

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH  
MEETING AGENDA OF THE COMMITTEE OF ADJUSTMENT  
OCTOBER 7, 2019 AT 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, April 29, 2019 (A05/19) 3

Recommendation:

*THAT the Committee of Adjustment meeting minutes of April 29, 2019 – A05/19 be adopted as presented.*

**APPLICATION**

A06-19 – Musashi Auto Parts Canada Inc.

**THE LOCATION OF THE SUBJECT PROPERTY** is described as Survey Crown, Part Park Lots 5 and 6, Registered Plan 60R1199, Parts 1 and 2, geographic Township of Arthur, with a civic address of 333 Domville Street. The subject land is approximately 7.43 ha (18.38 ac) in size. The location of the property is shown on the map attached. 6

**THE PURPOSE AND EFFECT** of the application is to provide relief from the maximum height requirements for a proposed addition to the existing industrial building. The proposed variance is being requested in order to permit an increased height of 18.5 m (60.68 ft) for an addition in order to accommodate new equipment that requires the additional height. Other variances may be considered where deemed appropriate.

**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 September 23, 2019.

**PRESENTATIONS**

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

- Planning Report dated October 1<sup>st</sup>, 2019 7

**CORRESPONDENCE FOR COMMITTEE'S REVIEW**

- Laura Warner, Resource Planner, Grand River Conservation Authority
  - Letter & Map dated September 24, 2019 (No Objections) 9
- Emily Vandermeulen, Risk Management Inspector/Source Protection Coordinator, Wellington Source Water Protection
  - Email & Map dated September 25, 2019 (No Objections) 12

**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 A06/19, for the property described as Survey Crown, Part Park Lots 5 and 6, Registered Plan 60R1199, Parts 1 and 2, geographic Township of Arthur, with a civic address of 333 Domville Street, to provide the following relief;

1. THAT the increased height of 18.5m (60.68 ft) is permitted for the proposed 1,580.00 m<sup>2</sup> (17,007 ft<sup>2</sup>) addition only.

OPTION 1: Be authorized.

OPTION 2: Be denied.

## ADJOURNMENT

Recommendation:

*THAT the Committee of Adjustment meeting of October 7, 2019 be adjourned.*

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH  
MEETING MINUTES OF THE COMMITTEE OF ADJUSTMENT  
APRIL 29, 2019 @ 7:00 P.M.  
MUNICIPAL OFFICE COUNCIL CHAMBERS, KENILWORTH**

**Members Present:**

**Mayor: Andrew Lennox  
Councillors: Sherry Burke  
Lisa Hern  
Steve McCabe  
Dan Yake**

**Staff Present:**

**Chief Administrative Officer: Michael Givens  
Director of Legislative Services/Clerk: Karren Wallace  
Deputy Clerk: Catherine Conrad  
Chief Building Official: Darren Jones  
Community Recreation Coordinator: Mandy Jones**

**CALLING TO ORDER** - Chair Lennox (7:56 pm)

**DISCLOSURE OF PECUNIARY INTEREST** - None

**MINUTES OF PREVIOUS MEETING(S)**

- Committee of Adjustment, April 8, 2019 (A02/19, A03/19 and A04/19)

RESOLUTION: CoA 2019-009

Moved: McCabe

Seconded: Burke

*THAT the Committee of Adjustment meeting minutes of April 8, 2019 – A02/19, A03/19 and A0419 be adopted as presented.*

CARRIED

**APPLICATION**

A05/19 - Minerva Martin

THE LOCATION OF THE SUBJECT PROPERTY is described as Part Lot 2, Concession 3 geographic Township of Arthur, with a civic address of 9586 Concession 2. The subject land is approximately 20.2 ha (50 ac). The location of the property is shown on the map attached.

THE PURPOSE AND EFFECT OF THE APPLICATION is to provide relief from the Minimum Distance Separation 2 (MDS 2) setback requirements. The applicant is proposing to construct a new broiler barn and cannot meet the minimum distance required to the nearest lot line. Other variances may be considered where deemed appropriate.

**SECRETARY TREASURER**

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 April 18, 2019.

**PRESENTATIONS**

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

- Planning Report dated April 23, 2019

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 permit the construction of a new chicken broiler barn to grow the existing operation. The location of the proposed barn does not meet the minimum distance separation (MDS II) from the nearest lot line.

We have no concerns with the relief requested for the new chicken broiler barn. The location of the new barn provides operational efficiency. The application would maintain the general intent and purpose of the Official Plan and Zoning By-law, is minor, 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 2, Concession 3 geographic Township of Arthur, with a civic address of 9586 Concession 2. The subject land is approximately 20.2 ha (50 ac) and is occupied by a dwelling, equipment shed/workshop and barn.

**PROPOSAL**

The purpose of this application is to provide relief from the minimum distance separation (MDS II) setback requirements. The applicants are proposing to construct a new chicken broiler barn and cannot meet the minimum distance required to the nearest lot line for the new barn.

**Provincial Policy Statement (PPS)**

The subject property is within an area of prime agricultural land. New or expanding livestock facilities shall comply with the minimum distance separation formulae. Guideline #43 of the MDS Implementation Guidelines outlines that minor variances to MDS II distances can be considered based on site specific circumstances. Circumstances that meet the intent, if not the precise distances of MDS II, or mitigate environmental impacts, may warrant further consideration.

**WELLINGTON COUNTY OFFICIAL PLAN**

The subject property is designated PRIME AGRICULTURAL, CORE GREENLANDS and GREENLANDS. The farm building cluster is well removed from the CORE GREENLANDS and GREENLANDS areas. In Prime Agricultural Areas, all types, sizes and intensities of agricultural uses and normal farm practices will be promoted and protected in accordance with provincial standards. Furthermore, 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). The proposed barn is located outside the NE zone. The location of the proposed new chicken broiler barn does not meet the minimum distance separation (MDS II) to the nearest lot line. The applicants indicated that the location of the new barn is to provide access for the loading area. The following reliefs are required:

The variance requested would provide relief from Section 8.8 and Section 6.17.2 of Zoning By-law 66-01 to construct a new chicken broiler barn with a reduced MDS II setback of 8 m (26 ft) to the nearest lot line where the required minimum setback to a lot line is 16 m (52 ft).

<b>Chicken Broiler Barn</b>	<b>Required</b>	<b>Proposed</b>	<b>Difference</b>
<b>Minimum Distance Separation II (Section 8.8 and 6.17.2)</b>	16 m (52 ft)	8 m (26 ft)	8 m (26 ft)

**CORRESPONDENCE FOR COMMITTEE'S REVIEW**

Michael Oberle, Environmental Planning Technician, Saugeen Conservation

- Environmental Planning Report dated April 24, 2019  
(application acceptable to SVCA staff)

## 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

Cleon Martin, Applicants Agent, was present to answer any questions regarding the application.

## COMMENTS/QUESTIONS FROM THE COMMITTEE

None

## DECISION

RESOLUTION: CoA 2019-010

Moved: Hern

Seconded: Yake

*THAT the minor variance applied for in Application A05/19, for the property described as Part Lot 2, Concession 3, geographic Township of Arthur, with a civic address of 9586 Concession 2, to provide the following relief:*

- 1. THAT a reduced MDS II setback of 8 m (26 ft) to the nearest lot line be permitted to facilitate a new chicken broiler barn, whereas Section 8.8 and Section 6.17.2 of Zoning By-law 66-01 requires a minimum setback to a lot line of 16 m (52 ft).*

*Be authorized.*

CARRIED

## ADJOURNMENT

RESOLUTION: CoA 2019-011

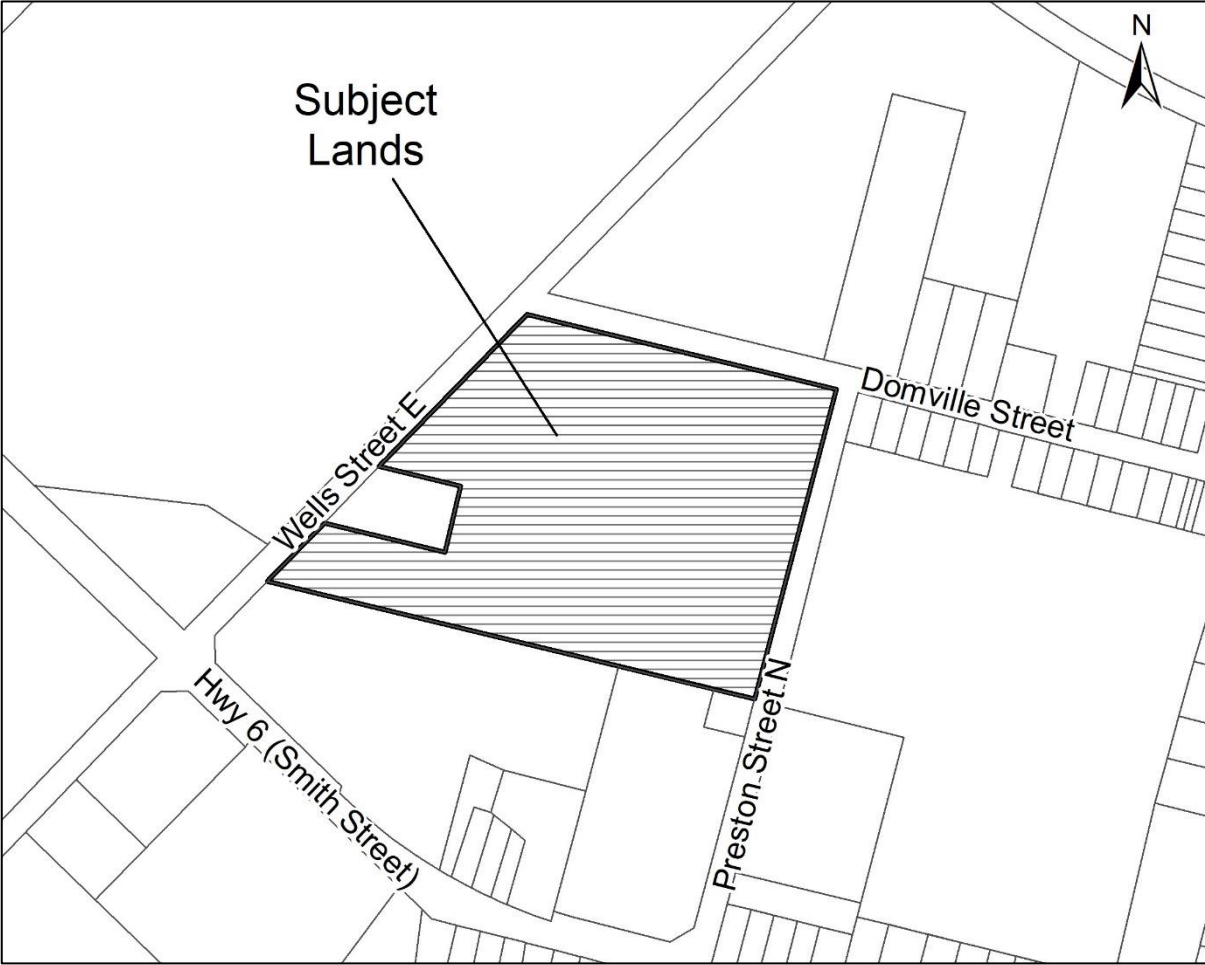
Moved: McCabe

Seconded: Hern

*THAT the Committee of Adjustment meeting of April 29, 2019 be adjourned.*

CARRIED

MUSASHI AUTO PARTS CANADA 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

October 1, 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 A06/19**  
**Part of Park Lot 5 and 6 RP 60R1199 Part 1 and 2, Arthur**  
**Musashi Auto Parts Canada 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 variance requested would provide relief from the maximum height requirements for a proposed addition to the existing industrial building. The applicants are proposing an addition to the existing auto parts manufacturing plant with a height of 18.5 m (60.68 ft) in order to accommodate the equipment that requires the additional height, where the permitted height is 12 m (39.4 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. The proposed addition would be desirable and appropriate for the development of the subject property.

We would recommend that conditions be applied to address the following:

- That the increased height of 18.5 m (60.68 ft) is permitted for the proposed 1,580.00 m<sup>2</sup> (17,007 ft<sup>2</sup>) addition only.

### 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 7.43 ha (18.38 ac). The location of the property is shown on Figure 1.



**PROPOSAL**

The purpose of this application is to provide relief from the maximum height requirements for a proposed addition to the existing industrial building. The applicant is proposing an addition to the existing auto parts manufacturing plant with a height of 18.5 m (60.68 ft) in order to accommodate the equipment that requires the additional height, where the permitted height is 12 m (39.4 ft).

**WELLINGTON COUNTY OFFICAL 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**

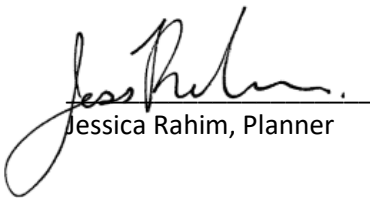
The subject property is zoned Industrial (M1), which permits an automotive manufacturing and assembly plants. The applicant is proposing to construct an addition to the existing structure, with an increased height of 18.5 m (60.68 ft).

The variance requested would provide relief from Section 24.2.8 of Zoning By-law 66-01 to construct an addition to the existing auto parts manufacturing plant with an increased height of 18.5 m (60.68 ft) where the by-law requires 12 m (39.4 ft).

<b>Semi-Detached Dwelling</b>	<b>Required</b>	<b>Proposed</b>	<b>Difference</b>
<b>Maximum Building Height</b> (Section 24.2.8)	12 m (39.4 ft)	18.5 m (60.68 ft)	6.5 m (21.28 ft)

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

Yours truly,

  
Jessica Rahim, Planner





400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

Phone: 519.621.2761 Toll free: 866.900.4722 Fax: 519.621.4844 Online: www.grandriver.ca

**PLAN REVIEW REPORT: Township of Wellington North  
Tammy Pringle, Development Clerk**

**DATE:** September 24, 2019

**YOUR FILE:** A06/19

**RE:** **Application for Minor Variance**  
333 Domville Street., Township of Wellington North

**GRCA COMMENT:\***

The Grand River Conservation Authority (GRCA) has no objection to the proposed minor variance.

**BACKGROUND:**

**1. Resource Issues:**

Information currently available at this office indicates that the subject parcel contains floodplain, slope valley, and the regulated allowances to these features.

**2. Legislative/Policy Requirements and Implications:**

A portion of the subject property contains natural hazard features as identified by the Provincial Policy Statement (PPS, 2014) and the Greenlands System in accordance to the County of Wellington Official Plan (2015). Based on the information provided, the addition requested with this application will be located outside the natural hazard features identified above. Consequently, GRCA staff does not anticipate any negative impact on the natural hazard features as a result of this application.

Due to the features noted above, a small portion of the subject property is regulated by the Grand River Conservation Authority (GRCA) under Ontario Regulation 150/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation). However, the proposed development is not within an area of interest to the GRCA and will therefore not require a GRCA permit.

**3. Additional Information/Suggestions provided in an advisory capacity:**

A "minor" minor variance application review fee is required for our review of this application. With a copy of this letter, the applicant will be invoiced in the amount of \$270.00.

We trust the above information is of assistance. Should you have any further questions please contact the undersigned at 519-621-2763 extension 2231.

Yours truly,



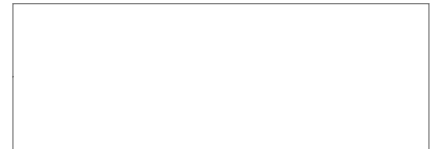
Laura Warner  
Resource Planner  
Grand River Conservation Authority

cc: Musashi Auto Parts Canada Inc., 333 Domville Street, Arthur, ON N0G 1A0  
H. Bye Construction Ltd., 395 Church Street, Mount Forest, ON, N0G 2L2

- ***These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.***



**333 Domville Street**

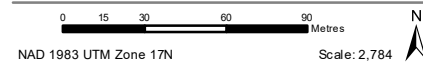


**Legend**

- Regulation Limit (GRCA)
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Floodplain (GRCA)
  - Engineered
  - Estimated
  - Approximate
  - Special Policy Area
- Slope Valley (GRCA)
  - Steep
  - Oversteep
  - Steep
- Slope Erosion (GRCA)
  - Oversteep
  - Toe
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)

This legend is static and may not fully reflect the layers shown on the map. The text of Ontario Regulation 150/06 supercedes the mapping as represented by these layers.

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 The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to: <https://maps.grandriver.ca/Sources-and-Citations.pdf>



**From:** Emily Vandermeulen <EVandermeulen@centrewellington.ca>  
**Sent:** September 25, 2019 9:33 AM  
**To:** Tammy Pringle <tpringle@wellington-north.com>  
**Cc:** Source Water <sourcewater@centrewellington.ca>  
**Subject:** RE: NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE: Musashi Auto Parts Canada Inc.

Hi Tammy,

Thank you for providing the above referenced application for review. I have reviewed the application and can confirm that the property is located in a WHPA –D (25 year time-of-travel) and therefore, the application can be screened out and no notice is required pursuant to 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](mailto:evandermeulen@centrewellington.ca) | [www.wellingtonwater.ca](http://www.wellingtonwater.ca)  
Toll free: 1.844.383.9800

**From:** Tammy Pringle [<mailto:tpringle@wellington-north.com>]  
**Sent:** Monday, September 23, 2019 8:40 AM  
**To:** COUNCIL <[COUNCIL@wellington-north.com](mailto:COUNCIL@wellington-north.com)>; WELLINGTONNORTH <[WELLINGTONNORTH@wellington-north.com](mailto:WELLINGTONNORTH@wellington-north.com)>; Laura Warner <[lwarner@grandriver.ca](mailto:lwarner@grandriver.ca)>; Kyle Davis <[KDavis@centrewellington.ca](mailto:KDavis@centrewellington.ca)>; Emily Vandermeulen <[EVandermeulen@centrewellington.ca](mailto:EVandermeulen@centrewellington.ca)>; [rowcentre@bell.ca](mailto:rowcentre@bell.ca)  
**Subject:** NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE: Musashi Auto Parts Canada Inc.

#### **A06/19**

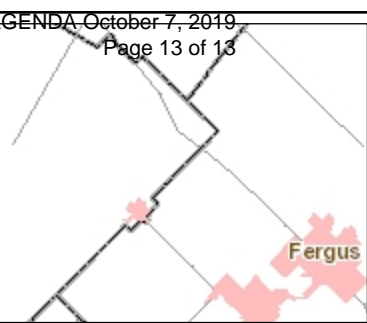
**TAKE NOTICE** that an application for minor variance, under the above file number has been submitted to the Committee of Adjustment for the Township of Wellington North. The Committee will give consideration to the minor variance application on:

**Monday, October 7<sup>th</sup>, 2019**  
Township of Wellington North Municipal Offices  
Council Chambers  
7490 Sideroad 7 West, Kenilworth.  
2:00 p.m.

## Tammy Pringle

Development Clerk, *Township of Wellington North*

519.848.3620 ext. **4435** | 7490 Sideroad 7 W, PO Box 125, Kenilworth, ON N0G 2E0



Legend

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

1: 4,000



0.2 0 0.10 0.2 Kilometers



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Notes