East Side of Foster Street Plan of the Town of Mount Forest, geographic Town of Mount Forest, with a civic address of 391 Main Street North. The subject land is approximately 0.32 ha (0.79 ac) in size. The location of the property is shown on the map attached. 7

THE PURPOSE AND EFFECT of the application is to provide relief from the minimum lot area, minimum interior side yard setback, maximum building height, maximum projection of a balcony into an interior side yard, and minimum parking space size permitted within a private garage. The applicants are proposing to construct a 33 unit apartment building on the subject lands. The subject property is zoned Main Street Mixed Use (MU2), which permits an apartment building. The following variances are required to facilitate the proposal:

- A reduced lot area of 3,272 m² whereas the by-law requires a minimum lot area of 5,011.3 m²;
- A reduced interior side yard setback of 6 m whereas the by-law requires a minimum 7.55 m side yard setback;
- An increased building height of 15.1 m whereas the by-law requires a maximum building height of 12 m;
- An increased balcony projection of 1.853 m into the interior side yard whereas the by-law requires a maximum balcony projection of 1 m; and
- A reduced parking stall size of 2.9 m by 5.5 m within the private garage whereas the by-law requires a parking stall size of 3 m X 6 m.

SECRETARY TREASURER

Notices were mailed to property owners within 60 meters of the subject property as well as the applicable agencies and posted on the subject property on January 7, 2020.

PRESENTATIONS

Mathieu Daoust, Junior Planner, County of Wellington, Township of Wellington North

- Planning Report dated January 22, 2020 8

CORRESPONDENCE FOR COMMITTEE'S REVIEW

Emily Vandermeulen, Risk Management Inspector, Wellington Source Water Protection

- Email dated January 9, 2020 (No Objection) 11

Jim Klujber, CEO/President, Wellington North Power

- Letter dated January 10, 2020 (No Objection) 13

Michael Oberle, Environmental Planning Technician, Saugeen Conservation

- Letter dated January 14, 2020 (No Objection) 14

REQUEST FOR NOTICE OF DECISION

Persons wishing to be notified of the decision must submit a written request to the Secretary-Treasurer.

CHAIRPERSON OPENS FLOOR FOR ANY COMMENTS/QUESTIONS

COMMENTS/QUESTIONS FROM THE COMMITTEE

DECISION

Recommendation:

THAT the minor variance applied for in Application A08/19, for the property describes as Part of Park Lot 1, West Side of Main Street & East Side of Foster Street Plan of the Town of Mount Forest, geographic Town of Mount Forest, with a civic address of 391 Main Street North, to provide the following relief;

- **THAT** a reduced lot area of 3,272 m² be permitted whereas the By-law requires 5,011.3 m²;
- **THAT** a reduced interior side yard setback of 6 m be permitted whereas the By-law requires 7.55 m;
- **THAT** an increased building height of 15.1 m be permitted whereas the by-law requires a maximum of 12 m;
- **THAT** an increased balcony projection of 1.853 m into the interior side yard be permitted whereas the by-law requires a maximum of 1 m; and
- **THAT** a reduced parking stall size of 2.9 m by 5.5 m within the private garage be permitted whereas 3 m by 6 m is required.

OPTION 1: Be authorized

OPTION 2: Be denied

ADJOURNMENT

Recommendation:

THAT the committee of adjustment meeting of January 27, 2020 be adjourned.

Notices were mailed to property owners within 60 meters of the subject property as well as the applicable agencies and posted on the subject property on December 18th, 2019 in accordance with the planning act.

PRESENTATIONS

Jessica Rahim, Senior Planner, County of Wellington, Township of Wellington North

- Planning Report dated January 7th, 2020

Please be advised that these comments were formulated without the benefit of a site visit.

Planning Opinion:

The variances being requested would provide relief from the minimum lot area requirements for establishment of a second residential dwelling. The applicants are proposing to build a second new residential dwelling within the existing farm building cluster. The Chief Building Official has indicated that the applicant will be building a detached residential dwelling within the required 61m (200 ft) radius of the main farm residence.

We have no concerns with the relief requested and are satisfied that the application maintains the general intent and purpose of the Official Plan and Zoning By-law, and would be desirable and appropriate for the development of the subject property.

SUBJECT PROPERTY AND LOCATION

The location of the subject property is described as Lot 20, Concession 6 geographic Township of Arthur, with a civic address of 8891 Concession 7. The subject land is approximately 30.4 ha (75 ac).

PROPOSAL

This proposal is to provide relief for the minimum lot area requirements for establishing a second residential dwelling in an Agricultural zone. The applicants are proposing to construct a second dwelling on the subject lands and require a minimum lot area of 35ha (86 acres), whereas the lot is 30.4 ha (75 ac).

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated Prime Agricultural within the County Official Plan. In addition, a small portion of the property is designated Flood Plain and a separate small portion designated Significant Wooded Area. The proposed development is located outside of these features. Section 13.7 of the Plan provides consideration for minor variances provided the general intent of the Official Plan and Zoning By-law are maintained and the variance is minor and desirable for the appropriate development of the land.

Consideration shall be given as to whether compliance with the by-law would be unreasonable, undesirable or would pose an undue hardship on the applicant.

TOWNSHIP OF WELLINGTON NORTH ZONING BY-LAW

The subject property is primarily zoned Agricultural (A) Zone. A small portion of the property is zoned Natural Environment (NE). A separate small portion of the property is zoned with site specific AC-24.

Section 8.4.1 of the by-law outlines minimum lot area requirements for the establishment of a second residential dwelling. The applicants are proposing to construct a second residential dwelling on the subject lands with a lot area of 30.4 ha (75 ac) where the required lot area is 35 ha (86 ac). The Chief Building Official has indicated that the new dwelling will be detached from the main residential dwelling, located within 61m (200 ft) radius of the main farm residence and

have a minimum floor area of 74.3 m³ (800 ft²). Furthermore, the farm house cluster is significantly setback from Concession 7, located on a large agricultural lot surrounded by large agricultural parcels and both interior side yards have landscape buffers. Thus, Staff have no concerns with the proposed new residential dwelling and are satisfied that the general intent of the zoning by-law is maintained.

	Required	Proposed	Difference
Minimum Lot Area (Section 8.4.1)	35 ha (86 ac)	30.4 ha (75 ac)	1.2 ha (3 ac)

CORRESPONDENCE FOR COMMITTEE'S REVIEW

Laura Warner, Resource Planner, Grand River Conservation Authority

- Letter dated December 24, 2019 (No Objections)

REQUEST FOR NOTICE OF DECISION

Persons wishing to be notified of the decision must submit a written request to the Secretary-Treasurer.

CHAIRPERSON OPENS FLOOR FOR ANY COMMENTS/QUESTIONS

There were no comments or questions from the floor. Wayne Gingrich, the applicant, was present to answer any questions and support the Minor Variance.

COMMENTS/QUESTIONS FROM THE COMMITTEE

There were no comments or questions from the Committee.

DECISION

RESOLUTION: CoA 2020-002

Moved: Hern

Seconded: Yake

THAT the minor variance applied for in Application A07/19, for the property described as Part Lot 20, Concession 6, geographic Township of Arthur, with a civic address of 8891 Concession 7, to provide the following relief;

1. **THAT the minimum lot area requirements of 86 acres, for establishment of a second residential dwelling be reduced to 75 acres.**

As set out in application

Be authorized

CARRIED

ADJOURNMENT

RESOLUTION: CoA 2020-003

Moved: McCabe

Seconded: Burke

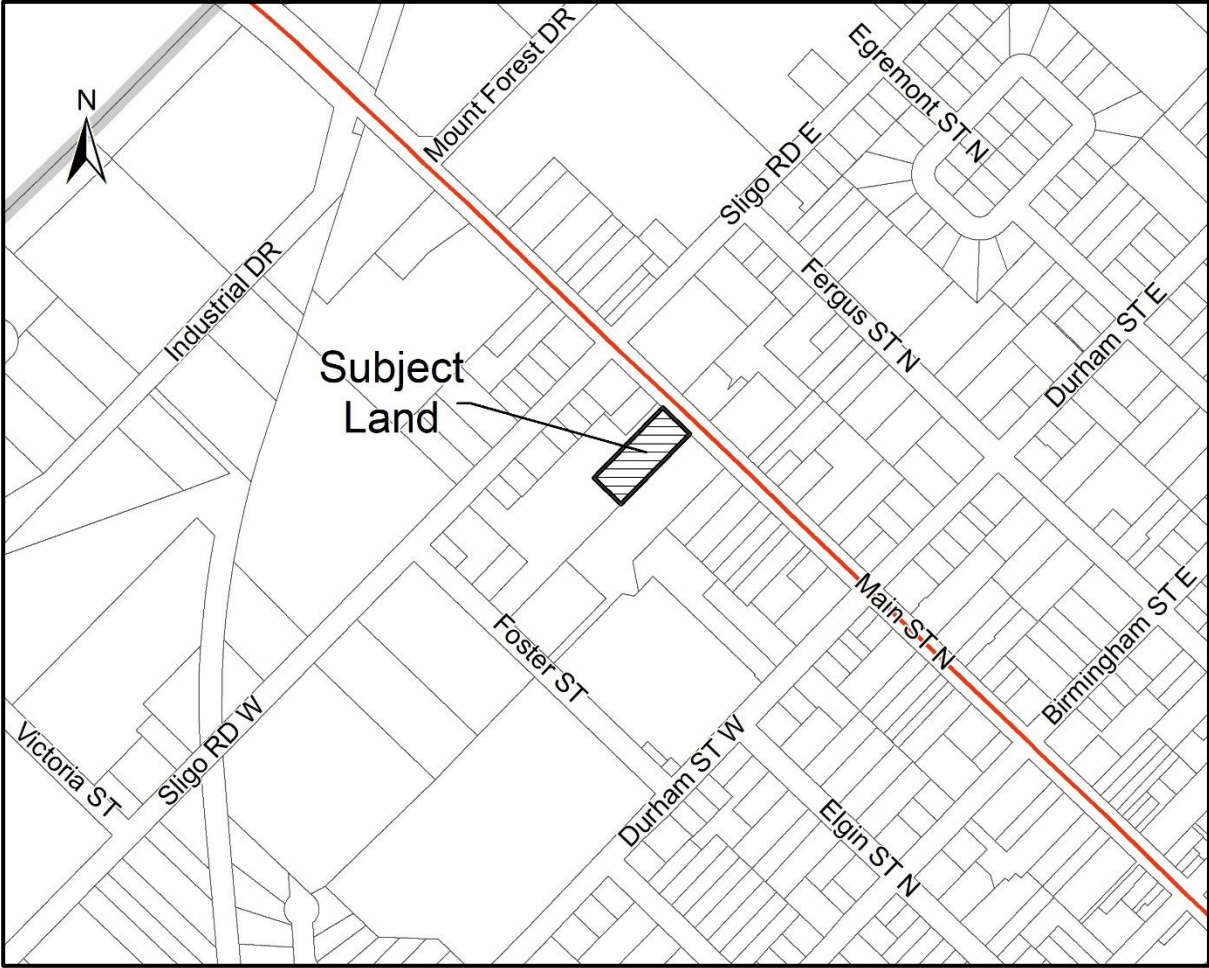
THAT the Committee of Adjustment meeting of January 13, 2020 be adjourned.

CARRIED

Secretary Treasurer

Chair

2574574 ONTARIO INC.





COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
ALDO SALIS, M.Sc., B.E.S., MCIP, RPP, DIRECTOR
TEL: (519) 837-2600
FAX: (519) 823-1694
1-800-663-0750

ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

January 22nd, 2020

Mr. Darren Jones, Chief Building Official
Township of Wellington North Committee of Adjustment
7490 Sideroad 7 West
Kenilworth, ON N0G 2E0

Dear Mr. Jones,

Re: **Minor Variance Application A08/19**
Park Lot 1, Plan Town Mount Forest
391 Main Street North, Mount Forest
2574574 Ontario Inc.

We have reviewed the application for minor variance and provide the following comments. Please be advised that these comments were formulated without the benefit of a site visit.

Planning Opinion:

The variances being requested would provide relief from five (5) requirements of the Wellington North Zoning By-law for the establishment of a 33-unit apartment building.

We have no concerns with the relief requested to facilitate this infill development and are satisfied that the application maintains the general intent and purpose of the Official Plan and Zoning By-law, and would be desirable and appropriate for the development of the subject property.

SUBJECT PROPERTY AND LOCATION

The location of the subject property is described as Park Lot 1, Plan Town Mount Forest, geographic Township of Mount Forest, with a civic address of 391 Main Street North. The subject land is approximately 0.32 ha (0.79 ac).

PROPOSAL

This proposal is to provide relief from the minimum lot area, minimum interior side yard setback, maximum building height, maximum projection of a balcony into an interior side yard and the minimum parking space size permitted within a private garage.



Figure 1. 2015 Aerial Photo.

The applicants are proposing to construct a 33-unit apartment building on the subject lands.

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated Residential Transition and a small portion is designated Industrial within the Mount Forest Urban Center. Section 13.7 of the Plan provides consideration for minor variances provided the general intent of the Official Plan and Zoning By-law are maintained and the variance is minor and desirable for the appropriate development of the land. Consideration shall be given as to whether compliance with the by-law would be unreasonable, undesirable or would pose an undue hardship on the applicant.

Section 3.3 sets out objectives for growth and encourages growth in urban areas. It further promotes growth opportunities in built up areas through intensification. Additionally, seeks to provides residents with differing affordable housing typologies. Section 3.3.1 establishes residential intensification targets, particularly stating that a minimum of 20% of all residential development will occur within the built-up area. This application is located within the built boundary of Mount Forest and will contribute and support this target.

Section 4.4.3 encourages intensification in urban centres and subsection b) notes “supports appropriate intensification in all areas within the built boundary including adaptive re-use or redevelopment of brownfields and greyfields”. This application is considered a greyfield development and will contribute and support this intensification strategy.

Section 4.4.5 promotes affordable housing within the County of Wellington and looks to ensure that a minimum of 25% of new housing units in the County will be affordable. In Wellington, low rise apartments are included in a list of housing typologies which will form the bulk of affordable housing opportunities in the County.

TOWNSHIP OF WELLINGTON NORTH ZONING BY-LAW

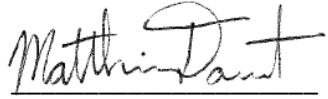
The subject property is zoned Main Street Mixed Use Zone (MU2). The applicants are proposing to construct a 33-unit apartment development on the subject lands. The following variances are requested in order to facilitate the apartment development:

	Required	Proposed	Difference
Minimum Lot Area (Section 13.2.3.1)	5,011.3 m ² (53,941 sq ft)	3,272 m ² (35,219.5 sq ft)	1,739.3 m ² (18,721.7 sq ft)
Minimum Interior Side Yard Setback (Section 13.2.3.5)	7.55 m (24.8 ft)	6 m (19.7 ft)	1.55 m (5.08 ft)
Maximum Building Height (Section 13.2.3.7)	12 m (39.4 ft)	15.1 m (49.5 ft)	3.1 m (10.17 ft)
Maximum Interior Side Yard Encroachment (Section 6.37)	1 m (3.28 ft)	1.835 m (6 ft)	0.835 m (2.7 ft)
Minimum Interior Parking Size (Section 6.27.1)	3 m (9.8 ft) x 6 m (19.6 ft)	2.9 m (9.5 ft) x 5.5 m (18 ft)	0.1 m (0.3 ft) x 0.5 m (1.64 ft)

Thus, Staff have no concerns with the proposed new apartment development and are satisfied that the general intent of the zoning by-law is maintained.

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

Yours truly,

A handwritten signature in cursive script that reads "Matthieu Daoust". The signature is written in black ink and is positioned above a horizontal line.

Matthieu Daoust, Junior Planner

From: Emily Vandermeulen <EVandermeulen@centrewellington.ca>
Sent: January 9, 2020 9:32 AM
To: Tammy Pringle
Cc: Source Water
Subject: NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE:
2574574 Ontario Inc. (391 Main St. N., Mount Forest)
Attachments: WHPA_Map_391MainStN.PDF

Hi Tammy,

Thank you for providing the above referenced application for review. Since this property is located in a vulnerable area (wellhead protection area, issues contributing area, intake protection zone etc.), but the activity(ies), as indicated, would not create a significant drinking water threat, the application can be screened out and it does not require a Section 59 notice under the Clean Water Act.

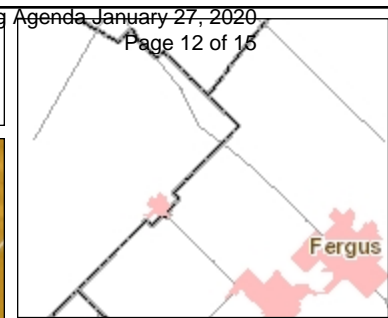
I have attached a map showing the property and Wellhead Protection Areas for your reference.

If you have any further questions regarding this application, please contact me.

Emily Vandermeulen | Risk Management Inspector / Source Protection Coordinator

Wellington Source Water Protection | 7444 Wellington Road 21, Elora, ON, N0B 1S0
519.846.9691 x365 | evandermeulen@centrewellington.ca | www.wellingtonwater.ca
Toll free: 1.844.383.9800

Disclaimer: This message is for the use of the intended recipient(s) only and may contain information that is privileged, proprietary, confidential, and/or exempt from disclosure under any relevant privacy legislation. If you are not the intended recipient or authorized agent thereof, you are hereby notified that any review, retransmission, dissemination, distribution, copying, conversion to hard copy, taking of action in reliance on or other use of this communication is strictly prohibited. If you are not the intended recipient and have received this message in error, please notify the sender by return e-mail and delete or destroy all copies of this message. Warning: Although the Township of Centre Wellington has taken reasonable precautions to ensure no viruses are present in this email, the company cannot accept responsibility for any loss or damage arising from the use of this email or attachments.



Legend

- Parcels
- Roads**
 - Local Road
 - County Road
 - Highway
- Waterbodies
- Watercourses
- Municipalities
- Ontario - Urban Centres
- Well Locations
- Wellhead Protection Area Boundaries**
 - A
 - B
 - C
 - D
- Vulnerability Score**
 - 10
 - 8
 - 2, 4, 6 (A, B or C)
 - 2, 4, 6 (D)
- RoadsLookup**

0.1 0 0.03 0.1 Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
Includes material © 2016 of the Queen's Printer for Ontario. All rights reserved.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Produced using information under License with the Grand River Conservation Authority. Copyright © Grand River Conservation Authority, 2016.

THIS IS NOT SURVEY DATA. Parcels - Teranet 2002, Wellington County 2018

Notes



Wellington North Power Inc.

290 Queen Street West, PO Box 359, Mount Forest, ON N0G 2L0

Phone: 519.323.1710 Fax: 519.323.2425

www.wellingtonnorthpower.com

E-mail: wnp@wellingtonnorthpower.com

ESA # 7012854

January 10, 2020

RECEIVED

JAN 13 2020

TWP. OF WELLINGTON NORTH

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

Attention: Tammy Pringle

Re: Public Meeting January 27th, 2020.

Subject Property is described as Part of Park Lot 1, West Side of Main Street & East Side of Foster Street Plan of the Town of Mount Forest with a civic address of 391 Main Street North.

Wellington North Power Inc. has reviewed the subject notice. Please notify the applicant of the following requirements:

1. The site is to have a sufficient area for the installation of an accessible pad mount transformer (no less than 3.5m x 3.5m with 3m of clearance on the front side).
2. All electrical distribution system plans must meet Wellington North Power standards for design and construction. The applicant to contact Wellington North Power for a copy of the standards.
3. All electrical plans must be reviewed and approved by Wellington North Power.
4. The applicant is required to enter into a Construction Agreement with Wellington North Power.

Sincerely,

WELLINGTON NORTH POWER INC.
Jim Klujber, CEO / President



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 ONLY (tpringle@wellington-north.com)

January 14, 2020

Township of Wellington North
7490 Sideroad 7 West
Kenilworth, Ontario
N0G 2E0

ATTENTION: Tammy Pringle, Development Clerk

Dear Ms. Pringle,

RE: Proposed Minor Variance A08-19
391 Main Street North
Roll No.: 234900000415201
Part of Park Lot 1, West Side of Main Street & East Side of Foster Street, Plan of Mount Forest
Geographic Town of Mount Forest
Township of Wellington North (2574574 Ontario Inc. Brad Wilson)

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2014) and as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). SVCA staff has also reviewed the application as part of our role as a public body under the *Planning Act* as per our CA Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018.

The purpose and effect of the application is provide relief from provisions of the zoning by-law to construct 33 unit apartment building on the property.

Recommendation

SVCA staff find the application acceptable. The subject property does not contain any floodplains, watercourses, shorelines, wetlands, valley slopes or other environmental features of interest to SVCA. As such, it is the opinion of SVCA staff that the application is consistent with the Natural Hazard and Natural Heritage Policies of the PPS, 2014 and the County of Wellington Official Plan. Additionally, the property is not subject to Ontario Regulation 169/06, or to the policies of SVCA at this time, and as such, permission (permit) from the SVCA is not required for development on the property.



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

Township of Wellington North
Proposed Minor Variance A08/19 (2574574 Ontario Inc. Brad Wilson)
January 14, 2020
Page 2 of 2

Please inform this office of any decision made by the planning approval authority with regards to this application. We respectfully request to receive a copy of the decision and notice of any appeals filed. Should you have any questions, please contact the undersigned.

Sincerely,



Michael Oberle
Environmental Planning Technician
Saugeen Conservation

MO/

cc: 2574574 Ontario Inc. c/o Brad Wilson, owner (via email)
Astrid J. Clos Planning Consultants, agent (via email)
Karen Wallace, Clerk, Township of Wellington North (via email)
Steve McCabe, Authority Member, SVCA (via email)