

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
MEETING AGENDA OF THE COMMITTEE OF ADJUSTMENT – OCTOBER 12, 2021 @ 2:00 P.M.
VIA WEB CONFERENCING**

HOW TO JOIN

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join. <https://us02web.zoom.us/j/84292241365>

Description: Public Meeting Under the Planning Act

Or join by phone:

Dial (for higher quality, dial a number based on your current location):

855 703 8985 (Toll Free) or 1 438 809 7799 (*long distance charges may apply*)

Webinar ID: 842 9224 1365

**PAGE
NUMBER**

CALLING TO ORDER - Chairperson Lennox

DISCLOSURE OF PECUNIARY INTEREST

- A13/21 Blue Grotto Global Investments Inc.

MINUTES OF PREVIOUS MEETING(S)

- Committee of Adjustment, September 13, 2021 (A14/21)

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Recommendation:

THAT the Committee of Adjustment meeting minutes of September 13, 2021 – A14/21 be adopted as presented.

APPLICATION

A13/21 – Blue Grotto Global Investments Inc.

THE LOCATION OF THE SUBJECT PROPERTY is described as Survey Carroll Lot 1 and is municipally known as 137 Smith St, Arthur. The property is approximately 0.1 ha (0.25 ac) in size. The location of the property is shown on the map attached.

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THE PURPOSE AND EFFECT of the application is to permit a portion of the accessory residential use in the side of the main commercial use and permit 72% of the ground floor area to be a residential use. The applicants are proposing to add two additional residential units on the main floor of the existing commercial/residential use. 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 21, 2021.

PRESENTATIONS

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

- Planning Report dated October 1st, 2021

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CORRESPONDENCE FOR COMMITTEE'S REVIEW

Darren Jones, Chief Building Official, Township of Wellington North

- Letter dated September 24, 2021 (No Objection) 10

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

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

THAT the minor variance applied for in Application A13/21, for the property described as Survey Carroll Lot 1 with a civic address of 137 Smith St, Arthur, to provide the following relief;

1. **THAT the residential use location of above, rear and front portion of commercial use be permitted, for a proposed building renovation, whereas the By-Law allows for above or to the rear of the commercial use and;**
2. **THAT a 72% residential ground floor area be permitted whereas the By-Law permits 49% residential ground floor area.**

ADJOURNMENT

Recommendation:

THAT the committee of adjustment meeting of October 12, 2021 be adjourned.

THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
MEETING MINUTES OF THE COMMITTEE OF ADJUSTMENT – SEPTEMBER 13, 2021 @ 2:00 P.M.
VIA WEB CONFERENCING - <https://www.youtube.com/watch?v=noSqyrY1qlo>

Members Present:

Chair: Andrew Lennox
Members: Sherry Burke
Lisa Hern
Steve McCabe

Member Absent:

Member: 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
Director of Operations:	Matthew Aston
Manager of Transportation Services:	Dale Clark
Manager of Recreation Services:	Tom Bowden
Community Recreation Coordinator:	Mandy Jones
Economic Development Officer:	Dale Small
Chief Building Official:	Darren Jones
Human Resources Manager:	Chanda Riggi
Director of Fire Services/Fire Chief:	Chris Harrow
Planner:	Matthieu Daoust

CALLING TO ORDER - Chairperson Lennox

Chairperson Lennox called the meeting to order.

DISCLOSURE OF PECUNIARY INTEREST

No pecuniary interest disclosed.

MINUTES OF PREVIOUS MEETING(S)

- Committee of Adjustment, August 23, 2021 (A12/21)

RESOLUTION: CoA 2021-017

Moved: McCabe

Seconded: Hern

THAT the Committee of Adjustment meeting minutes of August 23, 2021 – A12/21 be adopted as presented.

CARRIED

APPLICATION

A14/21 – Jorge & Maria Barros

THE LOCATION OF THE SUBJECT PROPERTY is described as Plan 175 Lot 7 and is municipally known as 525 Prince Charles St, Mount Forest. The property is approximately 0.06 ha (0.15 ac) in size.

THE PURPOSE AND EFFECT of the application is to permit a permanent parking space in the front yard. The applicants are proposing to add a second driveway in front of the main building to allow accessible parking for wheelchair access. 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 2nd, 2021.

PRESENTATIONS

Matthieu Daoust, Planner, presented comments prepared by Asavari Jadhav, Junior Planner & Matthieu Daoust, Planner, County of Wellington, Township of Wellington North

- Planning Report dated September 3, 2021

PLANNING OPINION: The variance requested would provide relief from Section 6.27.4 which states that all permanent parking spaces within a residential zone shall be to the rear of the front wall of the main building. The application would permit a permanent parking space in the front yard. The applicants are proposing to add a second driveway in front the main building to allow accessible parking for wheelchair access with a ramp.

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

SUBJECT PROPERTY AND LOCATION

The location of the subject property is described as Plan 175 Lot 7 and is Municipally known as 525 Prince Charles St, Mount Forest. The property is approximately 0.06 ha (0.15 ac) in size.

PROPOSAL

The purpose of this application is to provide relief from Section 6.27.4 which states that all permanent parking spaces within a residential zone shall be to the rear of the front wall of the main building. The application would permit a permanent parking space in the front yard. The applicants are proposing to add a second driveway in front the main building to allow accessible parking for wheelchair access with a ramp.

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated RESIDENTIAL located within the Urban Center of Mount Forest. 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 Low Density Residential (R1C). The applicant is proposing to park permanently in the front yard for wheelchair access and requires the following variance:

Parking Regulations	Permitted	Proposed
Location of Parking Areas and Spaces (Section 6.27.4)	All parking spaces within a residential zone shall be to the rear of the front wall of the main building	To permit a permanent parking space in the front yard

The variance requested is minor and appropriate for the use of the lot. The applicants are proposing to add a second driveway in front the main building to allow accessible parking for wheelchair access with a ramp. The variance meets 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

Michael Oberle, Environmental Planning Technician, Saugeen Conservation

- Letter dated September 6, 2021 (No Objection)

Danielle Walker, Source Protection Coordinator, Wellington Source Water Protection

- Email dated September 8, 2021 (no concerns)

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

Jorge & Maria Barros, Applicants, were not present.

COMMENTS/QUESTIONS FROM THE COMMITTEE

Mayor Lennox commented that in situations where a minor variance is required for accessibility, he is more than happy to grant the variance to allow that to happen.

DECISION

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

THAT the minor variance applied for in Application A14/21, for the property described as Plan 175 Lot 7 and is municipally known as 525 Prince Charles St, Mount Forest, to provide the following relief;

1. **THAT permanent parking spaces in front of the front wall of the main building be permitted, for an existing residence, whereas the By-Law requires that all parking spaces within a residential zone shall be to the rear of the front wall of the main building.**

APPROVED

ADJOURNMENT

RESOLUTION: CoA 2021-017

Moved: Burke

Seconded: McCabe

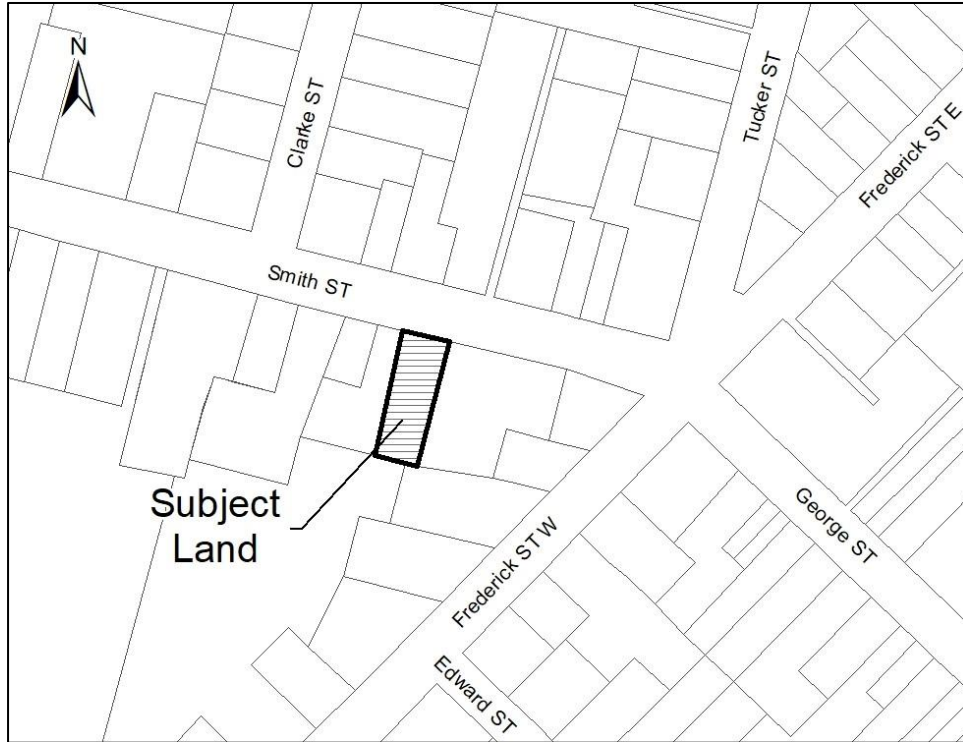
THAT the committee of adjustment meeting of September 13, 2021 be adjourned at 2:08 p.m.

CARRIED

Secretary Treasurer

Chair

BLUE GROTTO GLOBAL INVESTMENTS 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 1st, 2021

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 A13/21**
137 Smith St
Blue Grotto Global Investment Inc

We have reviewed the application for minor variance and provide the following comments:

Planning Opinion: The variance requested would provide relief from Section 16.3b which states that accessory residential use shall be located above or to the rear of the commercial use. In addition, the applicant is seeking additional relief to permit 72% of the ground floor area to be a residential use.

Planning Staff have concerns with the proposed floorplan/configuration and do not support the inclusion of the residential use in the front portion of the building which is within the required commercial area. The intent of the Accessory Residential Use provisions are to permit an accessory residential use to a main commercial use. Furthermore, the intent is that commercial uses are to be maintained at the street front within the Central Business District. Planning Staff recommend that the residential bedroom (See Figure 2) be removed from the front portion of the building. This area should remain commercial. Planning Staff could be in a position to support the application if this change was made.

The Committee should be satisfied with the requested relief and should be 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 Survey Carroll Lot 1 and is Municipally known as 137 Smith St. The property is approximately 0.1 ha (0.25 ac) in size. The location is shown on Figure 1.

PROPOSAL

The purpose of this application is to permit a portion of the accessory residential within the front portion of the main commercial use and permit 72% of the ground floor area to be a residential use.

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is designated CENTRAL BUSINESS DISTRICT. 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.



Figure 1. 2015 Aerial photo of subject lands

TOWNSHIP OF WELLINGTON NORTH ZONING BY-LAW

The subject property is zoned Central Commercial Zone (C1). The applicant is proposing to add two accessory residential units on the main floor of an existing commercial/residential use and required the following variance:

Accessory Residential Uses	Permitted	Proposed	Difference
Residential Use Location (Section 16.3b)	Above or rear of Commercial use	Above, rear and front portion of Commercial use	Front portion of Commercial Use
Residential Use GFA (Section 16.3c)	49% Residential GFA	72% Residential GFA	23% Residential GFA

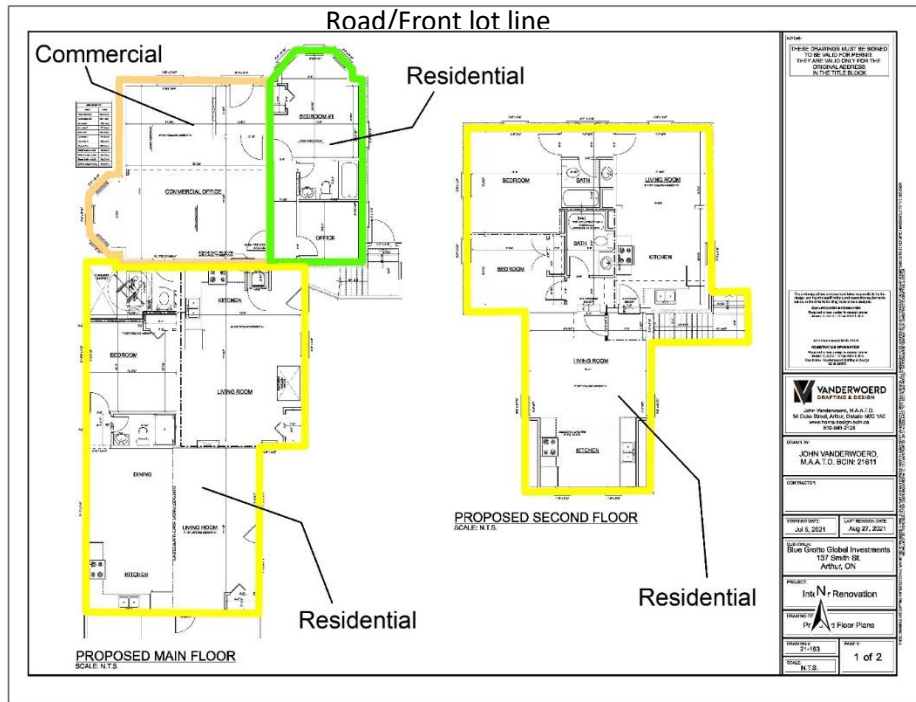


Figure 2. Proposed Floor Plan.

Planning staff have concerns with proposed floor plan/configuration and would recommend the applicant eliminate and convert the area outlined in green to commercial (which is slated for residential (see Figure 2)).

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

Yours truly,

A handwritten signature in black ink that reads "Matthieu Daoust". The signature is written in a cursive style with a large, stylized initial 'M'.

Matthieu Daoust, MCIP RPP
Planner



WELLINGTON NORTH
SEMPER PORRO

September 24, 2021

Committee of Adjustment
Corporation of the Township of Wellington North
7490 Sideroad 7 West, PO Box 125
Kenilworth, ON N0G 2E0

Re: Application A13/21 – 137 Smith St (Blue Grotto Global Investments Inc.)

We have reviewed the proposal and have no concerns with a portion of the accessory residential use in the side of the main commercial use and permitting 72% of the ground floor area to be a residential use. The applicants are proposing to add two additional residential units on the main floor of the existing commercial/residential use.

If permission is granted by the committee, the applicant will be required to apply for a building permit from the Township. A complete permit application will include a lot grading plan that details the expanded parking area prepared by a Professional Engineer or an Ontario Land Surveyor.

If you require any further information or have any comments, please contact the Township of Wellington North Building Department.

Regards,


Darren Jones,
Chief Building Official