

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
MEETING AGENDA OF THE COMMITTEE OF ADJUSTMENT
FEBRUARY 25, 2019 AT 7:00 P.M.
MUNICIPAL OFFICE COUNCIL CHAMBERS, KENILWORTH**

AGENDA ITEM	PAGE NO.
<p><u>CALLING TO ORDER</u></p> <ul style="list-style-type: none"> - Chairman Lennox <p><u>DISCLOSURE OF PECUNIARY INTEREST(S) AND THE GENERAL NATURE THEREOF</u></p> <p><u>MINUTES OF PREVIOUS MEETING(S)</u></p> <p>Committee of Adjustment, November 5, 2018 (A16-18)</p> <p><u>APPLICATION A01-19</u></p> <p><u>OWNERS/APPLICANT</u></p> <ul style="list-style-type: none"> - EBM Farms Inc. <p><u>LOCATION OF THE SUBJECT LAND</u></p> <p>The location of the subject property is described as Part Lot 16, Concession 14, geographic Township of West Luther, with a civic address of 9625 Sideroad 15. The subject land is approximately 34.8 ha (86 ac) in size and the location of the property is shown on the map attached.</p> <p><u>PURPOSE AND EFFECT OF THE APPLICATION</u></p> <p>The purpose and effect of the application is to provide relief from the maximum floor area requirements for a home industry. The applicants are proposing to construct a 371.61 m² (4,000 ft²) shop that exceeds the permitted size. Other variances may be considered where deemed appropriate.</p> <p><u>SECRETARY TREASURER</u></p> <p>Notices were mailed to property owners within 60 m of the subject property as well as the applicable agencies and posted on the subject property on February 15, 2019.</p>	<p>1</p> <p>5</p>

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<p><u>PRESENTATIONS</u></p> <p>Curtis Marshall, MCIP, RPP, Senior Planner - See attached comments prepared by Jessica Rahim, Junior Planner</p> <p><u>CORRESPONDENCE FOR COMMITTEE'S REVIEW</u></p> <p>None.</p> <p><u>REQUEST FOR NOTICE OF DECISION</u></p> <p>Persons wishing to be notified of the decision must submit a written request to the Secretary-Treasurer.</p> <p><u>CHAIRMAN OPENS FLOOR FOR ANY COMMENTS/QUESTIONS</u></p> <p>Are there any persons present who wish to make oral and/or written submissions in support of the proposed minor variance?</p> <p>Are there any persons present who wish to make oral and/or written submissions against this application?</p> <p><u>COMMENTS/QUESTIONS FROM THE COMMITTEE</u></p> <p><u>ADJOURNMENT</u></p>	<p>6</p>

The purpose and effect of the application The purpose and effect of the application is to provide relief from the minimum setback requirements to a drainage ditch for a proposed addition to an existing structure. The proposed variance is being requested in order to allow the auto parts manufacturing plant to expand its operations. Other variances may be considered where deemed appropriate.

NOTICE OF THIS MEETING Notices were mailed to property owners within 60 m of the subject property as well as the applicable agencies and posted on the subject property on October 25, 2018.

PRESENTATION

Curtis Marshall, Senior Planner for the County of Wellington reviewed the Planning report prepared by Jessica Rahim, Junior Planner, dated October 29, 2018. The comments were formulated without the benefit of a site visit.

Planning Opinion: The variance requested would provide relief from the minimum setback requirements to the drainage ditch that is not situated within the Natural Environment Zone. The applicant is proposing an addition to the existing auto parts manufacturing plant with a reduced setback of 7.5 m (24.6 ft) to the drainage ditch, where the required setback is 15 m (49.2 ft).

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 provided that Grand River Conservation Authority has no concerns with the request. The proposed addition 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 Part Park Lots 5 & 6, S/S Domville St being Arthur Crown Survey, Part 1, Plan 60R-3036, and Parts 1 & 2, Plan 60R-1199 except Part 1 Plan 61R-6456, geographic Township of Arthur, with a civic address of 333 Domville Street, Arthur. The subject land is approximately 7.74 ha (19.14 ac).

PROPOSAL

The purpose of this application is to provide relief from the minimum setback requirements to the drainage ditch that is not situated within the natural environment zone. The applicant is proposing an addition to the existing auto parts manufacturing plant with a reduced setback of 7.5 m (24.6 ft) to the drainage ditch, where the required setback is 15 m (49.2 ft).

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated INDUSTRIAL and CORE GREENLANDS. Identified features include Slope Valley and Flood Plain. 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 zoned Industrial (M1) and M1(H) holding zone, which permits automotive manufacturing and assembly plants. The applicant is proposing to construct an addition to the existing structure, with a reduced setback to the drainage ditch. The 7.5 m should provide an adequate setback from the drainage ditch. The committee should consider any applicable comment of the Grand River Conservation Authority.

The variance requested would provide relief from Section 6.20.2 c) of Zoning By-law 66-01 to construct an addition to the existing auto parts manufacturing plant with a reduce setback of 7.5 m (24.6 ft) to the drainage ditch not situated within the Natural Environment Zone where the by-law requires 15 m (49.2 ft).

Semi-Detached Dwelling	Required	Proposed	Difference
Municipal Drain and Watercourse Setbacks (Section 6.20.2 c)	15 m (49.2 ft)	7.5 m (24.6 ft)	7.5 m (24.6 ft)

CORRESPONDENCE/COMMENTS RECEIVED

None

REQUEST FOR NOTICE OF DECISION

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

CHAIRMAN OPENS FLOOR FOR ANY COMMENTS/QUESTIONS

- Persons present who wish to make oral and/or written submissions in support of the proposed minor variance.

The applicants were not present.

- Persons present to make oral and/or written submissions against the proposed minor variance.

COMMENTS/QUESTIONS FROM THE COMMITTEE

None.

The Committee of Adjustment of the Corporation of the Township of Wellington North considered all written and oral submissions received on this application, the effect of which has assisted the Committee to make an informed decision on this planning matter.

RESOLUTION NUMBER CoA 2018-31

Moved by: Member Burke

Seconded by: Member McCabe

THAT the minor variance applied for in Application A16/18, for the property described as Part Park Lots 5 & 6, S/S Domville St being Arthur Crown Survey, Part 1, Plan 60R-3036, and Parts 1 & 2, Plan 60R-1199 except Part 1 Plan 61R-6456, geographic Township of Arthur, with a civic address of 333 Domville Street, Arthur, to provide the following relief:

- 1. THAT a minimum setback to the top of bank of a watercourse of 7.5 m (24.6 ft) be permitted, whereas section 6.20.2.(c) of the by-law requires 15 m (49.2 ft) be authorized.*

CARRIED

ADJOURNMENT

RESOLUTION NUMBER CoA 2018-32

Moved by: Member McCabe

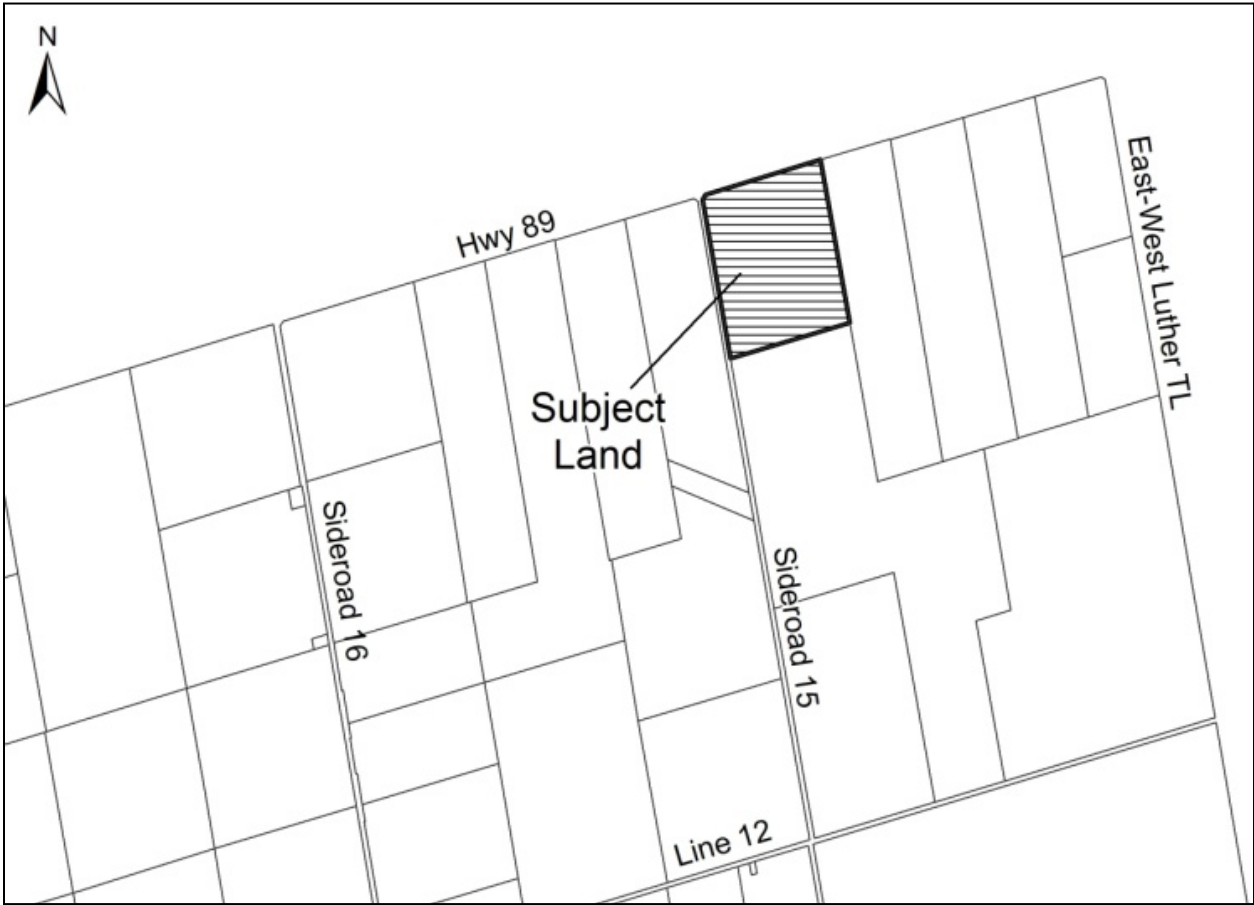
Seconded by: Member Burke

THAT the Committee of Adjustment meeting of November 5, 2018 be adjourned at 2.09 p.m.

CARRIED

Secretary Treasurer

Chair



A01-19 – EBM FARMS INC.



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
ALDO SALIS, M.Sc., B.E.S., MCIP, RPP, DIRECTOR
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ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

February 20, 2019

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 A01/19**
9625 Sideroad 16, Part Lot 16 Concession 14
EBM Farms Inc. (Allen Martin)

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 variance requested would provide relief from the maximum floor area requirements for a home industry. The applicant are proposing to construct a new 371.61 m² (4,000 ft²) metal shop that exceeds the permitted size.

The applicant should provide for the Committee the purpose of the metal shop as this detail was not included in the application. The Committee should be satisfied that the application maintains the general intent and purpose of the Official Plan and Zoning By-law provided that the home industry remains small scale and secondary to the main use on the property and that the proposed home industry (metal shop) 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 Part Lot 16, Concession 14, geographic Township of West Luther, with a civic address of 9625 Sideroad 15. The subject land is approximately 34.8 ha (86 ac). The location of the property is shown on Figure 1.



Figure 1 Aerial Photo

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PROPOSAL

The purpose of this application is to provide relief from the maximum floor area requirements for a home industry. The applicants are proposing to construct a new 371.61 m² (4,000 ft²) metal shop that exceeds the permitted home industry size.

Provincial Policy Statement (PPS)

The subject property is within an area of prime agricultural land. Under the PPS permitted uses within *prime agricultural areas* include: *agricultural uses, agricultural related uses, and on-farm diversified uses*. An *on-farm diversified use* is defined as: uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified include, but are not limited to home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.

WELLINGTON COUNTY OFFICAL PLAN

The subject property is designated PRIME AGRICULTURAL and CORE GREENLANDS. Identified features include wetlands.

Under section 6.4.3 of the Plan, secondary uses including home businesses and farm businesses are permitted. Section 6.4.4 further outlines that a home business includes home industries which “are small in scale with a limited number of employees, and minimal off site impacts – examples include minor equipment repair, woodworking, crafts, and welding”.

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

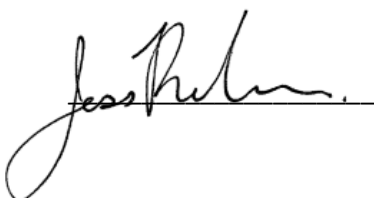
The subject property is zoned Agricultural (A) and Natural Environment (NE) zone. The applicants are proposing to construct a new home industry (metal shop) with an increased floor area of 371.61 m² (4,000 ft²). The home industry is to remain small scale and secondary to the main use on the property. The property appears to be large enough to accommodate the oversized building.

The variance requested would provide relief from Section 6.14 d) of Zoning By-law 66-01 to construct a new home industry (metal shop) with an increased floor area of 371.61 m² (4,000 ft²).

Shop	Required	Proposed	Difference
Home Industry Regulations (6.14 d)	232.25 m ² (2,500 ft ²)	371.61 m ² (4,000 ft ²)	139.36 m ² (1,500 ft ²)

I trust that this information will be of assistance to the Committee when making their decision on this application.

Yours truly,



Jessica Rahim, Junior Planner