

THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
MEETING MINUTES OF THE COMMITTEE OF ADJUSTMENT - MAY 10, 2021 @ 2:00 PM
VIA WEB CONFERENCING <https://www.youtube.com/watch?v=jwp78vJDe8E>

Members Present:

Chair: Andrew Lennox
Members: 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
Director of Finance:	Adam McNabb
Economic Development Officer:	Dale Small
Director of Operations:	Matthew Aston
Community Recreation Coordinator:	Mandy Jones
Manager of Recreation Services:	Tom Bowden
Chief Building Official:	Darren Jones
Human Resources Manager:	Chanda Riggi
Director of Fire Services/Fire Chief:	Chris Harrow
Canine Control Officer:	Rick Rauwerda
Manager of Development Planning:	Curtis Marshall
Planner:	Matthieu Daoust

CALLING TO ORDER - Chairperson Lennox

Chairperson Lennox called the meeting to order

DISCLOSURE OF PECUNIARY INTEREST

No pecuniary interest declared.

MINUTES OF PREVIOUS MEETING(S)

- Committee of Adjustment, April 12, 2021 (A05/21, A06/21)

RESOLUTION: CoA 2021-009

Moved: Yake

Seconded: Burke

THAT the Committee of Adjustment meeting minutes of April 12, 2021 – A05/21 & A06/21 be adopted as presented.

APPLICATION

A07/21 – Victoria McHugh

THE LOCATION OF THE SUBJECT PROPERTY is described as Con 4 N, Pt Lot 7 RP 60R2895 Pt 1, PR 61R9830 Pt 1 and is Municipally known as 9391 Concession 4 N. The property is approximately 0.6 ha (1.48 ac) in size.

THE PURPOSE AND EFFECT of the application is to provide relief from the maximum floor area an accessory structure. The applicant is proposing to construct a new garage with a floor area of 278.7 m² (3,000 ft²). 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 April 23, 2021.

PRESENTATIONS

Matthieu Daoust, Planner, County of Wellington, Township of Wellington North

- Planning Report dated April 22, 2021

Planning Opinion: The variance requested would provide relief from the maximum floor area for an accessory structure. The applicants are proposing to construct a new 278.7 m² (3,000 ft²) detached garage for personal use.

We have no concerns with the requested relief provided the applicable conservation authority is satisfied. 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 Con 4 N, Pt Lot 7, RP 60R2895 Pt 1, PR 61R9830 Pt 1 and is Municipally known as 9391 Concession 4 N. The property is approximately 0.6 ha (1.48 ac) in size. The location is shown on Figure 1.

PROPOSAL

The purpose of this application is to provide relief from the maximum floor area for an accessory structure. The applicant is proposing to construct a new 278.7 m² (3,000 ft²) detached garage for personal use.

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated AGRICULTURAL and a small portion of CORE GREENLANDS. The identified environmental feature is a Saugeen Valley Conservation Authority regulated hazard lands. 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 a small portion is zoned Natural Environment (NE). Per Section 6.20.1b.i) Accessory structures are permitted provided they exceed a 3 m setback to the NE zone. Based on the applicants provided site plan, the aforementioned setback is maintained. The applicant is proposing to construct a new accessory structure and required the following variance:

General Provisions	Permitted	Proposed	Difference
Lot Coverage (Section 6.1.4b)	185.8 m ² (2,000 ft ²)	278.7 m ² (3,000 ft ²)	92.9 m ² (1,000 ft ²)

The variance requested is minor and appropriate for the use of the lot. The applicant has indicated the additional space is required for storage of recreational vehicles/personal vehicles and a hobby woodworking space. The variances meet the general intent of the Official Plan and Zoning By-law. I trust that this information will be of assistance to the Committee when making their decision on this application.

CORRESPONDENCE FOR COMMITTEE'S REVIEW

Barbara M.J. Baranow, Analyst Land Support, Enbridge Gas Inc.

- Email dated April 22, 2021 -No Objection

Michael Oberle, Environmental Planning Technician, Saugeen Conservation

- Letter dated May 5, 2021 – Application Acceptable

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

Victoria McHugh, Applicant, was present to answer questions regarding the application.

COMMENTS/QUESTIONS FROM THE COMMITTEE

No comments or questions from the Committee.

DECISION

CALL FOR VOTE: SHOW OF HANDS (no mover/seconded required)

THAT the minor variance applied for in Application A07/21, for the property described as Con 4 N, Pt Lot 7 RP 60R2895 Pt 1, PR 61R9830 Pt 1 and is Municipally known as 9391 Concession 4 N., to provide the following relief;

- 1. THAT a total ground floor area for an accessory structure of 278.7 m² (3,000 ft²) be permitted, whereas section 6.1.4b of the By-law permits a total maximum ground floor area of 206.7 m² (2,225 ft²).**

APPROVED

APPLICATION

A08/21 – Sarah Wilson & Trevor Roberts

THE LOCATION OF THE SUBJECT PROPERTY is described as Part Lot 4, Concession 7; RP 61R11683 and is municipally known as 8170 Line 6, West Luther. The property is approximately 5.15 ha (12.75 ac) in size.

THE PURPOSE AND EFFECT of the application is to provide relief from the minimum side yard setback, building height and building size requirements for an accessory structure. The applicants are proposing to construct a new 1031.2 m² (11,100 ft²) riding arena (attached to the existing barn). Relief is requested to permit a total accessory building floor area of 1179.84 m² (12,699.7 ft²), a height of 7.62 m (25 ft), and a side yard setback of 11.96 m (39.2 ft). 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 April 30, 2021.

PRESENTATIONS

Curtis Marshall reviewed the comments provided by Asavari Jadhav, Junior Planner & Curtis Marshall, Manager of Development Planning; County of Wellington, Township of Wellington North

- Planning Report dated May 4, 2021

Planning Opinion: The variance requested would provide relief from the minimum side yard setback, building height and building size requirements for an accessory structure on an agricultural lot. The applicant is proposing to construct a new riding area (attached to an existing barn) with a floor area of 1031.2 m² (11,100 ft²), height of 7.62 m (25 ft) and side yard setback of 11.96 m (39.2 ft).

We have no concerns with the size of the proposed structure 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 Part Lot 4, Concession 7; RP 61R11683 and is Municipally known as 8170 Line 6, West Luther. The property is approximately 5.15 ha (12.75 ac) in size.

PROPOSAL

The purpose of this application is to provide relief from minimum side yard setback, building height and building size requirements for an accessory structure. The applicants are proposing to build a new riding arena attached to an existing barn.

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated PRIME AGRICULTURAL and CORE GREENLANDS. 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.

It appears that the proposed riding arena is located outside the Core Greenland designation (Flood Plain). The comments from the Grand River Conservation Authority should be considered regarding the flood plain and proposed setback.

TOWNSHIP OF WELLINGTON NORTH ZONING BY-LAW

The subject property is zoned Site Specific Agricultural (A-112) and Natural Environment (NE). The site specific amendment recognizes the size of the existing garage/shed: 148.64 m² (1600 ft²) and the existing barn: 306.57 m² (3,300 ft²). The applicants are proposing to construct a new riding arena with the following required variances:

Accessory Uses	Permitted	Proposed	Difference
Minimum Side Yard Setback (Section 8.2.4(d))	18.3 m (60.0 ft)	11.96 m (39.2 ft)	6.34 m (20.8 ft)
Maximum Floor Area (Section 33.112)	148.64 m ² (1600 ft ²) existing garage/ shed	Total floor area with new arena: 1179.84 m ² (12,699.7 ft ²)	1031.2 m ² (11,100 ft ²) new arena
Height (Section 6.1.3(b))	6.7m (22 ft)	7.62 m (25 ft)	0.92 m (3 ft)

The variances requested are minor and appropriate for the use of the lot. The height of the building is specific to its use as a riding arena and the riding arena would not be uncharacteristic to area. The variances meet the general intent of the Official Plan and Zoning By-law.

CORRESPONDENCE FOR COMMITTEE'S REVIEW

Barbara M.J. Baranow, Analyst Land Support, Enbridge Gas Inc.

- Email dated May 3, 2021 (No Objection)

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

Sarah Wilson, Applicant, was present to answer any questions regarding the application.

COMMENTS/QUESTIONS FROM THE COMMITTEE

No comments or questions regarding the application.

DECISION

CALL FOR VOTE: SHOW OF HANDS (no mover/seconded required)

THAT the minor variance applied for in Application A08/21, for the property described as Part Lot 4, Concession 7; RP 61R11683 and municipally known as 8170 Line 6, West Luther., to provide the following relief;

- 1. THAT a reduced Side Yard Setback of 11.96 m (39.2 ft) be permitted, for a proposed riding arena barn addition, whereas Section 8.2.4(d) of the By-Law permits 18.3m (60.0 ft);**
- 2. THAT a maximum Floor Area of 1,179.84 m² (12,699.7 ft²) be permitted, for a proposed riding arena barn addition, whereas Section 33.112 of the By-Law permits 148.64 m² (1,600 ft²); and**
- 3. THAT a building Height of 7.62 m (25 ft) be permitted, for a proposed riding arena barn addition, whereas Section 6.1.3(b) of the By-Law permits 6.7 m (22 ft).**

APPROVED

ADJOURNMENT

RESOLUTION: CoA 2021-010

Moved: Burke

Seconded: Hern

THAT the committee of adjustment meeting of May 10, 2021 be adjourned at 2:37 p.m.

CARRIED

Secretary Treasurer

Chair